SUPPLEMENT TO THE BUENOS AYRES "STANDARD," FOR TRANSMISSION TO EUROPE—OCTOBER 12, 1868.

THE PARAGUAYAN WAR.

DIPLOMATIC NOTES.

FOREIGNERS IN PARAGUAY.

Universidad de San Andrés

NOTES PASSED BETWEEN THE AMERICAN LEGATION AND THE Paraguayan Government.

BUENOS AYRES, MONDAY, OCTOBER 12, 1868.

[TRANTLATION].

Ministry of State for Foreign Affairs,
Luque, June 20, 1868.

The Portuguese subject, Don Jose Maria Leite Pereira, having disappeared some days since from his ordinary residence in Trinidad, in contravention of orders in force, I have the honor to inquire of Y. E. if it be true, as the police has been informed, that the said individual is now in the American Legation, and for how long since?—hoping Y.E. will also please inform me of the nature and motive of his remaining in that Legation.

At the same time I beg Y.E. will remit me a list of all the persons who, without belonging to the Legation, are sheltered in it.

On this occasion I have the honor to renew to Y. E. the assurances of my most distinguished consideration and esteem.

[Signed]
GUMESINDO BENITEZ.

To H.E. Mr. Charles Washburn, Minister Resident of tho United States of America.

Legation of the United States,
Asuncion, June 22, 1868.

His Honor Gumesindo Benitez,
Acting Minister of Foreign Affairs.
Sir,

I have the honor to acknowledge the receipt of your note of the 20th inst., in which you advise me that the Portuguese subject, Jose Maria Leite Pereira, had disappeared from his ordinary residence by evasion of the police orders, and Your Honor requests me to inform you if, as the police had reported, he was in this Legation, and how long he had been here; and you add that I am also to inform Your Honor in what quality and with what motive he remains in this Legation.

You also request me at the same time that I will send you a list of all the persons that, without belonging to the Legation, are sheltered by it.

Your Honor will permit me to observe that all these questions pertain to the internal affairs of this Legation, and that, therefore, I am under no obligation, except as a matter of courtesy, to return any answers to them. Nevertheless, I shall give you the desired information, so far as I have it, though the note of Your Honor calls for it in terms so peremptory as would justify me in withholding it.

The individual mentioned by Your Honor, Don Jose Maria Leite Pereira, whom I had always known as the Acting Consul of the King of Portugal, and so recognised him on various official occasions, came to this Legation, accompanied by his wife, on the 16th inst They have remained here ever since, in the quality of guests of Mrs. Washburn and myself. Of his motives in coming here I am not further informed than that they are founded on the representation of Mr. Cuberville, at present in charge of the French Consulate; after his return from his late visit to San Fernando.

I give, as requested by Your Honor, a lisit of the persons not belonging to the Legation, but whom I have nevertheless received within its premises, some as guests and some in other capacities. In my note of the 24th of February, which was not sent but as an accompaniment of that of the 4th of April, I gave a list of the persons belonging to the Legation. None of these are included in the present list, which is as follows:—

Mr. and Mrs. Eden, Mrs. Thomas (widow) and three children, Mrs. Cutler (widow) and two children, Mr. and Mrs. Watts and four children, Mr. Newton and four children, Mr. Miles—English.

Don Antonio de las Carreras and Don Francisco Rodriguez Larreta—Oriental.

John A. Duffield and Thomas Carter—Americans.

Jose Maria Leite Pereira and wife—Portuguese.

Adolph Brose—German.

I take this occasion to tender to Your Honor assurances of distinguished consideration.

[Signed]
CHARLES A. WASHBURN.

[TRANSLATION].

Luque, June 27, 1868.

I have the honor to acknowledge the receipt of Y.E.'s note of the 22nd inst., in which is confirmed the fact that the Portuguese subject, Jose Maria Leite Pereira, is sheltered in the Legation of the United States, in contravention of all governmental dispositions.

Reserving for another occasion my answer to the various points tonched upon in Y.E.'s note, I limit myself for the present to request of Y.E. that since the aforesaid Leite Pereira is accused and has to appear before the proper tribunal, Y.E. will have the goodness to cause him to be delivered to the police officer, who will present himself for that purpose at Y. E.'s house, two hours after the delivery of this note.

I take this opportunity to renew to Y.E. the assurances of my most distinguished consideration and esteem.

(Signed)
GUMESINDO BENITEZ.

To H.E. Mr. Charles A. Washburn, Minister Resident of the United States of America.

[COPY].

Legation of the United States,
Asuncion, June 28, 1868.

His Honor Gumesindo Benitez,
Acting Minister of Foreign Affairs,
Sir,

At six o'clock last evening the note of Your Honor of the same date was left at this Legation. Being absent at the time, it was not delivered into my hands till some time after. In this note Your Honor states that mine of the 22nd inst. has confirmed the fact that Don Jose Maria Leite Pereira is sheltered in this Legation, in contravention of all governmental order.

Your Honor adds that, reserving to a suitable occasion your answer to the different points embraced in my note, you limit yourself for the present to ask that the said Leite Pereira being accused and required to appear before the proper tribunal, I should deliver him to the police official who was to call for him two hours after the delivery of your letter.

The official came within one hour after the note of Your Honor was received by me, and I advised him that I would not then deliver the said Leite Pereira, but would to day write an answer to your note of yesterday, giving my reasons therefore.

I must confess to a very great surprise on reading this note of Your Honor, as I conceive that on two very material points it does not show the respect due to an accredited Minister of a friendly nation. I am requested, in a manner almost peremptory, to deliver up a guest of mine against whom no specific crime or charge is laid, and who, like myself, is entirely ignorant of the nature of the accusation that Your Honor says has been made against him. I am also requested to deliver him to a police officer who would be sent to take him. This request that a foreign Minister should deliver a party to the police appears to me of so strange a nature that under any and all circumstances I must decline to accede to it. All that I could do even were a grave and specific crime laid to his charge would be to advise him that my house could no longer give him an asylum, and when he was out of it then he might deliver himself up to the police or wait till he was arrested.

I find that all the writers on international law that I have been able to consult agree both in regard to extradition from one country to another, and to the delivery of persons who have fled for asylum to the Legation of a foreign Minister that he is not under any obligations to deliver them except for some definite and high crime against the State or Sovereign. This being recognized as the law in such cases, it follows that before surrendering Mr. Leite Pereira I must first ask for the specific offence or offences of which he is accused. Says Vattel in speaking of the rights of asylum, "When we treat of certain common offences, of people often more unfortunate than guilty, or whose punishment is not very important to the repose of society, the hotel of an ambassador may well serve as an asylum; and it is better to allow offenders of this class to escape than to expose the Minister to see himself frequently disturbed under pretext of domicilary visits, than to compromise the State in the inconveniences which might arise," (Vattel: Law of Nations, Book IV, Chapter IX, S. 118.)

Your Honor will observe that according to this doctrine the mere allegation that a person is accused without stating his offence is not sufficient reason why he should be be delivered up, and will do me the credit, I trust, to believe that if I did not, surrender the individual in question, it was from no wish or intention of shilding any accused person from the penalties of violated laws. It was simply to conform to the law established for such cases so exactly as to be my own justification, in so grave a matter to my own Government and the World.

The case for me is one of greater delicacy and responsibility from the fact that up to the day that Mr. Pereira came to my house he had been known to me and recognized by the Government of Paraguay in an official capacity, that of Acting-Consul of Portugal. His offence or crime therefore must have been committed when he still held that character, and the case presents grave doubts whether a consul of one nation has not exceptional and stronger claims on the protection of the Minister of another than a person holding no public position. In the few authorities I have at hand I find no reference to any analogous case, as it appears that there is no precedent for a person holding a Consulate capacity being demanded as a criminal from the Minister of another nation. Indeed it has been held by many writers of high repute on international law that in their persons they were entirely privileged, the same as Ministers. One of these, Pinheiro Ferreira, in his commentary on Martyns, says:—"It may be affirmed in general that consuls and commercial agents, assimulated to consuls, as well as the persons forming part of the Consulate, enjoy, like public ministers, inviolability as to their persons though they have not the privilege of exterritoriality. Other modern authors of much celebrity go still further in support of the immunities of Consuls, while some do not go so far. But as Your Honor is doubtless familiar with the principal authorities on international law it is not necessary that I should quote further, and in giving the above extracts it has only been to indicate the gravity of the situation in which I am placed. A too ready acquiescence would bring upon me, I am convinced, the contempt of the Government of Paraguay, as it would the censure of my own government and the obloquy of the civilized world. Under such circumstances I most respectfully request that the specific charges against Mr. Leite Pereira may be made known to me when, if they shall be of the grave character that shall require it, he will be advised that this Legation can no longer give him an asylum.

I will only add that Mr. Leite Pereira has at all times expressed his entire willingness to leave this Legation and even surrender himself to the authorities of the country whenever I shall indicate that my house can give him no longer protection, that conscious of no offence and relying on the justice of the tribunals of Paraguay he will be ready to meet and disprove any allegations that may be brought against him.

I take this occasion to tender to Your Honor assurances of distinguished consideration.

[Signed.]
CHARLES A. WASHBURN.

[TRANSLATION.]

Ministry of State for Foreign Affairs.
Luque, July 11, 1868.

I have received the note of Y E., dated the 28th ult, in reply to that which I. on the 27th, had the honor to address Y.E. acknowledging the receipt of your note of the 22nd, in which Y. E. confirmed the fact that the Portuguese subject, José Maria Leite Pereira was sheltered in the American Legation in opposition to all governmental arrangements, and limiting myself to request the delivery of the said individual, accused of a grave offence, and who was to appear before the appropriate tribunal.

As in the same note I announced to Y.E. that I reserved to another time my reply to the different points touched upon in Y. E.'s note of the 22nd, and, as besides, the last despatch of Y.E. of the 28th contains other points not less important, and which, like the former, directly affect not only unquestionable rights, but also the principles which govern the conduct of nations in their mutual relations under the empire of reason, of justice, and of law, Y. E. will permit me to consign in this note my reply to the two above-mentioned notes of Y. E.

Referring to my note of the 20th, in which I begged for information as to the fact which had been stated of the shelter given to Leite Pereira in your Legation; the character and motive of his staying there; as well as concerning the request I made to be informed by list of the persons who, without belonging to the Legation are sheltered in it, Y. E. says that all these questions belong to the internal affairs of the Legation, and that consequently, Y.E is not under obligation to give any reply to it, except as a matter of courtesy.

Y. E. adds that Leite Pereira went to that Legation, accompanied by his wife, on the 16th ult.; from that time he has remained as a guest, and that of the motives of his going there, Y.E. is not further informed than that they were founded upon the representations of Mr Cuverville, at present charged with the French Consulate, after his return from his late visit to San Fernando: and closes the note of the 22nd giving the list asked for of persons, and stating that although not belonging to the Legation, Y. E. has received them within it, some as guests and others in other capacities.

First of all, I must manifest to Y E. that the expressions referred to as from Mr. Cuverville, prove, although in a very unsatisfactory manner, that the refugee in question sought the house of Y. E. to escape from justice, and, for the same reason, the title of guest given him by Y. E. with that knowledge, does not appear to afford a very correct explanation. And respecting the declaration of Y. E. that you were under no obligation to give the explanations called for by my Government, concerning a subject of vital interest under present circumstances, I must declare in my turn that Y. E. can have no right in the present case to deny the information and the explanations solicited in my note of the 20th, for the reasons which Y. E. will find in the present; but before going further I will make a summary of Y.E.'s note of the 28th.

In it Y. E. states that at six o'clock on the 27th, my note of that date was delivered at the Legation, and that one hour after it arrived the officer alluded to in my note; that Y.E informed him that you would not then deliver up the said Leite Pereira, but would write a reply to my note, adding that the reading of my note had caused Y.E. great surprise at seeing that concerning two very prominent points, it did not show the respect due to the accredited Minister of a friendly nation; that Y.E. was requested in an almost peremptory manner to deliver up a guest; that this request to deliver up one of your guests to an officer of police, sent to take him away, appears to Y.E. of so strange a nature that under no circumstances whatever could Y.E. accede to it. That all which Y.E. could do, even when the imputed crime was grave and specific, would be to notify the party that the Legation can no longer shelter him..

And, after other observations made from this point of view—after citing Vattel and other writers upon International Law—Y.E. closes, requesting that the specific charges made against the said Leite Pereira may be communicated, in order that, should they be of the grave character requisite, he may be informed that that Legation can no longer shelter him.

Having thus summed up the most essential points of Y.E.'s two notes, to which I have the honor te reply, I will immediately state to Y.E. that, according to the letter and spirit of said notes, Y.E. has not chosen to give all your attention to a subject of such importance, looking from a very limited standpoint at the high principles on which the International Code is based, and even refusing to recognise the legitimate right which my Government has to take the measures which Y.E. so much wonders at, and which I doubt not Y.E. will re-consider.

It is painful for me, Mr. Minister, to find that Y. E. has discovered in my notes any ground for the complaint made of lack of respect toward the accredited minister of a friendly nation, when my desire has been to abound in the contrary, according to the constant policy of my Government, much more when this Ministry had grave motives of complaint concerning the lack of consideration shown by Y. E. towards this Ministry, and, what is more, toward the Government itself: and since Y. E. has chosen to provoke this controversy you will allow me to mention these just motives.

Y. E. will remember that when the state of the war in which the Republic is engaged against its pretended conquerors, demanded that the city of Asuncion should be abandoned by its inhabitants, and declared a military post, the Government ordered its entire evacuation, as was communicated to Y.E. at the proper time, which order was scrupulously obeyed by natives and foreigners without distinction; but Y. E. making yourself the only exception, thought it your duty to contravene the said disposition of the Government. It was then that this Government expressed the hope that this circumstance, regretable for it, would not be the cause of any contravention of the Government's orders. Notwithstanding this and the official statement made by Y.E. of having admitted temporarily into the Legation several English families, Y. E. has thought it your duty to continue maintaining in it a large number of foreigners of different nationalities, whom Y. E. admitted at a moment when, though without any foundation, they might believe themselves in danger from the approach of two hostile vessels; and Y. E. ought to be persuaded that although the Government was not obliged to do so, yet, in pursuance of its usual policy of moderation, it chose to tolerate this conduct, in order that since they were already within the American Legation, they might not be troubled, confiding that the Minister of the United States would dismiss them as soon as the ground for fear had passed. Nevertheless, it is nearly five months since the two hostile vessels appeared momentaneously in the port of Asuncion, and since all peril towards these individuals ceased.

Since that time, disagreeable circumstances have occurred between this Ministry and the Legation of Y. E., through the provocations given by your refugees, and, nevertheless, not one of them has left that residence in fulfilment of the orders of the Government, and, on the contrary, others are received, as is proved by Y. E.'s notes.

Besides this, Y.E. ought to remember that Y. E has not had the goodness to communicate to this Ministry even the simple acknowledgment of its note of 23rd February, in which, among other things, it was said that in the desire of avoiding whatever disagreeable incident it consented to the residence of the American citizens Bliss and Manlove in the dwelling of Y. E., but with the warning that, not belonging to the class of servants in which they appear in the list of the American Legation, they cannot go out of it, in which case the police ought to arrest them, as was repeated to Y. E. in the posterior note of 4th March, but Y. E. has been pleased not only not to acknowledge the receipt of that note of this Ministry, but has regarded its request with little consideration, allowing the said individuals to go into the streets of the city, and, nevertheless, expressing in your note of March 24, that you did not recognise any violation of law or culpability on the part of Manlove, when, without any competent permission, he went to open the house of a French subject who was absent from that point.

When the consecutive cases of Manlove, Watts, and Bliss occurred, involving direct provocations to the authorities, this Ministry, seriously calling the attention of Y. E., instead of proceeding to other measures, which it might rightfully have adopted, requested of Y. E. an assurance that these insults would not be repeated, but Y. E. did not choose to offer any. Nor did Y. E. see fit to acknowledge receipt of the note of Feb. 22, although it was accompanied by the Government edict of the same date, ordering the total evacuation of the capital, it having been declared a military post, nor that of the 28th of the same month, in which Y. E. was notified, by an authentic copy, of the Supreme Decree, which declares all the territory of the Republic in a state of seige.

In spite of these antecedents, this Ministry, being guided by the grave and circumspect policy of the Supreme Government of the Republic, has guarded a conduct full of moderation towards the representative of the friendly nation of the United States, who cannot, without injustice, fail to recognize this fact, and it is indeed owing to this circumstance that I so much regret that Y. E. attributes to my note of the 27th any lack of respect towards the accredited Minister of a friendly nation, and I can assure Y. E. that it is beyond my power to conceive that by the act of soliciting the delivery of a culpable person, who had taken refuge in the Legation; and of having sent an officer to seek him, two hours after the delivery of the note, there can be inferred any offence, to justify any such complaint.

I cannot but express to Y. E. my sincere thanks for the acquiescence or courtesy which Y. E. supposes yourself to have used in giving me an account of the persons sheltered in your hotel, and Y. E. will permit me to declare in turn that this Ministry cannot recognise in Y. E. the right to refuse to reply to the query made in its note of the 27th ult., since if this information belongs to the internal affairs of the Legation, it does not less appertain to the territorial sovereignity of the place of your residence, as is demonstrated in the case of Leite Pereira, whose disappearance was not accounted for until Y. E.'s note of the 22nd ult?

Returning to the subject of sending an officer of police to accompany the person demanded, I cannot understand the reason which Y. E can have had for so imperiously declining to deliver up the persen in question. Although there may be no precedent for it, it is in the natural order of things, as derived from common practice, but Y.E. shows conclusively that you are in no case disposed to give up to the authorities any of your refugees, but at most to say to him that your house can no longer give him asylum. If there could be any offence in the sending of the said officer, I consider it well washed out by Y. E. negative and the sending away the same officer without having fulfilled his commission, it being, for that matter, very indifferent whether Leite Pereira be delivered up or dismissed from the United States Legation to be arrested in the street by a less distinguished functionary.

Y. E. says that, according to all writers upon Internation law, a foreign Minister is not obliged to deliver up his refugees, except for some high and specific crime against the State or the Sovereign, and adds, that this being recognised as law in such cases, it follows that before giving up Leite Pereira, Y.E. ought first to call for the manifestation of the specific offence or offences of which he is accused. Without recognising in an absolute sense this principle, it is incumbent upon me to say upon this point that when the Government of the Republic solicited the delivery of Leite Pereira, clearly expressing that he had violated governmental disposition, which is evident and notorious to Y.E. yourself; besides the statement that he was accused, and that he must appear before a tribunal, Y. E. should not have hesitated a moment in recognising that the criminality of the said individual is not of the character of the common offences mentioned in Y. E. quotation from Vattel. From this point of view, I do not perceive any obligation to give Y.E. any more explanations concerning the crime of the accused person, whose appearance before the appropriate tribunal is imperatively necessary, and, on the contrary, I have reason to be much surprised at Y.E.'s pretension to be informed on the specific charges against Leite Pereira, in order that should they be of the grave character requisite, he may be advised that he can no longer be sheltered; that is, constituting yourself the only judge of the question, and of the case of the delinquent in this country. To recognise in Y. E. this attribution would be to abdicate on the part of my Government, its rights and prerogatives, to the lowering of its honor and national dignity.

Please accept my special thanks for the transcription of a part of the paragraph 48 of chap. 9, book iv, of Vattel, and believe that it is precisely in view of this same quotation, and of what follows in the work of that celebrated author, that I have requested of Y. E. that Leite Pereira should be placed in the hands of justice. And this is, Mr. Minister, as much as I think myself authorised to say in the matter of the guest who has provoked the discussion, trusting that Y. E. will consider yourself sufficiently informed to do justice to yourself in the case.

It has been precisely in order not to be obliged to molest Y. E. by following the course indicated by strict law, that this Ministry has more than once expressed the desire that Y. E. would not shelter in your Hotel, nor in its rear premises, so many persons of different nationalities, to the degree of depriving the public workshops of their artisans for many months, such as George Miles, prisoner of war, placed in the pay and service of the Arsenal, upon the same footing with the contracted operatives, John Watts, engineer, and Willian Newton, director of the foundry, all of them English, who like others are sheltered in Y. E.'s hotel.

Besides, the privilege of asylum, so long maintained without apparent motive, in a purely military post, without other inhabitants than the American Minister, his guests and refugees, as Y. E. calls them, might justly have given rise to a serious discussion concerning the extension which Y. E. wishes to give to the immunities of your hotel, but the Government has carefully endeavoured to avoid it, and has limited itself in the matter to slight and friendly indications.

In what relates to the official character, which Y. E. attributes to the refugees, I must say that before reaching the house of Y.E. he received in the morning of the 16th ult. a note from this Ministry, in which, by virtue of a declaration of the Chargé d'Affairs of H. M. F. the King of Portugal, he was notified that in the question which arose between him and the Vice-Consul of that nation, long since, the latter alone would be recognized as the person with whom to treat in matters concerning the Consulate of H. M. F., and that the former could not be recognized in the character of administrator of the Consulate which was solicited for him by Mr. Consul Madruga, by a note addressed to this Ministry, but not answered. This fact leads me to omit all discussion of the question, especially since the same guest of Y. E. will have informed you in detail of all that occurred with the Government in this respect, in view of the official documents.

And I must ingenuously say to Y.E. that although I am far from knowing the motives which led Y. E. to refuse to allow Leite Pereira to carry into effect his express desire to leave that Legation to go and deliver himself to the authorities, I desire to respect the reasons which may have influenced Y. E.

Although I do not propose to discuss here the incompetence of the location of the American Legation within a military post, I must observe that I trust Y. E. will not fail to perceive that since Asuncion was converted into a military establishment, and the Government and people, as well as the foreign agents and subjects, residing in other places, not only the laws of the State are affected, but also a formal embarrassment has been created, to the internal management of that post, by the existence of a diplomatic Hotel within its limits.

Leaving aside, then, the question of the residence of Y. E. in Asuncion, where there are no objects of diplomatic attention, I proceed to state to Y.E. that the ostensible motive of the asylum given by the American Legation having ceased, that asylum must also cease, especially since it has begun to seriously affect the military regulations of the post, and the most precise orders of the Government; that if, at the moment of the evacuation of the city, that asylum was tolerated, there is no reason, nor is it to be permitted that such a state of affairs continue, as a place for refuge, and declaring that I am under no obligation to give any explanation, either respecting the individuals comprehended in it, nor of those who in future may take refuge there. Without any fear of committing myself, I can assure Y. E. that you cannot cite any precedent, and that on the contrary no one can fail to recognize the reason and justice which characterizes the loyal and prudent conduct of my government in a question of great political transcendency, and Y. E. yourself must recognize, that under all its aspects, such a house with diplomatic immunities affords the greatest inconvenience and peril in a strictly military post. In a word, Mr. Minister, I cannot for a moment doubt that Y. E. weighing in your mind these grave considerations will find that the exercise of your Ministry and of the immunities of your Legation are incompatible with the condition of the place of your residence, and that by the simple fact of having placed it in a military post, Y. E. has relaxed a part of its privileges, and especially the right of asylum.

But these circumstances assume a still graver character when Y. E. declares officially that Leite Pereira, like yourself, is totally ignorant of the nature of the accusation made against him, and since Y.E. constitutes yourself the judge who should determine upon specific charges against your guest, whether the asylum should cease or continue.

Notwithstanding, my Government, always disposed to observe every consideration towards the friendly nation of the United States, and to do in favor of its Minister, all that the welfare and the best defence of the State may permit, must declare that the refugees of Y. E, hotel can no longer be indefinitely tolerated in a military place, without fear, that abusing their asylum, they may become dangerous to the state, if not agents of the enemy; and taking into consideration the situation of the Republic and of the city of Asuncion, as well as the circumstances expressed in relation to the declaration made by Y. E. in your note of April 4th, that you cannot offer any securities that occurrences like that of Manlove or others similar will not be repeated, this Government must call your serious attention to the point.

In attention to what has been stated, I request Y. E. will please dismiss from your hotel, to-morrow, before sunset, the said Leite Pereira, as well as all the other individuals, who, not belonging to the Legation are at present in it, some as guests, and others in other capacities as Y.E. expresses it.

I will not conclude, Mr. Minister, without making another observation of high interest, which is, that when in general natives and foreigners have religiously complied with the order for the evacuation of the city, and the Government affords them all protection and assistance possible in the state of flagrant war existing within the country—struggling hand to hand with the enemy which tenaciously strives to exterminate them—when

public order, the morality of the people in all parts, and governmental dispositions guarantee persons and interests, the indefinite permanence of these persons in the American Legation cannot be taken in a favorable sense, these circumstances being in themselves sufficient, without referring to other antecedents, to call seriously the attention of the Government upon it in the solemn moments in which we are living.

These powerful considerations constitute the fullest justification of the request of my Government, and I cherish the most positive confidence that Y.E. will recognize not only the justice, but even the moderation of this petition, and that that asylum will cease.

I embrace this occasion to renew to Y E. the assurances of my distinguished consideration and esteem.

[Signed] GUMESINDO BENITEZ.

To H.E. Mr. Charles A. Washburn, Minister Resident of the United States of America.

Legation of the United States, Asuncion, July 12, 1868.

His Honor Gumesindo Benitez, Acting Minister of Foreign Affairs.

I have the honor to acknowledge the receipt of your note of yesterday in which Your Honor reviews at great length the circumstances that have arisen and the discussion that has taken place in consequence of the protracted residence in the Legation of certain persons who do not belong to it, and conclude by saying that it is expected by this Government that all such persons will leave it before sunset this day. Being thus restricted to a few hours it is impossible for me to even allude to the many points touched upon in your note, and I am therefore compelled to defer a more formal answer to another time. I will here remark, however, that I dissent entirely from the opinions and conclusions advanced by Your Honor in relation to the rights and immunities of Foreign Ministers and Legations. But this does not affect the practical view of the case in relation to all the persons whom Your Honor mentions by name as remaining contrary to the wishes of the Government. They have all advised me, including Mr. Leite Pereira, notwithstanding his exceedingly infirm state of health, that to relieve me from any embarrassment on their account, they will voluntarily leave the Legation to-day, and of those whose names were not long since given in as not belonging to the Legation there will only remain Dr. Carreras and Señor Rodriguez, and their servant, and Mrs. Leite Pereira. To the residence of this lady here as the friend and companion of Mrs. Washburn, I presume no objection will be made. These gentlemen, however, like the others, have expressed their willingness to leave if the Government shall insist upon it. I, however, should greatly prefer that they remain. Such is also their desire, and I have therefore requested them to stay till I may be further advised of the final determination of the government. I do not understand that any offence is charged against them, except the bare fact of remaining in the Legation, and if the Government insists on their leaving it, then it will assume that I have no right to have guests or visitors in my house. This would place me in so anomalous and singular a position as would compel me to take different action than what I had intended, and herefore I hope the Government will not insist upon it. I shall deeply regret the departure of Mrs. Thomas and Mrs. Eden, as their assistance to Mrs. Washburn is very necessary to her comfort and health. Mrs. Thomas has served as nurse or "ama de leche" for nearly all the time she has been in my house, and at this time is in a very feeble state of health. In case that I do not hear of the American gunboat (which I am now hourly expecting) within a very short time, it will therefore be my duty to my family to ask passports for them, and facilities for their passage through the military lines, and thence to Buenos Ayres.

I take this occasion to renew assurances of distinguished consideration.

[Signed] CHARLES A. WASHBURN.

Ministry of Foreign Affairs, Luque, July 12, 1868.

I have the honor to acknowledge the receipt of Y. E.'s note of this afternoon, in reply to that of yesterday from this Ministry, in which Y. E. is pleased to say that being limited to a few hours it was impossible to allude to the many points touched upon in my note, and Y. E. was therefore obliged to defer a more formal reply until another occasion, observing nevertheless that Y. E. cannot entirely agree to my opinions concerning the rights and immunities of foreign Ministers and Legations. But as this circumstance does not affect the practical view of the case in relation to all the persons whom I had mentioned by their names,—they had all, including Leite Pereira, stated that in order to relieve Y. E. from all embarassment on their account they would voluntarily leave the Legation, and of those names were given in, as not belonging to the Legation there would only remain Dr. Carreras, Mr. Rodriguez, and their servant, and Mrs. Leite Pereira,—presuming that no objection would be made to the residence of that lady in your house, as a friend and companion of Mrs. Washburn,—that these gentlemen have, nevertheless, like the others, expressed their desire of leaving if the Government should insist upon it, and that Y. E. would much prefer they should remain, this being also their own desire,—and for this reason Y. E. has requested them to remain until informed of the final determination of the Government, as Y. E did not understand that any offence was imputed to them, except the simple fact of their stay in the Legation,—and that if the Government should insist upon their departure it would assume that Y. E. has no right to have guests or visitors in your house.

Y. E. adds that this would place you in so anomalous and singular a position that Y. E. would be obliged to assume a different attitude from that previously intended, and consequently Y.E. hopes that the Government would not insist upon it,—regretting very much the departure of the Mrs. Thomas and Eden, as necessary for the comfort and health of Mrs. Washburn,—and concludes that in case of not learning of the return of the American gunboat within a very short time, it would become the duty of Y. E. towards your family, to request a passport and facilities for their passage through the military lines, and then to Buenos Aires.

Restricted also in point of time at my disposal in sending this communication, I shall limit myself to the principal points, and to those of moment, deferring to another occasion the reparation of any fault of omission, whenever Y. E. may do me the honor to send the formal reply announced.

I regret, Mr. Minister, that my opinions and conclusions concerning the right of immunities have not merited Y. E.'s approbation, but I will make new efforts whenever Y. E. shall please to manifast your own.

I am grateful to Y. E. for having wished, in spite of this discordance of opinion, to meet the desires of my Government; in permitting the departure to-day from your Hotel of all the persons whom I had mentioned by their names, including Leite Pereira. But if I have mentioned some names in my note of yesterday, it was not with the intention of limiting myself to them in my request; and if I have used the names of some of the workmen it was only to remind Y. E. that they still remained there. But I ought to hope that Y. E. has arranged the matter satisfactorily, since Y. E. has had the courtesy to cause the Mrs. Thomas and Eden to depart, notwithstanding the fact that Mrs. Washburn needs their services.

It never was my intention to cause the least trouble to this lady, nor to her friend Mrs. Leite Pereira, who, as Y E. has very justly presumed, may remain with her without any objection, as well as the Mrs. Thomas and Eden, whose departure to-day from your Hotel I therefore regret; but since it has been so, they will be informed to-morrow that they can return.

I have been pained, Mr. Minister, that Y. E. has thought proper to announce to this Ministry that if my Government should insist upon the departure of the Orientals, Dr. Carreras and Mr. Rodriguez, Y. E. would be obliged to take a different attitude from that previously intended, expressing a hope that for that reason I would not insist upon it.

The phrase appears to me so obscure that I should have troubled Y. E. for some explanation, in order to answer it, did I not believe that it was dictated by the belief that those individuals were charged with no offence beyond their residence in the Legation. It is not, however, the case. And I must now inform Y. E. that they are also demanded by justice, and in so peremptory a manner that I am forced to beg Y. E. to dismiss them before one o'clock to-morrow.

It is painful to me to have to solicit of Y. E. within so brief a time the dismissal of two guests more, who are urgently demanded by the Tribunal of Justice. I did not make this declaration in my previous note supposing that Y. E. would have no motives of preference towards them than towards the other refugees; nor did I think it my duty to exchange another communication with Y. E. upon a subject of this nature, which has already given rise to a correspondence which my Government had desired to avoid, preferring that the action of justice should find them in the street.

Y. E. will perceive that there exist offences on the part of these Orientals, and that not only must they be brought before the Tribunal, but that it is urgent to do so; and I trust that if, when Y. E. has considered them, and has requested them to remain in your Hotel, and when they showed themselves disposed to leave it, now that Y. E. knows t. at they are guilty, Y. E. will hasten to dismiss them.

This reply and the present conditions of the place of your residence, relieve me from the necessity of entering into the question whether Y. E. has or has not the right to have guests or visitors in your house.

I thank Y. E. for the information that within a short time Y. E. intends to send your family to Buenos Aires.

I improve this opportunity to renew to Y. E. the assurance of my distinguished consideration and esteem.

(Signed) GUMESINDO BENITEZ.

To H. E. Mr. Charles A. Washburn, Minister Resident of the United States of America.

[COPY.]

Legation of the United States, Asuncion, July 13, 1868.

His Honor Gumesindo Benitez, Acting Minister for Foreign Affairs.

Sir,—

I have the honor to acknowledge the receipt of your note of yesterday, in which Y.H. advises me, after a brief resume of what had passed in relation to certain persons who for some time past have been domiciled in my house, that in requesting all such persons who did not belong to the Legation to leave it, I was correct in my presumption that there had never been the least intention on the part of the Government in regard to those ladies the Señora de Pereira, Mrs. Eden, and Mrs. Thomas, whose longer residence in my house was desired by Mrs. Washburn, for reasons stated in my note of yesterday, to molest them or interfere with their remaining here. To this it is added that the two latter will be advised that they may return to-day. For this promptness and consideration for Mrs. Washburn Your Honor will please accept my sincere thanks.

Your Honor then adds that in regard to the longer residence of the Srs. Carreras and Rodriguez instead of being in no other way culpable than for remaining in this Legation, they are claimed by the tribunals of justice and in a manner so peremptory that it is expected they will leave this Legation by one o'clock to-day.

Having advised those two gentlemen of the contents of your note, they manifested much surprise but expressed their readiness to go at once and meet and refute any charges that may be made against them, and they actually left before the hour indicated.

It is with as profound regret as I ever experienced in my life to have two friends, whom I very much esteem and who have been my guests for some five months, leave my house under such circumstances and I am fully persuaded that no accusation can be brought against them, from which they will not triumphantly vindicate themselves During their long residence with me we have naturally talked with entire frankness on every manner of subject, and it appears to me that if they had either of them ever committed or connived at any act criminal or offensive to the Government of Paraguay I should have learned something of it. But I have not. The first named, Dr. Carreras, it is well known came to Paraguay to give any assistance in his power to the cause of this country against Brazil, risking his life and fortune to arrive here, but as his services here have not been made available, he has desired to leave it for the same object. believing that by going abroad he could have an influence in enlisting the sympathies, if not the active assistance, of one or more of the Pacific Republics in behalf of this country. How such a man whose innermost sentiments I know so well could have committed any offence against a government he was so anxious to serve is beyond my comprehension. The same interest in the cause of Paraguay has always been evinced by Mr. Rodriguez. This gentleman, Your Honor will recollect, came to Paraguay in a diplomatic capacity, that of Secretary of the Oriental Legation, of which he was left in charge at the departure of the Minister, Sr. Vasquez Sagastume. After the fall of the Government which he represented his diplomatic functions were suspended, and he then desired to leave the country, but as yet has not been able to do so. Yet as Your Honor is well aware it is laid down by all writers on the Rights of Legation that until they can depart from the country the members of a once accepted Legation are entitled to certain immunities, and if any one commits an offence, the government to which he had been accredited, is not authorized to try him, but may send him out of the country, and demand his punishment of his own government.

As both these gentlemen have held official position, Dr. Carreras the highest, save one, in his own country, their case will naturally excite great interest, and my own conduct in the matter will be severely criticized by my own government, and very likely by others, and should any grave and serious injury befall them I shall most likely be censured for not advising them to remain in the Legation unless taken out by force. But Your Honor is aware how exceedingly anxious I have always been to avoid anything that might lead to a rupture between this government and my own, and as I am convinced they will be able to vindicate themselves, I therefore have not done so. But I am exceedingly anxious that no serious evil shall befall them, for then I can have little desire to continue in a diplomatic career, but shall have much to leave it and not expose myself to another so painful experience.

I have only to add that if these gentlemen or Sr. Leite Pereira remain in this city, it will be a great gratification to me if I may be permitted to send their meals from my house, or other things necessary to their health or comfort. Will you please advise me on this point at your earliest convenience.

The colored servant of Dr. Carreras still remains with me in the capacity of servant.

I avail myself of this occasion to renew assurances of distinguished consideration.

[Signed] CHARLES A. WASHBURN.

[TRANSLATION.]

Ministry of State for Foreign Affairs. Luque, July 13, 1868.

Again called upon by the judicial authorities, I beg Y.E. will excuse me for molesting you once more, to request Y.E. to dismiss from your Hotel the North American citizen Porter Cornelius Bliss, and the British subject George Masterman, accused of crimes not less grave than the others, whose dismissal I have already had the honor to request.

I embrace this occasion to renew to Y.E. the assurances of my distinguished consideration and esteem.

[Signed] GUMESINDO BENITEZ.

To H.E. Mr. Charles A. Washburn, Minister Resident of the United States of America.

[COPY]

Legation of the United States, Asuncion, July 14th, 1868.

His Honor Gumesindo Benitez, Acting Minister for Foreign Affairs.

Sir,

I have the honor to acknowledge the receipt of your note of yesterday in which I am requested to send from my house the American citizen Porter C. Bliss and the English subject George Masterman, whom Your Honor says are as gravely accused as the others that I have been asked to cease to shelter in the Legation.

Respecting these two individuals I have to say that I have always considered them as belonging to the Legation. Mr. Masterman came to reside in it as medical attendant of my family in September last, and in my note dated February 24th., but forwarded with my other note of April 4th., his name is included as one of the Legation. As no objection was then made I considered that he was recognized as such by the Government as much as any one in my house. The name of Mr. Bliss was likewise given as of the Legation in both of the lists above referred to. In reply to my note of February 22nd H. E. Sr. Berges said that Mr. Bliss, not being in the class of servants would confine himself to the Legation premises as he would be liable to arrest if found outside of them. For the last three months he has scrupulously done so, and besides has been of great assistance to me in my official duties, and so long as I remain in Paraguay I desire to retain him. Considering therefore as I do both of these persons as members of the Legation, I can have no discussion in regard to delivering them up or sending them from my house. Were I to do so I should abdicate all my functions and rights as Minister, for if I acknowledge the right of the Government to take away one person whom I consider a member of my Legation, I must concede it for all, and thus if it so pleased the Government I might be left not only without a servant, but without wife, child or secretary. According to the reasoning of Your Honor in your note of the 11th inst. if it is only alleged that they are accused, I have no recourse but to deliver them up.

It is with a regret such as I have seldom experienced in my whole life, that I observe after so long a residence in Paraguay, where I have experienced so much kindness and courtesy from both Government and people, and to which I have endeavored to respond in a manner that has nearly brought on a war between my country and your country's enemies, and which is still threatening hourly to do it, that I seem to have lost the confidence and respect of this Government. That I had enjoyed them to a high extent until within a short period is amply shown both in official correspondence and in the columns of the official newspaper. But owing to my having received other persons into my Legation than belonging to it, or to my remaining in the city after its evacuation, or to some other cause, of which I am ignorant, I seem to be regarded so differently that I do not see how I can be of any service to my own Government, to that of Paraguay, or to any individual in it by longer remaining here. I had hoped to remain till the end of the war and not to bid farewell to the people of Paraguay, who have carried on a war with a bravery and endurance that must render it one of the most remarkable in the pages of history. and give its illustrious Chief Magistrate and Commander of its armies one of the most conspicuous places in the annals of the war, till I could do so seeing them in the enjoyment of that peace and prosperity that their valor and devotion had so nobly earned. But that hope I now see myself compelled to abandon. The course which I have felt is my duty to adopt seems to have been so at variance with the views of the Government that I do not see that I can be longer useful. I therefore have the honor to ask passports for all persons belonging to this Legation, and that facilities for leaving the country, such as comport with the character of an accredited Minister may be furnished me with as little delay as circumstances may permit.

I avail myself of the present occasion to tender to Your Honor the assurances of my distinguished consideration.

[Signed] CHARLES A. WASHBURN.

[TRANSLATION].

Ministry of Foreign Affairs, Luque, July 16, 1868.

I have the honor to acknowledge the receipt of Y. E.'s note of the 14th inst., refusing to dismiss from your Hotel, Porter Cornelius Bliss (North American citizen), and George Masterman (English subject)—the first as belonging to the Legation, and as being very useful to Y. E. in your official duties, and the second as physician of your family,—desiring therefore to retain them as long as you remain in Paraguay,—and Y. E. says that the names of these individuals were presented to this Government Ministry as belonging to the Legation, —that in fact Masterman came to reside in your house in the above capacity in September last,—that in your note of the 24th February, detained until the 4th of April, and sent with another of the same date, this name is included as belonging to the Legation,—that as no objection was made Y. E. considered him as recognised by the Government, —that the name of Mr. Bliss was also given in both lists as belonging to the Legation,—that in the note of this Ministry of the 22nd of February it was stated to Y. E. that, as Mr. Bliss does not belong to the class of servants, he should be confined to the rear of the Legation premises, in order not to be subject to arrest in going out, which he had scrupulously done during the last three months. That considering these two persons as members of the Legation, Y. E. cannot enter into any discussion relative to delivering them up, or sending them out of your house, —that if Y. E. should do so it would be an abdication of all your functions and rights as Minister, since if you were to recognize the rights of the Government to take away any person whom Y. E. may consider a member of the Legation you would have to cede in respect to all, and thus might be left, not only without a servant, but also without wife, child, or secretary,—that according to my humble reasoning of the 11th inst., from the moment that I should allege that they are accused, Y. E. has no other resource than to deliver them up.

Y. E. says that it is with regret such as you have rarely experienced in all your life that after so long a residence in Paraguay, where Y. E. has experienced so much kindness and courtesy from both Government and people, and to which Y E. has endeavored to respond in a manner which has almost caused a war between your country and the enemies of mine, and which is still hourly threatened, it should yet appear that Y.E. has lost that confidence and respect of this Government which you still enjoyed to a high degree until recently, as is amply proved as well by official correspondence as by the columns of the official paper,—but that through having received in the Legation persons who do not belong to it, or through having remained in the City after its evacuation, or for some other unknown cause, it seems to Y.E. that you are regarded so differently that Y.E. says you cannot see how you can be of any utility to your Government, nor to that of Paraguay, nor to any individual in it, by long remaining here. That Y.E. had hoped to remain until the end of the war, and not say good bye to the Paraguayan people, which has sustained a war with a bravery and abnegation which must render it one of the most notable in the pages of history, and give to its illustrious Supreme Magistrate and Commander of its Armies one of the most conspicuous places in the annals of the war, in which Y.E. had hoped that your name would have a place as honorable as as you could make it, leaving the country in the enjoyment of peace and prosperity so nobly acquired by its valor and abnegation, but that now Y.E. sees yourself obliged to abandon this hope,—and that the course which Y.E. had thought it a duty to follow appears to have been so opposed to the views of this Government that Y.E. does not see that you can longer be of any use. And Y.E. concludes, saying that for this reason you have the honor to ask passports for all the persons comprising that Legation, and that as soon as circumstances may permit, facilities may be given to Y.E such as belong to the character of an accredited Minister in order to leave the country.

In fact, Mr. Minister, along with your note of the 4th of April, there was delivered another, under date of February 24th, in which appears George Masterman, apothecary, dismissed by this Government from its service, without specification of his quality in the Legation; and being already aware that Y.E. had obtained his complete liberty in order to perform a certain service, I did not hasten to have his character specified, nor to refuse to recognize him. I confided that although having antecedents very little honorable, Y.E. would cause him to comport himself well in your Hotel, and that the case now presented would not have offered. Besides, there was no objection, since I have considered Masterman as continuing the services for which he had been put at liberty, and it will be very painful to my Government that on account of a gracious concession on its part in favor of and for the service of the Minister of a friendly nation, he should have gained access to the Hotel of your embassy to become criminal with impunity, pretending to shield himself with the immunities so justly respected in the representatives of nations. I cherish the hope that Y.E. will not see in this a recognition by my Government of Masterman as a member of the Legation of the U. States, with immunities.

Mr. Porter Cornelius Bliss arrived in the country for the second time two months after the breaking out of the war with Brasil, and solicited a contract for a literary labor with the Government. and it was conceded to him. From that time he remained in its service nnd pay. This Ministry has seen with surprise that its contracted servant, without having fulfilled his compromises, and with pecuniary liabilities on account of this same service, and without previous notice, was enlisted by Y.E. as a servant.

It was then that, knowing that Mr. Bliss was also of no small utility to Y.E., it was permitted that he should remain in Asuncion with Y.E., but not in the quality of servant, which was not recognized in him; and it was then inexplicable for this Government that Mr. Bliss, being received in the best society—that which Y.E. yourself cultivates—he should show such abnegation as to engage as your servant. I wish to hope that this account cannot be alleged as a recognition of immunities for the person demanded.

When Y. E. spoke of but three months of scrupulous fulfillment of the conditions imposed, Y. E. doubtless overlooked other months in which Bliss lived outside of the Legation, to which he only came after the imprisonment of Mr. James Manlove, also enrolled as a servant of the Legation of Y.E. at the same time with Bliss, enjoying the same social treatment, and to-day also on trial for the same crime.

Leaving aside the circumstances under which these two individuals have arrived in the country, does not Y E. find something irregular and not easily to be explained in this conduct? But as Y.E. refuses to enter into any discussion relative to the giving up or the dismissing of those individuals, I will leave aside all that I might say, appealing to the justice of Y. E. with the simple narrative of facts which I have just made, and the information that Masterman and Bliss are important members of a combination; which by agreement with the enemy, was to have broken out shortly in the country for the overthrow of its Government, and the extermination of the army which combats for its existence, which information will undoubtedly suffice to cause the Minister of the U. States of America to expel such infamous criminals from his Hotel.

The declaration, made after that which I had the honor to set forth in my note of the 11th inst., when Y.E. asked for a specific statement of the charges against the culprit Leite Pereira, and after what I have said above, is certainly not the discharging of a duty, but a friendly information, that the intruders in your Legation have sheltered themselves there, abusing the good faith and generosity of Y.E., in order afterwards to abuse criminally its immunities.

I would have wished to spare Y.E. so great an annoyance, but the reminder which Y.E. makes of your long stay in Paraguay,—the apprehension with which Y.E. seems to be possessed of having lost the confidence of my Government,—the fear expressed of being no longer useful, neither to the Government of the U. States nor to that of Paraguay nor to any individual in it,—along with the doctrine that by permitting the trial of George Masterman and Porter C. Bliss, Y.E. would have to yield all privileges, and might be left without a servant, without wife, without child, or without secretary—are the causes which have decided me to it.

I cannot understand the opposition which Y.E. finds between your conduct and the views attributed to my Government, and still less can I understand the reason of the fear that the name of Y.E. will fail to occupy an honorable place in the history of our war, though indeed I presume it will be painful for Y.E. as it is for me to find in the Hotel of Y. E. criminals of such a character.

Certainly my Government did not regard as an act of cordial friendship the permanence of Y.E. in Asuncion for an indefinite time, with such a number of refugees, and without apparent motive, after its entire evacuation; but with frank friendship it has manifested its regret, and if Y. E. did not find it convenient to accede to the desires of the Government, this circumstance has not sufficed to cause a withdrawal of confidence.

A proof of this is found in the fact that this Ministry has made no complaint, except when it became my duty to accuse Y.E. of lack of respect to my note of June 28th, in thinking it your duty to refuse the delivery of the culprit Leite Pereira, then recently arrived for shelter in your Hotel.

A rapid review of all the correspondence of this Ministry, and of the columns of the newspaper which Y.E. cites, will suffice to destroy the idea of lack of that confidence and respect on the part of my Government which it has taken pleasure in demonstrating towards the representative of the American Union and his worthy family, who for the first time broke the blockade.

Strengthening thus my note of the 13th, concerning the dismissal of G. Masterman and P. C. Bliss, to be delivered up or sent away, I am persuaded that Y.E. thus informed will hasten to expel from the Hotel of your Legation those who, bathing the national soil with fratricidal blood, pretend to undermine the just title to the sympathy of Y.E., which the abnegation and great sacrifices of my country have acquired, as well as those which the singular and conspicuous services which its Supreme Magistrate and General-in-Chief of its armies, Marshal Lopez, has conquered in this struggle.

As Y.E. is pleased to base upon the fears already mentioned the painful situation in which Y.E. says you find yourself, of having to renounce your desires of not leaving Paraguay until the conclusion of the war, and Y.E.'s consequent request for your passports, I shall await to know if I have not been fortunate enough to have dissipated them, and shall afterwards ask the orders of H.E. the Marshal President of the Republic respecting the said passports and facilities.

Having offered Y.E. in my note of the 12th inst., that the Mrs. Thomas and Eden would be advised that they may return to the house of Y.E., it is now my duty to mention that having informed them of this concession they have replied that they would by no means return, perhaps because Y.E. yourself has not spoken to them, and for whatever may occur I inform Y.E. that concession still remains in force.

I improve this occasion to renew to Y.E. the assurance of my distinguished consideration and esteem.

[Signed], GUMESINDO BENITEZ.

To H. E. Mr. Charles A. Washington, Minister Resident of the United States.

[COPY.]

Legation of the United States, Asuncion, July 20, 1868.

His Honor Gumesindo Benitez, Acting Minister of Foreign Affairs,

Sir,

I had the honor to receive your note of the 16th inst., on the following day a little before noon. In this note, which is in answer to mine of the 14th, Your Honor, after giving a resume of the contents of mine, proceeds to give an account of the circumstances under which Mr. Porter C. Bliss and G. F. Masterman came into this Legation.

In regard to Mr. Bliss, Your Honor remarks that soon after coming into the country he sought a contract for literary labor with the Government, that was conceded to him, and that from that time he had remained in its service and pay. Mr. Bliss informs me that he never had any written contract with the Government, but was told that he should receive certain compensation for the literary labors he was to perform; that from time to time he has received certain sums of money in payment of labor already performed, and that the amount received has not exceeded the sum due him. Such being his circumstance, I cannot see any good reason why I should not have admitted him into the Legation and given him employment. Your Honor expresses surprise that I should have received a man of Mr. Bliss's attainments and social position into the Legation in the capacity of servant. You will permit me to observe that I think a wrong construction has been put on the word "service," as employed in my note of the 22nd of February. In saying that I had found it necessary to take more persons into my service than I had previously employed, I did not say in what capacity they were engaged. Mr. Bliss I needed as translator, and Mr. Masterman as medical attendant to my family, and as the peculiar qualifications of each were so well known I considered that it would have been entirely superfluous to state in what capacity tney were employed. Nor do I find in consulting the most eminent authors on International law, that Ministers are ever required to state the capacity or character of the persons pertaining to their Legations. It is enough that their names are given in, and, if not excepted to, they are thenceforth entitled to all the privileges of the Legation.

In answering my note of 22nd Feb., H.E. Señor Berges expressly recognised Mr. Bliss as belonging to the Legation, but requested that as he would not be known to the police as one of my servants, he would confine himself to it. In fact, he is the only person now in my house who ever has been recognised formally and in an official note. For some time after the order of evacuation was issued, Mr. Bliss, and the most of those who came at that time to reside within my premises, did not strictly confine themselves to it, though they never went far away from it. Mr. Bliss even continued to sleep in his own house opposite, and used to come and go in full sight of the police, and as he was never molested concluded that it was a matter of indifference to the Government whether he still occupied his own house or confined himself to the Legation. Indeed, when our unfortunate countryman, Mr. Manlove, came to grief, he went to the police office with him as interpreter, and, after his detention, took his meals to him for several times, so that I never could suspect his being a member of the Legation could be questioned. He did not, as Your Honor estimates, seek refuge in my house. On the contrary, it was at my express request that he entered my service—though not as a servant—at a time that I thought his services would be most useful and necessary. Your Honor will, therefore, I trust admit that having accepted him as a member of this Legation, and given official notice of the fact, which notice was acknowledged, I cannot now repudiate him.

Respecting the case of Mr. Masterman, Your Honor says that it will be very painful to your Government that on account of a gracious concession to the Minister of a friendly nation, he should have gained accession to this embassy to become criminal, and with impunity, under the immunities which are justly respected by the laws of nations.

It cannot be so painful to Your Honor, or to your Government, that anything of that kind should occur, as it is to me. To have my confidence abused in that way would show a degree of ingratitude of which I would fain hope no man is capable. But, if it has been abused, and all that Mr. Mastertman has been accused of shall be proved true, the law of nations prescribes a course for me entirely different from that proposed by Your Honor.

The law of nations, as Your Honor is aware, is very clear and explicit, not only in regard to the rights and immunities of Ministers, but to all persons pertaining to their Legations. "Such persons," says Martens (Law of Nations, book vii., chap. 9, note), "are placed under the protection of the law of nations, and are consequently not submitted to the jurisdiction of the country which they inhabit, even though it may be their own. They cannot be tried for any of their civil or criminal actions, except by the state represented by the Minister. The legislation of the principal states of Europe is positive on this point. . . . . From the time that the persons of the Minister's suite leave his service they can be tried by the laws of the country where they are, if they are not subjects of the sovereign represented by the Minister: in the contrary case the Minister cannot consent to their extradition or to their being put in judgment for things done previous to their leaving him." Thus, Your Honor will see that if Mr. Bliss and Mr. Masterman were accused of specific crimes or offences committed while in my Legation, and had left it, according to this great writer, who, next to my own countryman, Mr. Wheaton, is generally regarded as the highest authority of modern times on matters of international law, I "could not consent to their extradition or to their being put in judgment," except in their respective countries.

Says Wheaton (Part iii., chapter i, section 15), in speaking of the immunities of a Minister—"This immunity extends not only to the person of the Minister but to his family and suite, secretaries of Legation and other secretaries, his servants, moveable effects, and the house in which he resides. (Section 16): The wife and family, servants, and suite of the Minister, participate in the inviolability attached to his public character . . . . in respect to criminal offences committed by his domestics, although in strictness the Minister has a right to try and punish them, the modern usage merely authorises him to arrest and send them for trial to their own country."

Vattel, and all authorities on International Law, so far as I have been able to consult them, agree substantially with those I have quoted; and the law being thus clearly and explicitly laid down, I would ask Your Honor whether you would have me respect it or violate it? Of course Your Honor will say respect it. How, then, shall I send these members of my Legation from my house, even though they be accused, without a direct and palpable violation of my duty as a Minister.

Your Honor adds that after the representations made, you lay aside the question whether or not these persons belong to the Legation, and leave it to my sense of justice to expel them from my house after your narrative of facts and the information that both Bliss and Masterman are important members of a combination which by agreement with the enemy was to have broken out shortly in the country, for the overthrow of its government and the destruction of the army that combats for its existence. That neither Masterman nor Bliss are members of such a combination of course I cannot prove, for to prove a negative is generally impossible. But if it shall be proved on full investigation that they are members of such a combination, I shall be more astonished than I ever was before. Ever since the evacuation of the city Mr. Masterman, who is much addicted to scientific studies and investigations, has lived the life of a recluse, and had scarcely any communication with anyone outside the precincts of the Legation, while if Mr. Bliss, who has been all the while so intimate, so frank, so confidential on all matters with me that I had suupposed I knew every thought and hope and aspiration of his existence, has, as is alleged, been engaged in a great conspiracy all this time against the government he is such an actor as would do infinite credit to his own dramas. He should at once drop the pen and assume the sock and buskin.

Your Honor will permit me to observe that the assumption that a person is guilty because he is accused, is in direct opposition to the principles of the common law. It is a maxim of this universal law that every man is innocent till he is 'proved' guilty, but Your Honor appears to take the ground that as soon as a man is accused he is necessarily guilty, and you ask me to treat Mr. Bliss and Mr. Masterman as being so before a trial or before an examination, and before a particle of proof of their guilt has been given me. I must be governed by the laws of my own country, and according to them I must have the proofs of the offences charged against a man before I can treat him as being guilty. Your Honor, however, adduces no proof, nor do you give me a particle of the evidences on which your charges are founded, and ask me to treat them as if guilty of high crimes.

The Law of Nations clearly prescribes the course to be followed when persons, members of a legation, are found to be engaged in any unlawful acts. It says that the Government which it has offended may ask that they shall be sent to their own country to be tried, when the Minister will be bound to comply with the request. Therefore if the charges and proofs against Mr. Bliss and Mr. Masterman shall be furnished me, with request that they should be sent to their respective countries to be tried I shall then have no alternative but to comply and at the first opportunity send them way; the one to the United States, the other to the custody of the English Minister in B. Ayres. This course, it is hoped, will be satisfactory to the Government of Paraguay, as it will remove persons obnoxious to it from the country. and will subject them to trial according to the laws of their own countries, and as there is little doubt that an American gunboat will soon be in those waters, there will probably be but little delay in carrying it into effect.

Your Honor will admit that I had good reason to be surprised at the statement in your last note that a combination had been formed which, by agreement with the enemy, was to have broken out shortly in the country, for the overthrow of its Government and the extermination of the army which combats for its existence. That something of a dangerous character had been discovered I had previously supposed from having

learned that certain energetic and unusual measures had recently been taken by the Government. But of its form, or extent, or of the persons implicated in it, I had not the most remote idea. Such conspirations not unfrequently happen during long periods of war. But I did not suppose there were men enough in Paraguay, to make such a combination at all formidable who would have the folly to attempt it. There may have been men bad enough to attempt it, but I did not suppose there were any so foolish as to engage in a combination that could not offer any other issue than their own ruin. Your note of the 16th however convinces me that something of the kind has been attempted. But I cherish the hope that it will be found after full investigation that it is not so extensive as may have been apprehended, and I am very anxious to know, as I can confidently believe, that it will appear to be confined to a circle with which no person who has ever lived in this Legation had any relations, connections, or intimacy, and I am fully persuaded that such a result of the investigation is the one that is most desired by H.E. Marshal Lopez.

Having thus reviewed at length the contents of your note of the 16th, I regret to find that my views of my duty differ as widely as ever from those expressed by Your Honor, and that, consequently, I see little prospect of being able to be personally useful by longer remaining here. For reasons Your Honor can well appreciate, I should have preferred to await at least the solution of the question of the passage of the American gunboat above the blockading squadron. Of course if I remain it will come sooner or later, if it takes the whole American navy to force its way. I apprehend, however, that rather than provoke a war with the United States, the gunboat will be permitted to pass unmolested, and Your Honor will readily believe that I have no desire to save the Allies from another such humiliation as they were subjected to at the time of my last arrival in Paraguay.

I improve this occasion to tender to Your Honor assurances of high regard and consideration.

[Signed]

CHARLES A. WASHBURN.

Ministry of State for Foreign Affairs
Luque, July 19, 1868.

Y. E. not having chosen to send away, up to sunset to-day, the accused individuals, George Masterman and Porter C. Bliss, nor reply to my note demanding these criminals, and being pressed by the requirements of justice, I, for the third time request their expulsion or delivery, begging Y. E. to take into consideration the urgency of the case, and the grave character of their crime, in view of the situation of the country, informing Y. E. that the persons of your service who are sent outside of the plaza to procure provisions, are accused of being conductors of communications of the enemy to the refugees of your hotel, and of their replies.

As I fear I shall molest Y. E., and not being so pressed in the matter, it may be that I shall not solicit the appearance of those persons before the tribunal, thus offering Y. E. a new proof of high consideration and respect, and Y. E. will take the necessary measures for the internal service of your house, to put an end to such a grave abuse of its just immunities.

I improve this occasion, etc., etc.,

[Signed.]

GUMESINDO BENITEZ,

To H. E. Mr. Charles A. Washburn,
United States Minister.

[COPY.]

Legation of the United States.
Asuncion, July 20, 1868.

His Honor Gumesindo Benitez.
Acting Minister of Foreign Affairs.

Sir:

Since closing my note in answer to yours of the 16th inst., I have had the honor to receive your note of yesterday, in which, after again requesting me to send Mr. Bliss and Mr. Masterman from my house, Y. H. states, that the persons in my service who have been accustomed to bring provisions from beyond the limits of the town, are accused of having conveyed communications between the enemy and the persons sheltered in my house. Y. H. adds, that in order not to molest me, you do not solicit their appearance before the tribunal, thus giving another proof of high consideration and respect for myself, not doubting that I shall take the necessary measures to put a stop to such abuse of the Legation immunities.

For these expressions of a desire not to molest me, Y. H. will please accept my sincere thanks. I have advised the only servant I have, who is accustomed to go beyond the city limits, that he must not bring or carry any note, message or communication of any kind to or from any other person than myself or Mrs. Washburn. This servant tells me, that he has never carried any messages or notes of any kind, except the requests of persons living in the Legation to the occupants of the houses where they had before resided, to send them books, clothes and such other things as might be necessary for their use and convenience. Even that service, I have now prohibited him from doing, and should he be found to disobey me, I trust I may be informed of it, that I may instantly discharge him from my service. Respecting the case of Mr. Bliss and Mr. Masterman, I beg to refer Y. H. to my other note of this date, in reply to yours of the 16th.

I avail myself of the occasion to express my distinguished consideration.

[Signed.]

CHARLES A. WASHBURN.

[TRANSLATION.]

Luque, July 21, 1868.

I have the honor to acknowledge the receipt of Y. E.'s two notes, in which under date of yesterday, you acknowledge receipt of mine of the 16th. and 19th inst., and refuse to permit that the criminals accused of high treason to the country, in combination with the enemy, George Masterman and Porter Cornelius Bliss appear before the tribunals.

In anticipation of the occasion of forwarding my formal answer, I notify Y. E. that, by agreement of the traitors with the enemy, the latter was to execute certain movements on or before the 24th inst., and as it appears probable that these criminals may escape from Y. E.'s house, if they should not be previously imprisoned, I have the honor to say to Y. E, that my government would view with the greatest pain an occurrence of so much importance, which would once more surprise the good faith and confidence which Mr. Washburn pleases to manifest towards these criminals, thinking it his duty to discuss and delay up to the present time, the apprehension of individuals so dangerous to the national cause, without having been sufficient all the moderatiom and courtesy with which this Ministry has treated so grave a question. I beg of Y. E. the honor of the speediest possible answer, and I improve this occasion to renew the assurances of my distinguished consideration.

[Signed.]

GUMESINDO BENITEZ

To H. E. Mr. Charles A. Washburn,
Minister Resident of the United States of America.

[COPY.]

Legation of the United States,
Asuncion, July 22, 1868.

His Honor Gumesindo Benitez,
Acting Minister for Foreign Relations.

Sir,

I have the honor to acknowledge the receipt of your note of yesterday in which your Honor advises me that the treasonable combination with the enemy was to have made certain movements on the 24th of this month, and it was apprehended that the persons in my house accused of being engaged in it would seek to escape from it if they were not previously made prisoners, and Your Honor adds that your Government will view with great regret that they should escape and thus abuse my confidence again, and in conclusion Your Honor asks an immediate reply.

To the apparent haste in which Your Honor seems to have been I may probably attribute the fact that you make no mention of the reasons given by me in my note of the 20th why I could treat no one as criminal till I had the proofs of his guilt. Nor does Y. H. probably for the same motive, take into consideration the reasons I gave why in conformity to the laws of nations I could not surrender for trial by the authorities of the country these two members of my Legation. But as Y. H. says that the combination of treason was to have broken out on the 24th and that it appeared probable that these persons would then attempt to escape from my house it appears that farther security is desired that they will not do so.

Though not participating in your opinion in regard to the criminality of these individuals and being entirely ignorant of the nature and extent of the combination to which Y.H. alludes, I am nevertheless disposed to do all in my power, all that is consistent with my duty and respect for the laws of nations to facilitate the government in all measures of prevention or security I will therefore undertake to hold Mr. Bliss and Mr. Masterman, close prisoners in this Legation, till I can send them out of the country or till such time as the Government, may not object to their being set at liberty.

I take this occasion to renew assurances of distinguished consideration.

[Signed]

CHARLES A. WASHBURN.

Ministry of State for Foreign Affairs.
Luque, July 23, 1868.

I have the honor to request of Y. E. the immediate delivery of a sealed packet of communications, which the ex-Minister of Foreign Affairs, José Berges, delivered to you in his residence at Salinares, when, on the afternoon following the arrival of Berges, from San Fernando, to Asuncion, Y. E. visited him in that house, where you personally took charge of the said packet in order to keep it, as in fact, on arriving at your Legation at nightfall, Y. E. went with it to your office.

This packet being, Mr. Minister, of great importance for my Government, Y. E. will allow me to request its delivery to the officer who bears the present communication.

I improve this occasion to salute Y. E. with distinguished consideration.

[Signed]

GUMESINDO BENITEZ.

[COPY.]

Legation of the United States,
Asuncion July 23rd 1868,

His Honor, Gumesindo Benitez,
Acting Minister of Foreign Affairs,

Sir,

The note of Y. H. of this date has this moment been received. In it I am requested to deliver to the bearer a sealed package of communications that was delivered to me by Señor Don José Berges at his house in the the Salinares the day after his return, from San Fernando: in answer to this I have the honor to advise you that I did not know of Señor Berges, return till several days afterwards, and that when I did hear of it I learned also he was very sick at his quinta, and called according to my diary the 22nd of June upon him, as I was going to take a paseo, and found him in bed in his house. I do not remember how long that was after the return of Sr. Berges; but I think it was a week or more, but he never gave me any package, or communication, or letter, or message of any kind. We talked about the condition of the war and of other things of a casual nature, and the only thing that I remember is that he said the Brazilians could not hold out much longer; that their credit was exhausted, and several provinces were already in revolt. On taking my leave he begged me to come and see him often, which I promised to do; but I never called but once afterwards, and that was with Mrs. Washburn, according to my diary on the 3rd of July, when I found him still in bed; his talk then was very similar to what it had been on the previous occasion, but neither then nor at any time has he ever given me any package or communication whatever, Y.H. must therefore be entirely misinformed in regard to the package concerning which you enquire. I have never received anything of the kind, nor have I received from him any communication either verbal or by letter, since his return from San Fernando.

I avail myself of this occasion to tender assurances of distinguished consideration.

[Signed]

CHARLES A. WASHBURN.

[TRANSLATION.]

Ministry of State for Foreign Affairs.
Luque, July 23, 1868.

Before having had time to reply to the note of Y. E. bearing date 20th inst., as I had offered in mine of th 21st, I have received the reply which Y. E. has given to this last, and I proceed to reply to both.

First of all, I must explain the apparent haste, of which Y. E. accuses me with so little politeness in your reply of yesterday. Since my haste was not apparent but real, and moved by the friendly interest of preventing a complication by a new abuse of Y. E's confidence, by the criminals whom you protect, I have considered that confidence real and noble and not apparent, as Y. E. classifies my haste, and that in the explanation of my conduct in respect to that note.

I have not forgotten in it, as Y. E. thinks that Y. E. had just given me your reasons, declaring that you would not give up Masterman and Bliss for their trial by the authorities of the country, considering them as members of your Legation; I only wished to point out to Y. E. a traitorous possibility, hastening to forewarn your excessive confidence towards the criminals of your house, while I proposed to offer to Y. E. a detailed reply upon the points on which Y. E. appears to base your resistance in your note of the 20th.

I have not permitted myself to request of Y.E. to keep as close prisoners in your Legation, Porter Cornelius Bliss and George F. Masterman, and it belongs exclusively to Y. E. to do what is most befitting the internal service of your house.

I have fulfilled a duty which I judged to be one of courtesy. It is now my duty to express to Y. E. that from your own house, correspondences from the enemy's Generals are received and replied to, treating of the details of the plot, and when Y. E. insists withal in the terms employed, and does not wish to believe in an ingratitude, I am obliged to fear that the same conduct is still observed in Y. E.'s house, in which they have been before shut up as well as now, I suppose, since they have not appeared on the street.

It is not I, Mr. Minister, who have said to Y. E. that the complot had been combined to break out to-morrow, but I thank Y. E. for the intelligence.

I should have much to say concerning the account which Y. E. has received from Bliss, respecting his contract with the Government, and its fulfillment on each side, but that is not the question of the moment, and Y. E. knows that my Government makes no question of interest, nor can it recognize Y. E. as its judge in the matter.

Y. E. says that in fact, the only person formally recognized in an official note, as a member of the Legation, is Porter Cornelius Bliss, referring to the note from the Department of the 23rd of February, but I cannot attribute this assertion, except to some painful mistake on this part of Y. E. since I have before me that note, and I find nothing which authorizes me to believe so. On the contrary, the third paragraph of that note, expressly and virtually disclaims the quality of members of your Legation in the Citizens Bliss and Manlove, and if the condition of not appearing upon the street was imposed upon them, it was assimilating them to the refugees in Y. E.'s hotel, without its appearing that they were considered in any other capacity.

In corroboration of this assertion, I will remind Y. E. that in my note of the 29th March last, I had the honor to say to Y. E. that the said Bliss and Manlove could not go out of the Legation, and that only on that condition were they tolerated in the house of Y. E.

Besides, as Y.E. knows the speciality of the case, the circumstances of the country, and the residence of Y.E, in a purely military post, showed the necessity of the express consent of the Government, in order that individuals proposed for members of that Legation might be recognised in that capacity.

For the rest, if I have reminded Y.E. that Porter Cornelius Bliss has not lived up to the conditions recommended in the note of the 23d of February, it was only to remind Y.E that more than the three months of which Y.E. spoke in your note of the 14th instant, and that that recommendation had not been so scrupulously fulfilled. If there were any words badly translated in the notes exchanged at that time, the responsibility of the error falls upon Y.E. for not having rectified it at the time

I will not trespass on Y.E. by undertaking the task of persuading you still that your confidence has been abused by the criminals demanded, since my official declarations have for Y.E. less importance than their own statements.

As little do I wish to weary Y.E. with a long series of transcriptions from international law to satisfy your scruples, for fear that Y.E. might accuse me of not wishing it to be enforced in favor of your 'protegees,' Porter Cornelius Bliss and George F. Masterman, and also because I do not consider this to be the place.

Nor shall I give Y.E. more specified details concerning the accusations against the said criminals, since I am notified beforehand that Y.E. will not permit them to be tried by the authorities of this country, but Porter Cornelius Bliss only in the United States and George F. Masterman in England, as members of the American Legation.

Nevertheless, I will observe that Y.E. appears completely to confound the condition of the country in full and exterminating war, with an absolute blockade and a horrible and atrocious crime, with a normal and not very pressing situation, and an ordinary crime of less danger and less immediate consequence. Could Y.E., who is so familiar with the great authors, cite me a case analagous to that which you sustain? Does it not seem to Y.E. that if the immunities of a Minister were to reach such an extreme as that to which Y.E. pretends to carry yours, there would be no nation in the world which would wish to accept an Embassy?

Since the national justice does not seek the suffering of any man, but the investigation and chastisement of the crime, in order to put an end to the fatal development of a plot as wicked as inhuman, does it not seem to Y. E. probable that when the Republic, shall be saved, the Government will excuse itself from sending its attorneys, (fiscales) one to the United States, and another to England, to substantiate an accusation and call for the chastisement of Porter Cornelius Bliss, and George F. Masterman, who without any character whatever, and begging their bread have arrived at the shores of this country, to constitute themselves later the agents of the enemy and instruments of commotion and intestine revolt and who had not appeared before the tribunal because after having become criminals they had obtained access to the Legation of a friendly power, in order to continue thence with impunity so iniquitous a work?

Does Y.E, think that the Minister who shelters such criminals under his flag and his immunities, is in the perfect exercise of International Law privileges? The exercise of that law thus understood, for the safeguard of such individuals, can it be considered as an act of obliging friendship?

Let Y.E. add to this that Porter Cornelius Bliss has signed in a secret committee of reciprocal obligation, swearing the treacherous assassination of the President of the Republic.

I cannot but declare categorically to Y.E. that this Ministry does not recognise, Cornelius Porter Bliss, American citizen, and George F. Masterman, British subject, as members of Y.E.'s Legation, and consequently I cannot accept a discussion with Your Excellency upon that basis. I regret, Mr. Minister, that my friendly notes have not been able to avoid the present statement, and I am under the unavoidable obligation of again requesting the expulsion of these criminals from Y.E.'s hotel before sunset on the 25th inst., in doing which Y.E will not only act with justice but according to the law of nations.

I also regret to see that Y.E. has so little hope of being personally useful, by remaining longer in the country. I thought that the Representative of a friendly nation would take pleasure in seeing frustrated a great conspiracy formed to facilitate the triumph of the enemies of my country, whose cause has merited the sympathetic interest of the Government of the American Union.

I will not conclude without thanking your Excellency for the mention you have made concerning the American fleet forcing a passage, as well as for your opinion that rather than provoke a war with the United States the gunboat will be allowed to pass without molestation, and, above all, the security given that Y.E. has no desire to spare the Allies another humiliation such as that experienced upon the occasion of Y.E.'s last arrival in this country.

I improve this occasion, &c.,

(Signed),

GUMESINDO BENITEZ.

To H.E. Mr. Charles Washburn,
Minister Resident of the United States.

[COPY.]

Legation of the United States,
Asuncion July 25, 1868.

His Honor Gumesindo Benitez, Acting
Minister for Foreign Affairs.

Sir,

I have the honor to acknowledge the receipt of your note of the 23rd, in which, after discussing some points of courtesy, Your Honor proceeds to give your reasons why Porter C. Bliss and George F. Masterman should not be regarded as members of this Legation, and should be expelled from it by me. As regards the questions of courtesy, I have no wish to enter upon them at this time. If the danger is so imminent as Your Honor alleges it is, better to leave all discussion on points of courtesy to more quiet times, when on review of what is past it will doubtless be easy to explain, justify, or excuse anything that may have appeared hasty or inconsiderate at the time. I therefore come to the more serious matter of your note.

In this Y. H. tells me, that from my house, correspondence from the enemy's generals, are received and replied to, treating of the details of a plot, and expressing a fear that the same conduct is still continued. Y.H. then adds that it is not you who have said to me that the complot had been combined to break out on the 24th, inst. and that you thank me for the information. Certainly your note of the 21st gave me the first information that I had, that anything particular was to be attempted on that day. From that note I make the following quotation: "mientras pueda dar á Y.E la debida contestacion vengo á prevenir á V.E. que por la combinacion de la traicion con el enemigo, este debia ejectuar ciertos movimientos para el dia 24 del corriente," This is all the information I have had on this point, and in my reply on the 22nd. I say that Y.H. advises me that the treasonable combination with the enemy was to have made certain movements on the 24th, thus giving in an almost literal translation of your own words the "noticia" for which you thank me; certainly it appears to me, that the thanks are due from me to Y.H. rather than from Y. H. to me. The first knowledge I had on the matter, was contained in your note of the 21st.

Respecting the question whether Mr. Bliss and Mr. Masterman are, or are not rightfully and legally members of this Legation, I waive all discussion at present: I have assumed, as I believe correctly, that they are, and if now I were to recede from that position, it would appear weak, and would be a confession that I had acted illegally in sending them away, for which act I should be arraigned and censured by my Government. I may be in error in my judgment, but holding the opinions that I do, I have no other course to pursue than give them the protection of my Legation, until I can send them to their respective countries to be tried. If this Government of Paraguay should think itself justified in taking them away by force all nations of the civilized world will be called upon to pronounce on the legality of the act. I may be condemned for error of judgment, but I shall certainly be commended for insisting to the last on the rights of Legation.

In thus insisting on the rights of Legation, I trust Y. H., will believe that it is from no desire to shield criminals. If the parties to whom I have given shelter and hospitality, have in the meantime been engaged in a plot, or conspiracy against this Government, there is no person in the country, save those whose lives were threatened, [and for anything I know I may have been included in the number] who have so much reason as I have to desire that justice should be done, or the criminals punished. And it is due to myself, and to my Government, that I should give all aid in my power, and that I can legally and consistently do, to aid in the discovery of the criminals and if Y.H. has any questions to ask respecting any suspected person, and I can give you any information that might be of use in ascertaining the truth I shall be most happy in a friendly and unofficial way to do so.

I regret to observe, that Y.H. remarks your official declarations have less weight with me, than the statements of the accused parties. I do not assume the character of a judge I only say that being, as I consider, members of my legation, they are not liable to be tried by the tribunal of Paraguay.

The Government, however, if convinced that they are not members of this Legation, may pursue them as criminals and fugitives, and the writers on international law have prescribed how such characters may be lawfully and properly taken from the house of a foreign Minister. It will not be for me to complain that any criminal is taken by force from my Legation; but the responsibility of the act will then be upon the Government of Paraguay and not on the Minister who had surrendered them, believing that he ought not to do so.

To the specific charge made against Mr. Bliss, I will not allude, lest, again you should thank me for information that I had only derived from Y.H. I can only say in regard to him, that if the charge be substantiated, there is no person in the world who will have so good reason as myself, to demand his punishment. And I have full confidence that my own Government will administer firm and inflexible justice. Does the Government of Paraguay doubt it?

To the remarks of Y.H. that you regretted that I had so little hope of being longer useful by remaining in the country, and that you thought that the representative of a friendly nation would take pleasure in seeing frustrated a great conspiracy formed to facilitate the triumph of the enemy, I would reply that I fully agree with Y.H., as I said before I have more reason, than almost any other person to desire that the whole affair should be throughly investigated, and the guilty parties punished. When I wrote my note of the 14th inst., I had no idea of the accusations that would afterwards be brought against the persons to whom I had given shelter and hospitality. But when I was asked to deliver up, or send from my house two persons whom I had considered as members of my Legation, I thought that if the Government insisted on that, and my legation priviledges were to be denied, I ought not longer to remain in the country,

There are other points in your note to which I may hereafter have occasion to allude, but as they do not affect the immediate question, I will not now discuss them. But as I have said I am not only willing, but anxious to lend any assistance in my power to discover the truth in regard to the combination of which Y.H. has made mention. I therefore will here add what I more properly might have said in my note of the 23rd, in answer to yours, asking the delivery of a certain package. As to the package I have nothing more to say, as I never saw nor heard of it. But as Y.H. says on the day after the return of Señor Berges from San Fernando, I visited him at his quinta, and brought away such package which on my return at nightfall; I deposited in my office, I will add a few words to what I said yesterday.

As I said in my note of the 23rd I did not see Señor Berges for several days after his return. But I find in my diary the following, which I literally transcribe, notwithstanding my bad Spanish in which I keep my journal, for the sake of learning the language. "A la tarde fui a visitar Berges en su quinta. Le encontré muy enfermo en cama. Despues pasé hasta la casa de la Señora presidenta á quien encontré en buena salud pero triste; volví por la casa de Leite adonde encontré Vasconcellos enfermo con chuchu, El mandó por me algunos billetes para Leite. Nada de nuevo de abajo."

I had been requested by Mr. and Mrs. Pereira to pass by their former residence, and bring them certain things that they needed, among which was some money, Paraguayan currency, To oblige them I took with me the saddle-bags [alforjas] of my friend Trauncfelds that I had borrowed some days before. On returning at nightfall I put the saddle-bags into my office. and the next morning after Señor Periera had counted the money, he delivered it to me to keep, and the larger part of it is now in my possession.

Y.H. will admit that this is not a very dignified nor elevated matter to put into a diplomatic correspondence, nevertheless I give all the particulars, hoping that I may thus be useful in arriving at the truth and that the information will be received in the same spirit in which it is offered.

It is with profound regret that I find myself compelled to differ with the Government of Paraguay in regard to the case of Mr. Bliss, and Mr. Masterman; but if any man has reason to respect firmness and strict adhesion to duty it is H.E. Marshal Lopez after having maintained a struggle almost unparallelled in history, for national independence, and having endured years of toil, danger, and sacrifice to defend his country, and maintain a principle he cannot but regard in an other the same firmness, and the same adherence to conviction and duty with respect and approval.

That the plot of which Y. H. speaks has been detected and frustrated, I would ask you to convey my most cordial and earnest felicitations to H. E. Marshal Lopez. I well remember what a thrill of horror ran through the civilized world when the great and good Abraham Lincoln fell before a foul assassin, and the universal execration that the deed provoked. That any person should be found in Paraguay, engaged in a similar plot, is to me horrible beyond expression. Will Y. H, also felicitate H. E. the President for the returning of his birthday and, express my regret, that I was unable yesterday, owing to the pressing duty of preparing this letter to visit H, E. the Vice-President at Luque and formally offer my congratulations.

I improve this occasion to tender to Y. H. assurances of high regard, and distinguished consideration.

[Signed]

CHARLES A. WASHBURN.

[TRANSLATION.[

Ministry of State for Foreign Affairs.
Luque, July 31, 1868.

I have had the pleasure to receive Y.E.'s note of the 23d inst., in reply to that which I addressed you, bearing the same date, requesting the delivery of a sealed package of communications, which was delivered to Y.E. by the ex-Minister Berges. Y.E. states that neither in the two visits which you made to Berges, nor upon any other occasion, did he ever give you any package or communication of any kind, and that therefore I must be very ill-informed in that respect, since you have never received anything of that class, nor have you received from him any communication, either verbal or by letter, since his return from San Fernando. I have also received two other later notes of the 25th and 26th inst. the first being in reply to my other note of the 23d, concerning the question which relates to Porter Cornelius Bliss and George F. Masterman, whom Y.E. considers as members of your Legation, setting forth that as to the question whether they are or are not justly and legally such, Y.E. waives the point, but that as Y.E. considers them as members of your Legation, they are not subject to be judged by the tribunals of Paraguay; that if the Government is nevertheless convinced that they are not members of the Legation, it may prosecute them as criminals and fugitives, and that the writers upon international law have fully prescribed how such individuals may properly and legally be taken from the house of a foreign Minister, but that the responsibility in this case will be upon the Government of Paraguay, and not upon Y.E. At the same time Y.E. makes a fuller statement respecting the package of papers asked for in my note of the 23d, giving an extract from an entry in your diary. The last note of Y.E. is accompanied by a communication from Porter Cornelius Bliss, who, you say, requested it to be forwarded; the said communication, containing some revelations, which suppose the existence, at a former time, of a secret committee composed of himself and other foreigners, the form and text of this communication appearing to be intended as a justification of his pretended innocence.

I shall reply to these notes together, as being coherent parts of the principal subject.

Although there are some points in these notes, which I have read not without surprise, and which deserve to be immediately replied to, yet, not to lose precious time, I leave them aside to treat of the principal topics.

I would also have entered into further considerations, concerning the question of Bliss and Masterman, but as Y.E. declines all discussion as to whether they are or are not justly and legally considered by Y.E. as members of your Legation, I also ought, after what I have already said upon the subject, to abridge my reply. Nevertheless, I will observe, that this act of Y.E. is not in harmony with the benevolent manifestations which you have made in favor of justice, since it being in your hands, and a matter of the strictest duty, to send away those individuals who ought to appear before the proper tribunal, Y.E. preferred to shield them with the title of members of your Legation, without having proved, or being able to prove, that quality, which has been officially disclaimed by my Government.

Y.E. does not choose to give all the assistance, which you might legally afford, towards the investigation of the grave crime of high treason; and the fact of acceding in respect to some, and refusing in respect to others, to accede to the request to dismiss from your hotel the criminal refugees, as in the cases of Bliss and Masterman, to which Y.E. interposes difficulties, although you have superabundant means to give them a decided protection, which circumstance assumes a more pronounced character, by referring to the fact in your note of the 20th inst., respecting your servant, you have stated your intention to dismiss him instantly from your hotel in case of being informed that he has not complied with your Y.E.'s orders not to bring or carry any note, message, or communication of any kind, or from any person beside yourself and Mdme. Washburn. And the fact is so much the more characteristic, since Y.E., in the exercise of your discretionary powers, might give up to the justice of the country your servants accused of crimes, and might renounce all privileges of that nature, respecting persons of your suite, with the exception of those who have been appointed by your Government, as Secretaries of Legation, &c.

The more I have sought in Y.E.'s notes for a plausible motive for your firm determination of not granting my request concerning those criminals, the more I have found that your refusal is based only upon these points:—1st. That Y.E. thinks to have correctly denominated them as justly and legally members of the Legation. 2d. That if Y.E. were now to recede from that position, it would appear weak, and would be a confession of having acted illegally in dismissing them, for which reason you would be accused and censured by your Government.

I ought to express to Y. E. that I have in this respect a different opinion, based upon reason and justice. Is it not evident that this Government has not recognised your protegees as members of the American Legation, and that this fact is proved by official documents? Or how many times must the Government make known to you its resolution? But even if Y. E believed in a tacit recognition after your last attempt, was not the official declaration sufficient, which was made to you later, that this Ministry has never recognised, nor never recognises them, as members of your Legation, to modify your opinion, and respect the justice of my petition?

There is not, then, the exactness which Y. E. invokes, in your belief that they are legally members of your Legation; and it is out of my power to understand how, by receding from that position on the strength of a maturer reflexion, Y. E. would appear weak, or how it would be a confession of having acted illegally in dismissing them; since the mission of a public Minister is based upon political morality, and the exercise of his functions requires a respect for law, reason, and justice, preferring the general interests of nations to private interests; and it is starting from this principle that I am far from believing that Y. E. would be accused, or even censured by your Government, whose enlightenment, love for justice, and respect for international law, is beyond all question, and my Government takes pleasure in recognising this fact.

Y. E. will allow me to make the following quotation from Vattel, who, speaking of a foreign minister, says: "He ought not to avail himself of his independence to oppose the laws and usages, but rather ought to conform to them so far as they concern him, although the magistrate has no power to compel him to do so; he is particularly bound to observe religiously the universal rules of justice...."

But what most particularly draws attention, is that the persons sheltered in Y. E.'s Legation prove to be really the principal members of the plot, and that there still remain in it two individuals who are as criminal, as appears from documents of the case, as the other refugees whom Y. E. at my request dismissed from your house, and who have already appeared before the competent tribunal.

It is to be regretted that such individuals still remain in Y. E.'s house, protected by the American flag, since Y. E. cannot but admit upon your own conviction, that far from being members of your Legation, they are improperly housed in it, and as Y. E. knows and has declared, that your Hotel ought not to serve as an asylum to criminals, I again demand of Y. E. the fulfilment of this duty, urgently required by justice and law.

When Y. E. says in your note that the Government can do what it chooses in the matter, upon its own responsibility, I ought to observe that you may tranquilize yourself concerning this point, and at the same time manifest that "the question of the right of asylum is already resolved by public law and modern practice. If the inviolability of the foreign public Minister extends to his residence, his Hotel can no longer, as formerly, serve as an asylum for individuals guilty of crimes, to evade the competent jurisdiction. It is now admitted that when a criminal has taken refuge in the hotel of an Embassador, the State may, in case of his extradition being refused, order him to be taken out by force...."*Modern European Law of Nations.* Vol. 3.

According to this principle of international law, Y. E.'s insistance in your refusal is destitute of all foundation, and can only give rise to the formation of other judgments.

The pretext is specious upon which Y. E. bases your refusal. How could the recognition of Bliss, in the character desired, be hoped for, simply on account of having been presented for the second time along with Manlove, in the list of your suite, having been already refused by this Ministry upon your first request? Besides, it is evident that Y. E. has recognised this, when, in your note of the 4th of April last, with which you send the list referred to, bearing date of Feb. 24th, containing the names of the persons of your Legation, you make this statement: "I have duly advised all the persons who have not been accepted and recognised as attached to this Legation, and consequently with a right to all its privileges and immunities, that if they go outside of the limits of the Legation, it will be at their own risk and peril, and if in doing so they should be arrested by the Police, I shall not have to interfere in their favor."

This sentence sufficiently demonstrates that Y. E. has recognised that Bliss and Manlove have not been accepted as attached to your Legation.

I ought to mention here the form in which Y. E. communicated to this Ministry the said list of the persons of your Legation, in which you inserted for the first time, the name of George F. Masterman; and for the second time those of Bliss and Maslove. It came along with your note, already referred to, of the 4th of April, as a sort of satisfaction to mine of Mar. 31, saying that you had written a similar note on the 24th of February, which you had endeavoured to send to the ex-Minister Berges.

By what has been set forth, it will be seen that Y. E. did not, on the 4th of April last, consider as members of your Legation, Bliss and Manlove, nor Masterman; not only because you did not send your note of Feb. 24th, but above all, because they had not been recognised in the proposed quality, to augment the number of persons belonging to your Legation. Besides, when Manlove, who was in the same case with Bliss, was arrested by the Police, Y. E. did not consider him as a member of your Legation, because you recognised the non-existence of any right to invoke, which fact comes in to corroborate, in the strongest manner, the reasoning and the right which I have alleged in my request respecting these individuals whom Y. E. now pretends to include legally among the persons of your Legation.

As to the other statement of Y. E., that Bliss has gone into the streets without being molested by the Police, Y. E. ought to persuade yourself that he was confounded by the policemen with those who are really members of the Legation; but this error of fact cannot confer any right in the sense of the pretence and argument of Y. E. upon the matter.

With these explanations of my previous observations, the question is entirely cleared up, and I cannot hesitate a moment in thinking that Y. E. will immediately proceed to expel these two criminals, who have abused to an extreme degree, the confidence of Y. E., and the hospitality which has been generously given them in my country.

Y. E. has made several quotations from Vattel upon this matter, and must know that this celebrated author says in his work:—

"The Embassador's house ought to be exempt from all insult, and under the especial protection of the Law of Nations; to insult it is to become culpable to the State and to all Nations.

"But the immunity and exemption of the house has only been established in favor of the Minister and his servants, as is evidently seen by the very reasons upon which it is founded. Could the Minister avail himself of them to convert his house into an asylum whither the enemies of the prince and of the State might shelter themselves, as well as malefactors of all classes, and thus evade the penalties which they have merited? Such conduct would be contrary to all the duties of the Embassador, to the spirit which ought to animate him, and to the legitimate motives which caused him to be admitted. No one will dare to deny it; but we will go farther, and establish as a positive fact, that the Sovereign is not bound to suffer an abuse so pernicious to his State and so prejudicial to Society.....and in the case of a criminal, whose detention or punishment is very important to the State, the consideration of a privilege, which was never conceded for the turpose of being converted into the prejudice and ruin of States, cannot detain the action of the prince."

Bello says in his "Principles of the Law of Nations:"—"The Minister, moreover, ought not to abuse this immunity by giving asylum to the enemies of the Government, or to malefactors. If he should do so the Sovereign of the country would have a right to examine how far he ought to respect the asylum, and in matters concerning crimes of State, could give orders for the Minister's house to be surrounded by guards, to insist upon the delivery of the criminal, and even could take him out by force."

I did not intend to molest Y. E. with citations of this kind, but in the interest of supporting the reason of my demands, I have had to recur to them, being very much surprised that hitherto my just and necessary requests for the expulsion of these two great criminals from your Legation, have not been complied with, as well as concerning the delivery of the package of communications which Y. E. took charge of; but I cherish the hope that you will not choose to make any further delay, which could but be a grievance to my Government, since Y. E. understands the serious nature of the case, and knows well the ulterior results which such a resolution may bring about in this question, by sheltering criminals who, as I have officially informed Y. E., are accused, with full proofs, of being important members of the combination of high treason; there being besides, the precedent of the conduct properly observed by Y. E, respecting other criminals, giving credit to my official statement, and forming a favourable judgment respecting the National courts of justice.

As Y. E. says in your note of the 25th inst.:—"But if any man has reason to respect firmness and strict adhesion to duty, it is H. E. Marshal Lopez. After having maintained a struggle for national independence, almost unparalleled in history, and having supported years of labors, perils, and sacrifices for the defence of his country, and the maintenance of a

principle, he cannot but regard with respect and approbation in another, the same firmness, and the same adhesion to conviction and duty;" I ought to express to Y. E. my thanks, and manifest at the same time, that you may rest secure, that H. E. the Marshal President, firm and persistent with the principles of sound policy, and of his noble sentiments, will never fail to appreciate good actions, and attribute due consideration and respect to really meritorious acts, which involve a respect for justice and law; as he has never approved of actions or proceedings which depart from such holy principles.

I also thank Y. E. for your expression of sympathy and compliment towards H. E. the Marshal President of the Republic, and it will be my duty to transmit to H. E., as you desire, your cordial congratulation for the discovery and frustration of the plot, as well as your congratulation upon his birthday.

I think it my duty to consign in this place the notable circumstance to be observed in the fact that Y. E., in your note of the 25th, which I had not received when I made my trip to the capital, offered to aid in the discovery of the criminals, and that if I had any queries to make concerning any suspected person, or if you could give any information of consequence for the confirmation of the truth, you would be most happy to do so, in a friendly and confidential manner. Y. E. had thus written precisely at the time when I had resolved upon an entirely friendly step, in the interest of putting upon a better footing Y. E.'s relations with this Ministry, in virtue of our official notes exchanged; but unfortunately neither Y. E.'s spontaneous offers, nor the officious step which I took, have produced the results which I had hoped for.

Being obliged to take especial measures in consequence of Y. E.'s conduct, so little in conformity with the principles of universal practice and mutual convenience in official intercourse, I made Y. E. a visit in your house on the 25th in the afternoon, which if in fact, and I regret to say so, it was entirely without result, at the least it will imply always a positive testimony of distinguished consideration towards Y. E.: my Government exhausting in this manner all the means counselled by friendship, consideration, and respect for the friendly nation of the United States of America and its Government.

Y. E. will remember that I then said that I had left my post to come and visit you, and inform you in a friendly manner, that I considered the ground you had taken in your official correspondence as very serious, and that I desired that I might not be obliged to say in it things which I wished to avoid for your own honor, Mr. Minister, and that I should be obliged to do so to prove officially the reasons which the Government has for being exigent with you in the pending questions.

I also said that I knew that Y.E. has received from Berges, papers with certain precautions and declarations, and labelled them with your own hand, and that I attributed only to forgetfulness what you said in your note concerning this matter, adding that I should infinitely regret to be obliged to make use of the declarations of the criminals in official notes, since that would carry this ministry upon a ground which it has not wished to enter upon with you, Mr. Minister.

Y. E. said in reply that in your note of the same day you had stated all you had to say upon the matter, and on your inquiring if I had received it, I replied that it had not yet reached me. Y.E. then replied saying that the truth was that you had not received any paper from Berges; that what had happened was that upon that same occasion, the 22nd of June, you had gone from Berges' house to that of Doña Juana P. C. de Lopez, and from them to that of Vasconcellos, who sent some saddle-bags, some paper money to Leite Pereira, and some other things for his lady, who at that time were refugees in your Legation. You brought me of your own accord your diary for me to read the entry containing this statement, and also brought the saddle-bags referred to, stating that you had brought them in person and had them in your office, but that you had received absolutely nothing from Berges. That he had never been at all confidential with you, but, on the contrary, preserved towards you a constant reserve. That you had stated the same thing once to his H.E. the Marshal President in Paso Pucú. That for the same reason you wondered that you should be thought upon confidential terms with him. That some time later you made him another visit with Madame Washburn, but that she remained in the parlour, and you alone went in where Berges was in bed. That on the two occasions that you visited him, it was for a very short space of time, and that your conversation was only what you had already mentioned in your official note. That nothing further occurred, nor had you forgotten anything. That what you had stated is the truth.

In reference to the question about Bliss and Masterman, Y.E. said that you held an opinion different from that of this Ministry, and for that reason should leave the Government to act as it might judge proper, again referring to your note of the same date, and regretting that I had not received it. In relation to this point, I replied that I referred you to what I have already said in my notes upon the subject. Y.E. continued, stating that you understood the grave nature of the case, and that if you assumed the ground you had officially taken, it was from a sense of your duty to act so that your Government would approve of your conduct, and in the manner that appeared to yourself most proper, especially after having declared that Bliss and Masterman are members of your Legation. That far from wishing to shelter criminals, you had already sent away others, and that if you had not done so [in this case] it was only for the reasons stated, but that Government could do what may appear to it most proper in this respect, assuming the responsibility. In reply to which I manifested to you, Mr. Minister, that you should convince yourself that the Government does not need other people's advice, and that it would do what was just and convenient. That these affairs having arrived at the delicate and important state in which they now are, it could not but be expected of you, Mr. Minister, who has always manifested your sympathy in favor of Paraguay, that you would act in a manner to prove well your sincerity and sentiments of right and justice in this grave business. You replied that no one could make any charges against you in this matter; that it might be that criminal acts had been committed which you had not understood, or which had not come to your knowledge, but that you were tranquil. Then I said that you, Mr. Minister, ought to understand that we are in possession even of your confidential communications with the criminals from a very early period; that we did not wish to state this in notes, at least not in all its fulness, unless, unfortunately, we should be obliged to do so. Your reply was to inquire who were these persons; and I continued the conversation in the same strain without specifying persons. Y.E. repeatedly said that you were tranquil, that you remembered nothing, and that if anything bad had come to your knowledge you would not have kept silence. You repeated that it was not true that you had ever received such a package from Berges, since you had received nothing from him. Y.E. added that you were surprised to learn that Berges was accused of high treason. That you had supposed him to be a good citizen, but that you must declare that he has never communicated anything to you concerning the crime attributed to him, nor had you conversed with him of anything beyond what you had already manifested.

Y.E. also alluded to the manner of Leite Pereira's coming to your house, saying that you had only admitted him until he should be demanded by the authorities; that you had expressed to Carreras and other persons in the Legation the same thing and that Leite Pereira had done badly in acting as he did.

After this digression, I again called the attention of Y.E. more than once, to the importance of those papers which Berges gave you, and that in order to be able to reply to your note about them, I had made you this visit, in order to see if in my reply, it would be enough to appeal in a friendly manner to your memory, or if it would be necessary to aid it in a more convincing manner. Y. E. replied, losing your serenity, that it was false, that there was no such thing, that whoever had so stated had stated a falsehood, a lie to the Government. That if there should be any such calumnies as that referring to papers of Berges, Y.E. would answer them well. That if there are bad men who wish to lie, it could not be helped. That concerning this, or anything else relating to the matter in question, you had no reason for reserve, and on the contrary would aid in clearing up the truth, thanking me for my friendly step, and turning your eyes towards many objects; trunks and boxes close and sealed up, which there were in your parlour, you said that you had taken charge of them to serve various persons, but that you were ignorant of their contents.

On taking leave, I said that I retired with regret that a friendly step had been without result, and that doubtless also H.E. the Marshal President would regret it, since his orders were to guard always towards you, Mr. Minister, all the consideration possible. Y.E. replied that you also regretted it, but that you could do nothing more in the matter, requesting me to thank H.E., and to say to him that you much desired to be useful to him, and that you were disposed to do all that may be possible with the best good-will, and that you would do anything to serve him compatible with your duty.

This is essentially what passed in our conference, and although it produced no satisfactory result, I nevertheless hoped that in consideration of the grave nature of the case, I might have had the good fortune to avoid for Y.E. the consequent painful results, but I see with regret that Y.E. has not yet been pleased to give the matter due consideration, and has placed yourself in a very especial situation.

In your note of the 23rd inst., demanding the sealed package given you by the ex-Minister Berges, Y.E. says that he never gave you any package of communications, letter or message of any kind, adding that you had talked about the state of the war, and other casual matters; that the only thing which you remember that he said was that the Brazilians could not hold out much longer, that their credit was exhausted, and that several provinces were in revolution; that on taking leave, he requested you to come and see him afterwards, which you promised to do, but that you only went once more, accompanied by Madame Washburn, according to your diary, on the 3rd of July, when you found him still in bed; that his conversation on that occasion was very similar to that of the previous occasion, but that neither then, nor upon any other occasion did he ever give you package or communication of any kind. That I must then be very ill-informed respecting the package referred to.

In your other note of the 25th, after speaking of the question of Bliss and Masterman, Y.E. adds that as you had said you were not merely desirous but anxious to lend whatever assistance might be in your power, to discover the truth respecting the combination which I had mentioned, that for this reason you would add what you might more properly have said in your note of the 23rd, in reply to mine soliciting the delivery of a certain package, that as to this matter you had no more to say, but that as I had stated that on the day after the return of Berges from San Fernando, you visited him in his quinta, and brought away that package, you would add that, as stated in your note of the 23rd, you did not see him for several days after arrival, and you then insert the entry from your diary, by which it appears that the same afternoon of your visit to Berges, you went also to the house of Leite Pereira, where you found Vasconcellos, and that he sent by you some paper money for Leite himself, adding that you had been requested by Leite and his wife to go to their old residence to bring several things which they needed, among which were some money and Paraguayan notes, and that on your return about dark, you placed the saddle-bags in your office; stating in conclusion that although this matter is not very decorous for a diplomatic correspondence, you nevertheless gave all these details, hoping that they might be of use in arriving at the truth.

They are the points embraced in Y.E.'s two notes referred to concerning the very grave matter of the package of communications delivered to you by the ex-minister Berges.

When I visited you the 25th of this month for the purpose of making the friendly advertencies referred to, I was animated by the best dispositions towards Y.E., and I hoped that if not by my words, at least through regard to your own convenience, you would have given to my Government a motive of gratitude, and also a proof of the sincerity of the desires and anxiety manifested by Y.E, to give whatever aid might be in your power to discover the truth, and to aid in the discovery of the criminals, offering to reply to questions concerning any suspected person, according to Y.E.'s expression; but the result of that conference has defrauded my most legitimate hopes, and has obliged me to transfer to my notes certain declarations of the criminals, which as I said to Y E. I much desired to avoid.

When the crime of high treason on the part of the ex Minister Berges had been discovered and investigated, he declared before the tribunal that he has had the following communications with the Marquis of Caxias. One original letter from Caxias himself, dated in Tuyu-Cué, whose date he does not remember, that this letter was delivered to him through the American Legation, and that his answer was sent by the same channel, the draught of which he says is to be found in the original (package?) That afterwards, at the time of the arrival of the Wasp, another letter came from the same Marquis dated the beginning of June, which Berges did not receive until the beginning of July, after returning from the army of the capital, on the occasion of the first visit of Y.E. who carried it to him personally. That with the letter was included a project of a reply, and a proclamation, stating that these documents were sent to him and submitted to his consideration, since having already forced the first fortifications, and being about to take Humaitá, he believed the end of the war to be near. That this letter was not replied to, since Berges could not write on account of an impediment in his hand, for which reason Y.E. aided him to double or fold up this letter and its accompanying documents, as well as the previous one and the reply to it, putting them all in a wrapper, which closed with a wafer and labeled by Y.E. with the inscription "papeles de Berges," you took charge of, and carried them to keep in the Legation, offering to serve Berges in every way as Minister and as friend.

And Berges himself adds in his second declaration, that it was in fact, at the time of the first visit which Y.E. made him at his house in Salinares about the middle of the afternoon, that you personally carried him the second letter written by Caxias to him, when Y.E. said: "these papers came by the ganboat Wasp, and I received them under cover to me, it would seem that they are of importance." That Berges took them and said "let us see," reading them thereupon in Y.E.'s presence, and that after a short time you observed to him that the papers were long, and that therefore you would retire, as you had something to do; that to this he replied, "I shall claim a little more of your time, you might take a walk for a little while in the quinta." That Y.E. said "your quinta is very sorry at present, rather give me a book to read." That he then said to Y. E. "there are some," pointing to a few books upon a small table, such as the 'Count of Monte-Christo,' 'La Garrota,' a work by Ascasubi, etc. That Y.E. got up to take one of them, he does not know exactly which, and read a while, until Berges interrupted you saying, "I am going to deposit these papers in your custody," to which Y.E. replied "*vaya*! they are then from Caxias," and he replied in the affirmative. Y.E. said to him, "these are delicate matters; I would prefer to take charge of jewelry or other things which you may wish to deposit in the Legation, and I would do it without asking the so-much per cent (without saying how much) which I ask from other persons, but these papers may involve me in a compromise with my own Government, for abetting correspondence with the enemy's camp, for the rest I have no fear." Berges then replied, "how can a thing be known which has passed between us? I will fold them up with the previous communication (which Y.E. knew of) and give them to you now to carry away." That Y.E. after thinking a moment, said, "I will take them, but if anything should happen, I will burn them, and say I have received nothing." That Berges then got up and took from a secret place in a red writing-desk, where he kept it, the first letter and the reply to it, and set about folding it up with the second one and the accompanying papers, as he had said in his before-mentioned previous declaration; the form of the package being quadrangular, about the size of a sheet folded in three, and having been closed with a wafer by Berges himself, Y.E. labelled it with the inscription already mentioned, 'papeles de Berges,' and put it in the inside pocket of your coat over your breast, taking leave of him afterwards, and starting off in the direction of the Trinidad. That about a week afterwards, Y.E. visited him a second time, along with your lady, who remained in the parlour, and Y.E. went into Berges's sleeping room, he being in bed, on which occasion it was that Y.E. made him in more detail the offer of your services as Minister and as friend."

These are, Mr. Minister, the foundations which this Ministry has had for soliciting of Y.E. the delivery of the package mentioned by the ex-Minister Berges.

And I will conclude, stating to Y.E. that my Government, which has never avoided the responsibility of its acts, of whatever character, will not fear to assume it now before enlightened Government of the United States and the civilized world, by making use of the means prescribed by the writers upon international law, to take possession of the criminals Porter Cornelius Bliss and George F. Masterman, but it costs me much, Mr. Minister, to persuade myself that Y.E. will continue to refuse to accede to the solicitude of the National Courts of Justice, and I would fain hope that Y.E., weighing my considerations, will at last not refuse to hear them, and will give up the criminals to appear in judgment, not as members of the Legation of a friendly power, but as men who have abusively gained access to it to shield themselves by it from punishment.

Y.E. inquires if my Government doubts that that of the United States would administer full and inflexible justice, and I take pleasure in stating here that I have not the remotest shadow of doubt of it, but I will in my turn inquire of Y.E. if the American Government can be in full possession of the case, as the National Court of Justice is? Would it send the record of its trial for a new substantiation of the case? Could it do so? Would the firm and inflexible administration of American justice be sufficiently timely?

I request of Y.E. to consider the state of the country and the character of the case at issue.

I improve this occasion to renew to Y.E. the assurances of my distinguished consideration.

[Signed]

GUMESINDO BENITEZ.

Legation of the United States,
Asuncion, August 3, 1868.

His Honor Gumesindo Benitez,
Acting Minister of Foreign Affairs,
Sir,

I have the honor to acknowledge the receipt of your note of the 31st July, on the evening of the 1st inst. In this note Your Honor discusses at great length the various points on which I have been so unfortunate as to differ with your Government on questions that have arisen during the last month.

In this note Your Honor, after a long discussion on the points of difference as to whether or not Mr. Bliss and Mr. Masterman are rightfully members of this Legation, gives me the most startling information in regard to the declaration of the ex-Minister of Foreign Affairs, José Berges. This notice has caused me so much surprise and astonishment, and is of so serious and grave a nature, that I trust Your Honor will pardon me if I first reply to that part of your note, leaving the other question to another day.

And, first, Your Honor will permit me to observe that I deeply regret that in a case of so serious a nature you should assume for facts what at best must be doubtful, and reiterate positively, as if on your own knowledge, what I, on my own better knowledge, as positively have denied. When a Minister is told virtually that his words are not believed; that they are known to be false; he would certainly be excused if he declined any further correspondence. But, as I have already promised to give any aid in my power to clear up the terrible mystery in which I am surrounded, I shall pass over this matter of form, believing that what I have to say will be of service in eliciting the truth.

Your Honor expresses regret that in the personal interview held with me on the 25th ult., you were unable to elicit such facts as would render it unnecessary to include in an official note your subsequent statements. But that Your Honor was seeking impossibilities I think I shall be able to convince you. Your statement of what Señor Berges has said before the tribunal has led me to reflect and call to mind every incident and circumstance that I can remember which can throw any light on this strange conduct. Regarding the package which Your Honor says again and again that he delivered to me, I say again and again I never saw, nor heard of, till I received your note of the 23rd ult. But, when to this he has added that it was through means of this Legation that he carried on his treasonable correspondence with the enemy, I have endeavored to discover or imagine how it was possible for him to do so. I will, therefore, relate in detail, as far as my memory, with the assistance of my journal, will permit, everything in relation to the transmission of my despatches.

On the 28th of April last I sent away my last despatches for Washington, to be forwarded below, and thence passed by flag of truce through the military lines. Whether I sent letters for other persons or not I do not remember, but I presume I did, though I do not recollect for whom. I have sometimes sent letters for the Portuguese Vice-Consul, Señor Vasconcellos; but I do not recollect whether on that occasion I did or not. A few days after sending away this package of despatches, that is on the 6th of May, a clerk and translater in the Foreign Office, Gaspar Lopez, came to my house bringing a small bag of despatches. On opening it I found it contained two or three despatches from Washington, two or three private letters from the United States, and an official and also a private letter from Capt. Kirkland, commanding the U.S. steamer "Wasp," who advised me that he had come up to take me and my family away. There also came at the same time a package of letters addressed to me, with the name of the English Secretary of Legation, G. F. Gould, on the corner. On tearing off the outer wrapper of this I found it was addressed to the Portuguese Vice-Consul Vasconcellos, and was accompanied by a note to me from the Portuguese Chargé d'Affaires in Montevideo, the Baron de Sousa. A copy of this note I enclose herewith. As my own letters contained no news from below, and I supposed that those for Vasconcellos would have a great deal, I went out in the afternoon of the same day to his chacra to deliver the package and learn the news it contained. He did not open it in my presence, but he afterwards brought out one or two private letters, which he read to Leite Pereira and myself, when for the first time I learned of the revolution in Montevideo, the death of ex-President Berro and of Flores. This news, I suppose, was made known to the Government soon after, as the next number of the *Seminario* contained the same. I ought to remark that the tone of these letters was very favorable to this country, representing the Allies to be in a desperate condition, and the writer as convinced that they could never conquer Paraguay. This package also contained a letter for Dr. Carreras, which I brought in and delivered to him. It was read to me afterwards, and contained the same news as that of Vasconcellos, and was equally friendly to Paraguay.

This is the only correspondence that has ever passed through my hands for many months from any person whatever from beyond the enemy's lines, and if Señor Berges tells the truth (which I have great reason to doubt, as on another point he states what I know to be false) the communication he says he received from Caxias through this Legation must have been in that package from the Baron de Sousa. At the time Your Honor will remember that Berges was not here, and a few days after I went to San Fernando to see H.E. Marshal Lopez, in order to make such arrangements as would induce the Commander of the "Wasp" to come up to that point. I had not been recalled by my Government, though a gunboat had been sent to take me and my family away, and until a successor should arrive to take my place I was disposed to remain in Paraguay. I had written as early as January to be recalled, and insisted that another Minister should come to succeed me, as it would look like the abandonment of a brave and gallant people if the only accredited foreign Minister were to be withdrawn. Whether this letter ever reached Washington I have great reason to doubt, as ever since my visit to the camp of the Marques de Caxias he seems to have done everything he dared do to stop my communications and supplies. I venture the assertion that if he has been engaged in a plot with traitors in Paraguay, I am almost the last person he would wish to know anything about it. I flatter myself that he considers me, whatever Y.H. may do, a friend to Paraguay, and such a friend as Brazilian gold is powerless to seduce.

From San Fernando I wrote to Capt. Kirkland, telling him that the Allies had no right to prevent him from passing their blockade, and that for other reasons I could not avail myself of the presence of the "Wasp" unless he would come higher up the river. Afterwards I returned to this place, and on the 30th of May I received another letter from Captain Kirkland, in which he informed me that the Marques de Caxias refused to allow him to pass his squadron, but offering to furnish me facilities to go by land from Pilar or Tayi to Curupaiti. This offer of Caxias I took as an insult to me and my Government, and so advised Captain Kirkland, telling him to force the blockade, and let the Brazilians fire upon him if they chose to do so. It seems, however, that he did not feel authorised under his instructions to take such violent measures; and on the 10th of June he wrote me that he should start that day for Montevideo, in order to get such instructions as would require him to pass the blockade or fight the whole Brazilian squadron. I then believed he would be back within a month; but now nearly two months have passed and I hear nothing of him. It may be that the Admiral does not wish to take the responsibility of commencing a war on Brazil without orders from the Government, and that instead of sending back Captain Kirkland with orders to force the blockade he has sent to Washington for instructions. Was it not for the delay this would be the course I would prefer, for I have no doubt the orders would be that the entire squadron should come at once to Paraguay, without as much as asking permission of the Brazilians. The delay, however, is what I deplore. While my Government is debating whether to make war on Brazil, by reason of my representations and situation, the Government of Paraguay refuses to credit my positive statements as against those of an accused, convicted, and confessed traitor.

Neither of these last letters from Captain Kirkland to me were accompanied with any letter to anybody else, and I sent no letter from anybody else with my letters to him. I expected him to come up here to take away my family, and therefore I did not send away a single letter except my own official letters to Captain Kirkland himself.

I cannot find words to express my surprise at the account which Your Honor gives me of the declaration of ex-Minister Berges. It is all false from beginning to end, and that I believe I shall easily convince you, and that he has evidently ascribed to me a part which was performed by another person. I do not imagine he is a person of the ingenuity to make up out of nothing his story about the package which he says he delivered to me, but that he should try to screen some one else by imputing to me the acts of one of his accomplices is quite possible. I do not suppose he would do that out of malice to me, for I have no reason to think that he ever cherished any such feelings towards me. Yet, he might think to screen another by ascribing his acts to me, and at the same time imagine that my official character would prevent inquiry into my own acts. Yet, whatever his object or motives, the whole declaration is, as far as it relates to me, a monstrous fiction.

Your Honor expresses regret that it should have become necessary to put this declaration in an official note. I also would have preferred to have been privately advised, and given my explanations in an unofficial form. But, notwithstanding this, I am glad at last to know what has been the ground of the action of your Government towards me, which has hitherto been entirely incomprehensible. Had I been advised earlier of this declaration of Berges, very much of this long and unpleasant correspondence would have been avoided. But I have been groping in the dark, without the least idea of what the Government knew or suspected. I seemed to have lost its confidence, but I knew not for what reason. But this declaration of Berges, though entirely false, explains all. After a man who has held such positions as he has occupied, has accused me of knowing of his treachery and aiding in it, it is not at all strange that the Government should regard me and all near me with suspicion. But, now I know what his declaration is, I shall be able to show by a careful reference to dates and other well-known or easily ascertained facts, that it is all false from beginning to end.

I will now examine his statement somewhat in detail. First, He says he received a letter from the Marques de Caxias, the date of which he does not remember, and that he received it through this Legation. The date is important, as if it passed through my hands it must have been in that package from the Baron de Sousa to Vasconcellos, or must have come as early as December last, when the Italian Cousul came through the military lines, for between the time of the arrival of the Italian Consul and the arrival of the "Wasp" I received nothing from below. But, as Berges says it was the second letter that came by the "Wasp," the first must have come several months before. He also says that his answer was sent by the same channel. Of that I can only say that if he did send through this Legation it must have been under the cover of somebody else. I remember of his asking me on one occasion when I was about sending off my despatches to include some letters from him. But I refused to do it, giving as a reason that it would be an abuse of the faith and confidence of the Allies to do so; that I could only send correspondence with their assistance, and to take advantage of that to send the letters of their enemies would be such an abuse that, should it be discovered, they would be justified in refusing to allow any more of my correspondence to pass either way. Therefore, if he sent anything through this Legation, it must have been by getting some one else not connected with the Government to give it to me as a letter to his family. But, if he did impose upon me in that way, it must have been as long ago as the middle of January last, for between that time and the departure of Berges for Paso Pucu I sent no correspondence away.

It appears from the note of Your Honor that Berges made two declarations, and that the two are very inconsistent with each other. In the first he says that the second letter from Caxias, which was brought by the "Wasp," was dated the beginning of June, but that he did not receive it till the beginning of July, when I delivered it to him personally at his house. If that letter, dated near the beginning of June, passed through my hands, it must have come with the last letter of Captain Kirkland, which was dated the 10th of June at Curupaita, and which I did not receive till the 23rd, as appears both from my diary and the verbal note of Your Honor, which you were kind enough to send me with the letter. The 23rd was the day after my first visit to Berges, so that I could not by any possibility have had any such letter at that time in my possession, as no communication reached me from the 1st to the 23rd of June, the day after my first visit.

In his second declaration Your Honor adds that Berges says that it was at the time of my first visit to him after his return from San Fernando, that I delivered this second letter from Caxias, and then he pretends to relate very minutely everything that took place on that occasion. That visit took place on the 22nd of June. How long that was after his return I do not know. I only know that several days before I had heard of his return, and that he was at his house in the Salinares very infirm. I thought it a duty of courtesy to visit him, and as I was passing by to go to the Trinidad and back by way of the house of Vasconcellos, I called for a few minutes to see him. He was lying in his east room, apparently very feeble. He was, or pretended to be so, paralysed in his limbs, that he could hardly move in his bed. I expressed regret at finding him so, and we talked on general subjects, and nobody could have talked more loyally than he did on that occasion. But he did not rise from his bed; in fact he appeared unable to do it; and after asking him if I could do anything to alleviate him, and inviting him to visit me when he got better, and promising to visit him again shortly, I took my leave, not having been, according to the best of my recollection, more than fifteen minutes in the house.

Such is the true and exact account of that visit. All that Berges says in his declaration about my giving him a letter from Caxias, and waiting for him to read it, my taking up a book to pass the time, the conversation that passed, the taking of papers from a secret place in a writing-desk, the folding and labelling of the papers, all, every word is false, false as false can be.

I apprehend, however, as I have already said, that he has not the ingenuity to make up such a tissue of lies out of nothing, but that what passed between him and somebody else he has declared to be the transactions between himself and me. How that mysterious letter from Caxias was brought I do not know. I can think of no other way than that it came in that package of the Baron de Sousa. But if it came in that way Your Honor can divine as well as I can by whom it was delivered.

It does not appear, from the declaration of Berges, that at my second visit to him, on the 3rd of July, anything passed but of expressions of courtesy. On that occasion, as on the former, I expressed sympathy for his sufferings, and a desire to be of service to him. But I had no idea that he was then a traitor, plotting with the enemy against his own Government; and at this time, as on my former visit, our brief conversation was carried on with doors and windows open, and servants passing to and fro at their pleasure. On neither occasion did Berges leave his bed.

If Your Honor will carefully scrutinise the dates of the occurrences that happened about this time I think you will find everything to corroborate, not only what I have stated, but my theory or explanation of the strange declaration of Berges. In your notes of the 23rd Your Honor positively states that on the day after his arrival from San Fernando he delivered to me a certain package at his house in the Salinares. In his later declaration he says that it was at the time of my first visit, not specifying the day. That visit, however, was many days (I do not know how many) after his return, and I think (though it is only a speculation) that on closer investigation it will be found that the incidents about the package that Berges alleges to have taken place between him and me actually took place between him and one of his accomplices, before I had seen him or even knew of his return.

There is one other thing in Berges' declaration which, though not of much importance, will nevertheless serve as proof of its entire falsity. He says that I told him I would prefer to receive jewels or other things to keep for him in my Legation rather than the papers which he wished to deliver me, and that I offered to take such things from him without charging the same per cent. or commission that I charged others. That this is a pure and malicious invention is evident from this fact, that though I have received since the order of evacuation money and other valuables from a great many people, I have never charged nor thought of charging a single person one penny for it. Many things left with me about the time of the evacuation have since been taken away, but I have never asked nor received from any one any commission, per centage, or compensation. How, then, could I make allusion to such a thing to Señor Berges?

From this statement Your Honor will see that if I have in any way been the means of conveying intelligence to and fro between the enemies and traitors to Paraguay, I have myself been the victim of the most damnable treachery and ingratitude. But I yet cherish the hope that of those who have abused my confidence the number will be found the smallest possible. I cannot yet bring myself to acknowledge that I am of a nature so credulous, and so unfit to be a Minister, as to have in my house for near five months persons with whom I was on the most intimate terms, and all whose thoughts I ought to have known, yet who were at the same time engaged in any plot against the Government without my suspecting it. I yet cherish the hope that a full investigation will clear this Legation of having given shelter to such parties. But, if there be any who have thus abused my confidence and hospitality it is not for me to ask for their pardon, but rather to demand their summary punishment.

As I have before said, I do not think it strange that, after the declaration of Berges, the Government should have regarded me, and those around me, with suspicion. But I do think it was not showing me the respect to which my position and my long-known character and friendship for Paraguay was entitled, to accept without question as true the charges and accusations of a confessed traitor in the face of my positive denial. This matter, however, I shall leave to the sense of justice of the Government of Paraguay.

After this long and explicit statement of all that I know or even suspect in regard to the treason of Berges and his accomplices, I trust that your Government will believe that this Legation is not so dangerous a place as it may have at one time been suspected. I have not in this note taken into consideration the case of Mr. Bliss and Mr. Masterman, as I was anxious to clear up the other matter as soon as possible, and with your permission I will delay any further discussion on that point until I shall again hear from Your Honor.

I avail myself of this occasion to renew assurances of distinguished consideration.

[Signed]

CHARLES A. WASHBURN.

[TRANSLATION].

Ministry of Foreign Affairs,
Luque, August 6, 1868.

I had the honor to receive the note of Y.E. of the 3rd inst., in which, referring to mine of the 31st of July last, Y.E. says that after a long discussion concerning the points of difference as to whether or not Messrs. Bliss and Masterman are legally members of this Legation, I gave you the most surprising information concerning the declaration of the ex-Minister of Foreign Affairs, Jose Berges,—that this note has caused you so much surprise and astonishment, and was of a character so serious and grave that you confided that I would pardon you for first replying to that part of my note, leaving the other questions for another occasion,—concluding in what relates to these that you have not taken into consideration in your note the case of Bliss and Masterman, as you were desirous of clearing up the other matter as soon as possible, and with my permission would delay all ulterior discussion on this point until you should hear from me again.

Respecting the grave matter of ex-Minister Berges Y.E. observes that you profoundly regret that in a case of so serious a character I should take for facts what at best must be doubtful, and reiterate positively as if on my own knowledge what Y.E. on your own better knowledge has positively denied,—that when a Minister is virtually told that his words are not believed,—that they are known to be false, certainly he would be excused if he should decline all further correspondence. But that, since Y.E. has promised to make known all that may be in your power to clear up the terrible mystery by which you were surrounded, you would pass over this question of form, hoping that what you had to say might be useful to ascertain the truth.

Alluding to the declaration of Berges, Y.E. then says that it has led you to reflect and to call to mind all the incidents and circumstances which you could remember, and which can throw any light upon his strange conduct. Y.E. then goes on to detail, with the aid of your diary, all that relates to the transmission of your despatches, saying that on the 28th of April last you sent your last despatches to Washington, passing them by flag of truce through the military lines. That you do not remember whether or not you sent any letters for other persons, but you presumed that you did, although you did not remember for whom. That you have sometimes sent letters for the Portuguese Vice Consul, Vasconcellos, but that you did remember if upon this occasion you did so.

That, on May 6, you received along with your communications from Washington a packet of letters directed to you, with the name of the English Secretary of Legation in Buenos Ayres, G. F. Gould, on the margin,—that on opening it you found that it was directed to the Vice-Consul of Portugal, accompanied by a note from the Portuguese Chargé d'Affaires in Montevideo, the Baron de Sousa, of which Y.E. sends me a copy. That the said packet also contained a letter for Dr. Carreras, which Y.E. brought and delivered to him, and which contained the same news as that of Vasconcellos—equally friendly towards Paraguay. That this is the only correspondence which has passed through your hands for many months from any person beyond the enemy's lines, and that if Berges speaks the truth, the communication which he says he received from Caxias by means of your Legation, it must have been in that packet from the Baron de Sousa.

That none of the last letters from the Captain commanding the "Wasp" to you were accompanied by any letter for any other individual, nor had Y.E. sent with yours to him any letter for anyone else.

That you cannot find words to express your surprise at the account given you of the declaration of ex-Minister Berges. That all is false from beginning to end, and that you believed that I would easily convince myself of this. And Y.E. continues to treat of the matter at length,—impugning the declarations of Berges,—concluding that all which he has said in it about the delivery of a letter from Caxias, of your waiting for him to read it, of your taking up a book to read, and all the rest—every word false, as false as false can be,—that you presumed, nevertheless, that he had not the ingenuity to have made up from nothing this tissue of lies, but that what really passed between him and some other individual he has declared to be the transaction between himself and yourself,—reiterating that you cannot conceive any other method for the letter of Caxias to come, if it were not included in the above-mentioned packet from the Baron de Sousa.

Y.E. adds that if by any means you have been the channel for conveying intelligence between the enemy and the traitors, you have yourself been the victim of the most infamous perfidy and ingratitude,—saying finally that you did not consider it strange that after the declaration of Berges, the Government should have regarded you and all around you with suspicion.—but that you considered that it was not showing you the respect demanded by your position, your character, and your friendship long recognised towards Paraguay,—but that, nevertheless, you would leave this matter to the sentiment of justice of the Government of Paraguay, trusting that after your long and explicit statement of all you knew or even suspected concerning the treason of Berges and his accomplices, I would believe that your Legation is not so dangerous a place as I had at one time suspected.

In reply to this note of Y.E.'s I must say in the first place that it is not the fault of this Ministry that it has had to register in its official correspondence the declaration of the culprits, after all that I officially stated to you in the friendly visit which I made you on the 25th ult., and which is substantially contained in my note of the 31st. Y.E. will allow me to remark again that at that time I made you a verbal statement of all which I have since written down with regret, and that I then deplored the necessity of having to consign in notes that which Y.E. now also deplore. I had a greater interest then than anyone that this should not happen, but at that time Y.E. expressed yourself very differently, and I do not wish to attribute this to any doubt of my word.

I do not think Y.E.'s judgment correct when you attribute to my Government convictions which it has not manifested, since, without stating any opinion upon so grave a matter, limited myself to make known to you the things which were communicated to this Ministry by the proper Tribunal, to support the demands required of me in the name of the national courts of justice, in the name of the preservation of the country and of its Government; and Y.E. ought to persuade yourself that in fact it was very difficult for this Ministry to reconcile the sentiments of friendly interest which had always been expressed in official notes by the representative of the friendly nation of the United States, with the proceedings which the traitors attribute to Y.E.

I regret that Y.E. has interpreted in a sense different from the true one, the significance of the joint representations addressed by this Ministry to the Chief of the American Legation upon the subjects which, in discharging its duties, it has had to treat of, and whose importance and urgency are notorious. Y.E says that proper consideration has not been manifested to your position and character, and this Ministry believes itself to have abounded in such respect, as it has never done towards any Minister, and that if there were any reason for complaint it would belong to this Government to make it, since all that has been said to you, Mr. Minister, in demand of the criminals whom you shelter has not been enough; and nothing more could have been said in the initiatory steps of a trial which by its monstrosity was scarcely credible. I ought also to observe to Y.E. that even to-day I ought not, perhaps, to continue to make mention of the information supplied by the Tribunal, for fear that something which I may say will appear to Y.E. inconsistent, not having in my power the originals of the processes; but I wish to run the risk rather than fail to give Y.E. all the light which the Tribunals communicate, thus satisfying your desires, Mr. Minister, in order that you may understand the grave nature of the matter, and in order to dissipate by all the means in my power the darkness in which Y.E. says that you were groping.

I cannot doubt, Mr. Minister, that it will be very painful for you to learn that the persons whose honorable character and purity of sentiment you so much vaunted in your note of the 13th July now appear before the Tribunal, not only as fully acquainted with your sentiments, tendencies, and intentions, but also as having been supported by Y.E. in a directly contrary sense, as Y.E. may judge by their own words as communicated to me by the Court of Justice.

Dr. Antonio de las Carreras has in a solemn declaration said the following:—

"That as to the terms of these conversations about the revolution reference was made in the early period of his stay in the Legation to the project of the revolution, to the means which were counted upon, and the probabilities of the result, and afterwards to the stupidity of the Allies in their manner of conducting the operations relating to it, viz., to appear upon the Tebicuari with twelve thousand men, which was not done within the time agreed upon,—to the failure or cessation of the probabilities of the success of the project,—and finally, when the imprisonment of some of the persons compromised became known, to consider the affair as discovered and its consequences as palpable.

"That speaking of the plan in general, Mr. Washburn always thought the idea a good one, and as to the details he also thought them good, provided the Brazilians (as Mr. Washburn always said, using but rarely the word Allies) should pass the Tebicuari,—that is to say, that in Mr. Washburn's opinion Marshal Lopez and the national cause were lost, and that he believed the success of the revolution easy, since when Humaita should be cut off, there not being elsewhere sufficient forces to resist a column of twelve thousand men, and the forces in the Capital and other points depending upon persons who were compromised in the revolution, the 'pronunciamento' would be easy, since there could be no resistance, and consequently the submission of the rest of the country.

"That as to the part which Mr. Washburn has taken in the revolution, he, the deponent, knows by what Washburn himself said to him that he had undertaken to forward the correspondence of the revolutionary committee to the enemy, under the seal of the Consulate of Portugal, in order thus to save himself from the responsibility, telling him also that he had fulfilled his part by always sending the correspondence every time that he has had occasion to send his own to his Government by flag of truce, except the last time, when he only sent a letter to the Commander of the "Wasp," ordering him to come up to San Fernando. That Washburn also told him that he had offered his house to Berges as an asylum for all the parties compromised in the revolution, and that he notified Berges himself of the occasions when there would be sent a flag of truce, in order that he, as well as the other members of the committee, might prepare their communications for the enemy, the deponent being one of those who had written to Caxias more times than those previously declared.

"That besides what has been said they conversed upon the assurance which Berges and Benigno gave of counting upon the forces in the Capital by bribery or other means, which project Mr. Washburn approved as a sure mode of success, avoiding the effusion of blood.

"As to the time agreed upon—that in the first place it was to be when the squadron should pass Humaita, which event had been announced by correspondence several months before (5 or 6), and after its passage the movement was announced for two or three occasions, until at last the time was fixed at about the middle of July. All this gave rise to some sarcastic expressions from Mr. Washburn, as for example—'They are brutes,' 'They are more Brazilian than the Brazilians themselves,' 'Caxias is nothing but a good military organizer, but for the rest is a complete nullity,' manifesting the little confidence he had in Caxias's promises, and regretting that time should be lost by such stupidity on the part of the Brazilians.

"That suspecting by the imprisonments that the Government had got hold of the thread of the affairs, Mr. Washburn said that he lamented the fate of many persons compromised, such as Berges, Bedoya, Benigno, the deponent, Rodriguez, Bliss, and others, and that he considered the end of the war postponed, since, the revolution having failed, and the Brazilians not making any movement, affairs would return to their previous state,—that he offered to the deponent, to Rodriguez, and to Bliss to make a stand for the right of asylum on their behalf, knowing them to be compromised in the affair of the revolution, which, says the deponent, he himself and Rodriguez did not wish to accept,

"That the reason why the deponent and Rodriguez did not wish to accept the asylum in which at the last moment Mr. Washburn wished to uphold them against the demands of the Government was, precisely because they held an opinion different from that of the Minister, which opinion he, the deponent, says he made known from the day when Leite Pereira presented himself in the Legation, on the occasion of consulting them (the deponent and Rodriguez,) as to whether he had a right to resist the delivery of a refugee, in case of being demanded as criminals by the Government, to which they replied that they thought he had no such right, citing some authors of note, such as Vattel, Martens, Wheaton, Pinheiro Ferreira, &c., and that notwithstanding this opinion of the deponent and Rodriguez, when they had to leave on the demand of the Court of Justice, Mr. Washburn said to them, "If you wish to remain here I will resist," to which, as already stated, they did not agree, having resolved to defend themselves before the authorities, making head against the charges that might be against them. That Mr. Washburn then said to them, "I hope that you will not say anything to compromise me," to which both replied that there was no occasion to fear that, and that he might rest easy in that respect, adding the deponent, that by this was understood that they were not to betray anything relating to the revolution, and that the Minister would besides hold his ground as there was no written proof against him.

"That when Mr. Washburn returned from San Fernando he said to the deponent that he had been informed that Berges was very ill, with the half of his body paralysed, which induced him to believe, as Washburn himself said, that the revolution was not discovered."

By these detailed statements and others relating to this grave affair. I ought to hope that you, Mr. Minister, will doubtless see with pain that far from being but a small number who declare in this sense, they comprise all those persons who have given rise to correspondence from this ministry, to obtain their departure from their asylum.

It has never been my intention to seek impossibilities, as Y.E. attributes to me for my friendly visit of the 25th ult., whose object and tendencies were most cordial and benevolent; and as Y.E. assures me that you intended to convince me of it in your note, I have eagerly sought in it the foundation for such conviction. but I have only been able to find reiterated exception, along with some incidental circumstances relating to your correspondence with the exterior (of the military lines).

When Y.E. says that you flatter yourself that whatever may be my opinion, the Marquis de Caxias considers Y.E. as a friend of Paraguay, and such a friend as Brazilian gold is impotent to seduce, I ought to declare in my turn that whatever may be my opinion, I have never failed to recognize the friendly acts which Y.E. has performed before now in behalf of my country, and as to what Caxias may think, I can say nothing of the matter, and that I think I ought to call your attention to my correspondence with you, since in my opinion, I have used no expression tending to depreciate Y. E., nor emitted any opinion which can be interpreted in the sense attributed by your note, nor yet the gratuitous interpretation of your words being false; since I have not said to Y.E. that your assertions were false, and that they deserved no credit. It has been precisely with a proper respect for you, Mr. Minister, and giving credit to your official words, that my Government has proceeded in this grave affair with all possible circumspection and decorum, probably to the detriment of the urgency which the case demanded.

And your complaint is so much the more to be regretted, when you blame my Government for refusing to give credit to your positive statements, as against those of an accused, convicted, and confessed traitor, while your Government was debating whether or not it would make war on Brazil on account of your representations and your situation. It is beyond my power to comprehend the reason which Y.E. has for consigning in an official note an accusation as gratuitous as grave against my Government, for the simple fact of having used its rights in a demand which interests in a lively manner its legitimate defence, and when the country is in a state of open war in defence of its independence, which is menaced with destruction by the Empire of Brazil and its allies, and also menaced by an internal conspiracy by agreement with them.

It is true that Y.E. when requested to give up the package of communications which Berges says he delivered into your own hands, has stated verbally and in writing the falsity of the (assumed) fact, but the ex-Minister Berges affirms an ratifies it in his sworn declarations, at the same time that Y.E. says respecting him, that you do not suppose that he would do so through malice towards Y.E., since you had no reason to believe that he ever cherished such sentiments towards you.

My Government could not regard with indifference that statement, of so important a nature, concerning the package of communications referred to, and it could not give any ground for complaint, by making use of it in official communications, much more after what had passed; I repeat that there is no reason for making such a complaint as is contained in your note.

I will ingenuously confess that I have not sufficient light on the subject to be able to interpret properly in view of what has passed, what Y.E. says to the effect that if you had been earlier informed of the declaration of Berges, much of this long and disagreeable correspondence might have been avoided, for even now, with a full knowledge of the facts, you oblige me to maintain this same correspondence indefinitely upon this subject, and what is more, upon the demand made for the criminals Bliss and Masterman, whem Y. E. retains there against all justice.

In Y.E.'s note of the 25th of July, in giving explanation, you have had recourse to your diary, where you had recorded even the circumstance, that visiting Sra. Da. Juana Carrillo de Lopez, you found her well but 'sad.' I will observe that that same diary now appears deficient, when Y.E. does not remember whether or not you sent with your correspondence of the 28th of April, any letters for other persons, and supposing you to have sent such, you do not remember for whom. With Y.E.'s permission, I will consign here some declarations which are not foreign to the case.

Antonio de las Carreras declares, "that on the 28th of April he sent a letter to Caxias, under cover to D. Juan Francisco Gowland in Buenos Ayres; that under this cover he sent a letter to Don Juan Jacinto Bargas, in which was contained the said letter for Caxias; that the deponent delivered this letter to Mr. Washburn in person, to be sent on that occasion, and that in fact the Minister did send it with his correspondence under his own seal; that when he wrote this letter the deponent said to Mr. Washburn, "I am going to improve the opportunity to write my correspondence for below," to which the Minister replied, "all right, and that he should hand in the letters the next day, as he was then going to close up his own;" the deponent stating here that although he did not expressly say to Mr. Washburn that he was going to write to Caxias, he (Mr. Washburn) understood it so, that is to say, that if he did not express that idea, the Minister could not be ignorant of it, but that he did not expressly state it, 'because' Mr. Washburn was not ignorant of it, since Mr. Washburn always knew of the correspondence exchanged between the enemy and the revolutionists; that the contents of the letter written to Caxias, was an account of the situation of the country, and of the change wrought in the circumstances by the retreat of Marshal Lopez to the line of the Tebicuari, which to a certain degree confused the previous plans of the revolutionists, and the consequent necessity of or remedying this by a bold operation as soon as possible, demanding of him in that respect, to send the column offered, and to move up the squadron without loss of time.

"That by the gunboat Wasp, he received the last letter of Caxias, which was delivered to him by Mr. Washburn, who then receivad a package of letters for Vasconcellos, and having gone personally to take it to him in his chacra in Trinidad, Vasconcellos there opened the package and found in it a roll of letters for the deponent, which he delivered to the same conductor (Washburn) to be conveyed to the deponent at the Legation; that in the roll came a letter for Anavitarte, another for Tomé, and three for the deponent, one of which was that from the Marquis of Caxias, dated the 16th or the 18th of March, and the others were, one from his brother Eduardo, and another from Bargas, the letter of Caxias coming in that of the latter."

This statement harmonizes with that of Vasconcellos, who says:—"That he lately received by the gunboat Wasp a large letter for Carreras. which might contain about four sheets of letter paper, which came to him in the package from the Baron de Souza, and the Minister Washburn carried it to him in his chacra at Trinidad, and opening it in his presence, he found the said letter for Carreras, and gave it him to be delivered at the Legation, as the Minister did immediately upon his return," thus resulting that correspondences have been carried on with impunity between the revolutionary conspirators and the enemy in arms against the Republic, I leave to the just appreciation of Y.E. this fact, and pass on.

Y.E. mentions in your note that on one occasion, when you were about to send your letters, Berges requested you to include some for him; that you refused to do so, giving for reason that it would be an abuse of the faith and confidence of the allies. I recognize in Y.E. the principle of strict neutrality, which you observed in this case, by your refusal to allow Berges to send letters of the Ministry he occupied; but I ought to protest to Y. E. my surprise at seeing by your own declaration, Mr. Minister, that this principle, justly observed as towards the allies, has not been so well kept in favor of the Paraguayan Government and people, and that the flags of truce afforded to the Minister of a friendly Nation for his official correspondence with his Government and colleagues have come to be the guaranteed safe-conduct to carry on the correspondences of the enemy, and stir up treason under guise of family letters, as Y.E. styles those received and sent away under your seal.

"How that mysterious letter of Caxias was brought," says Y.E. "I do not know, "adding that you cannot conceive any means but that it may have come in the package from the Baron de Souza. On this point. Y.E. will allow me to transcribe the the following declarations, in addition to those which have been previously inserted from Carreras.

Berges declares anew, "that Mr. Washburn having received among his communications brought by the gunboat Wasp, the last letter of the Marquis (directed to the deponent) and he being in this encampment, he did not deliver it at the time of his (Mr. Washburn's) visit to the same point, but awaited his return to the Capital to carry it to him personally, at his house at Salinares, as he has already declared before the tribunals, a circumstance which reveals the motive of Mr. Washburn's knowledge (circumstancia que revela el motivo del conocimiento) of the correspondence of the deponent with the enemy's General.

"That his reply to the first letter of Caxias, went by the same channel, viz: by Mr. Washburn, to whom the deponent delivered it (on an occasion he had come to visit him in the Ministry) with the address to one Sr. Brito, successor of Octaviano in Buenos Ayres, not doubting, says the deponent, that Mr. Washburn knew that there were contained in it the reply to Caxias, since he already understood these communications, although they did not then speak with so much frankness and confidence on the subject of the treason to overthrow the Government, as at a later time when Mr. Washburn had gone to reside in the country-house at Trinidad."

Carreras declares as follows upon this point. "That he has the most profound conviction, and would be willing to put his hands in the fire, to assure that there exist in the office of the American Minister, and probably in an iron safe there, the papers brought from the house of Berges, as he has previously declared."

Y.E. observes that it does not appear from the declaration of Berges that anything but expressions of courtesy passed, upon our second visit of July 3rd. That upon that occasion as upon the previous one, Y.E. expressed sympathy for his sufferings and desire to be of some use to him. Certainly the deponent has stated nothing very special concerning the visit of that day, except Y.E.'s offers as Minister and as friend, understanding by this an offer of asylum for any unlooked for event. Notwithstanding he has, in his declarations, made a series of revelations of importance, which I shall allow myself to transcribe so far as they relate to Y.E. with the object already mentioned. He says "that at the time of the severe illness of H. E. the Marshal in Paso Pucú in 1866, the American Minister called upon him or wrote to him daily to learn H. E.'s state of health; that for this reason their relations became very frequent, and began by indicating to him the necessity of coming to terms with the allies, indicating as a person very proper for this object General Bartolomè Mitre, since he could speak with him with more frankness than with the other chieftains. That he (Mr. Washburn) went so far as to say that the motive of the war was nothing but the question of limits; that Paraguay had not the means of peopling her great deserts of her territory without calling in European Colonization, which was very unlikely to come to these missions or retired places until the Republics of La Plata were settled up; that the line from the Apa to the Igatimé, which was claimed by Brazil ought to be ceded to that Empire; and the Misiones beyond the Parana, as well as a part of the Chaco, to the Argentine Republic.

"That when Mr. Washburn paid his visit to the Marques de Caxias to treat with him about peace arrangements, he carried neither the spirit nor the desire of laboring in favor of the interests of Paraguay, and, on the contrary, cherished the conviction that Paraguay would be conquered and subjugated by the Allied forces; that (he said) they had great resources, being in contact with all the world, and that Paraguay, however she might rely upon the abnegation and valor of her sons, who deserved to enjoy greater liberty, could never be victorious on account of the lack of resources, and that it was pitiful that this race of brave men should disappear from the face of the earth; that if Washburn left the Capital ill disposed to treat with the enemy's General, he returned from that camp with even worse dispositions, which that General had succeeded in producing.

"That it is the deponent's opinion that when Mr. Washburn made such efforts to return to this country, it was all a farce in order to deceive the Paraguayan Government, and that his real desire was to labor in behalf of the Allies, by agreement with his colleague in Rio Janeiro, the General who is the American Minister at that Court. In addition to the conversations which the deponent has had with Washburn, who always endeavored to discourage him, there are the revelations which the English Minister, Mathew, made to his Government, and which certainly place Washburn in a very tight place (dejan colgado á Washburn), To which should be added that here he has never been willing to give credit to the papers of the country, when they gave news of the brilliant feats of arms and partial episodes of the war, saying that they were not only incredible but ridiculously fabulous, and that these exaggerations could pass current only among the Paraguayans, who were for the most part a rustic and ignorant herd. He would never credit any news favorable to Paraguay in all the course of the war, and even at the time of the defeat of the enemy at Curupaiti he pretended that it was simply a retreat of the enemy, referring to information given him by Mr. Cochelet, who had received it from the French agent, who was present at that combat.

"That, in fine, the spirit of Mr. Washburn is completely hostile to Paraguay and to its Goverument, and that he constantly sought for some occasion of controversy in order to get away from the country; which the deponent has been able to elude by calming down, by means of his personal friendship, Mr. Washburn's constant tendency to produce a breach.

"That no one is ignorant of the hostility which the ex-Consul of France, Mr. Cochelet, always manifested, delighting in creating obstacles of every kind for the Government of the Republic, and Cochelet was an intimate friend of Washburn's, who lamented that he had been replaced by a man so null, so informal, and of so little credit as Mr. Cuverville; that he also regretted that the Italian Consul, Mr. Chapperon, should be so much under the influence of Cuverville, who carried him always in tow; that he also regretted that there was no agent of the English Government in Asuncion, since a concert of the four might have made a fine opposition to the evacuation of the Capital, and would have put the Paraguayan Government to its trumps (hubieran puesto en prensa) before they would have abandoned their posts.

"That, in the opinion of the deponent, Mr. Washburn has received money from the Government of Brazil, and desires to get some out of the Paraguayan Government, to make his market with friend and foe, and since he has not succeeded in this, his constant and daily views have been to work against the interests of the country, endeavoring to produce discouragement among its sons.

"That after the return of Mr. Washburn from the enemy's camp, on the occasion of having gone there for the peace arrangements referred to, in one of the visits which he made to the deponent in the office of his Ministry, he asked for a map, and pointed out the case with which Caxias could extend his line of communication, so as to leave Paso Pucú and Humaitá blockaded by land, adding, 'When Humaitá is taken all is over.' That to this the deponent replied—'We should still have the line of the Tebicuari, that of the Paray in Villeta, the Cordillera, and, finally, the war of resources such as Juarez waged against Maximilian,' and that Washburn replied, "Juarez deserved the sympathy of all the world, and, above all, that of the American Government, and you have not; he received supplies from all parts, which you are destitute of.' That the deponent again insisted upon the advantages of the line of the Cordillera, saying, 'That we should there be in contact with the agricultural departments, the most productive of the country, and that it is on the Upper Paraguay that we have the greatest abundance of cattle, to which he added the nature of the ground, which would afford a defensive position at every step,' and Washburn, picking up hat, said, laughingly, 'You are very brave' (es V. muy guapo), and withdrew.

"That he frequently came to the Ministry to ask news from the army, its state, and that of the war; and as the deponent generally replied that there was nothing of importance he used generally to say something calculated to discourage us, as for example, —'That he knew there was much desertion in the Paraguayan army,—that Caxias had received great reinforcements,—that more ironclads had arrived from Europe to the Rio de la Plata,—that the war was very popular in Brazil,—that public spirit in the Argentine Republic had risen,—that the Allies could get all the money they wanted,—that the national cause had no sympathy in Europe, where the enemy's press drowned the voices of our few agents beyond sea.' That the deponent asked where he got such items of information, and Washburn replied jokingly, 'The birds have told me,' and that the deponent some time afterwards made use of this expression, asking him, 'What do the birds say?' To which Washburn sometimes replied 'The birds are dumb at present, but they will have much to say about our bad situation.' That since Mr. Washburn went to live at Trinidad his visits became less frequent to the Ministry, but his relations were more frank. That the object of his visits was to ask for news from the army, and when the deponent said to him that knew of nothing decisive, but only partial engagements, Washburn would reply, furious against the Allies, with the following or similar expressions, 'They are unworthy to conquer, —they lose the best opportunity of subjugating Paraguay, now that you are ready to support them, or rather to do all,—Brazil ought to be struck off the catalogue of nations for the nullity of its rulers and generals,—that he could not understand why they did not improve the rise of the river to bring up a force in their ironclads and other vessels to land in the neighborhood of the city,—that he also marvelled and lamented that the movement by land against Caapucu by the pass of the Tebicuari should have failed,—that sometimes he thought that Caxias distrusted the persons who had written to him,—and, after all, said he, these are old men's proceedings, men who are incompetent to undertake anything of consequence.

"That several visits passed after this fashion—Washburn always deploring the inactivity of the Allies, until one day he came to the Ministry smiling and in good humor, saying to the deponent, 'So then, at last, they have made the movement by the Tebicuari, for I have learned that the Allies have taken two 'partidos' on the coast of the Tebicuari (Guazucua and San Juan) without any resistance from the Paraguayans; we now look for the movement of the fleet, and you (the revolutionists) ought not to go asleep, but get ready to formally second the movement.

"That on this same occasion he inquired of the deponent if Caxias had not written to the committee or to Don Benigno to inform of this movement, and when he replied in the negative, Washburn doubted what he said, remarking, 'You have no confidence in me, you always make use of Paraguayan distrust, although you have been in North America, where you ought to have learnt something of our frank and sinceae habitr.' To which the deponent replied that his information was that there had only been a scouting party to bring in cattle. and the Minister replied, 'Incursions in an enemy's country always begin in that manner—by sending small parties to explore the ground, and calculate the resistance which may be made;' and that although the deponent endeavored to show that this was not the movement waited for by the revolutionists, the Minister was so blinded with this idea that he continued to expect the prompt appearance on the Tebicuari of the principal body of the allied force which was announced.

"That on another occasion, after the Minister had gone to his country residence, he had another conversation with the deponent in the Ministry, and said to him that by a strange coincidence all interests were placed outside of the country,—that he [Washburn] remained here to support the insurgent Paraguayans, doing without the most necessary things, such as sugar, brandy, coffee, wine, maccaroni, and even clothing, and that he had nothing to drink but the caña of the country,—that the deponent replied, 'As I have been told, you do not fare so badly at Ytyray, and besides, with money and yerba you can buy a turkey,' alluding to the fact that Washburn frequently asked the deponent for yerba, and received it in tercios from the Treasury to buy fowls and eggs, and that the expression 'a turkey was one of the Minister's ways of expressing himself, the deponent here adding that this a genuine Yankee expression.'

"That returning in one of his visits to the deponent in his house at Salinares, after returning from his last visit to the army, the Minister said to him, "don't you see how this is?" (alluding to the fact that the line of the Tebicuari was already fortified without having given time to the revolutionists) "I shall perhaps be obliged to leave the country temporarily, to accompany my wife, but 'there' (out of the country) I can be more useful to you (the revolutionists) by laboring in your behalf (in favor of the revolution, as was understood, says the deponent, since the Minister did not wish to use openly the word revolution or conspiracy) and I hope to be back within a year; that the deponent replied, "when you are out of the country, endeavor to be sent to Chile as you yourself told me you had written to Mr. Seward proposing that exchange; to which he replied, by no means would I do such an act of baseness, being compromised with you to support the movement" (revolution.)

"That Mr. Washburn said to the deponent, after returning from the enemy's camp, that he was going to write to Mr. Seward, and say to him that the Government of Marshal Lopez was losing much of its popularity through the events of the war, and that even its best friends were falling off from it; which according to the deponent's opinion Mr. Washburn intended to write, in order to prepare his Government for the revolutionary movement agreed upon.

"That in referring to this incident, deponent wishes to make known how far Mr. Washburn was then opposed in sentiment to this Republic and its Government, after his conversations with the enemy's General, under pretext of a peace arrangement.

"That at the same time he also said that the war ought to be terminated; that the Argentine Government, in case of the triumph of the Allies, which he regarded as sure, would necessarily take up all the Missions up to the Tebicuari, and the country would be left about as big as my hand (opening his hand at the word); and Brazil would take the rest of the country for the expenses of the war, adding that Brazil spent a million a day, and that Paraguay, having to pay this immense debt, it would fall to Brazil, and form part of that Empire; and would thus be better off than when a Colony; that the deponent objected that it was not possible that Brazil should spend a million, since even North America in the great civil war had not spent more; to which Washburn replied that that was at the beginning, but that later the expenses had amounted to three millions a day; adding, "above all, they steal a great deal in Brazil, so as to make up the million a day, and they will show for it the *accounts of the Great Captain.*"

I thank Y.E. for having had the kindness to make known to me the note of the Baron de Souza, Chargè d'Affaires of Portugal, and for all which you have been pleased to set forth in your long communication, in fulfilment of the desire which you have manifested of clearing up the facts relative to the treason of Berges and his accomplices.

I confidently hope that with these new items of information taken textually from the declarations of the criminals, Y.E. will become convinced of the grave nature of the affair which forms the subject of our correspondence, and that taking into consideration my previous note of July 31st. will also admit the reasons alleged by this Ministry to show that Porter Cornelius Bliss and George F. Masterman are not members of the Legation of the United States of America, but treacherous criminals, who like others, have attempted to abuse your good faith, and that as such, they will be expelled to appear in satisfaction of the requirements of justice, fulfilling in this manner also Y.E.'s desires, that if there have been persons who have thus abused your confidence and hospitality it did not become you to ask for their pardon, but rather to demand their summary punishment.

I embrace this occasion to renew to Y.E. the assurance of my distinguished consideration.

[Signed] GUMESINDO BENITEZ.

Legation of the United States,
Asuncion, Aug. 11, 1868.

To his Honor Gumesindo Benitez,
Acting Minister for Foreign Relations.

Sir,

I have the honor to acknowledge the receipt of your note bearing date of the 6th inst., but not received by me till the evening of the 7th.

In this note Y. H. advices me that ex-Minister Berges has made another declaration, giving at great length conversations with me, from which he inferred I knew long ago of his treason, and his reasons for believing I never had been a friend of Paraguay, but rather a friend of him and his fellow-conspirators. I am likewise informed that Dr. Carreras has also made a declaration, in which he acknowledges that he was in correspondence with the Marquis de Caxias, and that he sent his letters through this Legation, and that I was at the time aware of the fact. Y. H. also takes occasion to protest that in your previous note you had no intention to express any doubt as to the truth of my words, but had limited yourself to giving the declarations of criminals.

Regarding this last matter the correspondence itself will show whether or not I had reason to complain. But Y. H. will remember that after I had distinctly, and in language as clear as I could, declared that I had never received any package, or letter, or communication of any kind from Berges, you repeatedly expressed in your note of the 31st ult. your regret that in spite of all your friendly efforts I still refused to deliver up—not the package he said he delivered to me, but the package which he did deliver,—thus assuming, as it appears to me, that, in spite of my absolute denial, he had done so, and that you knew it. But I have no wish to discuss technical or verbal questions. Your disclaimer, that it was not your intention to question the truth of my statements, I shall accept as satisfactory.

Y. H. then states that it is not your fault that you have been obliged to put in your official correspondence the declarations of criminals, as you had in a friendly manner in the personal interview of the 25th July, informed me of all that you afterwards wrote in your official notes. To this I must object to this extent: Y. H. told me that you knew all,—that you knew I had received such a package from Berges, —and that you also knew of my relations with the traitors. I told you that you could not know of things which did not exist. But you did not tell me of any specific declaration of anybody, and I had no more idea of what you were alluding to, or of what might be the purport of your next note, than I now have of the questions to be discussed this evening in the Parliament of England. As I knew of no such package. and as I had never heard the words conspiracy, combination, collusion, or correspondence with the enemy, and did not believe there were any persons in the country so utterly reckless and foolish as to engage in any such desperate enterprise, I think I was justified in saying that in coming to me for information you were seeking for impossibilities. You were looking for proof where it did not exist.

The report of the declaration of Dr. Carreras, as given to me in your note, is so full of news, and contains so many statements of occurrences and circumstances that I had never heard of or suspected before, that it seems to be unnecessary to examine them in detail. I will therefore give, to the best of my recollection, all that I know of him or his doings in this country.

A long time ago, I think nearly a year, at a time when owing to certain rumors it was believed that the war was not going on favorably to the cause of Paraguay, Dr. Carreras came to my house, and in the course of conversation expressed his apprehension that if the allies were to succeed he would be in very great danger,—that he was very obnoxious to them by reason of the active part he had taken against them as head of the Government of Montevideo at the commencement of the war. I told him that in such emergency, whenever he felt the danger to be nigh, if he came to my house I would give him all the protection that my Legation and flag could afford. Nothing more was ever said on that subject till we received the news that a part of the enemies' squadron had passed Humaita. The next day Rodriguez Larreta came to my house, and said that Carreras was then inclined to accept my offer of months before, and that if it was agreeable to me he would accompany him. I told him to act according to his own pleasure, and that I should do all in my power to protect all persons who might be obnoxious to the enemy. The next day, if I recollect aright, they both came in, and I gave them shelter. We all believed that their residence here would be but a temporary affair—a few days more or less. Yet, when the iron clads came up the next day, and returned after making such a sorry exhibition of themselves, it appeared that though they had passed Humaita the enemy were afraid to take the chances of a general and decisive battle. Then both Carreras and Rodriguez expressed their fears that they were an incumbrance in our family: but we told them to be easy on that score; the town having been evacuated we want company, and as they were both m of education and intelligence we p ferred that they should remain with One important object in this was that might learn Spanish. They rema therefore, but never was a word or or expression made in my hearin to my knowledge by either of them regard to any conspiracy, revolution, political combination against the G vernment. On the contrary, when went down to San Fernando, Dr. Car reras requested me particularly to advise H. E. Marshal Lopez of the pecuniary loss he was subjected to by remaining, and to say that he came here as the determined enemy of Brazil and her policy. and that he had not changed his opinions since he had been here, and that if he could get away it was his purpose to go to the Pacific States to enlist them in behalf of the cause of Paraguay. These representations I made to H. E., but as I saw he was not disposed to give a favorable answer I so reported to Carreras on my return. But though he seemed to be disappointed he never intimated to me any knowledge of a conspiracy or gave me the least intimation thet he had ever had any communication with Caxias.

A few days previous to receiving information of the arrival of the Wasp at Curupaity I had sent away my last despatches for Washington—that is on the 28th April. Y. H. expresses regret that I should not have noted in my diary the names of the persons for whom I sent letters. I also regret it. But such is the fact, and it is now too late to remedy it. The declaration of Carreras, however, calls to mind one circumstance that I had previously forgotten. It is that he sent letters at that time under cover to John F. Gowland. That I believe is correct. He did send his letters thus addressed, thinking, or pretending to think, that being thus directed there would be less danger that they would fall into the hands of the enemy than if directed to members of his own family. He professed to fear lest his letters would be intercepted or opened on the other side, and therefore sent them to a friend in Buenos Aires to avoid suspicion. I had known Mr. Gowland as the most enthusiastic friend of Paraguay I had ever met in Buenos Aires or Montevideo, and as Carreras said his letters were only family letters I could not imagine that any Paraguayan interest could be prejudiced by sending them. I may have been wrong in sending letters for anybody without first knowing their contents, but as the Minister of Foreign Affairs had already asked me to do the same thing for him, I could not suppose that the Government would object to my sending family letters from persons holding no official position. If Berges, as Minister, could ask me to send his letters at a time when I believed him a loyal man and a patriot, can this Government complain with justice that I sent family letters for other persons? But why ask questions of this kind. The Government does not complain that I did not send the letters of Berges, but that I did. I, on the contrary, say that I never did send a letter for him under flag of truce, and I never could send any in any other way since my return from Paso Pucu, in March, 1867, at which time I presumed Berges was still loyal, and in sending through his letters and other correspondence I supposed I was doing a favor to the Government.

After my return from San Fernando nothing occurred to vary the monotony until, on the 16th June, Leite Perreira and his wife appeared here, to the surprise and regret of all, and asked permission to stay. I could not turn them away, without exposing myself to the charge of inhospitality, and though in my opinion his coming here was an unwise step, yet if he preferred to remain, and see if the Government had anything against him, he might do so. This resolution of mine was approved by both Carreras and Rodriguez, and they both agreed with me that it was not a wise step for Pereira to take. We knew, or at least I knew, nothing of the relations of Pereira with the Government, except what he then told me. And I remember well that on the day of his arrival Rodriguez told me he had told Pereira that if the Government had anything against him,—if he was in any way implicated in any transaction that might compromise him, —he ought to confess all and everything to me confidentially, before taking up his residence in my Legation, and exposing me, my family, and all the other inmates of my house to the annoyance and pain that, if there were anything serious against him, would result from his coming here. But Pereira always said there was and could be nothing against him, except that he had spent all his own money, and all he could borrow, to relieve the necessities of destitute foreigners, trusting that they or their friends or their Governments would repay him after the war. He always protested, however, that he had no security nor assurance from any Government that a single shilling would ever be repaid to him.

When, on the 27th of June, Y. H. requested me to deliver up the said Leite Pereira, you will recollect I declined to do so, and in my note of the next day I took the ground that I was under no obligations either to deliver up or send from my Legation any person who was not specifically accused of some grave offence against the Government or laws. I have ever since strictly adhered to this position, and when I received your note of the 11th of July, repeating your request that he and all the others not belonging to the Legation should be sent away from it, but making no specific charge against him or any one else, I told them all that they might go or stay,—that I should turn no one into the streets till some charge was made. Pereira was

of opinion—in which Carreras, Rodriguez, and myself concurred—that he had better go voluntarily. as, if the Government had nothing against him he would have nothing to fear, and if it had it would certainly get possession of him, either by making a specific charge or by taking him away by force. The next day Carreras and Rodriguez were called for, in still more urgent terms; but as no specific charge was made against them, I told them, as I had told Pereira the day before, that they could go or stay as to them should appear the better course. They both said that the Government had not, and could not, have any specific charge against them,—that they had done nothing during their residence in Paraguay that could compromise either themselves or anybody else,—and that if every act of their lives were known to the Government not a thing could be discovered hostile to it. They therefore said that if I would promise to remain in Paraguay till the close of the war they would not leave the Legation. as, if I refused to send them away till direct charge was alleged to them which charge they said it was impossible to make, they did not believe that the Government would take them by force. But I told them I could not promise to remain in Paraguay to the end of the war,—I was every day expecting the American gunboat, which would probably bring me instructions to return immediately to the United States, and also very likely bring a successor to take my place as Minister. Under those circumstances I could not promise to remain in Paraguay to the end of the war They both said then it would be better for them to go away voluntarily, as a few days or weeks more or less would make little difference, and if the fortune of war were to be finally adverse to Paraguay they would at last be exposed to fall into the hands of the enemy, from whom they expected little mercy. Carreras particularly dwelt upon the dangers to which he would be exposed if ever he fell into the enemies' hands, and, I thought, did not when he left appear quite satisfied with my course. He seemed to think that I ought to have promised to stay till the end of the war. He may have felt a deep resentment towards me on that account; but it is hard for me to believe that from such motives he would fabricate a series of such monstrous falsehoods as appear in his declaration, and try to implicate me as knowing of a conspiracy of whose existence I had not the most remote idea. But I can think of no other motive that could have induced him to make a declaration so false and so wicked. In fact, the more I know of this affair the greater is the mystery in which I am involved. I can make nothing of it except that directly under my eyes there was a horrible conspiracy being formed, of which I knew or suspected nothing, and that the parties to it, after having abused my confidence and hospitality, have sought to divert the world's indignation from themselves by implicating in their crimes the Minister of a great, a powerful, and an honorable nation. I may be wrong in my suspicions. God knows I would not wrongfully or unjustly accuse or suspect anybody, but that there has been treachery, ingratitude, and villainy practised upon me in some quarter is but too evident. All, however, will some day be made clear, and the guilty parties must hold a place in the history of infamy never before parallelled.

As this statement of mine is entirely inconsistent with, and directly contradicts everything in the declaration of Carreras, it is not necessary to deny in detail the numerous falsehoods which it contains. The two statements are directly at variance. There is no possibility of harmonizing or mixing the two. One or the other is a string of monstrous falsehoods, and I leave it to the Government of Paraguay to pronounce which it will accept as the true one.

There is one point, however, in this declaration of Carreras on which I would be glad to have further information. It is that where he says he has "the most profound conviction that there exists in the office of this Legation—probably in an iron safe there—the papers brought from the house of Berges, as he has previously declared." Of course, I cannot know for a certainty that among the multiplicity of sealed papers, trunks, and boxes that have been left in my house within the last 6 months that none of them contain the papers referred to. Yet I do not believe it. But if there be such papers here, and the person who left them or sent them will send a written order for their delivery, and give such a description of the packet that I may know it, I shall be most happy to deliver it. But I have no knowledge of any such papers.

The statement of Vasconcellos, that there was a letter for Carreras in the package sent by the Baron de Sousa, and that I brought it in from his chacra and delivered it, contains, as far as I can see, but two errors; and as these are not important, his declaration may be considered as truthful in comparison with the others. He says he opened the package of Baron de Sousa in my presence, and that the letter which he delivered me for Carreras was a large one. Neither of these statements is correct. He took the package inside to open it, while I sat outside, and brought out some of his own letters, which he read, and afterwards gave me, not a large, but a very small letter for Carreras, which I brought in and delivered. But I do not mention this to correct the mis-statements of Vasconcellos; I allude to it only to protest against the complaint of Y. H. that I have thus been a channel of communication between the conspirators and the enemy. I had received a package from the Baron de Sousa, Portuguese Charge d'Affaires in Montevideo, for the Portuguese Vice-Consul in Asuncion. Was it not my duty to deliver it? I knew nothing, suspected nothing, of its contents, and I did as I had always done when letters had come to my care from beyond the lines—that is, I delivered it, asking no questions. When Berges was Minister I have received documents and communications for the Foreign-office that had been sent to me, and I promptly delivered them. What else could I do? If there were treasonable letters in his correspondence was it my fault? If a gunboat should come to-morrow, and bring more correspondence for your Ministry, shall I not instantly deliver it? Or shall I say that because one Minister has been proved a traitor, and lest there be more treason in the letters sent to my care, I will believe nothing? I think that on further reflection Y. H will admit that in regard to the delivery of that package I did only what in duty and courtesy I was bound to do.

But dismissing the declarations of Carreras and Visconcellos, I pass to that of Berges: and I will remark, that were it not for the gravity of the subject it would afford me much amusement to expose its contradictions and absurdities. I shall show from the declaration itself that it contains as many falsehoods and contradictions as it has sentences; that my best and most friendly acts towards Paraguay have been studiously and maliciously perverted, and that so far from his bearing no malice towards me, he has for a long time been treasuring up the most innocent and harmless expressions to misquote and misrepresent them with all the devilish malignity of an inquisitor. What his original motive was I do not know. Whether it was that he had heard I had spoken to H. E. the President of his reserve and want of frankness with me, or whether he hated me from a consciousness that I would not be a party to his conspiracy; or whatever was his motive, it now appears that my charitable judgement that he had not acted from malice towards me was a great mistake.

I regret that Berges has not yet given the date of his first treason, and told us when from a patriot he turned traitor. Without the knowledge of that fact it is scarcely possible to make anything intelligible from the whole of his long, confused, and contradictory declaration. At one time he represents himself as talking to me like a loyal man and a patriot; then he talks of the plans of himself and his fellow revolutionists; and then again is acting the part of a patriot and friend of his country, changing thus his character as readily as harlequin in a pantomime.

I will now proceed to examine in detail this jargon of contradictions, this medley of patriotism and treason.

And first I will take up his statement that when I made my second visit to him at his house in the Salinares, I expressed my sympathy for him in his sickness, and my desire to be of service to him, he understood by that that I would give him asylum in my Legation in any unlooked for event. He afterwards speaks of that, not as an asylum against the enemy, but against the Government of Paraguay. This is a self-evident absurdity. If there were to be a revolution, or "pronunciamento," and it were to be successful, there would be no need of asylum for the parties engaged in it, and if it were unsuccessful, was he so stupid, or I so ignorant, as to suppose that the conspirators could escape the punishment of their treason by taking refuge in my Legation. How then could he understand a simple expression of courtesy to mean an offer absurd and ridiculous in its very terms. It is impossible

I must pass to his very grave accusation—that when H. E. Marshal Lopez was sick at Paso Pucu, in 1866, I often went or sent to enquire after his health. He also says that I spoke to him about that time of the necessity of making terms of peace with the Allies, indicating General Mitre as a proper person to negotiate with; to which he adds that I made various remarks on the questions involved in the war, and the terms that Paraguay ought to make with the enemy. Of any such conversation I have not the faintest recollection. Yet that the whole statement is so absurd as to prove its falsity, Y. H. will see by reference to dates.

It was not till the 8th of November, 1866, that I arrived at this place on my return from the United States. To get here I had spent a year and two months, during which I had been exposed to almost every inconvenience and annoyance imaginable. I had been rudely treated in Buenos Aires by the Brazilian Minister, Octaviano; I had had my letter from the Argentine Minister of Foreign Affairs, Elizalde, repudiated by Gen. Mitre, though he had previously promised to respect it; I had been rudely told by Admiral Tamandare that I should not pass through his lines; and what was worst and most mortifying of all, I received no support or sympathy from any representative high in the confidence of my own Government, except from my late colleague in Buenos Aires, the brave and noble old soldier (Heaven rest his soul) Gen. Asboth. Yet I forced my way through, greatly to the disgust of both Mitre and Tamandare. I had not seen Mitre for four months before, or since I had written him a strong protest against my detention and against his duplicity and bad faith towards me. And yet Berges says that I had no sooner got here than I proposed Mitre as the proper person with whom to negotiate terms of peace. The mere statement of the facts is a sufficient refutation of this clause of his declaration.

The next allegation of Berges is that when I went to visit the Marquis de Caxias, to treat about peace, I had neither the spirit nor the desire of laboring for the interests of Paraguay, and in proof of it he then reports me as saying the very things in regard to Paraguay and its people that their best friends might and naturally would have said under the circumstances. He adds that if I was badly affected when I left to treat with the enemy's General, I was still worse after my return. As he gives no reason for this opinion, I am led to infer that he judged me to be friendly to Caxias from the tone of my letter to him after my return from his encampment. From his captiousness and his complaints of my lack of zeal on behalf of Paraguay at this time, I conclude that he was then acting the patriot, and not the traitor.

The next count in the declaration of Berges being only an expression of opinion that all my efforts to return to Paraguay were but a farce to deceive this Government, and that my real desire was to serve the Allies, I will pass it by, with the simple remark that should it ever meet the eye of the Marquis de Caxias it will doubtless cause a grim sardonic smile, and that Admiral Tamandare will be surprised to learn that when the "Shamokin" forced the blockade, against all his protests and objections, it was doing so in the interest of himself and his allies.

To the charge that I never gave credit to the papers of the country when they published news of brilliant feats of arms, I have to say that I freely admit that I have thought some of the reports of victories in the 'Semanario' were a little exaggerated. But this opinion I never expressed where I supposed it could dampen the spirit or hopes of the people. In conversation with the Minister of Foreign Affairs I saw no reason why I should not express my real opinions. My object was always to endeavor to learn as much as possible of the actual situation, and to judge from that whether I could devise any means by which a peace, honorable and advantageous to Paraguay, could be effected.

But though there is a grain of truth in what Berges says of my not giving credence to all that was published in the 'Semanario,' it seems he could not state even that without mixing it up with palpable self-evident falsehoods. He says that I even discredited the news of the defeat of the Allies at Curupaity, and that I said it was simply a retreat, and that I gave as my authority the late French Consul here, M. Cochelet, who had received the information from the French Agent, who was present at the combat. At the time the battle of Curupaity was fought I had not arrived in the country. I was still in Buenos Aires, and I remember well that the Buenos Aires papers spoke of it as a most terrible and disastrous defeat for the Allies. It was six weeks after that before I arrived here, and yet Berges represents that after my arrival I tried to make it appear that it was no defeat at all.

The next point that Berges makes is, that I was constantly seeking for some occasion of controversy, and in order to get away from the country. I was not aware before that a foreign Minister must get up a controversy, or have a breach with the Government to which he is accredited, in order to leave the country. I had supposed that he had only to ask for his passports, and the Government was not only bound to give them, but furnish him with the means of going away. The exact contrary of what Berges says is the truth. I have indeed long been desirous of returning to the United States, but thought it my duty to remain, though much against my interest, either till the war was ended or my successor should arrive. But Berges says that by means of his personal friendship he was able to quiet me, and prevent me from having a breach with the Government. I say, however, that previous to his leaving for Paso Pucu, in February, there was scarcely a wave or ruffle of discord between me and the Government of Paraguay. Personally I had always been treated with marked kindness by both Government and people, and it is impossible for him or anybody else to show the occasion that I tried to make a breach of our friendly relations.

Respecting the allegation that I was an intimate friend of M. Cochelet, and my opinions and remarks upon his successor and the Italian Consul, I have only to say that though I have expressed the opinion to others that the latter ought not to have left their posts to which they were appointed for one not known to their respective Governments, I do not see that such being my opinion why I should not express it.

Berges's opinion that I have received money from the Brazilian Government, and that because I have not succeeded in doing the same with that of Paraguay, I have therefore tried to work against it, is perhaps worth as much as that of any other man who knows nothing of the matter. I would ask, however, if it is quite just and proper to put such a statement in an official note when not a particle of evidence is, or can be, adduced to support it.

There are several conversations reported in this declaration of Berges of which I have no recollection. When I was in the camp of Caxias he told me that Gen. Osorio would soon be at Itapua with 10,000 troops, and after my return I remember looking over the map with Berges in his office, and asking him concerning the forces that Marshal Lopez would have to oppose him, if he should attempt to march with that force directly on the capital. Berges remarked that if such a thing were attempted by Osorio not a man of his whole army would escape alive. When at Paso Pucu a short time before I had discussed the same thing with H. E. Marshal Lopez. I talked with Berges on various occasions of the prospects of the war, and the dangers to be averted, and supposed that all I said would be taken as the word of a friend, taking it for granted that if I said anything of sufficient importance to merit it, he would communicate it to H. E. at Paso Pucu. Many of his statements, however—such as that the war was popular in Brazil, that the public spirit in the Argentine Republic was aroused, that the Allies could get all the money they required—he alleges that I made at different times cannot be true, as I had no information on which to base such opinions, and the little information I did have was entirely to the contrary. Many rumors used to be afloat—some false, and some that afterwards proved true. Whenever speaking of these rumors, if for any reason I did not wish to give the name of my informant, I sometimes said, if asked how I had obtained my information, that the birds had whispered it to me; and I remember that some days before I heard of the passage of the ironclads by Humaita he told me we should soon have important news from below, and when I asked him his reasons for thinking so, he replied with the same expression—"that the birds had told him." That led me afterwards to suppose that the news of the passage was known by him at the time, and several days before it was publicly announced.

The next point in this strange declaration of Berges to which I will call your attention is that where he says I showed great indignation towards the Allies because of their inaction. I think that every loyal Paraguayan was angry with them for the same reason. It was known, or at least it was constantly asserted in the 'Semanario,' that the Paraguayan army was only anxious to be attacked,—that the legions of Marshal Lopez were confident that if attacked in force at any point they would give the enemy another Curupaity,—they were anxious to close in with their foes, and decide the contest by honorable and hard fighting. The Allies, however, with their large army and immense squadron always kept at a safe distance, and in my indignation at their mode of warfare I remember to have said to Berges it was cowardly,—it was barbarous,—that if they could conquer Paraguay by fair fighting it would be legitimate warfare,—but if they attempted to exhaust and starve out the people by means of superior numbers and resources, it was infamous, and deserved the execration of all civilized nations. I wrote repeatedly to my Government in the same strain, saying that other nations ought not to allow a brave and gallant people as the Paraguayans had shown to be thus exterminated. But the heart of Berges it seems was so full of treason, and his eyes so jaundiced by corruption, that in expressions of this sort he could only see allusions to his own treacherous plans.

The next statement of Berges is entire fiction, and therefore I can only oppose to it my positive and absolute denial. I had never heard of any combination or conspiracy in the country, nor of any committee of conspirators, nor did I ever suspect, till so advised by Y. H., that Caxias was in correspondence with any person in Paraguay. The name of Don Benigno was never mentioned to me by Berges, unless it was casually, and in connection with some matter of no importance whatever. Indeed Berges and all his fellow accomplices did me the greatest compliment in their power: they never directly nor indirectly confided to me anything of their plans, and until so advised by Y.H, I had no idea of the conspiracy that was on foot. I had always supposed that only by hard fighting could this war be brought to an end, and had never believed—since the efforts of my Government at mediation had failed—that any other solution was possible.

I pass over several others of the statements of Berges in regard to conversations held with me with this remark, that I remember nothing of them. I only know that I never entertained any such ideas or opinions as he attributes to me. Very likely I said to him that notwithstanding I remained here, much to my own personal loss, and was exposed with my family to many inconveniences and discomforts, I was nevertheless disposed to remain to the end of the war. But it was that I might be of service to the Paraguayan nation and people, and not to the insurgents and traitors as he represents. In fact, I never suspected there were any in the country. All knowledge I have of their existence has come to me within the last month. Of one thing Berges, notwithstanding he has been in the United States, seems to have been oblivious or ignorant, and that is, that a Minister of the United States who should be known to have taken part in a revolution against the government to which he was accredited would, whether it were successful or not, be thenceforward ruined and disgraced in his own country. His public career would be ended, and he would be held infamous both by his government and countrymen.

I observe that Berges declares that I did not like to use the word revolution in my conversation with him. That is true, and for the very good reason that I never had occasion to use it, as I never suspected that any such thing was in contemplation. His other statements that I did not wish to leave the country because of my desire to be of service to the people here will be both true and intelligible if instead of insurgents and revolutionists are used the words Paraguayans, and patriots.

Regarding the assertion that after my return from the enemies' camp nearly a year and a half ago, I said to Berges that I should write to my own government that the cause of President Lopez was losing ground, and prepare it for the revolutionary movement that was to follow, I would like to know if I made this statement to him in the character of a loyal man or a traitor. In other conversations held subsequent to that times he assumes the character of loyalty. I will say, however, that all my despatches have been of the same general tone and tendency, and they will show to my government that every charge thus alleged by Berges as that I have never been in reality a friend to Paraguay is utterly, basely, scandalously false. All the testimony of all the conspirators united if it were to this effect would be utterly disproved by the despatches that I have sent from time to time to Washington. Unless I am greatly mistaken, the effect of my representations to my government will soon be perceptible in the allied squadron. The allies will soon be compelled to allow an American gunboat to pass their blockade or detain it by force, and a forcible detention will be war with the Great Republic. Such a war commenced under such circumstances, when taken in connection with this correspondence will certainly be an anomaly and curiosity in history.

From one of the statements in the declaration of Berges I am led to infer that this conspiracy, of which he seems to have been the master spirit, has been a long time smouldering. He says that his reply to the first letter to Caxias was sent by me. As I never sent any letters for him when I sent my correspondence under flag of truce, to be sent forward by the favor or courtesy of the enemy, this letter must have gone as long as a year ago last March, either when I went through to the camp of the Marquis de Caxias, or shortly after when the Commander of the American gunboat Wasp came through to bring my despatches. Those were the only two occasions I ever had of sending anything for this government without abusing the confidence of the allies, and on both occasions I sent numerous letters from the Ministry of Foreign Affairs. If there was among them a letter for Señor Brito I was not aware of it, and it must have been under cover for some one else. If that letter passed through at the time of my last visit to Paso Pucu, it must have accompanied the copy of Berges' long official letter to me of the 24th of March, 1867. If at that time he could send forward so elaborate a defence of Paraguay and her cause, and at the same time send a treasonable letter offering to betray that very cause, Your Honor must admit that conduct so infamous would merit universal execration, and that whatever declaration he might make when caught in the snares of his own plot, while it might be true, should be presumed to be false.

The last count in Berges' declaration purports to be a report of conversation held with me a long time ago, soon after my return from the camp of Caxias. What he says that I told him in regard to the expenses of Brazil I am inclined to think in the main part true. Even this he could not tell without adding a transparent falsehood. He states that I said the Brazilians to make up the million a day that they were spending would show "las cuentas del Gran Capitan." What the meaning of this expression was I did not know when I first saw it in Your note, and was obliged to ask my translator, Mr. Bliss, to explain it. Thanks to Berges, however, I have now learned its meaning, and in a way I shall not soon forget it.

There are other points in your note which I ought perhaps to allude, but this letter is already run to such great length, that I will bring it to a close. Had these declarations come from men of low, or even ordinary position, Your Honor will admit that the only proper and dignified course for me would have been to have indignantly denied them. But when men who have held high positions, like Berges and Carreras, make such charges, it is due to myself, and is due to the Government of Paraguay, that I should lend my assistance in exposing their falsity and arriving at the truth. It is fortunate for me that I had not left the country previous to the discovery of this plot. Though the despatches to my Government would have completely disproved the declarations of the conspirators, and though I have no doubt that the letters which they have sent below will show that I was entirely ignorant of their plans, and that they had not dared to confide them to me, yet the impression would still have prevailed among many people that I had been a party to the not only wicked but inexpressibly stupid plot. I make no complaint that these declarations have been included in an official correspondence though had Your Honor informed me unofficially of their nature I would have given in the same manner all the information that I have been able to give in this correspondence. But even then all the information I could have given would only have amounted to this: that if there was a conspiracy against the Government I have never known it or even suspected it.

Having thus declared so explictly that I had never known anything about the conspiracy till advised of it by Your Honor, and that the conspirators never confided to me any of their plans, the correspondence for my part on this matter must here close. If the Government accepts my words as true it must admit that I can give no information. I have no information now on the subject except what I have obtained from your notes and of course I can give none. If therefore the government accepts my statements in good faith as true it must be willing to drop the correspondence here. But if it does not thus accept them then respect to my own character and the dignity of my office would forbid me to continue it. Under these circumstances it appears to me that in justice to itself and to me the Coverument of Paraguay should adopt one of two courses. It should accept my statement as true and drop the correspondence, or refusing so to accept it, it should accede to my request in my letter of the 14th of July and send me my passports and provide me with the means of leaving the country.

I observe that this correspondence is being published in the 'Semanario.' I observe, however, that one of my letters, that of July 22nd., has not appeared. Will Your Honor pardon me for calling your attention to this matter.

This note is already so long that I must again crave your indulgence for postponing the consideration of the case of Mr. Bliss and Mr. Masterman. As soon as I can prepare the letter, however, I will give my reasons at length why I have not sent them from my Legation.

I avail myself of this occasion to renew the assurances of distinguished consideration.

CHARLES A. WASHBURN.

Luque, August 11, 1868.

I have the honor to enclose to Y.E. the accompanying letter which the criminal Jose Berges has requested his judges to send to Y.E. on account of having declared that besides the papers before mentioned, Y.E. had received in deposit the others to which the same letter alludes,

Berges considers this direct communication with Y. E. necessary, in order to fully satisfy the demands of justice, as he says he desires.

I improve this occasion to renew to Y.E. the assurances of my distinguished consideration.

GUMESINDO BENITEZ.

To H.E. Mr. Charles Washburn, Minister Resident of tho United States of America.

San Fernando, August 5, 1888.

To H.E. Mr. Charles A. Washburn, Minister Resident of the United States of America.

Sir,

Events most unexpected by me decide me to address you this letter from she Camp, to request you to have the goodness to deliver to the bearer the three sealed packages which I deposited with Y.E. in my quinta at Salinares, at the beginning of July ultimo, at the time of the first visit which I received from Y. E. a few days after my arrival at the Capital. The first is labelled by Y.E.'s own hand with the title, Papers of Berges, and is the largest, being that which contains the correspondence which I have exchanged with the Marquis de Caxias; the second is labelled, Private Correspondence of Berges, and contains the letter exchanged with various persons in the Rio de la Plata; and the third is a small roll with the label, Papers of my brother Miguel.

On this occasion, I take pleasure in saluting Y.E. and renewing the assurances with which I am Y.E.'s most attentive and sure servant.

[Signed] JOSE BERGES.

Legation of the United States,
Asuncion, August 12, 1868.

His Honor Gumesindo Benitez,
Acting Minister of Foreign Affairs.

Sir,

I have just received the note of Your Honor, dated yesterday, together with a paper signed by Jose Berges, in which I am requested to deliver, not one, as formerly represented in his declarations, but three packages which he says he delivered to me at his house in one of the first days of July at the time of my visit to him a few days after his return from San Fernando. Not having ever received any package, letter, or communication from him, as I have repeatedly advised Your Honor, I am unable to see the object in sending me this paper. In my note of yesterday I said if any person had ever sent or brought any such papers to my house, and would send a written order for them, and a descrihtion so that I could know which they were, I would be happy to deliver them. But I did not promise impossibilities, or to deliver papers I had never received, whoever might send for them or however minutely they might be described.

I avail myself of this occasion to renew assurances of distinguished consideration.

CHARLES A. WASHBURN.

Legation of the United States,
Asuncion, Aug. 13, 1868.

His Honor Gumesindo Benitez,
Acting Minister of Foreign Affairs,

Sir,

Excusing myself for the delay in answering that part of your note of the 31st ult., relating to the case of Mr. Bliss and Mr. Mastermunn, which I have deferred in order to answer the part of it which seemed to me of more pressing importance, and also to answer your subsequent very long note of the 6th inst., I will now proceed to give my reasons why I hove not dismissed those two persons from my Legation, and why I ought not to do so.

At the conclusion of your note of the 31st ult., Your Honor says that you have not the remotest doubt that full and inflexible justice would be done by the American Government, and then ask if it can be in full possession of the case, as is the National Court of Justice; if it would send the record of its trial for a new substantiation: if it could do so, and would its administration of justice be sufficiently timely?

To these questions I will remark that there would undoubtedly be considerable inconvenience in sending these persons for trial to the United States. But that does not affect the law in the case in the least. Whenever an embassy is received from one Government by another, the latter accepts it under the conditions imposed by the Laws of Nations. These laws are of such importance that their rigid observance is indispensable for the peace of the world. It is only under the protection of these laws that nations can negotiate with each other, as to carry on such negotiations it is necessary, especially in time of war, that there should be some persons who should enjoy entire security and immunities from the local laws. This code, universally recognised as binding on all nations, has been of the greatest advantage to them all. But, it also has its disadvantages. Under it the nations that receive foreign embassies are required to concede to them certain privileges, which are not conceded to any other persons. They resign the sovereignty over the premises occupied by the Embassador, and by the fiction of extra territoriality his Legation is considered as the territory of his own Government. Except under very extraordinary circumstances his house cannot be entered by the police, and no member of his Legation can be cited before the local tribunals, and if they commit any offence against the laws of the country all writers on International Law declare that the Minister shall either punish them himself or send them to his own country to be tried. These privileges and immunities, doubtless, frequently cause serious inconvenience to the local administration. But, is it not better to submit to such inconveniences rather than have the law abrogated? I have known such instances of inconvenience in my own country. One of which I will mention. In the year 1856, an important witness of a homicide in the city of Washington, that excited great public attention, was an Attache of the Swedish Legation. His testimony was very much desired by the Tribunals, but he was never cited formally as a witness, and to the request that he would appear to testify voluntarily he replied that he would not do so; and my Government had no power to compel him.

Your Honor asks, in your note of the 23rd July, if it does not appear to me that if the immunities of a Minister should reach to the extent claimed by me that there would be no nation in the world which would be willing to accept an embassy. To this I will reply, that all nations do, and are glad to, receive embassies on these very terms. What have I claimed? Simply this, that George F. Masterman, who came to my house at my solicitation as medical attendant of my family, nearly eleven months ago, and has lived in my house ever since, and had his name given in as a member of the Legation more than four months ago, to which no objection was made for three months afterwards, is to all intents and purposes a member of this Legation, and entitled to all its privileges. I likewise claim that Porter C. Bliss, who also came to my house at my solicitation, to serve as translator, and to assist me in any other way that I might require, and whose name was given in at the time as a member of my Legation, and that no objection being then made to his remaining in it, but only to the capacity in which I had classified him, he is also a member of this Embassy.

Your Honor, on various occasions, speaks of them as refugees who have sought asylum in my house. They did not seek asylum here. I sought them and engaged them to come here, because I needed their services. At the time they came there was no charge or accusation against either of them. How, then, can they be considered refugees? They were not refugees, and this is not a question of the right of asylum but of the rights of Legation.

Your Honor, however, alleges that they have never been recognised by your Government, but that having refused to recognise them I therefore have no right to claim them as exempt from the local jurisdiction. But this refusal was not made till after they had been claimed as criminals, and months after they had been tacitly acknowledged as belonging to the Embassy. Such refusal was quite too late to affect the case.

The doctrine advanced by Your Honor, that a foreign Minister cannot claim Legation privileges for his servants, secretaries, and other members of his household, till the Government to which he is accredited specially recognises them by name, is something entirely new to me—something that I do not find in any writer on International Law. If a Minister gives in a list of his suite, and no answer is made, no objection is taken by the Government, then it tacitly acknowledges that all included in that list are members of the Legation, and it cannot afterwards plead its own failure to acknowledge the Ministers letter as a justification of its refusal so to recognise them.

That this is correct reasoning Your Honor must admit, if you will apply it to my own case. Though I have given two lists of the members of my Legation, you have never recognised a single person now in it, unless it be Mr. Bliss, and Baltazar the colored servant left with me by Dr. Carreras. But you have never recognised either my wife or child, or my private secretary, who has been in my service for more than a year and a half, or the servant girl that we brought with us into the country. According to your reasoning and logic, however, you have only to say that any one or all of them is accused, and that the Government refuses to recognise them as belonging to my Legation, and I have no remedy but to send them away. Such is the inevitable conclusion to be drawn from the premises and logic of Your Honor.

To the question whether or not the punishment that my Government would administer would be timely, I reply I do not see why not. Your Honor cannot suppose that these two individuals, closely shut up as they are in this Legation, and having no communication with any person outside of it, can be dangerous. If not, why will not their punishment, if proved guilty, be as timely some months hence as now. If they can give any evidence which is necessary to ascertain the truth in regard to other accused parties they have both expressed their willingness to do it, and should the Government choose to send a notary to my house to examine them I will give him every facility for doing so. I will also say that Mr. Bliss has declared, in relation to the paper which Your Honor, in your note of the 23rd of July, says that he, "in a secret committee of mutual obligations," has signed to commit an infamous crime, that if any such paper signed by him shall be produced at this Legation he will instantly leave it. To this I will add that, while I shall still insist on my rights of Legation, I will undertake that he keep his promise to me.

In my former notes to Your Honor I have called your attention to this maxim of law, that "every man is to be considered innocent till he is proved guilty." Yet, Your Honor disregarding this principle, continues to speak of these two members of my Legation as criminals and refugees, without ever having given me any proof of their guilt. You have also complained that I should not receive your official statement of their criminality in preference to their own protestations of innocence.

I have not allowed myself to question the sincerity of your belief in their criminality, but as you do not pretend to speak from your own knowledge I may yet doubt the truthfulness of your informants. Certainly you will not allege that the witnesses against them are persons who have enjoyed higher honors, or had previously been more respected than Berges and Carreras, whose declarations I know to contain almost as many falsehoods as sentences. If declarations so false have been made by them, with the objects of connecting me with an infamous plot, is it not possible that equally false declarations have been made for the purpose of implicating others? I, acting according to the laws of my own country, must presume them innocent till I have a proof to the contrary. From your own personal knowledge of these gentlemen Y.H. must be aware that they are, from education and habit, the very last people that conspirators and complotters would take into their counsels. Mr. Bliss, Y.H. is aware, is a man of extraordinary literary acquirements, and his whole taste and ambition is in literary pursuits; and Mr. Masterman is a man whose tastes and desires lead him to pass his whole time in scientific investigations. Neither one of them has any of the detestable gaucho characteristics that would lead him to take part in a revolution, and as I have known them both long and intimately I am bound to take their solemn asservations, not only of innocence, but of entire ignorance of any plot or conspiracy, in preference to the declaration of any or many confessed conspirators or traitors,

But with me this is not a question of guilt or innocence. It is a question of the rights of Legation. Months ago I gave in their names as belonging to my diplomatic suite; the Government by not objecting to them as members of my Legation tacitly acknowledged them as such,—it acknowledged them as much as it has acknowledged anyone in my house, and has now just as much right to claim anyone else of my family or household as to claim either of them.

I will add another consideration. Both of these men are so indispensably necessary to me that, even if they did not belong to my Legation, and the safety of the State were not endangered by their remaining here, I should ask it as a courtesy that they might be allowed to stay for the present. Without the aid of Mr. Bliss I could hardly have carried on the heavy correspondence I have had during the last

month, and were Mr. Masterman to leave me, it would be, under the circumstances—when the aid of no other physician can be obtained—at the risk of exposing the lives of my wife and child ond other members of my family. And I am sure that the Government has no wish to expose me to any such calamity.

The position taken by Y.H., that until a Government expressly recognizes the members of a Legation they cannot claim its privileges, but are liable to be arrested like any other persons by the police, would, or might at least make his right of extra-territoriality, virtually amount to a nullity. The Government might thus compel him to dismiss all his servants, it might prohibit its own subjects to enter his service, and thus leave him without any servant or assistance in any capacity, except such as it might suit its purposes that he should have. I have never asked neither Y.H. nor your predecessor to recognize the members of my Legation by name, or in other words, I have not asked the privilege of employing them. I am to be the judge of the persons necessary to the discharge of my official duties and the health and comfort of my family, and not the Government of Paraguay. Should a Minister on entering a country take with him in his suite known criminals, or persons obnoxious or dangerous from their political opinions, a Government might undoubtedly object to concede to them Legation immunities, and could insist that they should leave the country. But it would have no right to molest them and would be bound to protect them in every way until they had ample time for their departure. In no case has a Government a right to inflict any other penalty on a person attached to a foreign Legation than to send him to his own country to be punished. If, however, the ground assumed by Y.H is correct—that no person can claim Legation privileges until he has been expressly recognized by the Government, but may be cited before the local tribunals—then if I comply with your request of to-day I may be called upon to send away the other members of my household to-morrow, as you have never recognized them as belonging to my Legation. If all are not in the same category, and some are and some are not entitled to Legation privilegee, will you please advise me which of the names in the list appended to this letter are recognized as belonging to my Legation.

In your note of the 31st ult. Y.H. observes that it is the more strange that I should still decline to send Mr. Bliss and Mr. Masterman from my house, since I shall then have superabundant means to give them protection. What those superabundant means are Y.H. does not advise me, nor do I understand what means will be left me to protect them when once in the hands of the local tribunal. Will Y.H. have the kindness to give me further information on this point?

In my note of July 14th Y.H. will recollect that from the tone and tenor of your preceding notes, and from the fact that you had finally called for two persons whom I had always considered members of my Legation, I said it appeared that I had lost the respect and confidence of this Government, and that therefore, as it it did not seem that I could be longer usefnl either to my own Government or that of Paraguay or to any individuals in the country, I requested passports for myself and for the members of my Legation. To this Y.H. replied on the 16th, assuring me in the strongest terms that I still retained the esteem and confidence of your Government, expressing the hope that such assurances would lead me to reconsider my previous resolution. Such expressions I accepted as satisfactory, particularly when in the same note you again requested the dismissal of Messrs. Bliss and Masterman from my house, but said you would waive all further discussion on that matter, leaving it to my own sense of justice. I then believed that the demand would not be further pressed; but while preparing my note of the 20th nit., giving my reasons for the course I had thought it my duty to pursue, I was surprised and pained on receiving Y.H.'s note of the 19th, which was closely followed by those of the 21st and 23rd, to observe a tone and tenor of an entirely different character.

This sudden change I have attributed to the strange and false declarations of Berges concerning me, and, if I am right in this surmise, I cannot wonder that, false as the declarations are, the Government should have changed from confidence and regard to distrust and suspicion. But if the Government has accepted my words in preference to those of a convicted traitor, I cherish the hope that it will resume the position taken in your note of July 16th, and leave me to pursue the only course that in my opinion will be approved by my Government, by public opinion, and by the family of nations.

I avail myself of this occasion to give assurance of distinguished consideration.

(Signed.) CHARLES A. WASHBURN.

List of persons now resident in the Legation of the United States in Asuncion:—

The Minister, wife, and child; Mrs. Leite Pereira, Carlos Meincke, Private Secretary; Kate Leahy; George F. Masterman, Medical Attendant; Porter C. Bliss, Translator; George Hamilton, Baltazar Carreras, Bazilio Jara, Melchora Jara, Lucia Rivas (Lavandera).

August 13, 1868.

[TRANSLATION.]

Department of Foreign Affairs,
Luque, Sept. 4, 1868.

To H. E. Charles A. Washburn,
Minister Resident of the U. S. of America.

I have received Y.E.'s note dated 29th ult., with the list of individuals, including Y.E., for whom you ask passports, and before replying to it I must give an answer to the one of the 13th ult., in which Y.E. states the motives for which you have not dismissed from the Legation Messrs. Bliss and Masterman.

I am obliged to take into consideration some of these motives in order to follow Y. E. closely, but I shall not touch them all, for fear that Y.E. should again complain of the length of my reply. I may be excused from any justification for giving Y.E. the trouble of having a great deal to read since it is due to Y.E. that the matter, which was of easy solution on the ground of justice and right, has assumed so complicated a character.

My Government, anxious to show its consideration and regard for Y.E., had moreover invited you to come to a verbal understanding, with a view of avoiding these long and unsatisfactory communications, a step which Y.E. cannot ignore, although you have not chosen to appreciate it as it deserved

Y.E. was influenced in this by the same motive that induced you to give shelter in your residence to Messrs. Bliss and Masterman. Time will explain all. You have been sufficiently consequent as to extend your protection to these gentlemen in direct opposition to the dictates of a sound judgement, and to disregard any preferential consideration due not only to the justice and right of the case, but also to the peculiar conditions of the country.

In Y.E.'s note, containing an explanation of your motives, I have failed to meet those I expected, and which might somehow have justified Y.E.'s action in this matter. Far from this, that note is couched in dilatory terms, and I therefore consider myself free from the obligation of touching all the points it contains, or allude more particularly to the profound erudition on the Law of Nationa therein displayed by Y.E.

The case of Bliss and Masterman does not admit of much digression. It is a very simple question. They have sought the asylum of the American Legation when called upon by the courts of law to answer the grave charge of being accomplices in a revolutionary complot.

Y.E. has replied to the request of this Department that they should be given up, stating that you consider them as members of the Legation, without, however, justifying this assertion, but merely entering upon charges and arguments that can have but little weight in presence of the motives adduced by this Department, more particularly in its note of the 31st of July.

This Department certainly said then that if the immunities of a Minister extended as far as Y.E. pretended, no nation in the world would receive a foreign mission, to which Y.E. replies that all nations do receive missions on those terms, and that you have only used a common right in refusing to give up Bliss and Masterman

It is strange that the Minister of a great and honorable nation, so familiar with international laws, should allow himself to be so blinded by his anxiety to shield two criminals. I, for my part, must protest against similar assertions, and maintain that no nation can be desirous as Y.E. states to receive foreign missions, that are disposed to protect criminals, by alleging that they belong to them.

I must first call Y.E.'s attention to the above mentioned note of the 31st July, referring to every part of its context, and then by way of compliment I will remark again that if Y.E. in your note of the 13th ult. brings as a proof of Bliss being a member of your Legation because you had requested him to go to your house, and had given him the character of being a member of said Legation, and that the Government had made no objection to his residing in your house, but only to the character under which you had classified him, I must repeat once more that from the beginning Bliss, as well as Manlove, have never been recognised by this Government as members of your Legation, and that they have only been allowed to reside with you in the same way as other individuals, who at the time of the evacuation of the Capital took up their abode in your house, No other interpretation can be given to what was stated on this head to Y.E. by this Department in its note of 23rd February last.

Y.E. certainly stated in your note of 4th of April by way of explanation that you had written an answer to said note of the 23rd Feb. under date of the following day the 24th, but that you did not send it as circumstances seemed to render it unnecessary, in Y.E. opinion, to occupy the attention of Government with purely personal matters of the Legation, and adding that you wrote a note and tried to forward to Berges a note similar to the one you enclosed. In this note you sent the following as the list of persons belonging to the Legation, viz.: Charles Meineki, German; Porter Cornelius Bliss, American; James Manlove, ditto; Concepcion Cazal, Paraguayan; Ana Beila Cazal, dttto; Dolores Caballero, ditto; Basilio Jara, ditto; Melchora Jara, ditto; and two washerwomen.

This note dated 24th February was addressed to ex-Minister Berges, and contained an acknowledgement of the receipt of that of the 23rd.

This Department has not answered the note of 4th of April, and it could much less reply to the one sent as a mere enclosure, and as an explanation that there had been no want of courtesy or forgetfulness in not replying to the note in which the Government announced its removal to Luque. On the other hand, Berges, being absent from the Foreign Office at the time obliged Y.E. to communicate directly with the chief clerk, and before this Department could take into consideration the note of the 23rd it would have been requisite to have addressed it in the proper form. Moreover Y.E has not stated whether said note was to have been considered as still subsisting or given any other explanation, whereas charges might have occurred in the very personel of the Legation between February and April. For all this the note which Y.E. declares to have written on the 23rd February, but to have sent only on the 4th April, addressed to an absent Minister, besides the circumstances already adverted to, was in itself inefficient and defective. And I may add that when said note was received the Paraguayan women Concepcion Cazal and Dolores Caballero were no longer at the Legation, and they have stated that they never asked that their names should appear in the list of the personel of the Legation or known that they thus figured. I allude to this circumstance only to show to Y.E. that, if you have been pleased to put their names in that list, no care has been taken to erase their names from it when they ceased to reside in your Legation,

From this simple statement it may be clearly seen that Y.E. can have no just ground for insisting in considering Parter C. Bliss a member of your Legation, as well as George F. Masterman, whom Y. E. considers as such from the mere fact of having put down his name in the list contained in the note of 24th February, to which no objection has been made till three months later.

The practical deduction to be drawn from Y.E.'s notes and pretentions as far as I can see is that an individual is to be considered a member of a mission from the mere fact of his being proposed as such to the Government by the head of the mission. Acting upon this conclusion Y.E. proposes Bliss and Manlove in the list of your domestic servants, and on the day following the receipt of a note from Government refusing to recognize them as members of your Legation, and therefore denying to them the privileges that they would enjoy as such by the Right of Nations, Y.E. again inscribed the names of these two individuals on the the list, and moreover add to the personel of the Legation Masterman and another.

But if Bliss belongs to the mission as well as Masterman, how is it that they have not enjoyed nor enjoy the privileges to which they are entitled? This is inexplicable. And why is it that the name of Manlove being alongside those of Bliss and Masterman in your note of 24th February he has been left on one side, when according to the principle laid down by Y.E. they must all (or none) be considered as members of the mission! But the precedent of Manlove is a proof that you have only afterwards been pleased to grant to these two criminals the character of members of the Legation.

With regard to what Y.E. says that Masterman is to be considered in that character in all and for all because no objection was raised against him before the lapse of three months, I may remark that according to Y.E. own doctrine Masterman was from the very first day invested with that character, because if the following day this Department had refused to ackowledge him as was done in the case of Bliss, his name would have immediately appeared in a new list of Y. E.'s

I have thus shown clearly how inexact Y. E. is in considering said individuals as members of the Legation. It is of little consequence to the question whether they have sought Y.E.'s house or whether Y.E. has sought them to bring them to your residence, but I do not agree with Y.E. in not looking upon them as refugees, because this would be a denial of a truth too clear and distinct. What are they doing there? Why are they in your house when they have been indicted and are called upon by a Court of Law to answer the charges deposed against them?

It is clear they are not there because of their innocence or because they belong to the Legation, but under the special protection of Y.E. You state that during several months they have been tacitly recognized as belonging to the mission, and that the refusal came too late from this Department to be available. I must repeat that only by following Y.E.'s practice could the justice of this statement be admitted, since the express objection made by my Government on your proposing Bliss as a member of the Legation, has not been considered by Y.E. as having any weight whatever. Since the objection made to Bliss on the day following his nomination has been considered too late by Y.E., what wonder is it if the objection in the case of Masterman, which according to Y.E. was sent in after the lapse of three months should also be considered as much too late.

I beg Y.E. to reflect upon the misterious note of the 24th of Febuary, and endeavour to convince me that it meant to convey a legitimate presentation of the personel of your Legetion, and that at a most solemn crisis of the Republic assailed as it is to the death by an invading enemy.

As Y.E. will understand from what precedes, I am very far from wishing to maintain that a foreign Minister cannot claim the privileges of the Legation for his servants, Secretary, or other member of his family until the Government recognizes them individually by name. I agree with Y.E.'s remark that if a Minister sends a list of his suite (in due form) and receives no answer, no objection is made by Government, which tacitly recognizes the persons included in said list as members of the Legation. This is a just interpretation, and is what has happened with regard to the following individuals: Charles Meincke, German, George Hamilton, English; Katharine Leahy, ditto; Basilio Jara, Paraguayan; and Melchora Jara, ditto, who were tacitly consented to when on their names appearing jointly with those of Bliss and Mantove in Y. E.'s note of thee 22nd February, exception was taken only to the two latter who were simply allowed to remain in Y.E. dwelling with the special condition that if they went out of the Legation the policemen would not be prevented from carrying out in such a case the orders given to allow no person not invested with official character to go about the streets, and on the same condition Anna Bella Cazal proposed in the above mentioned list was also permitted to remain at the Legation.

I must remind Y.E. once more that in your note of 4th April you alluded to individuals whom this Department has not recognized as members of your Legation. To whom else could you refer? At all events Bliss was one of them.

However much Y.E. may labor to give a forced interpretation to the motives brought forward in opposition to Y.E.'s views on this matter, you will never be able to justify your deductions. It is curious to hear it asserted that this Department has only recognized Bliss and Balthazar, the colored servant whom you state was left by Doctor Carreras, but it is still more curious that neither your wife, or son, or private Secretary, or the servant you brought with you have ever been recognized. If Y.E. has not chosen to put in the list of the personel of your Legation Mrs. Washburn and your child, is this department to blame. I nevertheless cannot but admit the important position ocupied by the family of the Chief of the Mission.

Y. E. may rest assured that my Government has sufficient conscience of its own dignity and duties not to commit itself by sending a notary to Y.E.'s house to examine the criminals Bliss and Masterman, when they have never been nor are members of the Legation, but the Government will not not hesitate in making them appear before a tribunal because they are in all and for all merely refugees in Y. E.'s hotel.

Y.E. wishes to apply in the case of Bliss and Masterman the principle of right that a person must be considered innocent until he is proved to be guilty, and you state that this principle is ignored when they are spoken of as criminals and refugees, whilst no proof of their culpability is forthcoming. I might have wondered greatly at Y.E.'s pretensions and language if in the following line Y.E, did not furnish me with the proper key, by saying that you doubted still of the veracity of the informants. Upon the criminality of the above individuals and alluding to the depositions of Berges and Carreras you state that you know they contain as many falsehoods as sentences, and that if these depositions have been given by them with a view of making Y.E. appear mixed up in a shameful maquination, it may have been done with a design of implicating others.

If Y.E. does not chose to credit my words, and can still doubt the veracity of those who have deposed that Bliss and Masterman took a leading part in the complot, I cannot offer to gratify Y.E. by showing to you the authentic documents which establish the reality of the fact, and Y. E. may act in accordance with the laws of your own country as you may think proper. But I would like to ask Y.E. when is a person to be considered guilty? I understand that the principle of right invoked by Y.E. is one universally accepted, but also that the sworn depositions of witnesses are a sufficient proof in cases of more or less gravity. This suggestion may not be thrown away upon Y.E. to prove to you that as this is what has happened with regard to your own proteges as well as to others included in the same accusation, Y.E. must not wonder if no attention can be paid to your reference to the above maxim to which you have repeatedly alluded.

With regard to Y.E.'s recommendation of the profession and standing of each of them, I can only say to Y.E that they are almost identical with those which Y.E. was pleased to make in favor of Carreras when you were asked to dismiss him from your Legation; and now it appears that Y. E. has not had much trouble in applying against him the words least honorable to any man.

Y.E. is right in thinking that my Government has no desire to expose either Y.E. or your family to any calamity, and it is well known that during your long stay in the country Y.E. has been treated with every consideration as Y E. yourself has confessed in your correspondence. I cannot however conceive how your own convenience is incompatible with the expulsion of those individuals, whereas their stay there, must give rise to appreciations less satisfactory from the fact of their being implicated in a vast conspiracy, the depositions with regard to which extend even to Y E.

Since the Government of every nation has the right to admit or refuse a foreign Minister according to circumstances, in compliance with which right he must be duly presented to the territorial sovereign, it follows as an indispensable consequence that the Chief of a Mission is bound duly to report the persons that belong to his household and those that may leave him subsequently, both in order to accept or refuse the former and to take note of the latter who may still enjoy the privileges attached to their previous position. And while on this point I beg to remind Y. E. that the list you enclosed in the note dated 24th February comprised among others the names of Concepcion Cazal, Dolores Caballero, and Ana Bella Cazal, besides two washerwomen whose names did not appear, and that none of those five individuals figure new in Y.E.'s new list with the exception of Lucia Ribas, who appears to have been one of said washerwomen. But apart from this it would appear that Y.E. has not attached to this subject the importance it deserves, as is proved by the fact that after all the individuals, excepting three, contained in your list of the 22nd February had been admitted, Y.E. added others without advising this Department of this circumstance, or of your having dismissed any of those persons that were included in the original list.

With regard to Bliss it is satisfactorily shown that he was not a member of your Legation, but since Y.E. states that Balthazar, Carreras's servant, had also been recognized a member of the Legation, I must point out to Y.E. in your despatch of 12th July you said of those whose names had been given as not belonging to the Legation there only remained Carreras; Rodriguez, his servant, and the wife of Leite Pereira, and although in Y.E.'s note of the following day, the 13th, communicating that Carreras and Rodriguez had left the Legation before the appointed hour, you said that the colored servant of Carreras was still with Y.E. as a servant, you never allnded to the subject again, and after calling this person first Carreras' then Rodriguez' servant, you only now style that his name is Balthazar. I am not aware how Y.E. has had him as a servant, and I have only seen, by your unanswered note of 13th July that he still remained with you in that character, which leads to the supposition that for some time past he had ceased to be Carreras' servant. As Y. E seemed to require him, no objection has been raised, but I have only to remark upon the incorrectness of Y. E.'s statement that this individual and Bliss were the only persons recognized as members of your Legation.

With regard to the concluding part of Y.E's note to which I am now replying, I beg to refer to what has already been stated on the subject in the course of this correspondence.

Having thus replied to the principal points of the note above alluded to, I have only to beg that Y.E. will consider in its true light the one of this Department under date of 31st July, conjointly with this. And I may be allowed to add a few words more, to express frankly to Y.E. that if until now no notice has been taken of the ground assumed by Y.E. in your correspondence, by even casting a slur upon the good faith of the judicial department of my country, and denying the truth of the official assurances made to Y.E. with regard to the guilt of Bliss and Masterman, my Government can only view such proceeding as an offence to its honor and its dignity.

The Government of this Republic, far from wishing that Y.E. shall forfeit the approval of your Government, and of public opinion in the community of the nations, will, on the contrary, rejoice to see that Y.E. does not step beyond the principles of sound policy, and the dictates of reason and justice prescribed by the respect due to nations and their Governments.

My Government has ever been inspired by this wish, and it grieves it to see Y.E. advocating for traitors to the country as if you were one of them. They say so at least, and it behoves Y.E. to weigh these assertions, made judicially, which I will here further complement with others.

I shall first bring forward one of the individvals of whom Y.E. has stated that you heard of for the first time. It is Benigno Lopez, who, among other things, has deposed textually as follows:

"That on ascent of the first expedition to the north in 1864 they began to talk politics, Washburn saying to deponent—'The country appears to shake itself.'

Deponent—'Yes, but we do not know who will suffer the first blow. Although it is probable that in the end we shall fare worst, seeing the power and great elements of our enemies.'

"To this Washburn perfectly agreed with him.

"Then from that time forward they continued talking whenever they met, condemning the system of government, because the policy of the Government was arbitrary, instead of being liberal and constitutional, as befitted a country like Paraguay, rich for its climate and for its natural products of all kinds, —that the Government of the Marshal thought of nothing but making soldiers, —and that scarcely any private citizen was to be met with,—and that such a state of things could not but help to keep back industry and retard progress and civilization in the country.

"That all their conversations were in this tone until on the occasion of his accompanying Washburn in a trip he made to the front in March, for the purpose of crossing over to the enemy's camp, they went more deeply into the matter, and mooted the idea of the necessity of a change of Government to bring to a close the protracted war due, in Washburn's opinion, to a violent and inconsiderate act of the Marshal, of which he certainly sorely repented.

"To this deponent replied—'What he is sorry for is not to have taken the Allies one by one, to make them dance.

"That to this and other conversations they held together before and during the journey deponent understood that Washburn wished that the alliance should triumph, rather than Paraguay, and that he would be disposed to work in this sense, on which account he had no scruple in laying open the plan of endeavoring to effect a change of Government, not doubting that the Marquis de Caxias, as soon as he was made aware of the advantages that would follow a successful revolution, would send the bases of a final arrangement to enable them to begin the work.

"That in Paso Pucu, and just before Washburn passed over to the enemy's camp, deponent went to see him in his quarters, and being asked by him about the situation of the army, deponent answered that it was not bad, but that it would be rendered a very difficult one if Caxias stretched a line from Tuyuti as far as the Paraguay river, because it would be then enclosed. That while saying this deponent bent down, and described this operation by marking on the ground the various positions of the two armies, and showing that in this way the interior of the Republic remained exposed, and that nothing could obstruct a force from reaching the Tebicuari by Caapucu, and by making a rapid movement as far as Paraguari, which was not far, place itself in contact with the revolutionary force, and the both combined would then be able to command the principal departments of the Republic and the Capital by means of the railway.

"That then, Washburn being interested to understand thoroughly the plan proposed by deponent, drew from his waistcoat pocket a pencil, which he handed to deponent, saying at the same time to his private secretary, Meincke, who was in the room, to go out for a short time, which the latter did at once, not, however, before having heard part of the conversation and seen the tracing made by deponent with his finger on the ground. That then (when Meincke was gone out) deponent concluded his description with Washburn's pencil, after which the latter left for the enemy's camp, most likely carrying with him the drawing made on paper by deponent.

"That it was deponent's intention, in making a drawing of the intended operation, that Washburn should show it to Caxias, and if he did not say so expressly it was because he understood that Washburn would be sure to do it, which in fact turned out subsequently to be the case, not only because the enemy realised this very plan, but because Washburn himself on his return brought him Caxias' communication, with the bases for effecting the change of Government as deposed to previously.

"That subsequently, after deponent came back from the army to the Capital, towards the end of September he went to see Washburn in his house, who asked him how he had left those people (the army), to which he answered—Well in health, but not so as regards their position, which as I have mentioned before has become worse (alluding to the circular movement).

"That Washburn asked him again —But are they going to fight?

"Deponent—Undoubtedly; but not much.

"Washburn—Why?

"Deponent—Because some of them are worn out, and others have little faith in a general action, seeing the elements arrayed against them, and I have not tried to undeceive them. And then went on to say—I see with great pleasure that a great deal has been done here and well, and that all is ready in anticipation of what may occur, and I think soon.

"Washburn—Mr. Berges is a very able man; under his Jesuitism and apparent indifference he works with remarkable activity.

"Deponent—Indeed; I myself never thought he would have done so much.

"Washburn—The fact is he has excellent coadjutors, and he is not niggard with the god money.

"That then Washburn took up Dr. Graty's book, and they both looked out in the map attached to it for the River Tebicuari, and the distances of the various departments from one another, all with reference to the military operations connected with the expected revolutionary movement.

"That on the 16th of Oct., deponent met Washburn near the columns of the Government-house, and there they spoke of the events that had happened at the seat-of-war at the beginning of the month, deponent saying that the Allies had been worsted, to which Washburn replied: 'Unless it is an engagement as those described by the *Seminario*, in which one or two hundred kill several battalions without the loss of a single man;' that deponent also said on this occasion that the line of the besiegers did not reach yet as far as the river, and more in this sense,

"That afterwards, deponent having gone to visit Washburn in his house, they talked about the news that the enemy had reached the river, sinking two vessels. Washburn said that they had done wrong in losing these vessels, because the army could not afford to be without them, and the Brazilian squadron would certainly come up. Deponent answered that these vessels did them much harm. On this occasion deponent also said that soon great events might be expected, alluding to the movement of which he (Washburn) knew, and which was the raising of the siege.

"That subsequently, at the beginning of January, when deponent was casually visiting Washburn at the Trinidad House, the latter, after enquiring about the news as was their wont, said that the situation was becoming every day more critical, and that it was necessary to put an end to this state of things, since there was a talk of even enlisting women to continue the war, and that this revealed the impossibility of arriving at an honorable treaty (alluding to the different overtures of peace which the Marshal had inflexibly rejected). That such a thing (enlisting women) was ridiculous, and that his wife had told him that if this took place she would not remain any longer in a country that allowed such things; to which deponent replied that these demonstrations had no other object save to strengthen if possible the confidence of the public, adding—'If you go, you leave us in a pretty pickle;' and Washburn said—'If I remain, it is because I think that I shall be able to be of some service to you (meaning with regard to the revolution).

"That on another occasion they met in the Campo Grande, when Washburn, who was coming from the house of Fidanza, asked deponent what was the news, both at the seat-of-war and in town, and being answered none showed himself little pleased with the calm that prevailed, and deponent thought that it was in consequence of the visit he had just been paying, in company with Manlove, to Fidanza, who was one of those implicated in the revolution, when doubtless they had discussed the matter.

"That shortly afterwards Washburn proceeded to Tapua. Deponent was there, with his mother, whom Washburn went to thank for having lent him a quinta in Trinidad to pass the summer, and say that he intended returning to town. On taking leave of deponent he said to him that the person in charge of the French Consulate was a fool, because he talked of things that were compromising.

"What are these things? asked deponent.

"Washburn—He talks about a new order of things; he picks up and repeats everything, and talks also much about local politics.

"That, moreover, deponent remembers that even before the evacuation of the Capital, talking of the probabilities that this measure would be adopted in consequence of the affair of Tayi, and Asuncion declared a military post, Washburn said to him that such a step would be absurd, that the Government had no right to enforce it, and that he could even protest if the measure applied to foreign residents; that, after the evacuation had actually been decreed, José Berges referred in the office, in presence of a third party, that had been the same night on a visit at Washburn's, and talking about the evacuation of the Capital, the latter had formally declared that he for his own part would do no such thing, and on that account he offered Berges an asylum if ever he required one, and begged him to say so to the Government people. That Washburn maintained his right to protest against the evacuation, as he said to deponent, inasmuch as it concerned foreigners, and that the Consuls were not discharging their duties when they withdrew, and that if he did not protest it was because his own fellow-countrymen were few. That to declare the Capital a fortress, with only one gun, and against ironclads, running the risk of its being destroyed, was an unjustifiable error.

"That deponent knows also that Washburn warmly maintained these same ideas with a view of being backed up by the French and Italian Consuls, as they themselves said, but that they refused to support him; and the deponent, moreover, says that Wasuburn spoke in this sense to natives and foreigners, making the revolutionaries understand that he did so in their interest; and to inspire them with more confidence he rented several houses in which he began to give refuge to Englishmen, and then to Carreras and Rodriguez, who belong to the revolution.

"That he remembers also that Washburn complained to him and others of his living in the Capital, and said to him more particularly that the small consideration shown towards his person and latterly towards his flag would end by exasperating him and place the Government in a situation even more critical than even the actual one, letting one understand by this, deponent says, that he might break off abruptly the good relations between the Republic and the United States.

"That in Paso Pucu after Washburn's return from the enemy's camp bringing the bases and the letter of Caxias for deponent, the latter said to Washburn that if they were successful he might reckon upon half a million and something more in order that instead of going to Chile he might go where he pleased, and that he said this because Washburn was always talking of going from hence to take charge of the Legation in Chile, and that it was only this hope that made him put up with the Paraguayan Legation.

"That besides this offer, deponent about the end of October or beginning of November delivered to Washburn in two sums the amount of one thousand ounces and fifteen thousand dollars currency, telling him that if he required more he should not hesitate to say so, because there were three thousand ounces at his disposal.

"That this amount was given to Washburn by deponent personally in Washburn's house in the Capital, where deponent went carrying it himself, the first time on foot, and the second time on horseback, on both occasions at dusk.

"That deponent's object in giving Washburn this gratuity was on account of his official cooperation in the revolution.

"That in the above mentioned letter of Caxias Washburn was said to have explained the plan entrusted to him by deponent, that Caxias was agreeable to it, and sent the required bases, urging that action should be taken in that sense, that the bearer (Washburn) would cooperate efficiently, and that he went bein cheio (well paid.)

"That these bases were the same as those proposed to the Government by Mr. Gould, with the material difference that the change of Government was the first in those received by deponent, whilst it appeared last in Gould's.

"That Washburn, as appears, bribed by Marques de Caxias, was entrusted to him with the commission of proposing ex-officially to the Marshal, of his own accord to resign, in order to make peace, which knowing beforehand that the Marshal would not consent, was done in order that Washburn might be at liberty to talk on the matter, and popularize the idea that the Marshal was the only cause of the war, and consequently that the alliance far from attacking the nation had no other object in view except to save it by means of a new Government.

"That in pursuance of this purpose Mr. Washburn wished to take advantage of the army being besieged to offer his services to the Marshal on the same bases as Mr. Gould, with only some accidental changes, with a view of being enabled to go over to the enemy's camp to hold an interview with the Marquis de Caxias, apprize him of the state of things with reference to the revolution, and urge him to move in order to profit by the good dispositions of the nation.

"That on another occasion Washburn said that probably when the war was at an end the country would give itself a constitution, to which deponent replied that he did not think it would be wise to do it when the nation emerged from so prostrate a condition. Washburn—Do you intend going on with despotism. Deponent—No Sir, laws will be given, but neither with the name or character of constitution, viz., as is done in England. Washburn—Mr. Berges is more constitutional than you are. Deponent—That's because he has been in the United States.

"That besides these conversations which deponent had with Washburn the former knew through Berges that the latter was prepared to do anything he was asked or that was necessary in support of the revolution so as to secure its success, and Berges himself forwarded to him all the news that came from the army. In a word, that he was on the most perfect understanding with him (Washburn) and the latter received and sent Berges' and Carreras' correspondence for outside that had reference to the revolution, and also communicated all those he himself received.

"That in addition to all this, Washburn was bound that if the revolution was successful, to recognize the new Government that should spring out of it, and in a contrary case give an asylum under his flag to the revolutionists.

"That all the papers of the revolution which passed through deponent's hands were put by him into a square envelope, which he closed with gum and sealed, and then took in person to the American Minister, after writing upon it 'Private papers,' and in a corner the initials 'B. L.;' that on delivering this envelope to the Minister he told him—'I do not wish to leave these papers in my house, and therefore bring them to you: to which Washburn replied 'Very well,' and taking the envelope placed it on a round table. That this happened when the papers in the Government offices began to be moved on account of the arrival of the ironclads at Asuncion. It was about the 20th of February, about mid-day, deponent entered the drawing-room by the dining-room door, having been announced by the servant Katy; that during the few moments he remained with the Minister they talked about the ironclads, and the latter asked whether the city was to be evacuated: deponent said 'Yes;' that when deponent entered the drawing-room the Minister was drinking gin, and therefore asked him whether he preferred this or brandy, and on deponent saying he preferred the latter, he ordered Katy to bring some. She shortly afterwards came with a small tray with some brandy and a wine glass, and deponent took a little. Soon after deponent left, and Washburn accompanied him to the hall.

"That the last conversation which deponent had with Washburn was on the 15th March. Deponent came to the Capital on his way to the army; Washburn was going out of town, and they met two squares behind the church of San Roque, and stopped a few moments to converse. Washburn asked deponent where he was going, and being answered to the army, said —'What can I do for you.' Deponent answered—'I commend to you my family, and wish you may be successful;' meaning that I left my family under his protection, as he had offered to look after defenceless people and their fortunes, and that he might be fortunate in the share he [Washburn] had taken in the revolution.

Now Y.E. will have the kindness to listen for the first time to another individual who mentions Y. E., Ex-Commander General of Arms, Venancio Lopez, says what follows:—

"That on the 1st of April the American Minister went to visit deponent at his house in town, and told him Humaita cannot resist the ironclads, and much less can the fortifications improvised do so. And that Brazilians being masters of the Parana and of Misiones, it is impossible to dislodge them, and the Paraguayans are so locked in that there is no possible escape; however, in my house, which is at your disposal, you shall be guaranteed, but it cannot hold all. Moreover it is necessary to preserve what you have acquired (referring to the revolution), and it would be well for you to write to Caxias that your family and your interests may be saved—it is the only thing that remains to be done.

"That moreover he told deponent to let Caxias know that all the leaders of the revolution had been sent to the

army, and that therefore the whole plan was discovered. That deponent at first refused not having any intercourse with Caxias, to which Washburn replied that it did not matter; deponent then asked him by what means he could send a communication and Washburn replied by way of Caapacu, saying that there was one Oliver, adding that Vascellos (the Vice-consul) also knew this individual, and promising that he together with deponent's letter also would send one.

"That the American Minister had stated the point at which the Brazilian advanced posts were stationed.

"That deponent received Caxias' answer through the American Minister by the Wasp, and its contents were to the effect that he was not to be afraid since all that was meant was a change of administration to avoid all the ravages of the war.

"That deponent also wrote another letter to Caxias dated the 10th or 11th of May, saying that on the faith of the American Minister's assurance he continued to work for the revolution, although with faint hopes of success, because the leaders had all been seized and their plans discovered. That it was forwarded by Washburn with his own despatches, but no answer to it ever came.

"That the American Minister had taken charge of all the papers as a guarantee, it being understood that these papers are those that refer to the revolution. That those among them that were not thought of any interest were destroyed as well as the rough copies. That deponent delivered to the Minister himself the documents he found in Berges's possession, the same that Benigno had shown him on the afternoon of the day he arrived the last time at the camp, saying that those were the papers of which Bedoya also had spoken when he came; that deponent had found them when he went to look for some pens in Bedoya's office, and that after Benigno's return he had forgotten all about them.

"That said documents were under a sealed cover, marked Documentos de Salinares, and that he gave them to the American Minister, together with a sheet on which were written the names of the new administration. That he gave them on the 4th of July about 10 a.m. in the house of the deponent's mother, where he lived: That Washburn on receiving the sealed packet said, this will serve as a duplicate, showing that he was well aware of its contents.

"That the words by which Washburn began to talk to deponent, and induce him to take part in the conspiracy, were as follows:

"Washburn—'What news? none as usual.

"Deponent—'I know nothing.'

"Washburn—'It is strange that your brother (the Marshal) does not wish peace in spite of all I have done, and I cannot see any hope of victory, knowing the great power of Brazil, and its influence everywhere. Besides all know the right of Brazil to sustain this war, to which it has been forced, and hence nobody dares offer its intervention, and your brother would be admired as among the most famous and valiant men if he were to resign, not because he is conquered, but for the sake of re-establishing peace, and allow Sanchez to take his place with a view of entering into negotiations. The great Republic is the only one that ought to save Paraguay and secure its autonomy. The secret treaty is ridiculous, and the U. States will not recognise it. There are not many men of capacity here, and a few of the most prominent who enjoy the confidence of the people may be the means of of salvation.'

"That deponent approved these ideas, and made up his mind to support the revolution, of which the Minister was thus the principal promoter, and promised moreover to consent to become the organ of communication between the enemy and the conspirators.

"That according to that Washburn himself told deponent the object of his wishing to have the Wasp at Asuncion was that she might be there to protect his friends, and that he was surprised at Caxia's refusal to let her pass, which he could only attribute to his unwillingness to establish a precedent for others.

"That when deponent asked Washburn how the situation could be saved, now that H.E. knew of the revolution, he was answered: 'It is that canaille of Couverville, who is incapable of keeping a secret, who has discovered all. But Caxias will not lose any time, he will hasten to take Humaita, then he will send the fleet this way, and move the army towards the Tebicuari, so that you (the conspirators) will be able to save yourselves, because I shall then ask for an armistice and propose the commissioners who are to treat with the Allies: that once this is obtained, the situation would depend upon the revolutionary movement, and consequently the national army would not be able to act, but must submit, since Caxias is sure to send troops which he will land wherever he thinks best for calling off the attention of the Marshal, who being surrounded on all sides his retreat will be rendered very difficult, and he will be forced into coming to terms not so advantageous as they could have been at first. That with regard to Humaita it was no impediment to Caxias, and it had not suited his plans to have taken it sooner: besides, he preferred a surrender.

"That after this revelation Washburn persuaded deponent to write to Caxias, saying that he and Comandante Fernandez were the only ones that could save the situation."

Next comes Jose Vicente Urdapilleta, ex-Judge of 2nd Instance, who makes the following references to Y. E.

"That the American Minister was compromised to guarantee the transmission of the communications which Berges held with the enemy, who was to operate in combination with the revolutionary forces, and protect the movement by sending to Asuncion the ironclads, with a landing force that was to be disembarked in the Capital itself or any other convenient spot, following the plan of operations to be agreed upon later on. That moreover Mr. Washburn undertook to employ his best efforts, and even go so far as obtain the support of his Government and make use of the material force at his disposal in the River Plate to assist in the realization of the intended movement, since among his instructions from his Government was that of laboring for the maintenance of freedom among the South American nations.

"That the moment or time when the revolution was to break out was to be announced by Mr. Washburn, as he had to come to an agreement with the Commander-in-chief of the allied army, either by letter or by an interview.

"That on an afternoon about 20 days later the deponent met, near the house of the Figueredos, Benigno Lopez, who was coming from his house in the Recoleta, and walked with him as far as the centre of the town. On this occasion deponent asked how the revolution was getting on, and Benigno said that of all those who took part in it Mr. Washburn deserved more praise than all, and was lending very valuable services to the revolutionary cause, and that he was therefore entitled to great consideration, both from the conspirators and the nation in general; and that in consequence he had given Mr. Washburn 1,500 gold ounces and 25,000 dollars currency. To this deponent remarked that it was a great deal, and he must be well pleased, since he only received 5,000 dollars annually from his Government for his mission, which according to his own declaration was all the fortune he possessed. That then Benigno said that Washburn's deserts were also very great, since he was disposed to favor the conspirators by all the means at his disposal, and that he had said that he intended to get two or three men-of-war of the U. S. stationed at Asuncion, in order to be able to protect under his flag the insurgents in case they were defeated, or that their plans miscarried. That upon all those grounds, he (Benigno) had given the above sum to Washburn, and would, on the termination of this transaction, given him an equal or larger sum (this deponent does not recollect well),—and that for the 25,000 dollars in notes he could purchase a piece of land well situated for a country residence, and for which purpose he might dispose of Government land at a moderate price.

"That a few days afterwards deponent met Mr. Washburn coming from his house in Trinidad, near the house of Bellla, who asked him the news of the war.

"Urdapilleta—'I know nothing these last days; do you?'

"Minister—'No more do I; but I am going to the Government-house, and if I hear anything I will call on my way back at your house.' He then went on—'D. Benigno tells me that you are initiated in the revolution, and I am happy that men like you should take part in such things.'

"Urdapilleta—'It is true; and you also have taken part in it to guarantee the communications with the enemy.'

"Minister—'Yes; and something more than that; I have much pleasure in exerting myself for the project, and I shall even engage the name of my Government if necessary, because by my instructions I am requested to do all I can to secure freedom to the nations of America. I propose going down the river to fetch my communications, which I have not received for some time past, and at the same time I will arrange matters between them (Benigno and the enemy).'

"Urdapilleta—'I am glad to hear it, and hope you will do as you say.'

"Minister—'Never fear; it shall be so.'

"That on another occasion, when deponent was standing at the door of his own house, and Washburn, as he frequently used to do, passed by, deponent asked him how matters were going.

"Minister, rubbing his hands—'I am waiting anxiously for my despatches from my Government, and with them the other (from the enemy).'

"Urdapilleta—'And will this bring us any good?'

"Minister—'Of course.'

"That, after exchanging a few more words, they talked of the actual state of things, and Washburn said that it was well that Marshal Lopez should have rendered his country famous by his heroic defence of it; that when the war was over many capitalists would come on a visit, and for the purpose of trading with it, on account of its riches; but that, in spite of all this, and of Marshal Lopez having brought to light Paraguay, the Government of the Marshal in no way suited the nation, because a military chief is constantly inclined to war, and the alternatives of peace and war obstruct the progressive march of the country, because war destroys the wealth produced by peace; on the other hand, the country offered a large field for exploitation, and by introducing improvements from abroad—such as machinery, &c.—great and rapid progress might be made if the Government were not a military one.'

"That in one of their conversations Mr. Washburn told deponent that Saturnino Bedoya had offered him his quinta at Ibiray, a handsome two storey building, with furniture and everything necessary, even a servant, without charging anything for it; deponent thought that this was not of mere friendship, but as a sort of return for Mr. Washburn's services in the cause of the revolution."

Francisco Rodriguez Larreta, who according to Y.E.'s own testimony is known to have been in terms of intimacy with Y.E., says as follows:—

"That with regard to the conditions of the secret treaty of the Triple Alliance, Minister Washburn said that although they were too harsh, Paraguay would sooner or later have to submit to them because the Brazilians were very strong, and if this was later, the sooner it took place the better.

"That as a general principle of International Law Minister Washburn considered inadmissible the pretensions of the allies that H.E. Marshal Lopez should resign the supreme rule of the Republic, and believed such a demand an attack on the Independence and sovereignty of a constituted country, but in the present state of th ngs he thought such resignation would afford the mast efficacions means of bringing the war to an end, and that on this occasion he had resolved to support the revolution,

That when the Minister came back from San Fernando he said that he had been able to do nothing with respect to the fate of Benigno Lopez and Saturnino Bedoya, and that he had only heard that Berges had been taken unwell in crossing the Chaco, which lead him (Washburn) to believe that if Berges was ill in his house it was so far reassuring as indicating that he was not a prisoner, and that therefore the revolutionary project was but to be considered as having fallen through, but on the contrary, still practicable.

"That on the occasion of Leite Pereira presenting himself at the American Legation for shelter, Washburn consulted Carreras and deponent as to what point the protection of his house could avail said Leite Pereira under present circumstances. That both deponent and Carreras said that he had in no way the right to give him shelter if he was claimed by the Tribunal as being charged criminally; and in order more fully to convince him they referred him to the principal authors on International Law that treat this point, such as Vattel, Martens, Wheaton, Hausefeuille, and Andres Bello; and that, notwithstanding his conviction that he had no right to do so, and knowledge that he (Pereira) was implicated in the revolution, Washburn admitted him into his house.

"That Minister Washburn has guaranteed to the revolutionary committee the protection of his house, and promised those who had already taken refuge with him that he would not deliver them up to justice unless compelled to do so by force, as he said himself to deponent, which proved the fact that up to the very moment when deponent and Carreras went out into the streets to place themselves in the hands of justice Washburn repeated to them that if they did not wish to deliver themselves up they had only to say so, and he would never consent to their being taken away except by main force.

"That Minister Washburn entreated deponent and Carreras not to reveal that he had any knowledge of the affairs of the revolution, and not to compromise him in their depositions,—offering them every possible assistance in case they remained in Asuncion. That both deponent and Carreras assured him they would not reveal the secret, or in any way betray him.

"That, in different conversations they had during deponent's stay at the Legation, Washburn expressed his concern in the event of the revolution falling through without their being able to attain the end they sought—the termination of the war—he lamented the probable fate of all those who had taken a part in the plot.

"That Minister Washburn received the sum of one hundred and forty thousand dollars in notes, according to what Washburn himself revealed to deponent: that this money was given to him by Benigno Lopez, in the last days of February or beginning of March—deponent does not recollect the date exactly; that the money was carried by two women-servants of Benigno himself on their heads, in two journeys, about dark; that deponent was present once when one of these servants came in with the money, and that the Minister placed the sum of forty thousand dollars at the disposal of deponent and Carreras, according to a request he said he had received from Benigno himself. Deponent and Carreras, however, did not take the money, not knowing what to do with it at the time, and consequently the whole amount remained in the Minister's possession."

Dr. Carreras says also—

"That Mr. Washburn maintains in principle that although the Government of Paraguay is not bound to give in to the pretensions of the Allies with regard to the resignation by H.E. Marshal Lopez of the Presidency of the Republic, still in the present state of things, and owing to the prolongation of the war and the consequent annihilation of the country, it is advisable to make a spontaneous and personal sacrifice, so long as the national independence is sacred; and since the Marshal is determined not to give in, and is inspired by a fanaticism to carry on the war until the country is totally destroyed, he (Washburn) thinks that any means is good which will save the nation from so complete a sacrifice, and consequently has approved the plan of the revolution and taken part in it to overturn the Marshal by hunger or by the dagger."

Y.E. is also alluded to by Leite Pereira, Antonio Vasconcellos, and others of the revolutionary party, who have been more or less aware of the important part they say Y.E. has taken in it.

But I shall conclude these quotations with one more of ex-Minister Berges, who says that when Y.E. complained of the want of the necessaries of life, such as sugar, brandy, coffee, wine, and even clothes, as you could find nothing but aguardiente of the country, Berges had remarked that with money and yerba one might get on (alluding to the fact that Berges himself supplied Y.E. with yerba and Benigno with money). To this deponent goes on to say the Minister replied—"It is true that you supply me with yerba and Benigno has given me some money."

Deponent said—"It cannot have been a small sum."

The Minister replied—"What Benigno gave me is, at the present rate of exchange, approximately equal to what you gave in North America to Ward and Carlisle.

For all this and for the antecedents of which Y. E. is aware, my government would have been justified to have broken off some time back all intercourse with a Minister who in the critical circumstances through which the Paraguayan people is passing figures by the testimony of the infamous traitors of the country themselves as one of them. My Government however ever anxious to give the most unequivocal proofs of its high consideration and regard towards the Government of the Great American Republic, has done no such thing but only confines itself to remitting to Y.E. the passports which you have repeatly solicited in order to leave the country, and I am happy to inform you that the Wasp, which has come to fetch Y.E., is waiting for you in Villeta, and that a steamer will be in attendance in the port of Asuncion for you and your suite.

Among the individuals of the Legation the accused Bliss and Masterman as not belonging to it cannot obtain their passports, and they must remain to answer the charges that are hanging over them before the local courts of justice. Neither can Balthazar, Carres's servant, leave the country, for which reason his name does not appear in the passport.

Having thus also replied to Y.E.'s note, dated 2nd inst., relative to the arrival of the Wasp, I avail myself of this opportunity to renew to Y.E. the the assurances of distinguished consideration.

[Signed.]

LUIS CAMINOS.

[COPY.]

United States Steamer Wasp, off Angostura River, Paraguay.

September 12, 1868.

To his Excellency Marshal Lopez, President of Paraguay.

Sir,

When Captain Kirkland was about leaving this vessel yesterday to bid farewell to your Excellency, I gave him a memorandum of certain things to which I requested him to call your attention. Captain Kirkland informs me that on reaching your head-quarters he found he had omitted to take this memorandum with him, and therefore was unable to comply fully with my request, having only given the paper a hasty perusal. I, therefore, take the liberty, at the moment of my departure, of deviating from diplomatic customs and sending a personal note directed to your Excellency. In this memorandum I suggested that he might show you a letter from General Webb, our Minister in Rio, from which it would appear that he had almost come to a rupture with that Government, by reason of its refusal to permit this vessel to pass above the squadron. This he had done on his own responsibility, without waiting for orders from the United States' Government, which, on hearing of the outrage, has doubtless taken the most energetic measures to enforce its rights and extricate its Minister from a most frightful position. This letter which you saw proves how much truth there was in the declaration of your ex-Minister for Foreign Affairs, José Berges, that I was in collusion with General Webb, and in the interest and pay of the Brazilians.

I have in my possession several letters for Dr. Carreras, which I yesterday requested Captain Kirkland to deliver, but which he refused to do unless I would open them, lest he too should be accused of conveying treasonable correspondence. I herewith send the letters, however, as I do not believe that any treasonable correspondence has ever passed through my hands for or to anybody. In fact, I do not believe there has ever been any conspiracy.

The declarations of Berges, your two brothers, Venancio and Benigno, and Sr. Urdepilleta, as given in the notes of your two last Ministers of Foreign Relations, in so far as they implicate me of having any knowledge of a conspiracy, are entirely false, and you know it; and you know that not one of them would confirm or affirm the declaration imputed to him if he were out of your power, but would deny it 'in toto,' and declare that he had never made it, or that he had done so under torture. Declarations of that kind, your Excellency ought to know, will have no weight outside of Paraguay. Not one word of them will be believed, and that all may not be denied by them, you must not only kill off all the persons who have made them, but all by whom they were extorted.

Before finally leaving Paraguay, it is my duty to make my solemn protest against the arrest of those two members of my Legation, Porter Cornelius Bliss, and George F. Masterman. Their arrest in the street, as they were going with me from the Legation to pass on board the steamer, was as gross a violation of the laws of nations, as would have been their seizure by force in my house. It was an act not only against my Government, but against all civilised Powers, and places Paraguay outside the pale of the family of nations, and for this act you will be regarded as a common enemy, one denying allegiance to the laws of nations.

You will also be regarded as a common enemy for having seized and made prisoners, and loaded with fetters, nearly all the foreigners in Paraguay, and afterwards entered their houses and taken away their money on the miserable pretext, that finding less in your treasury than you expected, those who had any money in the country must therefore have robbed it from the Government.

Your threat to Captain Kirkland, on his first arrival, that you would keep me a prisoner in the country, will be duly represented to my Government, and I only wish to confirm his reply to you, that had you done so my Government would have hunted you not only through all S. America, but throughout all Europe.

Your obedient servant,

[Signed],

CHARLES A. WASHBURN.

INSTALLATION OF THE NEW PRESIDENT.

SR. SARMIENTO'S SPEECH.

BUENOS AYRES, MONDAY, OCTOBER 12, 1868.

Senators, Deputies, and fellow-citizens—

After the solemn oath which I have just taken, it is needless for me again to promise that I will fulfil the laws and the Constitution, by worthily exercising the authority conferred on me by my fellow-citizens. This is my duty, my fixed resolve, my highest aspiration. If rectitude of intention and a wish to do good, are claims upon the aid of Divine Providence, I dare to hope that the blessings of Heaven will at last visit this part of the earth, so long abandoned to the errors and misfortunes that retard the progress of nations and their governments.

The attention of the country is at present naturally fixed, after so long and bloody a war, on the exorbitant sacrifices imposed on each and all of us for the common safety. I therefore hasten to assure you that the guiding spirit of my administration, and especially in the election of public employees, will be to insure, by every means, economy and integrity in the disposal of the national moneys. I shall also try to maintain our rising credit, the source of all wealth, by religiously fulfilling our obligations, and thus strengthening the confidence that the Nation is acquiring both at home and abroad.

The Constitution makes the President sole head of the administration, and I can therefore solemnly engage, since it depends on my own acts, that the administrative morality will be complete during my term of office.

I must also speak of the war wherein we are engaged, and the alliance in connection with the same. Nations have duties to perform in respect for their past history and their future prospects. A war abandoned in disgust of weariness, in 1827, did not give the much-desired peace for six months; and after breaking the links of union, there ensued a terrible tyranny and series of wars that have not yet ended with the fall of Humaytá. The present war seems drawing to a close, but we must not be too sanguine, for all judgment is at fault when events depend on the caprice and unbridled passions of a semi-barbarous tyrant. We must never for a moment lose confidence, but strenuously prosecute the war till obtaining security for the future.

To offer peace to an enemy that does not sue for it after so many disasters, would be to change our position from conqueror to conquered. Such errors are always dearly expiated.

I trust that under my government the Argentine Republic will shew itself worthy of its glorious antecedents, and maintain its high position among the nations of the world. I think that the alliance with Brazil and Uruguay nowise compromises the principles of our government, and I consider it not only lawful and necessary but highly honorable. This alliance will be maintained and faithfully observed while the security and honor of the Republic so require.

The social and political bonds that hold a nation together should never be closer than when its honor and safety are threatened from abroad: and you know well how far the Republic has been from offering such an example of duty, patriotism, and good sense, on the part of its sons.

Whilst some were filled with love of country, participating in its glory or disgrace, its greatness or humiliation, and rushed forward to the frontier for its defence; there were others who availed themselves of the occasion to take to the highways or join the Indians, thus increasing the confusion of the time and calling off the national forces which should have been entirely occupied in the noble and heroic enterprise of saving the honor of our flag.

I am still ignorant of the names of the leaders who appeared in this obscure epoch, since they had attained no notoriety either in the social or the political sphere. I am not, however, ignorant of the duties of every Government; and foremost is that of giving security to life and property, keeping the high-roads clear, and encouraging commerce and industry.

The Constitution, in all free countries, admits not of discussion by force of arms. To take up arms against the Republic, no matter what the pretext, is an act of treason, and our Constitution, after the model of the United States, provides the government with efficacious means, to prevent such a calamity as that the people should curse the day on which their Constitution was framed.

Meantime, I think I may promise you that the tranquillity which has been disturbed in some places will speedily be re-established, and that the ill-advised persons who took up arms will quietly lay them aside, confiding in the national justice for a remedy for their complaints, whenever such shall appear well-founded.

The evils that afflict the Argentine Republic are not of to-day's growth. neither are they peculiar to our country. The spectacle of provinces convulsed by insurrection, has been a constant repetition for the last 50 years, with the same characteristics and features, and differing only in names and pretexts. These social phenomena are, moreover, reproduced throughout the rest of Spanish America, with only slight variations incidental to climate and other circumstances. Few States have become organized after sixty years of strife and contention, or can quietly set themselves down to work with security, for the future.

Thus, the evil is deeper than seems at first sight, and we see chronic causes producing everywhere the same results. To study the fatal causes of such prolonged inquietude would be the noblest task of our thinking men, and to cure them in their origin should be the great aim of our law-makers in Congress, and the special study of Government.

The insurrectionary movements that call in question, every moment, the solidity of our self-chosen institutions, and impede our progress, have their focus in the barbarism of the country districts, and the ignorance and destitution of the poorer classes. The defence of the frontier presents the same features. All the efforts of successive Governments, after half-a-century, have failed to protect the settlers from the Indians; and, more than once we have seen the savage tribes invade our tribes as auxiliaries of this or that faction.

Public patience can no longer tolerate such evils, and the time has now arrived to see if our Government is really what it ought to be under our republican institutions, namely:—the means of distributing the greatest possible amount of felicity to the greatest possible number of individuals. A nation loves not its institutions, unless when these conditions are fulfilled.

The work before us is even of a more pressing nature. We have inherited ignorant and destitute popular masses; and the uniformity and cohesion which are the essential conditions of all societies, have been violated. The public powers are, nevertheless, called upon to foster liberal institutions on a soil thus badly prepared, and to combat the difficulties that obstruct the way.

Our situation is, however, neither desperate nor irremediable. If population is wanting to fill our extensive territory, other nations only ask from us security and protective laws and will give us millions of men who constitute their superabundant population: if distances are enormous, steam shortens them. But, all these resources must be distributed and utilised by wise and even-handed laws, avoiding that, whilst the elements of civilisation accumulate on the coast, the remainder of the country shall not be abandoned to barbarism, and that an apparent benefit shall not give rise to further calamities and disorders.

The public lands, under an equitable system of distribution, will fix the population that is to-day houseless, give a home to the thousands of immigrants that come in search of it, and put a stop to the depredations of the hordes of the desert, by effacing that very desert which is their theatre and their element. Some organic laws on education will suffice to render the prosperity which we are bound to secure for future generations a reality. Nations, like individuals, have almost always to blame the recklessness of their fathers for the evils that afflict them.

To spread civilisation over that part of the Republic that is as yet deprived of its benefits, to provide efficiently for the defence of the frontier, to give security to property and life, are conditions as essential as the very compliance with Constitutional precepts, because they all tend to the same end. A majority enjoying the liberty of being ignorant and poor, does not constitute an enviable privilege for the educated minority of a nation which is proud of calling itself republican and democratic.

I repeat it again: the time has come to ponder seriously upon these grave social questions, since, fortunately, political ones are in a great measure settled.

The national sentiment that leads us without any local preference to interest ourselves in all that affects our common mother country, has assumed in these later years a deeper intensity. The nation acquires every day more consistence; and, thanks to the progressive development of that noble feeling that makes of an assemblage of individuals a social being animated by the generous passions of heroism and justice, we may soon hope that the name of Argentine will be associated in men's minds with those moral, intellectual, and progressive qualities that characterise a free and enlightened people.

The general progress of mankind comes also to our help. Men's blood is not spilt in vain for the supremacy of a principle; and its triumph, once obtained, does not become the exclusive patrimony of the nation that has been its redeemer. The abolition of torture, the disappearance of slavery, the liberty of conscience, the declaration of rights which we have inscribed in our Constitution, are no conquest of ours, but a legacy which we are bound to preserve intact. In this cathegory we can add to-day—"The indissolubility of Federal nations." A million of men, whose corpses have strewn the battle-fields, have put the seal for us and for all Federal Republics on this mighty principle. Henceforward there can be neither nullifiers nor separatists, but only traitors and criminals.

Thus far we may at any rate rest tranquil. Our political agitations will ever be preserved within the limits of the nationality, which has cost our forefathers so much blood, and of the Constitution which we ourselves have cemented by so many sacrifices.

I have thus sketched the policy of my government. I am not cowed by the difficulty of the undertaking, although I am not ignorant how much those who are called upon to assume the arduous task of governing are destined to suffer for their reputation and repose. I am bound to submit to this doom, since our mother country is not yet sufficiently well organised to afford enjoyment to those who are fortune's favorites. But I am overwhelmed by the confidence and the hopes reposed in me. Our history reveals to us that we possess the conscience of good much more than the patience and capacity to attain it. Many of those who tried it died in the attempt or in exile: it is only future generations that can re-vindicate the memory of those faithful servants who failed to be popular because they preferred being deemed worthy of esteem.

A majority has raised me to power, without my having sought it: and I have, therefore, the right, on taking possession of the hard seat to which I am called, to ask that that majority may continue united, and not throw upon me alone the responsibility of its own government. I am bound likewise to ask that it may attract to its ranks all those who deserve to figure therein for their patriotic aims and their liberal ideas.

With regard to those who have opposed my election, I can only say to them in the words that Jefferson addressed to his opponents—"That they have their own rights and position as citizens of this country, and that I have not received from the Constitution any power to change them;" and will conclude by reminding them, with Lincoln, "That the electoral urn is the legitimate successor of bullets, and when the suffrage has declared itself, freely and constitutionally, the only appeal from its verdict is by consulting again the polling-booths of a subsequent election."

Protected by Providence, in whose help I confide, aided by the active co-operation of my fellow-citizens, guided by your prudent laws, Honorable Senators and Deputies, enlightened by the wisdom of my councillors, looking to the Constitution as a guide and to the force it places in my hands as an auxiliary, I shall attain the realization of some of the hopes that I have sketched, and shall deliver up to my successor the Republic undivided, the revenue prosperous, a greater number of happy and educated men, the laws respected, and, perchance, although I scarcely hope it, the Government the object of everybody's blessing.

THE CHIVILCOY FETES

OVATION TO THE NEW PRESIDENT

BUENOS AYRES, MONDAY, OCTOBER 12, 1868.

THE CHIVILCOY FESTIVAL.

FIRST DAY.

The ovation by which the inhabitants of Chivilcoy have welcomed the return to his native shores of Sr. Sarmiento, to whose far-sighted sagacity they owe their present prosperity, was not only unique for the excellence of its arrangements, as well as the munificent liberality and hospitality of its enlightened Municipality, but had a far deeper of significance, as all those who took a share in it will be ready to testify. Rather than a display of vulgar and fleeting adulation, it was the victorious pean struck up for the triumph of a creed of which Sarmiento is the living and inspired prophet; it presented to the mind's eye the sublime spectacle of the noble revindication of truth over the darkness of ignorance, and, as such, destined to be the starting-point of a social revolution whose ultimate thule is lost in the dazzling and giddy perspective of an era of peace, plenty, and prosperity.

And when to this is added that during the three days the fêtes lasted not a single incident came to mar the genial gaiety of the heterogeneous elements thus promiscuously thrown together, and that even hatred and malice were in one remarkable instance obliged to hide their diminished heads and make room for respect and admiration, the Chivilcoyanos may well be proud of the great success they achieved on the occasion, and both they and all who had the good fortune of being present will ever attach to those fêtes the most pleasing, as well as instructive, reminiscences.

The express train placed at the disposal of Sr. Sarmiento by the Government of the Province started from the Parque Station on Thursday, 1st inst., at 9.15 a.m., under the able management of D. Juan Allen. It consisted of the government State carriage and an addtional first class car. The State carriage is a roomy and commodious saloon with a small separate cabin attached, and was occupied by Sr. Sarmiento, Sta. Juana Manso, Stas. Carrié and Castro, Dr. Gorostiaga, Dr. J. J. Alsina, H. Varela, L. Varela, S. Estrada, E. Estrada, A. Carrié, Col. L. Mansilla, A. Halbach, Rev. Cobo, Capt. Recabarren, Dr. Madero, and G. P. Craufurd.

At Caballito the first halt was made. The Seminario Anglo-Argentino of Sr. Negrotto was gaily decked out with countless flags waving in the breeze, and a large inscription ornamented its front. 'Al Presidente Maestro de Escuelas Salud,' Mr. Negrotto, had the whole of his pupils and staff of teachers formed on the platform of the station, and as the train came to a standstill a loud and well-sustained cheer rang through the air. On Sr. Sarmiento alighting from the carriage, three boys, H. Tomkinson, E. Pillado, and M. Basualdo, the first carrying the English, and the other two the Argentine, colors, stepped forward, and presented him with a magnificent bouquet and a beautifully-wrought wreath. Pillado, who was the spokesman, said—"Sir, The Anglo-Argentine Seminary gives you a respectful and loyal greeting, and is desirous of saying that ci ardently shares your anxiety to tonvert this turbulent country into a great and pacific school." Sr. Sarmiento made a tasteful reply, and, at his invitation, Mr. Negrotto having joined the plasure-party, the train was again in motion, amid the renewed cheers of the schoolboys.

All the stations, before reaching Lujan, were passed without stopping. At Moreno a school of boys was formed in the Station; and at the town of General Rodriguez, which consists of three houses, one of which is a pulperia, and the other the school; the boys from the latter were formed in front of the school door, all on horseback, at a distance of three hundred yards from the train, and as this shot by they waved their hats, and gave a cheer that was responded to by the people in the train. At Lujan, too, a considerable number of boys were mustered on the platform to greet the President-elect on his passage.

After leaving Lujan the interior of the state carriage presented a change that might well have been attributed to the touch of a wizard's wand. A table in the middle of the saloon, which had remained almost unperceived, from being covered up with coats, hats, and carpet bags, had been cleared, and a sumptuous breakfast was spread upon it. A stuffed pig's head occupied the centre, bearing on a slip of paper the following inscription:—"Emilio Castro reminds his friend Domingo F. Sarmiento of the Santa Fé Convention." This was an allusion to a laughable episode when Sr. Castro and Sr. Sarmiento were fellow passengers on board the steamer, and the latter by having brought as his contingent of provisions a 'chanchito relleno,' had given rise to much mirthful banter and good humoured joking.

The weather, which had been threatening, now showed symptoms of breaking, and shortly afterwards it began to rain; but the mirth and cloudless harmony that reigned among the occupants of the train offered an agreeable contrast. The rain continued till some leagues after passing Mercedes, whence, as far as Chivilcoy, not a drop had fallen. A stoppage of twenty minutes was made at Mercedes, During which time Mr. Sarmiento visited the terminus of the Rosario telegraph wires, which are already laid down nearly 200 kilometres from Mercedes, and will soon reach San Nicolas.

After leaving Gorostiaga Station, where a short halt was made, the train proceeded at full speed, and soon the luxuriant plantations and the verdant fields of Chivilcoy began to be descried in all the leafy luxuriance of their Spring clothing. Shortly before the train reached it's goal, a gaucho boy, who was tending a flock of sheep afar off, rode up to meet the train at a taring gallop, and was in time, as it passed, to wave his hat and give a hearty cheer for Sarmiento, after which he wheeled round his horse and went back at the same speed to resume his occupation.

The Juez de Paz and Municipality of Chivilcoy, with the Band of the Paseo del Parque, and an enormous concourse of people, were awaiting the arrival of the express train at the Station. Although a great number of carriages were in attendance, it was agreed to walk up to the Plaza, and Sarmiento and company, preceded by the band, and accompanied by all the notabilities of the place and a large concourse of people, walked to the Municipality House in the Plaza; here the schools, mustering a large number of both girls and boys, were formed in the patio to receive Sr. Sarmiento. A boy made a short allocution, to which Sarmiento replied, thanking the Chivilcoyans for their kind demonstration, and expressing his happiness at being among them.

Thanks to the hospitable arrangements already made by the active Juez de Paz, Sr. Isla, and by Sr. Fajardo, the guests were soon billeted, most of them finding room in the latter's house. At half-past five about thirty people sat down to a dinner at this gentleman's table, that would have done honour to the Café Foix, or the Trois Frere's Provençaux. From thence the company adjourned to the Theatre, which was crowded to excess; most of the boxes being occupied by the beauty and fashion of Chivilcoy, which, in some cases, might well have defied comparison with that of much larger towns. A literary conference, in aid of the funds of the Chivilcoy library, was the object that attracted the assemblage. It was opened by Sra. Manso reading an interesting paper, followed by an impromptu speech by young Dr. Bethy; another paper by our talented friend, Santiago Estrada, an eloquent speech by Hector Varela, and a few words by Sr. Sarmiento. In the intervals some young ladies played with much taste and ability on the piano, and at eleven o'clock the performance was brought to an end.

SECOND DAY.

The day opened under threatening aspect, but a strong breeze soon drove the clouds away, and allowed the program of the day's proceedings to be gone through with great regularity. At 10 o'clock Mr Sarmiento and the guests from town were entertained at breakfast in the Hotel del Globo by the Municipality.

The table was laid for 40 covers, and to the good humour and mirth that reigned supreme, the extemporaneous poetical effusions of some of the guests gave additional zest. A most agreeable episode closed this first scene. A youthful representative of the future Chivilcoy, a child three year's old, nephew of Dr. Gorostiaga, on being presented to Sarmiento, recited a long string of verses in Spanish, and another in French, with a grace and self-possession perfectly phenomenal. He was rewarded with an enthusiastic ovation, particularly from the charming lips of the ladies present.

After breakfast a visit was paid to the schools, and at about one o'clock while some went in coaches to perambulate the broad streets of the town, and make a foray for flowers in its quintas and gardens, Sr. Sarmiento, with the more serious portion of the company, repaired to the room destined for the Library, where a conference was extemporised, and he with telling eloquence, descanted at great length on the management of public libraries in the United States, pointing out the road to be followed in order to endow Chivilcoy with a library that should respond to the enlightened views of its founders.

Four o'clock was the hour fixed for the great banquet, and soon after that hour the company repaired to the Municipal House, in the patio of which tables were laid for 250 covers under an enormous awning, tastefully decorated with flags and flowers.

A photographer from Buenos Ayres took a view of the scene before the dinner began, which was understood to have been very successful.

Sr. Sarmiento occupied the head of the table, and during a lull that preceded the active plying of knives and forks, he rose and said that President Mitre had particularly charged him to express to the people of Chivilcoy how deeply he greeted that his official engagements had prevented his accepting the invitation to be present.

Towards the conclusion of the dinner,

Dr. J. J. Alsina proposed with a few well-turned phrases the health of Sr. Sarmiento, who shortly afterwards rose and said:—

Gentlemen,

I owe the pleasure of visiting a spot, so full of pleasing associations for me, to the Municipality of Chivilcoy, having expressed its earnest desire that I should come among yon as a simple citizen. Chivilcoy has been an utopia which I have followed for many years, and now I see it a practical reality. I once gave a description of the Pampa, without having seen it, in a book that has lived merely for this graphic description. Owing to the vicissitudes of war, I afterwards, from the deck of a steamer in San Lorenzo of Santa Fé, descried the Pampa in all its beauty, and when treading upon it I felt it was the same Pampa I had imagined; and I even thought that the fragrance of the grass had formerly affected my senses while I was describing it. The same thing happens to me now, on seeing again Chivilcoy, this robust child which I left ten years ago in its green cradle; such as I see it now, it seems to me that I saw it when my friend Gorostiaga told me the names of the few and casual plantations which I saw in the horizon from the Laguna del Tigre. As was said by a traveller visiting the present ruins of Palmyra, I could even then say of the future Chivilcoy, "A wealthy city will ere long flourish here; this spot, so silent now, will be animated by the bustle of an active population, and a busy multitude will move in these now solitary roads." Because this is the difference between a philosopher that contemplates past civilizations in ancient worlds, and the imagination of the American statesman, who improvises in this virgin soil new worlds, manly societies opulent cities, and green fields. Who among you has not, in his hours of hopeful dreams, endowed his country with the prodigies of art, agriculture, and civilization? Who has not felt, at some moment, fired with a poetic enthusiasm, or scanned into the future with prescient foresight until the prosaic reality of our agitated life has come to efface, with a rude hand, the beautiful picture he had created?

But Chivilcoy is here before my eyes—I felt its presence from the windows of the railway car—I saw it leagues off, stretching its green curtain of vegetation in the horizon, as far as the sight could reach—I now see it close, and I can count, one by one, its giant's steps, contemplate how much the trees have grown, wonder at the increase of industry, look at the new faces of thousands of its new inhabitants, and avail myself of the means of rapid communication that connect it with the capital, and the hundreds of carriages that roll in its broad streets. But I find something else that did not enter into my program, and it is the republican spirit, the feeling of self government, the municipal action of its inhabitants; I have been assured that this Municipality is anxious to pay for its own schools, and that the inhabitants of the city, what is called the Legislature, insists upon their accepting, *nolens volens*, some miserable salaries paid to the teachers. Of these curious transactions I know several in our country; once I took the trouble of making a present to the schools of Paraná, of three thousand hard dollars' worth of North American school forms, and of books, and the Minister of Public Instruction refused to receive them, [I was then Senator, or I know not what, for Buenos Ayres,] and thought that it would be an attack on the Argentine Confederation if the children of his Capital were well seated; [Laughter] I offered them to the Minister of Government of the Uruguay Republic, and he replied that he knew not what to do with them. [Laughter] I advise the Municipality of Chivilcoy to hold a secret session for the purpose of laying contributions for their schools, which they ought to collect by means of mysterious and nocturnal agents, and thus be able to give education to all [hear hear.]

Here I am, then, in Chivilcoy, the Pampa, as it might be in the course of ten years. Here is the "Gaucho-Argentino" of yesterday, with a house wherein to live, and a piece of ground that will give sustenance to his family. Here is the foreigner already domiciled, with a better title to property, than the indigenous inhabitant, who, when poor, is nomad by profession when rich, goes to live in the city of Buenos Ayres. Chivilcoy is here like a book with fine engravings that speaks to the eye, to the mind, and even to the heart; and yet it is not always that all read with profit its brilliant pages. It is always the same everywhere. Nations are short-sighted and slow of hearing. To-day in every village of the civilised world the busy pulsation of the sewing-machine strikes pleasantly on the ear. The ladies of Chivilcoy have had no time to learn sewing by the old process, so new is this society. Well, years and years passed in the United States, during which the inventor showed its marvels, working with it in public places, in the presence of tailors and matrons, yet nobody cared to buy it, although all praised the rapidity and perfection of its work. The poor artisan who discovered it had nigh perished of hunger, because such is mankind—it has eyes not to see at first sight. Chivilcoy is, in my conception, the Pampa inhabited and cultivated, as it will be the day in which people will discover that this North-American specimen was formed in anticipation that it would resolve deep questions of immigration, agricultural and pastoral pursuits, and civilisation. In the environs of B. Ayres there is an agricultural zone that reminds one of the environs of Paris and New York. The naked Pampa appears subsequently. When the train reaches Mercedes, nature seems twice as much animated by the labor of man, and Chivilcoy might be taken for the beginning of the forests of Tucuman. Why is it not the same in all directions, or, at least on all the railway lines? Formerly, it was reasonably objected that the want of roads and the excessive cost of freights rendered agricultural pursuits, at a distance from the coast, unproductive. Cattle is a produce with legs. Railways nowadays render legs superfluous. Chivilcoy has proved that a greater portion of cattle is produced in the same extension of ground where there is more agriculture and more inhabitants. We console ourselves by saying that all nations have begun by following pastoral pursuits. It is true. This was when mankind began to emerge from the woods, and man left off sleeping on the tops of trees, and constructed a tent of hide on the spot where the animals he had domesticated grazed. But this period of the existence of peoples ended four thousand years ago; and if the Arabs still continue this erratic life, it is because they are a very ancient people and still semi-barbarous. The causes that perpetuate among us the breeding of cattle without the help of agriculture or without a proportionate occupation of the soil by man are far different. In California and Texas the Americans found estancias of leagues as in B. Ayres with cattle at six dollars per head, as in Buenos Ayres, with horses by the thousand, and with 'rancheros' who lived upon those estancias as in B. Ayres. Ten years afterwards—the system having changed—California exported cereals to Chili; and, barely six months ago, fifty-six vessels in San Francisco were loading wheat for England. Why should not we, who are half way, also send there our wheat? (Hear, hear). It is said because there is scarcity of hands. But the 'montonera,' that has convulsed the country for the last fifty years, is a proof that there is an abundance of hands without employment (hear, hear). I believe that what abounds is land, not for the 'montonera,' but for the cattle, which in a smaller space and with greater industry, would produce more, and give rise to more permanent wealth. Wool, however fine, when nobody wishes to buy it, is like my school forms and books when nobody cared for such trifles. There is to-day in Buenos Ayres a plague. Who would believe it?—the abundance of meat: a leg of mutton is worth five cents in the market of an afternoon; and in the estancias thousands of sheep are killed solely for the sake of their grease! All christian children are taught not to throw away bread, because their mothers tell them that bread is the gift of God! Meat is the substance of God, because man lives upon it; and yet we see in our country, a thing without a parallel over the face of the earth, meat used as fuel, whilst thousands in the world are dying of hunger!—(hear, hear)—and whilst thousands here know not where to rest their heads (cheers).

In Chivilcoy, at least, we have found accommodation for some twenty thousand immigrants, and what formerly were vagabond Gauchos, without prejudice to the cattle and sheep, for whom it would appear our laws and constitutions have been framed. Artigas, the scourge of country districts, was the fruit of cattle-breeding without agriculture. Rosas's Government was the consequence of cattle breeding. The Llanos of Rioja have been giving, for the last thirty years, and are still offering, to the neighboring peoples the result of the life and manners engendered by the dispersion of its inhabitants. There is no fear that any caudillo will rise out of Chivilcoy: and if the 'montonera' is effaced from among the institutions of Buenos Ayres—if that city is not again besieged as Bagdad, Aleppo, and Smyrna by Bedouins, it is thanks to Chivilcoy, Mercedes, Chascomus, Dolores, Lujan, and other centres of rural populations, which serve to-day as its vanguard, and whose fences and ditches are a check to the free vagaries of horsemen (cheers).

Observe the influence of words on the internal organization of a people. To-day it is ascertained that Jupiter the God of Gods was the simple adoration of a word 'god father.' The Romans detested kings and blindly obeyed emperors or generals, who were more absolute and more tyrannical than the kings of Persia The Province of Buenos Ayres is called to-day 'Campaña,' in relation to the only city that existed during the colonial regime. In those days some hundred estancieros lived in the city, and their estancias situated not very far, formed the 'Campaña.' It was the ancient Roman organization. The Roman citizens gave their votes in Rome, where they resided, the rest of Italy was 'Campaña.' Rome perished through its estancias; "Latifundia Romam perdidere," exclaimed Tacitus. In our estancias, now twenty years ago, there were neither houses nor furniture, nor pans and pots in the kitchen. I have seen the time when the use of biscuit, and later that of bread, was first introduced as food for the peon, but now-a-days the country districts are inhabited by people who do not live in Buenos Ayres, and yet eat bread. The Consistorial house at Lujan is only inferior to the Cabildo of Buenos Ayres, the school of Mercedes figures among the most beautiful buildings of the Province, the churches of Chascomus and San Nicolas would be an ornament, even in Mendoza or San Luis: and in numberless partidos schools, magnificent churches, consistorial houses, libraries, clubs, cemeteries, and sumptuous dwellings have been raised; why, then, is the name of 'Campaña' still given to a country where towns may be counted by the dozen—where there are citizens like those of Chivilcoy or San Nicolas, who might people any county in Illinois or Minesota as well as any other American population? The consequence of continuing to use an ancient denomination, that has no longer any meaning, is to be traced in laws and organic vices [hear hear].

I make these remarks on no other ground, and in no other character than as a simple looker on. The functions which I shall be shortly called upon to exercise debar me from taking part in local interests; they may, however, be beneficially affected by reforming the antiuated mechanisms of colonial organization. Chivilcoy shows the power of ideas [hear hear]. In all South American towns the streets are twelve yards wide, because it was thus laid down some two centuries ago by a law of India. Chivilcoy made them thirty yards wide, because the necessities of modern life thus required it. In all Southern America land was given by favour, without measurement, without landmarks, without fences, the only symbol and seal of property. Chivilcoy had a special law that distributed land in regular proportions and forms, so that in the typographical map of the place, a North American would find a counterpart of his own country; and if the beneficial results of this law have secured the happiness of twenty thousand human beings in only ten years, it is not difficult to reckon how many millions of men, from vagabonds and proletaires, as they are, to day, would, in the same period of time, become proprietors, if the operations of this law were, by a wise legislation, extended to all the public lands of which the nation can dispose [hear hear]. The Argentine Republic contains nine hundred thousand square miles, and a million and a half of inhabitants. Has every inhabitant half a mile of land? Only in Chivilcoy the inhabitants bear a proportion to the soil they occupy. Why is not Chivilcoy the whole of the Republic? Yes, Chivilcoy is an open book, whose pages may be consulted by our legislators with advantage [cheers.].

The same law as in Chivilcoy has prevailed eighty years at the other extremity of America, and produced the first nation of modern or ancient times. The old practice has been in operation for three centuries in Southern America, and fostered in our country districts barbarism and civil wars, that impoverish and destroy cities [cheers]. The law, as well as the progress of Chivilcoy are known and dear to the U. S., because they consider themselves as children of the same father. By the steamer of the 28th I received a letter that says the following:—"I hope you will soon go to Chivilcoy, and write to me all you see. Tell Mr. Halbach also to write to me about the thousand things that you will not relate. Tell me all about the 'fêtes' that will take place. 'Fêtes' are generally merely superficial manifestations; but in this instance they have a meaning. I calculate that you are not on a bed of roses, but you should be contented if you can begin your administration under the auspices of peace." The writer of the above is a lady friend, Mrs. Mann, whose intelligent soul is in Chivilcoy, although her body is at three thousand leagues distance, and who foresees that at this moment I am in the midst of you, being welcomed by thousands of friends, and, before settling myself on the hard seat where I shall have to taste all the bitterness reserved for those who govern, receiving the only reward a public man can look forward to, the esteem of a few, and the hope that some day it may become more general. Happy is he whose memory is blessed even beyond the grave [cheers].

Yes, gentlemen, I am at this moment happy. The congratulations of the inhabitants of Chivilcoy, which you may think humble, are for me a source of great pride. It is not a party of political co-religionists glorifying in their triumph. Amid the plaudits that are showered on me, neither does envy hide its shafts nor ambition seek for a reward. What here surrounds me is the people, the simple and humble people, happy with the fruit of its labor, proud of showing me its progress. If Elizondo, Caceres, and the rest of such 'faineants' were to see me to-day surrounded by you, applauded and fêted by you, the fratricidal weapons would drop from their hands, and they would come to ask me the secret of thus enlisting the esteem of a people. All the Press of the world has re-echoed the astounding fact of a man without a party, absent from his own country seven years, elected President by a majority of votes of the majority of fourteen provinces. And I may be allowed to say, with pardonable pride, that all the civilised world has watched with interest the vicissitudes of the electoral struggle, and honored with its sympathies the people and its candidate. You are proving that it was not mistaken (cheers). How lamentable will it be if the blindness of some, the obstinacy of others, the evil passions of many should hereafter prove that all this was but a fleeting illusion, and convince the world that this Republic which has raised such hopeful expectations is, after all, no better than what is known as South America (loud cheers).

You see then that these fêtes have a meaning. Let others write for me to the United States, and describe how far they have been a genuine and cordial manifestation. I shall turn them to another purpose, and since I am shortly to enter upon the discharge of duties as arduous as they are high, I will satisfy a demand of public curiosity by giving here my political program. [Hear, hear.] I say then to all the peoples of the Republic that Chivilcoy is the program of President Don Domingo Sarmiento, Doctor in Laws of the University of Michigan, as I have been called. (Loud cheers.) Tell the Gauchos, tell the Montoneros, tell Elizondo, and all who act the unhappy role of bandits, mistaking violence for patriotism, to give me time to persuade my friends that they have not deceived themselves by electing me President—(renewed cheers)—and I promise to make a hundred Chivilcoys in the six years of my Government, with land for each father of a family, and schools for his children. (Tremendous cheering.)

The nation misled, deceived, impoverished, sought a cure for the evils that oppressed it by listening to the voice of ignorant and sanguinary caudillos. The honest man, the citizen of a free country, looks to the laws as the only safe remedy for his grievances, and to the Chief Magistrate as his protector and friend.—(Cheers.)

From this day forward the Congress shall be the trustee of the people's interests—the President, the caudillo of the gauchos, transformed into peaceful neighbours. Chivilcoy is a specimen of the future Argentine gaucho. These children you have shown me, recalling the sublime group of "sinite venire ad me parvulos," is the montonera of yesterday, our mother country of to-morrow. The whole Republic like Chivilcoy—that is my program. (Loud and prolonged cheers.)

All this I will do within the limits and in the sphere of the National Power, with the concurrence of Congress, guided by jurisconsults and political economists, which fortunately the country possesses, invested with due authority.

If the result crowns my efforts, Chivilcoy will have an immense share in it, because it has been the pioneer that with the best disposition tried the new Land Law; it has been demonstrating for 10 ten years that the pampa is not as is pretended, doomed to furnish exclusively grass for animals, but that in a few years this place, as well as the whole of the Argentine territory, will be inhabited by a people free, industrious, and happy. (Loud cheers.)

I have to thank the inhabitants of Chivilcoy for having listened to my words, for not having thought it superfluous to give me this public testimonial of their regard, and for inviting me to visit them.

The letter which the Municipality addressed to me to the United States convinces me that these fêtes would have been, if possible, more cordial, more to everybody's liking, if only the friend of Chivilcoy, and not the President-elect of the Republic, had been the object of them.

Sr. Sarmiento resumed his seat amidst loud and enthusiastic cheers.

Several toasts were then drunk, preceded by excellent speeches by Sr. Manso, Colonel L. Mansilla, Hector Varela, D. Rocha, E. Rodriguez, S. Estrada, E. Olivera, Krause, and many others.

Hector Varela, however, distinguished himself above all others for the fiery eloquence of his words, and the triumphant success of his great oratorical powers, which electrified his audience to such a point as to be the motive of his receiving a spontaneous and well-deserved ovation from friends and enemies, and being escorted to his lodging after the dinner was over by a great number of people, preceded by the band.

On reaching his room, the company was profusely treated to some excellent Cliquot, and here an interesting and touching episode took place.

Mr Neto, a writer in the "Nacion Argentina," who, in the heat of the electoral struggle for President, had written some virulent articles against Hector Varela, came forward, and stating that he recognised his errors, begged Varela to shake hands and let bygones be bygones.

This gave rise to a great deal of emotional oratory, in which Sr. Sarmiento and Hector Varela distinguished themselves, and drew forth the enthusiastic applause of the densely-crowded room.

Even our representative, yielding to the influence of the moment, and in response to the call, 'que hable el Redactor del *Standard*,' made a short speech, which was greatly applauded A few emphatic words from Sr. Negrotto closed the proceedings, and the company separated to prepare for the ball.

This was held in the spacious rooms of the Club, which were very tastefully decorated and brilliantly lighted up for the occasion. Everybody gave himself up to the pleasurable emotions of the moment, and dancing was kept up with great spirit to a very late hour.

THIRD DAY.

By the original program this had been set apart for an infantine fête and the distribution of prizes, which was to be the winding-up ceremony of the festival—but the floodgates of heaven were let loose on Chivilcoy and all the surrounding country at an early hour, and the rain, which continued pouring uninterruptedly throughout the day, disturbed all previous arrangements.

Sr. Sarmiento and his friends were again entertained at a sumptuous breakfast by the Municipality in the Hotel del Globo, and shortly before one o'clock a move was made for the station. It had been arranged that the express train should start at one p.m., but the regret at parting that prompted all to stave off to their utmost the last farewell words, made some of the party very nearly miss the train. Sr. Fajardo, with that courtesy that was so conspicuous throughout, in spite of the rain that continued falling in torrents, came as far as the station, and had only just time to jump out of the car as the train was set in motion. He had been the first to welcome his distinguished guest on landing at Chivilcoy, and was the last to shake hands with him.

Thus ended the Chivilcoy Festival, which will be ever memorable in the annals of that model rural centre, and is invested with a further interest to the thinking portion of the Republic by having held out to Sarmiento the occasion of giving an insight into the future policy of his administration—a policy which the antecedents of his public career, his known energy of character, and honesty of purpose, the fertility of a master mind, whose profound conceptions are based upon a vast experience, promises to be one eminently practical, and the harbinger of peace and plenty to the land, of progress and well-being to its inhabitants.

The return journey was chiefly remarkable for the inexhaustible good humour and hilarity that shed its genial influence over all the members of the party. At Mercedes a halt of an hour had to be made, to allow the ordinary train to come in. Our kind friend Mr. Picot, whose hospitality and activity has made him conspicuous among the inhabitants of that important country town, insisted that a visit should be paid to the lions of the place. Carriages had been telegraphed to be in attendance at the Station, and Sr. Sarmiento, accompanied by Mr. Picot and half-a-dozen of his fellow travellers, visited the Town Hall, and the schools. The spacious hall of the Municipality attracted particular admiration. A hasty visit was also paid to Mr. Picot's beautiful quinta outside the town, and tastefully laid out garden, decked in all the gorgeousness of Spring; but there was only time to partake of a slight refection, and hurry back to the Station. At a few minutes before 4 o'clock the train started again. About a mile before reaching Lujan the line was covered by a broad sheet of water, and as the train went over the submerged rails for a distance of half-a-mile, one might have fancied to be navigating in a steamer. Towards evening, however, the sky began to clear, and the rays of the setting sun shed their lingering reflections over the steeples and houses of Buenos Ayres as the train reached the Parque Station, where all separated for their respective homes.

MISCELLANEOUS.

The news from Corrientes could not be of a more warlike character. Genl. Emilio Mitre finding that diplomacy won't do, has adopted the only course left in the emergency. Both Mitre and Lopez seem anxious enough to arrange the matter quietly, but neither one or the other are skilled in diplomacy. Perhaps this is not their fault, but rather that of the National Governments. Don Emilio has mustered all the forces at his command, numbering six battalions of infantry, one of cavalry, and the park of artillery, and marched on the 28th ult. from Goya. By 2 p.m. same day, they were encamped at Palmar. The artillery could not advance on account of the bad state of the roads. Next morning these arrived after great exertions, in which thirty-two bullocks were lost in the road, the whole luggage train having to return to Goya.

The Brazilian gunboat so long anchored in front of Salto, has availed itself of the recent flood tide to ascend the peaceful waters of the Uruguay. We know not the object of the expedition, but they will have to look out about coming down, as, if the waters recede at all quickly, the gallant navigators may find it more difficult to establish the rights of free trade with the shoals and sand banks which beset the course, than even the Paraguayan forts which overhung the banks of the Parana.

H. M. S. Cracker, sister ship to the Beacon and of equal dimensions is shortly expected here to relieve the Oberon which is under orders for Rio de Janeiro.

The Municipality has named health committees for the various parishes, and we are pleased to learn that all the houses in the city will be subjected to the strictest sanitary inspection. It is agreeable to find the municipality at last doing something. The contract for sewerage will be finally concluded before the 15th inst., so that it is probable, soon, the city will be free of the many municipal nuisances of which we have so long complained.

The "Commercio del Paraná" announce the that the Brazilian transport Cuyubá proceeding from Montevideo, had called at Paraná, asking permission from the authorties to land a patient, who it appears was attacked with cholera. The Captain of the Port immediately took the necessary measures to cut off the communication with the shore. He complains that the Commander of the transport had represented the case as one of simple dysentery and professes want of faith in the declarations of the Brazilian vessels.

STEAMBOAT AGENCY OF A. MATTI & PIERA, 36½ CALLE CUYO.

The two splendid Steamers Lujan and El Capitan will commence running next week between Buenos Ayres and Santa Fé, in combination with the Northern Railway, as follows:—

The Lujan will leave Buenos Ayres on Tuesdays, at 10 a.m., arriving at Santa Fé every Thursday at 9 a.m.

Will leave Santa Fé every Friday at 3 p.m., arriving at Buenos Ayres on Sundays by the first morning train.

The El Capitan will leave Buenos Ayres every Saturday, at 10 a.m., arriving at Santa Fé on Mondays at 9 a.m.

Will leave Santa Fé every Tuesday at 3 p.m., arriving at Buenos Ayres on Thursdays by the first morning train.

The Tala will be ready in 15 days, and will run between Buenos Ayres and San Pedro. She will leave on Sundays and Thursdays, and return Wednesdays and Saturdays.

The Dolorcits, for Gualeguay, will run in combination with the Lujan, leaving Tuesday, and returning every Sunday.

STEAMBOAT AGENCY OF G. T. PAEZ 41 CALLE RIVADAVIA.

FOR CORRIENTES, ITAPIRU, AND PORTS.—The Italian steamer Venezia will leave every alternate Wednesday, at 10 a.m., receiving Cargo and Passengers, for which she has excellent accommodation.

FOR GUALEGUAY.—The National steamer Entre Riano will leave on Saturdays, at 10 a.m. From the Railway Station, Retiro.

The following steamers will receive Cargo, Parcels, and Specie Remittances, to which special attention is paid, at the Riachuelo de la Boca:—

FOR ROSARIO AND INTERMEDIATE PORTS.—The British steamer Pollux.—Receives Cargo and Passengers.

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FOR ROSARIO AND INTERMEDIATE PORTS.—The National steamer Lucia.—Receives Cargo and Passengers.

FOR ROSARIO AND INTERMEDIATE PORTS.—The National steamer Elena.—Receives Cargo and Passengers.

For further particulars apply to the Agents, G. T. Paez, 41 Rivadavia. 229,xp,s1

STEAMBOAT AGENCY OF ALVAREZ & RISSO, 99½ CALLE RECONQUISTA.

FOR MONTEVIDEO.—The steamer Villa del Salto, Captain Magnasco, will leave on Mondays at 6 p.m., returning early on Thursday mornings.

FOR MONTEVIDEO.—The steamer Rio de la Plata, Captain Pombo, will leave on Wednesdays at 6 p.m., returning early on Saturday mornings.

FOR SALTO AND PORTS.—The steamer Villa del Salto will leave on Thursdays at 10 a.m., returning early on Monday mornings.

FOR SALTO AND PORTS.—The steamer Rio de la Plata will leave on Saturdays at 10 a.m., returning early on Wednesday mornings.

FOR SALTO AND PORTS.—The steamer Salto will leave twice a month, of which due notice will be given, taking Passengers, Cargo, and Parcels for all intermediate ports.

FOR CORRIENTES AND ITAPIRU.—The Oriental steamer Tigre will leave for the above ports, of which due notice will be given, taking Passengers, Cargo, and Parcels. This is a swift and commodious steamer.

FOR BAHIA BLANCA AND PATAGONES.—The National steamer Patagones will leave once a month, of which due notice will be given, Cargo taking Passengers, and Parcels.

All the above steamers take Cargo, Parcels, and Passengers for the ports along their routes. For full particulars apply to the Agents, Alvarez & Risso, 99½ Reconquista.

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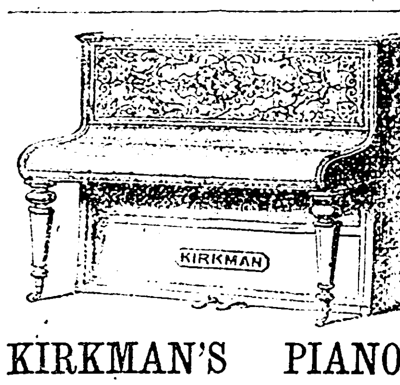

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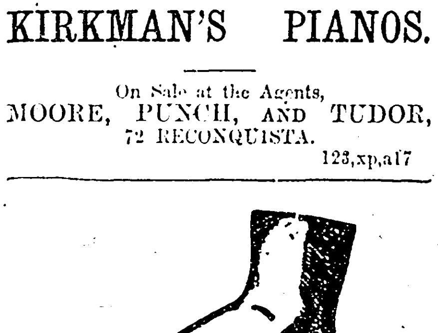

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Superior Haberdashery.
Best English Boots and Shoes.
Atkinson's Soaps, Scents, &c.

MOURNING GOODS.
BLACK FRENCH MERINOES,
MUSLINS,
DE LAINES, and ALPACAS,
BLACK MERINO SHAWLS, and
LONGS;
Crape Collars and Cuffs,
Mourning Handkerchiefs,
Silk Gloves.

61—CALLE CORRIENTES—61
211,xp,m28

PEYREDIEU Y BRADLEY,
Consignatarios de Frutos del Pais,
Wool Brokers,
OFFICE—259 CALLE PERU.
91 xp o10

PHOTOGRAPHIC GALLERY
74—BELGRANO—74,
(Over the "Standard" Office).
Photographs on Porcelain, latest out, from $50.
Natural Size Photographs, $200.
Photographs for Lockets and Breast Pins, $10.
Cartes-de-Visite, $50 per Dozen.
Cartes-de-Visite, Double Background, $100 per Dozen.
Copies taken in Natural Size, however Small or Decayed may be the Original.
Parties from the Camp Promptly Attended to.
Successors to MEEKS & KELSEY.
6,xp,F7

FRESH.—FRESH.—FRESH.—

JUST RECEIVED, prettily got up in China and Glass Pots—Quinine Balsam, Frangipanni Pomade, Philocome Pomade, Castor Oil Pomade, Cowslip Pomade, Favorite Pomade, a lovely little article; Marrow Pomatum, Myrtle Pomatum, Carnation Pomatum, Rosemary Pomatum, 'ad infinitum,' besides Women's Conscia Recti. No more complaining "Oh! my hair is falling off so," for I am now selling a Hair Lotion, prepared according to Medical instruction, and with professional care. It has received the sanction of the Faculty in England and here.
JOHN BULL STORE, 40½ SAN MARTIN.

Gentlemen's Single and Double-Breasted White Waistcoats; West End Linen and West End Linen-Faced Paper Collars; Fancy Stiped Cotton Shirts. Sozes from 12 1/2 inches.
JOHN BULL STORE, 40 1/2 SAN MARTIN.

Honey Soap, Fresh and Fragrant, $20 per Dozen of large cakes. There is no mistake. This is the Cheapest Soap in Buenos Ayres, and the largest, cheapest, and best assortment of Soaps is to be found at the
JOHN BULL STORE, 40 1/2 SAN MARTIN.

Clearing Out. Room Wanted for Gentlemen's Spring Goods, shortly to arrive. 40 Dozens Black and Assorted Colored Worsted Braid Trimmings, 30 per cent. under any Italian, Native, or other Baratillo in Town. Nail Brushes, 60 per cent. under any other house; also, remainder of articles lately advertised.
JOHN BULL STORE, 40 1/2 SAN MARTIN.

Gentlemen's Shirts, without Collars, shortly to arrive for the
JOHN BULL STORE, 40 1/2 SAN MARTIN.
107 1m s12

NOTICE.—The Undersigned, having entered into Partnership under the firm of Corrales, & Wehmann, as Produce Brokers and Commission Agents, and having established their Office at 154 Calle de Lima, beg to offer their services in these Branches to their Friends and the Public in general.

W. J. CORRALES,
HENRY A. WEHMANN.
Buenos Ayres, Sept. 10, 1868. 115 1m s12

EDICTO JUDICIAL—El Sr. Juez de primera Instancia en lo civil Dr. D. Emilio Agrelo ha ordenado; se citen llamen y emplazen a todos los que se consideren con derecho a los bienes quedados por muerte de los conyuges D. Juan M. Goé y Da. Cerita Maguere, para que dentro del término de 30 dias de la fecha comparescan ante su Juzgado por intermedio de la oficina del autorizante a deducir sus acciones en forma—Buenos Aires, Mayo 27 de 1866.
146,1m,s16

ENGLISH TAILOR AND CLOTHIER, 39—CALLE DEFENSA—39.

Just Received, suitable for the Coming Season, a Large and Good Assortment of YOUTH'S, BOYS', and MEN'S SUITS; WHITE, COLOURED, and CRIMEAN SHIRTS; SOCKS, STOCKINGS, NECK TIES, HATS, and every description of UNDERCLOTHING, for all Sizes.

GEORGE ELLIS,
39—CALLE DEFENSA—39.
1m s30

SAVINGS BANK.
BANK MAUA AND CO.
101--Cangallo--103.
BUENOS AYRES.

The immense advantages of Accounts Current are now so generally felt and appreciated in the two great emporiums of the River Plate, Montevideo and Buenos Ayres, that there are very few Merchants who fail to keep one at the bank in which they place the most confidence.

The Bank of Mauá & Co., in Montevideo has already provided for the working classes in that city a safe and profitable depositary for their savings.

The sums deposited in that very important institution are daily increasing, and already reach a very large amount.

These advantages have not hitherto been enjoyed in this city by an immense number of clerks, artisans, working men, and servants of all classes and conditions, who are equally interested in putting their savings out at interest, thus providing themselves with a reserve fund in case of need, sickness, or old age, instead of spending them in the immoral gambling, in lotteries, and other frivolities.

The Bank of Mauá & Co. of this city, following the noble example of their firm in Montevideo, now offer the same facilities in this city, and has opened a Savings Bank at No. 103 Calle Cangallo from Nine a.m. till Three p.m. every day, for the reception of the savings of the classes already mentioned, Sundays and holidays excepted.

The Bank will deliver to each depositor a pass book, in which will be entered the amount deposited and withdrawn.

The depositor is permitted at any time to withdraw the whole or part of the sum deposited; in the former case the interest will be calculated up to date.

The Bank of Mauá & Co. is sufficiently known to the Public by the benefit derived from the course of its operations, which are regulated on the strictest and soundest principles, and always directed to promote the general welfare.

The Bank of Mauá & Co. are also persuaded that this new branch of their business will render immense service to the working classes of Buenos Ayres and its neighborhood.

Buenos Ayres, 2nd January, 1867.

P.P. MAUA & Co.,
M. A. DE FREITAS AMORIM.

CONDITIONS.

First—The Bank receives at interest any sum from Twenty-five Dollars currency or one Silver Dollar upwards.

Second—The interest allowed is six per cent. (6 p.$) per annum, which is liquidated every six months.

Third—The depositors can at any time retire the whole or part of the money deposited.

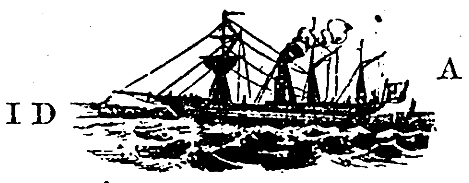
Fourth—Once the money deposited exceeds twenty-five thousand dollars currency, or one thousand dollars silver, the depositor, if he wishes can open an account current, according to the rules established by the Bank.

Fifth—In case the depositor loses his pass book it can be replaced by another on paying twelve dollars currency, and advertising the loss in the public newspapers.

P. P. Mauá & Co.
M. A. DE FREITAS AMORIM.

FOR MONTEVIDEO.

THE SPLENDID AMERICAN STEAMER



JAMES T. BRADY,
CAPT. HENRY TATTERSON,
WITH FREIGHT AND PASSENGERS,

LEAVES BUENOS AYRES,	LEAVES MONTEVIDEO,
ON MONDAY, ... AT FIVE P.M.	ON TUESDAY, ... AT FIVE P.M.
ON WEDNESDAY, ... " " "	ON THURSDAY, ... " " "
ON FRIDAY, ... " " "	ON SATURDAY, ... " " "

FARES:

CABIN, ... $8 Patacons. | STEERAGE, ... Four Patacons

This fine Steamer offers most superior and comfortable accommodation for Passengers between this and the above Port.

For further particulars, apply at the Agency, No. 67, CALLE 25 DE MAYO.

80,xp,j17 HENRY DOWSE.

LONDON, BELGIUM, BRAZIL, AND RIVER PLATE ROYAL MAIL STEAMSHIP COMPANY,
[LIMITED.]

NAMES OF STEAMERS:—

CITY OF LIMERICK,	CITY OF RIO JANEIRO,
CITY OF BUENOS AYRES,	CITY OF BRUSSELS.

AGENTS:—

LONDON......—Managing Owners, Messrs. Tait & Co. ......—Brokers A. Howden & Co.
ANTWERP ....—Consignee B. de Vleeshouner — Broker E. I. Isenbaert.
RIO JANEIRO..—Consignee, Thomas Hollicombe, Esq........— Broker.
MONTEVIDEO..—Consignees Messrs. Zimmermann, Fair, & Co.—Broker J. R. Schwartz.
BUENOS AYRES—Consignees Messrs. Zimmermann, Fair, & Co.—Brokers Woodgate Bros.

This Company, having concluded a Contract with the Belgian Government, for the term of Ten Years, commencing 1st March next, will dispatch a Steamer every Month for Rio Janeiro, Montevideo, and Buenos Ayres.

From London, 14th; Ostend, 16th; Falmouth, 18th.

From Buenos Ayres, 1st; Montevideo, 3rd; Rio Janeiro, 10th; to Falmouth, Antwerp, and London.

Passengers, Parcels, and Specie for England will be landed at Falmouth, and forwarded to London by a special arrangement with the Great Western Railway Company.

Cargo will be received on board, 48 hours after arrival at this port, for London or Continent, at through rates.

Passage-money to London, £40; to Antwerp, £40; to Rio Janeiro, $50 Pats. Freight on Specie one-half per cent., payable here.

The CITY OF RIO DE JANEIRO is the next Steamer expected.

All Letters must be taken to the Post-office.

For further particulars apply to the Consignees, Messrs. Zimmermann, Fair, & Co., or to WOODGATE BROTHERS, Shipbrokers, 42 Calle San Martin.

110,xp,o15

WIFFLETREES FOR ONE, TWO, AND THREE HORSES.

FORK, HOE, PICK, AND AXE HANDLES.

HAND AND POWER CORN-SHELLERS

BEST STEEL PRUNING SHEARS.

BILL HOOKS.

HAY FORKS.

FLY TRAPS.

FIRE GRATES.

FARMERS' BOILERS.

ALL TOOLS OF THE BEST QUALITY.

A LARGE ASSORTMENT OF COOKING STOVES.

PLOUGHS. HARROWS. CULTIVATORS. HORSE HOES.

OAK H, HICKORY, POPLAR, WALNUT, SPRUCE, CHERRY, WHITE PINE, MAHOGANY. A Magnificent Assortment of Different Thicknesses.

T. B. Coffin, Son, & Co.,
83 to 87 Calle Esmeralda,
BUENOS AYRES.

WAREHOUSE OF MACHINERY AND AGRICULTURAL IMPLEMENTS.
LUMBER YARD.

SAUSAGE STUFFERS, WAGGON JACKS, MEAT CUTTERS (Large and Small Sizes), BLINDOLATS, WHEEL-BARROWS, CARPET FOLDING CHAIRS, GRINDSTONE FIXTURES, GRINDSTONES, SUET MACHINES, CHAIN PUMPS, JACK SCREWS.

And a Large Assortment of Goods not mentioned.

MOWING AND REAPING MACHINES. HORSE HAY RAKES. HAY PRESSES.

AMERICAN PLATFORM SCALES.

SHOVELS.

SPADES.

PICKS.

AXES.

SCYTHES.

HAMMERS.

HATCHETS.

UNION WASHING MACHINES.

WELL AND CISTERN PUMPS. HOES.

HAND CORN MILLS. THERMOMETER CHURNS.

HAND SEED-SOWING MACHINES. HAND HAY RAKES.

167,xp,3pw,s18

SOCIETE GENERALE DE TRANSPORTS MARITIMES A VAPOUR.

LIGNE MENSUELLE DE GENES Y MARSEILE A BUENOS AYRES

El Paquete a vapor BOURGOGNE de 3000 toneladas de primera clase, saldra para Marcella y Génova el 20 de Setiembre con escala en:

	Rio Janeiro, Gibraltar.	Marcella, Génova.	
	fts.	fts.	
GIBRALTAR	1ª clase mjc. 5900 236	2ª clase mjc. 3775 151	3ª clase mjc. 2000 80
MARSELLA	" " " 5900 236	" " " 3775 151	" " " 2000 80
GENOVA	" " " 6150 246	" " " 4025 161	" " " 2000 80

Por flete y pasage ocúrrase a los Sres. Consignatarios, Calle Bolivar No. 76.

102,xp,a23

SARSAPARILLIAN,
AND ITS
POWERFUL CURATIVE ASSOCIATES.

Prepared under a Newly-Discovered Process for Extracting the Curative Properties from Vegetable Substances, enters into the Composition of

DR. RADWAY'S RENOVATING RESOLVENT.

A NEW PRINCIPLE DISCOVERED.

One Bottle of Resolvent is better than ten large bottles of the advertised Sarsaparillas, or direct Diuretic Remedies.

Physicians wonder at the extraordinary power of Radway's Renovating Resolvent in curing the worst forms of Scrofulous, Syphiloid, Chronic Skin Diseases, and its marvellous power in resolving calculous concretions, affording immediate relief and consequent cure of Diseases of the Kidney, Bladder, Liver, Lungs, Pancreas, Spleen. Its rapid influence in the cure of Diabetes, Incontinence or scanty, turbid, albuminous, cloudy urine; its almost instant efficacy in stopping itching and painful discharge of urine, and its singular power in curing discharges from the Uterus and Urethra, Leucorrhoea, Bloody Urine, and other unhealthy and weakening discharges; and enquire wherein the Sarsaparillian used in the Renovating Resolvent differs from ordinary Sarsaparilla. Sarsaparillian is the only principle in Sarsaparilla that possesses curative properties; all other parts of the root are inert and useless. One ounce of the extract obtained under Dr. Radway's new process for extracting the curative properties from vegetable substances, contains more of the true principle of cure than 20lbs. of the ordinary roots.

Sarsaparillian is only one of the ingredients that forms this truly wonderful medicine; and it is the only compensating remedy that communicates its purifying, cleansing, and reinvigorating properties through the Blood, Sweat, Urine, and other secretions, securing a harmonious functional action of every depraved organ and gland in the system. If the blood is corrupt, the Resolvent will make it pure. If the lungs are ulcerated and sore, secreting thick phlegm and prurelont matter, the Resolvent will loosen this deposit and repair the wasting lung with sound and healthy materials. If the skin is covered with pimples, spots, pustules, sores, ulcers, &c., the Resolvent will quickly remove these annoyances. If mercury is deposited in the bones and has accumulated in the system, the Resolvent will drive it out. If the throat or bronchial glands are ulcerated, the Resolvent will cure these signs of an early waste. Direct remedies, possessing only exclusive properties, are hurtful, as they increase the functional secretions of one organ by suspending the constituent secretions of others; hence, a compensating remedy like the Resolvent is the only means of a permanent cure.

Bear in mind that every drop of blood impregnated with the Resolvent and absorbed to supply the waste of the body, will make pure, sound, and healthy flesh and fibre. The first dose that is taken commences its work of purification and increasing the appetite and flesh.

R. R. R.
THE GREAT REMEDY FOR HOME PURPOSES.

Taken Internally—Half a Teaspoonful diluted in Water, is a pleasant Drink—stimulating and strengthening.

Applied Externally—When there is Pain or Inflammation, affords instant ease.

Radway's Ready Relief
IN ITS SIMPLICITY AND GRANDEUR.

R. R. R.

We will first consider in its capacity as a speciality our far-famed remedy Radway's Ready Relief, symbolized throughout the civilised world under the significant alliteration R. R. R. This remedy is happily possessed of properties that give immediate and positive proof of its excellence, that the most sceptical can feel its power in a few seconds, especially where the sufferer is the victim of excruciating pain. It is not a question with this remedy of time it takes to remove the perception or sensation of pain, or of the cost; for the moment it is applied to the part of the body where pain exists the patient is relieved. And if the pain is from an established disease, a cure will soon follow.

The Ready Relief is a vegetable remedy. It is pure, safe, and innocent. It is quicker in subduing pain and making the patient comfortable than Morphine, Chloroform, Ether, Opium, or any other agent. Its simplicity of application renders it a valuable household necessity, and its usefulness covers the entire range of family accidents that are liable to occur at any moment. The Ready Relief should be kept in every house, for if any injury or accident occurs to a child or grown person, its use will prove of immediate service. It matters not what the difficulty may be. Burn, Scald, Fall, Bruise, Cut, Wound, Poison, Sprain, Strains, Pain, Ache, Cough, Cold, Croup, and a hundred other annoyances that are constantly taking place in every family, this Ready Relief will, in a few minutes, prove its value. If suddenly seized with sickness, and you have no faith in medicines, but wish for a doctor, the Ready Relief will suspend or check the progress of the disease at once, and, in ninety times out of one hundred, cure the patient before the doctor arrives. It can never do harm; but will always do good. Its grand power is the prevention and cure of pestilential and contagious diseases.

It is in diseases were immediate and absolute assistance and relief is required wherein this remedy proves its superior, and we might say, supernatural Power in saving life, and promoting health.

In cases where Epidemic Diseases, Pestilence, Small Pox, Fevers, &c., exist, this remedy proves the potent power of a disinfectant, neutralizer and cure. No one that uses the Ready Relief when Asiatic Cholera, Yellow Fever, Typhoid Fever, Small Pox, Diptheria, &c., prevail in a community, will be seized with these diseases; and if seized when using it, will be cured if the directions are followed. Simple as this remedy is, it possesses the elements of cure of the most violent, painful, and fatal diseases that scourge the earth.

The properties of the Ready Relief are counter-irritant, rubefacient, anti-spasmodic, disinfectant, antiseptic, diffusive, stimulant, tonic, nervine, anodyne, anti-acid.

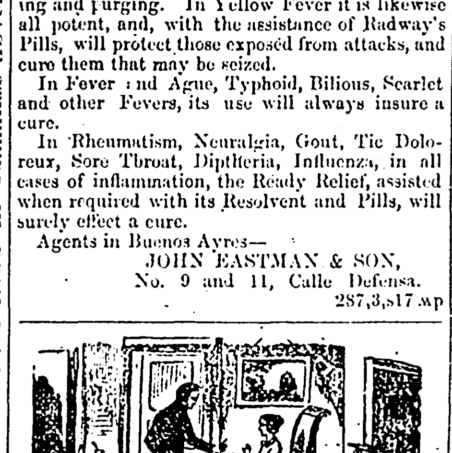
Its use in Asiatic Cholera, either as preventive or cure, is of more value to the world than all other discoveries in vogue.

It instantly secures rest, stops the Cramps and Spasms, and holds the constituents of the blood together, equalising the circulation, and preventing the separation of the watery constituents from the other properties of the blood, and arrests vomiting and purging. In Yellow Fever it is likewise all potent, and, with the assistance of Radway's Pills, will protect those exposed from attacks, and cure them that may be seized.

In Fever and Ague, Typhoid, Bilious, Scarlet and other Fevers, its use will always insure a cure.

In Rheumatism, Neuralgia, Gout, Tic Doloreux, Sore Throat, Diptheria, Influenza, in all cases of inflammation, the Ready Relief, assisted when required with its Resolvent and Pills, will surely effect a cure.

Agents in Buenos Ayres—
JOHN EASTMAN & SON,
No. 9 and 11, Calle Defensa.
287,3,s17 xp



Kemp's Vegetable Worm Pastiles.

I Certify that I have for many years been physician in the Hospitals of this city, and have had occasion to test the effects of "Kemp's Worm Pastilles." My experience causes me to consider them one of the best remedies for the expulsion of Worms. They are safe and effective, both for children and adults.

MIGUEL DE ZAYAS, M.D.
Puerto Principe, Cuba, Nov. 1, 1862.

I Certify that I have prescribed, on different occasions in my civil practice, "Kemp's Worm Pastilles" with good results. I consider them an excellent specific in the diseases produced by Worms. Their pleasant taste and smell is an important virtue in prescribing them for children.

FRANCISCO GOICOECHEA,
Professor of Medicine and Surgery, and Chief Medical Director in the Military Hospital, Bolivar City.
Venezuela, July 1, 1862.

I Certify, that I have many times prescribed "Kemp's Vegetable Worm Pastilles," and always with the same satisfactory results, for all kinds of Worms. They are easily administered, and are a safe remedy in such diseases.

FRANCISCO CASALS, M.D.
Matanzas, Cuba, May 10, 1862.

I Certify, that "Kemp's Vegetable Worm Pastilles" is one of the most efficacious remedies for removing and destroying Worms. I was for a long time a sufferer from those dangerous vermin, but the 'Pastilles' have effectually relieved me, and my health is now entirely re-established. I shall always strongly recommend this most agreeable of medicines.

LUIS FLORES.
Lima, May 26, 1862.

THE NORTHERN RAILWAY.

On and after 1st of October, 1868, and until further notice, the Trains will run as under:—

UP TRAINS.

WEEK DAYS AND FEAST DAYS.

STATIONS.	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2
	A. M.	A. M.	A. M.	A. M.	P. M.	P. M.	P. M.	P. M.	NOON.	P. M.	P. M.	P. M.	P. M.
25 de Mayo .... dep.	7 30	8 40	9 55	11 5	12 15	1 20	2 30	3 35	4 45	5 50	7 15	8 20	......
Retiro..................	7 40	8 50	10 5	11 15	12 25	1 30	2 40	3 45	4 55	6 0	7 25	8 30	......
Palermo*...............	......	......	......	......	......	......	......	......	......	......	......	......	......
Belgrano...............	8 0	9 10	10 25	11 35	12 45	1 50	3 0	4 0	5 15	6 15	7 45	8 50	......
Rivadavia*.............	......	......	......	......	......	......	......	......	......	......	......	......	......
Olivos..................	8 15	......	10 40	......	1 0	......	3 15	......	5 30	......	8 0	......	......
San Isidro..............	8 30	......	10 55	Feast	1 15	Feast	3 30	......	5 45	......	8 15	Feast.	......
San Fernando...........	8 45	......	11 10	Days	1 30	Days	3 45	......	6 0	......	8 30	Days	......
Tigre.............. ar.	8 55	......	11 20	only.	1 40	only.	3 55	......	6 10	......	8 40	only.	......

DOWN TRAINS.

WEEK DAYS AND FEAST DAYS.

STATIONS.	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2	1 & 2
	A. M.	A. M.	A. M.	A. M.	A. M.	A. M.	P. M.	P. M.	P. M.	P. M.	P. M.	P. M.	P. M.
Tigre............ dep...	......	7 5	......	9 30	......	11 50	......	2 5	......	4 20	......	6 50	......
San Fernando......... "	......	7 15	......	9 40	Feast	12 0	Feast	2 15	......	4 30	......	7 0	Feast
San Isidro.......... "	......	7 30	......	9 55	Days	12 15	Days	2 30	......	4 45	......	7 15	Days
Olivos............... "	......	7 45	......	10 10	only.	12 30	only.	2 45	......	5 0	......	7 30	only.
Rivadavia*.......... "	......	......	......	......	......	......	......	......	......	......	......	......	......
Belgrano............ "	......	8 0	9 15	10 25	11 40	12 45	1 55	3 0	4 5	5 15	6 20	7 45	8 55
Palermo*............ "	......	......	......	......	......	......	......	......	......	......	......	......	......
Retiro .... ar.	7 10	8 20	9 30	10 45	12 0	1 5	2 15	3 20	4 25	5 35	6 40	8 5	9 15
25 de Mayo .... ar.	7 20	8 30	9 40	10 55	12 10	1 15	2 25	3 30	4 35	5 45	6 50	8 15	....

* All Trains, with the exception of Nos. 8 and 10 out, and No. 3 return, stop at Palermo and Rivadavia when there are Passengers for these Stations. Passengers wishing to alight at either of these Stations must inform the Guard at the preceding Station on entering the carriages. Without this notice the Trains do not stop.

On Feast Days and Sundays the Trains, Nos. 8 and 10 out, and No. 3 return, stop at Palermo when required.

Passengers taking Tickets in the Stations for the Tramway pay $3. Failing to take such they are charged $2 extra above the ordinary price, making a total of $5.

Children under three years of age travel free; above three, and under ten, they pay half-fares.

Dogs are charged half second-class passenger fare, for which a Ticket must be taken, and are carried only when secured by a chain and collar, and placed in charge of the Guard.

25lbs. of Luggage, not being merchandise, are allowed free by each Passenger; any above this quantity is charged.

Passengers travelling between Buenos Ayres and the Tigre, to or from the Steamers, are allowed two Arrobas of Luggage, not being merchandise.

STEAMERS LEAVING THE TIGRE IN CONNECTION WITH THE TRAINS.

Trains leave RETIRO for the following Steamers at 10.5, a.m.:—

The Lujan, for Rosario, Paraná, and intermediate ports, Tuesdays and Saturdays.

The Capitan, ditto, on Saturdays.

The Dolorcitas, for Gualeguay, in combination with the Lujan, on Tuesdays.

The Tala, for San Pedro and intermediate ports, on Sundays.—Agents, A. MATTI and PIERA, 36½, Cuyo.

The Estrella, for Rosario, and intermediate ports, on Sundays.

The Estrella, for San Pedro and intermediate ports, on Thursdays, at 2.10, p.m.—Agent, H. DOWSE, Calle 25 de Mayo, No 67.

For further particulars as to Rates of Passage, &c., apply at the Retiro Station, or to the Agents.

HENRY CRABTREE,
GENERAL MANAGER.
Retiro Station, 30th September, 1688.
34,xp,o2

GREAT SOUTHERN RAILWAY.

On and after 15th of April, 1868, the Trains will run as follows:—

DEPARTS.

Stations.	A. M.	A. M.	A. M.	A. M.	A. M.	A. M.	P. M.	P. M.	P. M.	P. M.	P. M.	P. M.	P. M.	P. M.	P. M.
Buenos Ayres	7 30	8 10	8 40	9 30	10 30	11 30	12 30	1 33	2 25	3 30	4 30	5 45	6 10	6 35	7 35
Plaza Constitucion	7 40	8 30	8 50	9 40	10 40	11 40	12 40	1 43	2 40	3 40	4 40	5 56	6 20	6 45	7 45
North Barracas	7 50	......	9 0	....	10 50	11 50	12 49	1 53	2 48	3 50	4 50	6 5	....	6 55	7 55
South Barracas	7 53	8 40	9 3	....	10 53	11 53	12 51	1 56	2 51	3 53	4 53	6 8	....	6 58	8 0
Lomas de Zamora	......	9 8	9 30	....	......	......	......	....	3 18	....	5 15	....	....	....	....
Bursaco	......	9 26	......	....	......	......	......	....	3 36	....	....	....	....	....	....
Glew	......	9 46	......	....	......	......	......	....	3 55	....	....	....	....	....	....
San Vicente	......	10 13	......	....	......	......	......	....	4 24	....	....	....	....	....	....
Donselaar	......	10 45	......	....	......	......	......	....	4 55	....	....	....	....	....	....
Ferrari	......	11 18	......	....	......	......	......	....	5 28	....	....	....	....	....	....
Jeppener	......	11 45	......	....	......	......	......	....	5 55	....	....	....	....	....	....
Altamirano	......	12 10	......	....	......	......	......	....	6 20	....	....	....	....	....	....
Gandara	......	12 35	......	....	......	......	......	....	6 45	....	....	....	....	....	....
Chascomus	......	1 5	......	....	......	......	......	....	7 15	....	....	....	....	....	....

RETURNS.

Stations.	A. M.	A. M.	A. M.	A. M.	A. M.	A. M.	A. M.	P. M.	P. M.	P. M.	P. M.	P. M.	P. M.	P. M.
Chascomus	....	....	....	....	....	....	8 25	....	....	....	....	....	....	2 35
Gàndara	....	....	....	....	....	....	8 55	....	....	....	....	....	....	3 5
Altamirano	....	....	....	....	....	....	9 22	....	....	....	....	....	....	3 32
Jeppener	....	....	....	....	....	....	9 49	....	....	....	....	....	....	3 59
Ferrari	....	....	....	....	....	....	10 20	....	....	....	....	....	....	4 30
Donselaar	....	....	....	....	....	....	10 50	....	....	....	....	....	....	5 0
San Vicente	....	....	....	....	....	....	11 28	....	....	....	....	....	....	5 38
Glew	....	....	....	....	....	....	11 53	....	....	....	....	....	....	6 3
Bursaco	....	....	....	....	....	....	12 8	....	....	....	....	....	....	6 18
Lomas de Zamora	....	....	....	9 35	....	....	12 23	....	....	....	....	5 20	....	6 33
South Barracas	7 0	8 13	....	10 0	11 0	12 0	12 53	2 ..	3 ..	4 ..	....	5 45	6 12	7 3
North Barracas	7 3	8 16	....	10 3	11 3	12 3	12 56	2 3	3 3	4 3	....	5 48	6 15	7 6
Plaza Constitucion	7 12	8 25	9 12	10 12	11 12	12 12	1 5	2 11	3 12	4 12	5 12	5 56	6 23	7 15
Buenos Ayres	7 22	8 35	9 22	10 22	11 22	12 22	1 29	2 20	3 22	4 22	5 22	6 6	6 32	7 30

PASSENGER FARES

From 15th October, 1867, until further notice.

	1 Cls. Down.	2 Cls. Down.	1 Cls. Return.	2 Cls. Return.
Buenos Ayres, Boleteria Central, 117 Calle Lima, Plaza Constitution	$3	$....	—$....	$....
Barracas	5	3	— 7	5
Lomas de Zamora	15	10	— 25	15
Bursaco..................	20	15	— 35	25
Glew	25	20	— 40	30
San Vicente	40	30	— 60	45
Donselaar	50	40	— 75	60
Ferrari	65	50	—100	75
Jeppener	75	60	—115	90
Altamirano	90	70	—135	105
Gandara	110	80	—165	120
Chascomus	110	90	—165	135

xp,d7 THE ADMINISTRATION.

Boca, Barracas, and Ensenada Railway,
Between Venezuela and Barracas Bridge.

From and after THURSDAY, July 9, inclusive, the Trains will Run as follows:—

DEPARTURE.

Stations.	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Venezuela	6 0	7 ..	8 ..	9 ..	10 ..	11 ..	12 ..	1 ..	2 ..	3 ..	4 ..	5 ..	6 ..	7 0
Boca	6 10	7 10	8 10	9 10	10 10	11 10	12 10	1 10	2 10	3 10	4 10	5 10	6 10	7 10
Tres Esquinas......	6 20	7 20	8 20	9 20	10 20	11 20	12 20	1 20	2 20	3 20	4 20	5 20	6 20	7 20
Barracas Bridge.....	6 25	7 25	8 25	9 25	10 25	11 25	12 25	1 25	2 25	3 25	4 25	5 25	6 25	7 25

RETURN.

Stations.	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Barracas Bridge.....	6 30	7 30	8 30	9 30	10 30	11 30	12 30	1 30	2 30	3 30	4 30	5 30	6 30	7 30
Tres Esquinas......	6 33	7 33	8 33	9 33	10 33	11 33	12 33	1 33	2 33	3 33	4 33	5 33	6 33	7 33
Boca	6 43	7 43	8 43	9 43	10 43	11 43	12 43	1 43	2 43	3 43	4 43	5 43	6 43	7 43
Venezuela	6 55	7 55	8 55	9 55	10 55	11 55	12 55	1 55	2 55	3 55	4 55	5 55	6 55	7 55

From Sunday, 15th September, inclusive, the following alterations were made in the Traffic:—One third of the First Class Saloons are converted into smoking apartments, with communication with the other part of the saloons. The cars hitherto used as Smoking Saloons are used entirely for second class passengers. First class passengers will pay, as at present, five dollars, children from 3 to 10 years, three dollars; second class, three dollars, children two dollars. Return tickets, good for the day, will be given—first class eight dollars, children five dollars; second class five dollars, children three; also monthly tickets of first class for two hundred dollars.

Flag stations at Casa Amarilla and Barraca de Peña. Passengers wishing to alight there will give previous notice to the guard.

HARRY SIMPSON, Manager.

TEA! TEA.

"Small Profits and Quick Returns."

CASH ONLY:

TURMEAU'S MIXTURE,
Full Flavoured, Delicate, and Great Aroma,
$20 per lb.
Quarter-Pound samples for $5.

C. TURMEAU,
77—PIEDAD—77,
Established for the Sale of Tea by Retail,
At Wholesale Prices.
CASH ONLY. 26,y xp

COUGHS, ASTHMA, AND INCIPIENT CONSUMPTION,
ARE EFFECTUALLY CURED BY
KEATING'S COUGH LOZENGES.

Judged by the immense demand, this Universal Remedy now stands the first in public favor and confidence; this result has been acquired by the test of fifty years' experience. These Lozenges may be found on sale in every British Colony, and throughout India and China they have been highly esteemed wherever introduced. For Coughs, Asthma, and all affections of the Throat and Chest, they are the most agreeable and efficacious remedy.

Prepared and Sold in Boxes, Tins, and Bottles of various sizes, by THOMAS KEATING, Chemist, etc., 79 St. Paul's Churchyard, London. Sold Retail by all Druggists and Patent Medicine Vendors in the World.

TESTIMONIAL.
"Palladium Office,"
Castries, St. Lucia, West Indies.

Sir,—I have the honor to inform you that there is not a Box of KEATING'S COUGH LOZENGES to be got in this Island. A supply of the same, shipped to my order, would be a great benefit conferred on the public.

Their efficacy has been proved already by many persons, who have been relieved from severe Coughs and Colds, and they are considered also as a good tonic.

I wish you will, on receiving my letter, forward a supply by the mail packet.

I remain, Sir, yours truly,
MARTIAL ANTOINE.
To Mr. KEATING. 30p 2pw s19

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