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Year 1886

**798. THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO MR. F R. ST. JOHN, BRITISH MINISTER IN VENEZUELA
[7 June 1886]**

Foreign Office, June 7, 1886.

Sir,

I have been in communication with the Colonial Office as to the best course of dealing with the boundary in dispute between British Guiana and Venezuela, and I have now to instruct you to address a note to the Venezuelan Government informing them that, considering the many years which have elapsed since the discussion of the boundary question first arose, and the difficulties which the Venezuelan Government have thrown in the way of a satisfactory settlement, Her Majesty's Government cannot, in their own interests, allow their rights in the territory which they have always claimed as belonging to Great Britain to remain any longer in suspense; and that it is their intention, therefore, to proceed at once to define the boundary of the British possessions in Guiana.

The line which they intend to trace will run as follows: –

The initial point to be fixed at a spot on the sea-shore 29 miles of longitude due east from the right bank of the River Barima, and to be carried thence south over the mountain or hill called on Schomburgk's original map the Yarikita Hill, to the 8th parallel of north latitude, thence west along the same parallel of latitude until it cuts the boundary-line proposed by Schomburgk, and laid down on the map, before mentioned, thence to follow such boundary along its course to the Accarabisi, following the Accarabisi to its junction with the Cuyuni, thence along the left bank of the River Cuyuni to its source, and from thence in a south-easterly direction to the line as proposed by Schomburgk to the Essequibo and Corentyne.

This line is identical with that which was suggested in Lord Granville's note to Señor de Rojas of the 15th September, 1881, a copy of which accompanied his Lordship's despatch to your predecessor of the 30th of that month.

Her Majesty's Government, however, still reserve their right to insist on a more westerly boundary hereafter, although, partly for the purpose of establishing a more convenient natural boundary, and partly from their willingness to gratify the wish of the Venezuelan Government to possess the right bank of the Orinoco from its mouth, they are ready to come to an understanding with the Venezuelan Government, and are prepared to concede to Venezuela a portion of the disputed territory beyond the line now to be marked out, provided the Government of Venezuela will, without further delay, recognize the line above described, and which the British Government are about to define.

You will add that instructions have been sent to the Governor of British Guiana authorizing

him to grant licences forthwith for gold-mining within the territory, which will be at once marked as British territory, and without requiring him to withhold the issue of such licences until the completion of the line of demarcation.

(Signed) ROSEBERY

799. GENERAL GUZMAN BLANCO, VENEZUELAN MINISTER TO GREAT BRITAIN, TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

[19 June 1886]

London, June 19, 1886.

My Lord,

My return to Venezuela being near at hand, I feel naturally a wish that a definite solution of the matters about which I have been treating with your Ministry since my arrival in London in the middle part of 1884 may be arrived at.

I refer principally to three affairs: (1) the additional duty of 30 percent upon the merchandise from British Colonies; (2) the boundary question between the territories of both Guianas; and (3) the pecuniary claims.

The two first matters are solved by the draft Treaty which is to be substituted for the incomplete and already old one of 1825, it being there established that in future the merchandise from British Colonies shall pay the same importation duty as those from the metropolis, and likewise, that any misunderstanding between the Contracting Parties shall be decided by the arbitration of a third Power, in unity with both nations.

And the third point, that concerning the claims, is only dependent upon the acceptance, on the part of Her Majesty's Government, of the manner of payment proposed by Venezuela, and which consists in the substitution for the gradual extinction of the capital, without any interest as it is now, of a diplomatic debt bearing 3 percent interest, and a sinking fund half-yearly. Spain, Germany, France, fellow-creditors, have found such a change an advantageous one, and the only thing remaining to carry it out is that Her Majesty's Government will complete their acceptance of it.

(Signed) GUZMAN BLANCO

800. THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO MR. F. R. ST. JOHN, BRITISH MINISTER IN VENEZUELA

[22 June 1886]

Foreign Office, June 22, 1886.

Sir,

General Guzman Blanco, the President-elect of Venezuela, called on me today by appointment, accompanied by an interpreter, to speak of the various matters at issue between that Republic and Her Majesty's Government.

So far as I was able to understand him, the General stated these to be – the proposed Treaty of last year, which has not been carried out; the behaviour of the authorities at Trinidad; the admission of British colonial produce on the most-favoured-nation treatment; and the question of referring the frontier dispute to arbitration.

As regarded the Treaty, I said that I knew that it had not been concluded because of objections which had been raised with regard to the clause relating to arbitration. I was sure that Her Majesty's Government would wish to give every facility for the signing of a new Treaty.

With reference to the conduct of the authorities at Trinidad, I could not admit for one moment that they had been blameable, and, therefore, it would lead to no good purpose to discuss the subject.

With regard to the most-favoured-nation treatment, I said that our Colonies already were entitled to it under Article IV of the Treaty of 1825.

General Guzman Blanco, on reading the Article, said that word "dominions" did not include Colonies.

I pointed out to him that it did, and that had the intention of the Treaty been to limit its operation to the Islands of Great Britain and Ireland, the term the "United Kingdom" would have been used, as is always the case under similar circumstances.

On the question of the frontier difficulty, I said that probably the best method would be – though I could not pledge myself to any definite proposal – for a Joint Commission of Inquiry to sit, which should ascertain how near the views of the two Governments were to each other.

General Guzman Blanco was of opinion that the Governments were not very far apart.

I replied that I rejoiced to hear that view, though it was not one which I could share.

Finally, I told his Excellency that I was glad he was returning to his country for one reason, which was that our Minister at Caracas had reason to complain of some want of courtesy on the part of the Venezuelan Government, which I was sure was only due to his Excellency's absence.

With regard to negotiation, I reiterated my anxiety to see these pending questions of long standing brought to an amicable conclusion; but I pointed out that I was not so sanguine as to hope that matters which had been in dispute for decades could be settled in four or five days, while the general unsettlement caused by the general election offered some obstacle to a prompt arrangement.

(Signed) ROSEBERY

801. THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO GENERAL GUZMAN BLANCO, VENEZUELAN MINISTER TO GREAT BRITAIN

[23 June 1886]

Foreign Office, June 23, 1886.

My dear General,

I should be very glad if possible to give effect to the wishes you have expressed that the opportunity should be taken of your visit to London to endeavour to arrange the various questions which have been so long pending between our Governments.

Being most desirous to place the relations between the two countries on the most friendly footing, I propose to address a note to you explaining the views of Her Majesty's Government on each of those questions.

I should be glad to know whether your present arrangements allow of your remaining in London for a little while longer in order that I may have the advantage of discussing with you the proposals which I may be able to make after communication with the Secretary of State for the Colonies. . .

(Signed) ROSEBERY

802. THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO MR. F R. ST. JOHN, BRITISH MINISTER IN VENEZUELA

[25 June 1886]

Foreign Office, June 25, 1886.

Sir,

I requested you this day, by telegraph, to suspend any action on my despatch of the 7th instant, relative to the Guiana boundary question, until after the receipt of further instructions.

General Guzman Blanco, who is now in London, is in communication with me on the subject. . .

(Signed) ROSEBERY

803. MR. F R. ST. JOHN, BRITISH MINISTER IN VENEZUELA, TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

[6 July 1886]

Caracas, July 6 1886.

My Lord,

I have the honour to report that I received on the 4th instant your Lordship's despatch of the 7th June last respecting the decision of Her Majesty's Government on an immediate settlement of the long-pending Guiana boundary question, and that to day, yesterday being the great national anniversary, I addressed a note to the Venezuelan Government, copy inclosed,* in the sense indicated to me by your Lordship.

Before delivering the note in question I had an opportunity of giving verbally to the Vene-

zuelan Minister of Foreign Affairs a general outline of its contents, adding, that though I could not expect his Excellency to express to me an opinion on the subject before he had even seen the note, I ventured to express a hope that the Venezuelan Government would see the advantage of at once agreeing to a settlement on which Her Majesty's Government seemed to me to have fully made up their minds in principle, though the details might remain open for discussion between us.

His Excellency replied that the Guiana boundary question was one with which he had long been familiar, he having formerly been attached to Señor de Rojas Mission to London, and that as soon as he had thoroughly mastered the contents of my note he should submit it to the Venezuelan Cabinet, perhaps at its meeting this afternoon. . .

(Signed) F. R. ST. JOHN

[* *Not printed*]

804. MR. F R. ST. JOHN, BRITISH MINISTER IN VENEZUELA, TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

[13 July 1886]

Caracas, July 13, 1886.

My Lord,

As explained in my immediately preceding despatch of this date, containing the record of a telegram addressed to your Lordship today, your Lordship's telegraphic instructions to me of the 25th June, to suspend any action in the Guiana boundary question, only reached me on the 11th instant, having been conveyed by steamer from Colon, where, by the postmark on the envelope in which it was inclosed to me by the Central and South, American Telegraph Company, it must have awaited an opportunity for La Guaira ever since the day it was dispatched from London.

On receiving your Lordship's instructions above alluded to, I at once called on Dr. Viso, the Venezuelan Minister for Foreign Affairs, to whom I explained the whole matter, with the result that he returned to me with the greatest alacrity my note to him of the 6th instant, copy of which I had the honour to inclose to your Lordship in my despatch of the same date, with the remark that it had not yet been communicated to the Venezuelan Cabinet, as he had desired thoroughly to master its contents before doing so. . .

(Signed) F. R. ST. JOHN

P.S. – I would respectfully suggest that telegrams in future be forwarded by way of Trinidad, whence two or three steamers arrive here every week.

F. R. ST. J.

805. THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO GENERAL GUZMAN BLANCO, VENEZUELAN MINISTER TO GREAT BRITAIN

[20 July 1886]

(Translation – Original: French)

Foreign Office, July 20, 1886.

M. le Ministre,

I have the honour to acknowledge the receipt of your notes of the 19th and 24th ultimo.

I am most anxious to take advantage of your stay in Europe to endeavour to come to an understanding as to the questions in dispute between our respective countries, and, in accordance with the proposal which I made in my note of the 23rd ultimo, I now transmit to you a Memorandum of the bases on which I should be prepared to negotiate.

You will, I feel sure, recognize the conciliatory spirit shown by Her Majesty's Government in these proposals; and I feel confident that you will meet them with a sincere wish to settle these troublesome questions in a manner which will be fair and satisfactory both to England and to Venezuela. . .

Signed) ROSEBERY

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Inclosure:

MEMORANDUM OF BASES OF NEGOTIATION

1. *Boundaries* – It is proposed that the two consider the territory lying between the boundary-lines respectively proposed in the 8th paragraph of Señor Rojas' note of the 21st February, 1881, and in Lord Granville's note of the 15th September, 1881, as the territory in dispute between the two countries, and that a boundary-line should be traced within the limits of this territory, either by an Arbitrator or by a Joint Commission, on the basis of an equal division of this territory, due regard being paid to natural boundaries. Her Majesty's Government attach special importance to the possession by British Guiana of the mouth of the River Waini, and they desire, therefore, to stipulate that the line should start from the sea-coast westwards of that point, due compensation being found in some other portion of the disputed territory for this departure from the basis of an equal division. The question of the cession to Venezuela of the Island of Patos will be considered in connection with the boundary negotiations. The River Orinoco to be entirely free to commerce and navigation.

2. *Commercial Treaty* – Her Majesty's Government will be willing, if the other questions at issue are satisfactorily settled, to accept the conditional most-favoured-nation clause proposed by Venezuela in place of the absolute clause hitherto insisted upon by them. They will further agree to the insertion in the Treaty of the arbitration clause proposed by Venezuela, limited to differences that may arise after the date of the signature of the Treaty, and excluding the questions of

the boundary and of the Isle of Patos, which Her Majesty's Government are prepared to deal with specially in the manner indicated above.

3. The differential duties against the West India Islands shall cease as soon as the Preliminary Agreement between the two Governments has been signed. The question of the claims to indemnity for the imposition of those duties, in contravention of the existing Treaty, will be referred to arbitration.

4. A settlement of the 1865 claims similar to that contained in the IInd Article of the Convention between France and Venezuela of the 26th November, 1885, will be agreed to by Her Majesty's Government, subject to the consent of the British claimants. Other pecuniary claims of British subjects against Venezuela will be referred to a Mixed Commission or to arbitration, unless otherwise disposed of.

806. GENERAL GUZMAN BLANCO, VENEZUELAN MINISTER TO GREAT BRITAIN, TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

[28 July 1886]

London, July 28, 1886.

My Lord,

It is some time since the Government of the United States of Venezuela communicated to me the order to enforce upon Her Britannic Majesty's Cabinet the complaints made at Caracas against renewed acts of violation of the Venezuelan territory committed by English authorities. I have expected up to the present time that the Queen's Cabinet, taking into consideration the just complaints of the Republic, and after due inquiries, should resolve upon the redress called for by such offences. But as this has not been the case, I proceed to state the grounds of the urgent representations of the Executive.

I should begin by remarking that the facts consummated to the prejudice of Venezuela have no possible justification, and that naturally on this account, and as proceeding from a great and powerful nation, with whom she has lived in old and cordial friendship, they have over-excited public opinion and awakened feelings that had been dormant since 1841.

If your Excellency deigns to order the respective papers to be brought before you, you will find that at that time the engineer Schomburgk, charged with a scientific commission to Guiana, surveyed that country and erected arbitrarily posts at Barima and other parts, as signs of the British dominion over those places, as if one of the parties to an international suit might resolve by itself, without any contradictory discussion and *de facto*, a controversy with one who has the same attributes of sovereignty and independence as herself. Nevertheless, this arbitrary attitude was not maintained; on the contrary, listening to the voice of reason, Her Britannic Majesty's Government to their honour gave explanations, and, what is more, ordered te removal of the posts and emblems.

Desirous of preventing in future a repetition of such grave events and of stopping for ever a source of differences and difficulties, the President of Venezuela soon strenuously endeavoured to settle the boundary question between the two countries. At length the 'negotiations were initi-

ated through the Minister Plenipotentiary, Dr. Alejo Fortique, but they led to no result, in consequence of his premature death in 1844. Since that time some steps have been taken with a view to the termination of the subject. It has been painful for Venezuela to see that of late a proposal has been made to her by Great Britain which, on unknown grounds, is less favourable than the one presented spontaneously by Lord Aberdeen to Dr. Fortique. On her side, the Republic, considering the mutual advantage of arbitration, its adoption on the part of Her Majesty in analogous cases, and in view, moreover, of Constitutional precepts, has appealed again and again to a resource so much extolled by the Houses, the statesmen, and the public opinion of the United Kingdom of Great Britain and Ireland, and of the whole civilized world.

In 1850 Mr. Belford Hinton Wilson, the Charge d'Affaires of Great Britain to Venezuela, on the ground, as he said, of rumours having been circulated to the effect that Great Britain intended to lay claim to the Venezuelan Guayana, made a point of contradicting them, and declared, in an official note of the 11th November, that such rumours were not only utterly and entirely destitute of any foundation whatever, but were the very reverse of the truth. Moreover, he expressed himself there in the following terms: –

“He Venezuelan Government cannot, without injustice to Great Britain, distrust for a moment the sincerity of the formal declaration now made in the name and by express order of Her Majesty's Government, that Great Britain has no intention of occupying or encroaching upon the disputed territory, and, in the same spirit of good faith and friendship, the Venezuelan Government cannot hesitate to make a similar formal declaration to Her Majesty's Government that Venezuela herself has no intention of occupying or encroaching upon the disputed territory.”

Mr. Wilson added further on in the same note: –

“Her Majesty's Government, as before stated, will not itself direct or sanction any such encroachments or occupation on the part of British authorities, and should there ever be any misapprehension of its determination in this respect it would, the Undersigned is persuaded, willingly renew its orders upon the point; he therefore feels satisfied that, in accordance with the amicable suggestions of Her Majesty's Government, that of Venezuela will not hesitate to send positive instructions to the Venezuelan authorities in Guayana to abstain from taking any measures which may be justly considered as aggressive by the British authorities.

The government of the Republic has acceded to what was asked of them, by declaring that they had no intention of occupying or encroaching upon any part of the territory in dispute, nor would they view with indifference that Great Britain acted otherwise; and they gave orders to the authorities of Guayana to abstain from taking any measures that might constitute an infraction of the obligation contracted by the Government and that might lead to painful results.

This Agreement has remained unaltered up to the present time, since neither of the parties thereto limited it in any way, nor have they made to each other the least communication on the subject from that date.

Now, if such an Agreement means anything, it has not been lawful either for Great Britain or Venezuela to occupy disputed places, the specification of which ought to have been then made, and was not, an integral part of the Agreement. But the rational meaning of the Agreement is that it was intended to maintain the *status quo*. It has thus been understood by the Venezuelan Republic, who, though claiming as her own places possessed *de facto* by Great Britain as far as the Essequibo, has left them so provisionally.

On the contrary, Great Britain has continued to advance her occupations; this and the recent

facts of her authorities combine to show that she has not adhered to her spontaneous declaration here recalled.

When the negotiation about the boundary between the Venezuelan and the British Guiana was being carried on, Lord Aberdeen, Her Britannic Majesty's principal Secretary of State for Foreign Affairs, after the preferment by the Plenipotentiary, M. Fortique, of the claim to the Essequibo line, proposed spontaneously to begin it on the coast, at the mouth of the Moroco River, and to continue it up that river. That constituted a proof that the utmost British claim could not go farther, as the supposition that Her Majesty's Cabinet was then ignorant that the frontier should reach up as far as the Orinoco is an absurdity as inadmissible, as it reflects little honour on the enlightened members of the Government at the time.

Nevertheless, Venezuela did not agree to the proposal. Now, forty years after those events, and although England cannot possess today more rights than those belonging to Holland, from whom she derived them, in 1814, the date of the cession by the latter to the former of a part of the Dutch Guiana, it is put forward that Great Britain exercises authority and jurisdiction from the right bank of the Amacura River.

But, supposing for a moment these to be the aspirations of Her Majesty's Government, from the time when she promised neither to occupy nor to encroach upon tile territory in dispute, it has not been permitted to her to perform such acts as those which, through the medium of some of her naval and civil officers, she has consummated at the large mouth of the Orinoco and elsewhere, regardless of the sovereignty, the laws, and the authorities of Venezuela. After having asked for pilots in October 1884, in order to proceed up the Orinoco, some English functionaries to whom they were not granted on account of their being not bound to any port of entry of the Republic, resumed their voyage quietly, penetrated into places at all times the property of Venezuela, erected posts, put up placards declaring the British laws to be there in force, changed some officers of the Republic for others of their own selection, attempted to put under their orders Venezuelan functionaries, and promised to return in force to have their ordinances compiled with. In fact, they returned to proceed with the series of acts begun, without taking the least notice of the remonstrances of the Venezuelan authorities. Not satisfied with this, they took away a Commissary of the Republic under the plea of his having offended and ill-treated a Portuguese subject; and having submitted him to the jurisdiction of a Tribunal at Demerara, tried and sentenced him to a penalty, which has been carried out. His name is Robert Wells; he was a Commissary at Amacura, and captured by a stratagem.

These facts do not require more than the following proof: –

The Government of the Republic, to have them put in their light, sent a Commissioner, General Frederico Puga. He repaired to the scenes of those events and having met Mr. Michael McTurk, asked him first verbally, and then in writing, in regard to the same. The said person, styling himself Special Acting Magistrate and Superintendent of the Lands and Woods of the Crown in the district of the Pomaroon River, answered on the 4th of last April in the following terms: –

“Marajuana River, April 4, 1885

1. I have been at the Rivers Amacuro, Marajuana, and Waini, and have put English Notices at the principal places of those rivers. I am sorry not to have a copy of those Notices, in

order to transmit it to you; but, as they were removed by officers of the Manoa Company, you will probably be able to get one from them. The Notices were put up by order of his Excellency the Governor of British Guiana only once.

2. The name of the steamer on which I came was "Lady Longden", commanded by Captain Paisley. I have been several times at the rivers referred to after the posting of the Notices, but in discharge of my functions as the magistrate in charge of the district of which they form a part.

3. Robert Wells was sentenced before the Supreme Criminal Court at the Indelie Assizes, Essequibo River, on the 20th February last, for an assault committed (in October last, I think) upon the person of a Portuguese at the Marajuna River. I was nearer aware of his being a police employee of the Venezuelan Government, but I knew that he was an employee of the Manoa Company, as he himself stated to me.

4. I was in no need of a pilot for the Amacura River; neither did I apply for the services of any for the Orinoco. . .

(Signed) MICHAEL McTURK, *Special Acting Magistrate and Superintendent of the Lands and Woods of the Crown in the Pomaroon River District.*

"Señor T. Puga,
Commissioner of the National Government of Venezuela."

Here, it has been clearly acknowledged: (1) that Mr. McTurk has been at the Rivers Amacuro, Barima, Marajuna, and Waini, and has put English Notices at their principal places; (2) that he has done so by order of his Excellency the Governor of British Guiana; (3) that he went there on the steamer "Lady Longden", commanded by Captain Paisley; (4) that he has been several times at the aforesaid rivers after the affixing of the Notices, although he adds that it was in discharge of his functions as Magistrate in charge of the district of which they form a part; (5) that Robert Wells was sentenced before the Supreme Criminal Court at the Indelie Assizes, Essequibo River, on the 20th February last, for an assault said to have been committed (in October 1884) upon the person of a Portuguese at the Marajuna River; and (6) that he was in need of no pilot for the Amacura River, and did not apply either for the services of any for the Orinoco.

As to the last point, there is a contradiction between Mr. McTurk's statements and those of several witnesses; but this is put aside for the present, in order to examine the scope of the acts performed by the former in his capacity as a British public functionary.

The first reflection that becomes evident is that the most sacred property of the Venezuelan Republic, her territory, has been violated by British officers in pursuance of orders of the Governor of Guiana, and that not in an accidental way, but on purpose, and amidst the friendship established by a solemn compact.

Secondly, an Agreement contrived and proposed on the part of Great Britain to Venezuela in 1850, and which the latter did but accept in deference to Her Majesty's wishes, and with a view to prevent in future, and until the boundary was definitively settled, every dispute calculated to damage the good relations between the two countries, has been infringed.

The English Governor of British Guiana has not fulfilled the orders then to have been given to him, and likely to have been repeated afterwards, not to make any encroachment or occupa-

tion, since Her Majesty's Government promised neither to order nor to sanction such acts on the part of their authorities, and was ready to renew willingly their orders on the subject in case of any misunderstanding occurring in respect of their determination in the premises.

The declaration made on behalf and by an express order of Her Majesty's Government, namely, "that Great Britain has no intention of occupying or encroaching upon the territory in dispute," is likewise thus violated.

If such an Agreement refers to the parts of territory about which there is a dispute, the same, with a still greater reason, must apply to places as to the ownership of which not the least doubt has been raised, and which are in the quiet and peaceful possession of their owner. This is precisely the case in regard to some over which English functionaries have exercised jurisdiction, and wherein no other Government than that of the Republic has ever been known. The very fact that it was found convenient to affix their Notices and other signs of British dominion, shows that they have wanted to appeal to their inhabitants, making them understand that it was proposed to introduce changes. With the same purpose Mr. McTurk was sent to places to which his jurisdiction has not been extended.

Although he affirms that he did not apply for pilots to go up the Orinoco, the evidence of Venezuelan officers is in contradiction of that statement. They affirm that they refused them to him on account of his not being bound for a port of entry ("habilitado"). But he put aside such a formality and proceeded further, committing himself to the risk of forcible measures being taken to withstand the consummation of an act in violation of the rights of Venezuela. Her laws do not permit the entrance into her territory unless by the ports authorized for this purpose, so that, although Great Britain had possessions to reach which it would be necessary to cross lands or waters of the Republic, she should fulfil such a formality. The Orinoco is an internal river, which may be entered under certain conditions only, and with specification of the points where it is lawful to touch or to weigh anchor.

There is, moreover, a law prohibiting foreign men-of-war to enter parts not open to the exterior commerce unless for scientific purposes; and that, in pursuance of a previous permission of the Executive. The said law, although it was not necessary, was notified to the nations represented at Caracas, among them Great Britain, in the course of 1882.

The gravity of the case is raised when it is considered that an officer of the Republic was made a prisoner on her own territory, and with no regard for his authority, taken cunningly to a British vessel, there informed of his being a prisoner, conducted to Demerara, put on his trial, and sentenced to a penalty carried into effect for the offence of ill-treating a Portuguese subject. By such proceedings in respect of the person of Mr. Wells, a Commissary of the Republic, the majesty of the nation has been offended. If in the discharge of his functions he committed any fault, he was amenable only before the competent judges of Venezuela, in nowise to the Tribunals of a country to whose laws he was not subject. It is inconceivable that his trial should have been continued from the moment when it was alleged that he was a Venezuelan functionary, and that the action imputed to him was an act of legitimate jurisdiction on the territory of the Republic. In case of this jurisdiction having been conferred unduly upon him, she accepted the consequences thereof as his principal, and they must not fall upon a subordinate acting on another's account. Although he had been a private offender, his acts were only under the control of the owner of the territory where they were performed, not of the English Magistracy of Demerara that has tried and punished him.

The functionary who went on board Her Britannic Majesty's man-of-war referred to entered the mouth of the Orinoco, reached the pontoon serving as light-house, and asked for pilots to go up the river; and the officers there having refused them to him, for he was not going to ports of entry ("habilitados"); he dispensed with pilots, and proceeded as far as Amacura, and on the following day he arrived at Guiana, by the Barima Point, after having affixed on all the points visited this Notice: –

“(L.S.)

“*Government Notice.*

“Notice is hereby given that any persons infringing the rights of Her Majesty, or acting in contravention of the laws of British Guiana, will be prosecuted according to law.

By command,

(Signed) FRANCIS VILLIERS
Acting Government Secretary

Georgetown, Demerara, October 16, 1884.”

That took place in October 1884, such operations beginning on the 18th. From that time forward the invasions of the Venezuelan territory were continued, and had, among other objects, the forcible destitution of the authorities established by the Governor of the “Delta territory”, at the mouths of Amacura and Marajuna, and a proposal made to the Commissary at the mouth of the former – M. Roberto Siso – to vest in him sufficient authority, to assign him a salary, and to leave with him the garrison required to maintain and defend the British jurisdiction on that point.

On the 22nd of the following November the aforesaid McTurk wrote from the right bank of the Amacura River to Thomas A. Kelly, the President-Manager of the Manoa Company, to the effect that he was aware of their intention to erect a saw-mill at the mouth of Barima River, and adding these words: –

“I deem it my duty, as an officer now in charge of the Pomaroon River Judicial District, and which district extends to the limits of the Colony on its Venezuelan or western side, to notify you that the Barima River is in the county of Essequibo and Colony of British Guiana, and forms part of the judicial district over which I exercise jurisdiction. No settlements of any kind, whether for the purpose of trade or any other purposes, can be made within the limits of the Colony, unless in accordance with its existing laws, and those who may become resident therein will be requested to obey them. I would draw your attention to the Notices posted on the trees in the Amacura, Barima, and Waini Rivers, one of which I am told you have. I inclose a written copy. These Notices were placed where they are by order of his Excellency the Governor.”

In another despatch of the same date Mr. McTurk said to Mr. Kelly: –

“ Sir,

I have the honour to inform you that you are now within the boundaries of the Colony of British Guiana, and within the limits of my district as one of the special Magistrates and Superintendents of Crown Lands and Forests for that Colony, and consequently beyond your jurisdiction as an official of the Venezuelan Government.

Any notifications you may serve on the inhabitants will be of no effect, and all persons residing in or visiting this or any other part of the Colony will have to conduct themselves in accordance with its laws.

I have further to call your attention to the Notices affixed to the trees in this river, and also in the Waini and Barima Rivers.

These notices have been placed where they are by order of his Excellency the Governor of British Guiana.”

On the 25th October, 1884, the Acting Secretary of the Government of British Guiana wrote to Mr. Fitzgerald as follows: –

“British Guiana, Government Secretary’s Office, Georgetown, Demerara, October 25, 1884.

“Sir,

I am directed by his Excellency the Governor of British Guiana to acknowledge the receipt of your three letters, with reference to, and transmitting documents respecting, the Manoa Company and the concession made by the Venezuelan Government, and to convey to you the expression of his Excellency’s thanks for the information and the documents supplied.

With regard to the British Guiana boundary, I am directed by his Excellency to intimate to you that the Colonial Government exercise authority and jurisdiction within the limits laid down in the accompanying map, starting from the right bank of the Amacura River, and that within these limits the Colonial Government enforce the laws of British Guiana.

I am further to intimate to go that any person disregarding or acting in contravention of the laws of British Guiana within these limits will be liable to be proceeded against according to the laws of the Colony. The whole of the territory, therefore, between the Amacura and Moroco Rivers is part of the Colony of British Guiana, and the Colonial Government will maintain jurisdiction over this territory, and prevent the rights of Her Majesty or of the Colony being in any way infringed.”

I have quoted textually the above passage, in order to show the ardour with which British authorities are arrogate to themselves jurisdiction over those Venezuelan places, thus adding words to facts.

One the other hand, the note of the British Legation at Caracas to the Venezuelan Ministry for Foreign Relations, under the date of the 8th January, 1885, reads as follows: –

“In a despatch, dated London, the 28th November, I am directed by Her Majesty’s Government to draw the attention of that of Venezuela to the proceedings of the agents of the Manoa Company in certain districts, the sovereignty of which is equally claimed by Her

Majesty's Government and that of Venezuela.

Earl Granville further instructs me to request the Venezuelan Government to take steps to prevent the agents of the Manoa Company or of Mr. H. Gordon, who has also a concession from the Venezuelan Government, from asserting claims to, or interfering with, any of the territory claimed by Great Britain.

Her Majesty's Government, in the event of that of Venezuela declining to move in this matter, would, to their great regret, feel themselves under the necessity of adopting measures for preventing the encroachment of the Manoa Company, and the Governor of British Guiana would even be instructed to employ an adequate police force for the prevention of such encroachment and the maintenance of order.

Lord Granville goes on to inform me, however, that no steps will be taken by the Governor of British Guiana pending this reference to the Venezuelan Government.

I need hardly remind your Excellency that the question of the boundary of British Guiana is one of long standing, and that communications upon the subject are at the present moment taking place between Her Majesty's Government and the Venezuelan Minister in London, and it is therefore all the more important that incidents calculated to cause grave inconvenience should be prevented. The territories, irrespective of those disputed by Venezuela and Great Britain conceded to the Manoa Company, are enormous in extent, but without entering into that portion of the question, I feel certain that his Excellency the President of the Republic will duly appreciate the immense importance of obviating the possibility of any collision between the agents of that Company and the British authorities in the territories, the sovereignty of which is still a disputed question."

On the 26th of the same month of January Mr. Mansfield wrote again to the Venezuelan Government to bring to their knowledge the circumstance that orders had been transmitted to the Governor of British Guiana to send Mr. McTurk, a Stipendiary Magistrate, accompanied by an adequate police force, to make an inquiry in the district on the east bank of the Amacura, River into the proceedings of the Manoa Company, and more especially into the conduct of Mr. Robert Wells and others, who were accused of torturing persons by hanging them up by their ankles for protracted periods, etc.

The Legation stated, moreover, that Mr. McTurk would deal according to the laws in force in the other parts of British Guiana, recalled the fact that the words in the contract with the Manoa Company are in terms, "as far as British Guiana", and observed on that account that in the Report of the territorial land grant of the Grand Delta of the Orinoco for the Manoa Company, Mr. Fitzgerald states that "about 10 miles to the south-west of Barima Point, in the entrance of the Amacura River, which, in 1800, formed the boundary between British Guiana and Venezuela," when it would appear that the locality in which the incidents of which notice has been taken is not even claimed by the Manoa Company.

Lastly, Mr. Mansfield mentioned that the Governor of British Guiana had reported to London that the posts placed by order of the Government of that Colony, on the 18th October, on the east bank of the Amacura River, and in other spots, bearing notices against trespassers, inasmuch as the territory is claimed by the British Crown, had been removed, it was to be presumed, by order of the Venezuelan Government, and sent to Ciudad Bolivar, remarking that this incident might lead to correspondence of an unsatisfactory character, if not to serious inconvenience at a future

date.

From the passages above copied, and the facts stated, it appears clearly that the British authorities have exercised the most solemn acts of jurisdiction over places which they at the same time declare to be in dispute with Venezuela, that is to say, that they have infringed and continue to infringe the Agreement proposed on the part of Her Britannic Majesty "not to occupy nor to encroach upon the territory in dispute." The infraction is the more serious as it has been accompanied by the use of violence, as though the least controversy about the ownership of the parts affected had never existed. So that the London Cabinet has taken no notice of the rights of Venezuela, but has rather decided by itself the superiority of its own alleged rights, and proceeded accordingly to acts of violence.

Another remarkable circumstance is that the previous step of stating to the Government of the Republic the grounds of complaint upon which the appeal to force was to be supported was omitted. This proceeding is at variance with the friendship cultivated by Venezuela, with such care that, in order to render it still more perfect, she had accredited to London a first-rate Representative; and is likewise in contradiction of the practice of nations, that ever, before having recourse to reprisals, employ the methods of conciliation and good understanding, as required by the consideration they owe to each other.

Mr. Mansfield stated, in his note of the 8th January, that the Governor of British Guiana, would take no step pending the result of the application then made to the Venezuelan Government for preventing the agents of the Manoa Company or Mr. H. Gordon to claim or interfere with any part of the territory claimed by Great Britain. This friendly step would not have failed to bring about proper results if, by the date when it was taken, the measures resolved upon by the British Government had not been consummated. Some days later, on the 24th January, Mr. Mansfield stated that, from the 11th October, 1884, posts had been placed, by order of the Governor of British Guiana, on the east bank of the Amacura River, and in other spots. On the 31st of the same January, the Governor of the Delta territory communicated to the Executive that an English Commission had penetrated into the mouth of Amacura and taken away as a prisoner the Civil Commissary established there by the Government of said territory, leaving on the spot a police guard.

Mr. Fitzgerald's statement that, in 1800, the boundary between Venezuela and British Guiana was about 10 miles to the south-west of the Amacura River, is quite untenable. To become convinced thereof, it is sufficient to note that by that year Great Britain had acquired no right to that part of Guiana which, in 1814, was ceded to her by Holland; and that in respect of this and the Spanish possessions, the boundary was on the Essequibo River, as Venezuela has at all times affirmed. So the error of Mr. Fitzgerald cannot prejudice the rights of the Republic.

And it ought not to be lost sight of that the grant to the said gentleman does not fix any specific boundary, but makes use of the expression, "as far as British Guiana", as it is repeated by Mr. Mansfield in one of the above-quoted passages of his correspondence. Nevertheless, the proceedings of the Manoa Company have been taken as a pretext for actions derogatory of the rights of Venezuela.

That the posts placed by order of the Government of British Guiana on the east bank of the Amacura River and in other spots may have been removed would mean but a protest against the claims of Great Britain, since, if she believes such places to be under her ownership, the Republic is sure that they are hers; and to leave these said signs subsisting would amount to a recogni-

tion of the intention with which they are placed, and would be alleged at some future time as a proof of the acquiescence of Venezuela in the assumption of British dominion. Such signs would show the occupation of a territory which Her Majesty has undertaken "neither to occupy nor encroach upon" by the spontaneous promise of her Government, offered with great forwardness for the acceptance of Venezuela.

In the event, which is denied, of the latter having violated the same duty which she contracted on her part, it was proper to prefer against her friendly remonstrances conducive to the redress of the wrong, instead of taking one-sided and forcible measures calculated to wound the dignity of a Sovereign State, that sees more than ever the integrity of her territory threatened in a very important part, that is to say, in the great Orinoco River which carries into the ocean the numerous streams watering her soil and that of the neighbouring countries, and forming the principal means of communication not only amidst her population, but also between them and foreign countries, promising with the natural progress of the new American nationalities the most hopeful nature.

In the last proposal for a compromise made by the British Government to Venezuela, it was said to her that, as the capital point for her was the possession of the Orinoco, a line was presented that would begin about 29 miles to the east of the right bank of the Barima River, a line not accepted by Venezuela, that claims the boundary of the Essequibo.

The Government of the Republic, in its replies to Mr. Mansfield, assured him, according to the words of the contract "as far as British Guiana", that the aforesaid contracts did not reach further than those of the disputed territory, and promised in all sincerity to take steps to clear the facts, since the Manoa Company was charged with having overstepped those boundaries. And very rightly did it profit by the occasion to remark that, on the 18th October, 1884, an English man-of-war entered the mouth of the Orinoco, and, reaching the pontoon serving as a lighthouse, asked for pilots to go up the river, which were refused on the ground of her not being bound for ports of entry ("puertos habilitados") according to the law. That, notwithstanding such an objection, she proceeded on her course towards Amacura, and arrived on the following day at Guiana through Barima, after having placed in all the points of her passage posts with printed placards declaratory of dominion, proceedings which had strongly attracted the attention of the Government, who doubted them owing to the extraordinary nature of the event.

In his second note, his Excellency the Ministers of Foreign Relations communicated to Mr. Mansfield the profound surprise with which the Federal Executive had heard the account of his despatch of the 26th January, as well in the passages concerning the facts attributed to Mr. Robert Wells as in those relative to the orders given to the Governor of British Guiana to send, with an adequate force of police, the Judge, Mr. McTurk, to investigate the proceedings of the Company on the east bank of the Amacura River, although it was acting on territory belonging indisputably to Venezuela. "The surprise of the Government," the Minister goes on to say, "was increased on reading yesterday a telegram from the Governor of the Delta Territory, wherein he announces to it that an armed force sent by his Excellency the Governor of British Guiana penetrated into Venezuelan territory, and, making use of violence, seized the Commissary of the mouth of the Amacura, and took him away, leaving established there a police force. Besides all the other events of which your Excellency is aware, this by itself is sufficient to make Venezuela feel herself attacked in her most sacred rights of property, and compels her to call most urgently your Excellency's attention to the case, in order that you may take such measures as the case re-

quires to have these proceedings repaired and things restored to the state they were in, in accordance with the *status quo* in force, and which lays down that neither of the two nations should exercise jurisdiction over any part of the territory in dispute. This becomes the more indispensable, as negotiations are going on actively between Venezuela and Great Britain, with the purpose of bringing to an end their long-standing boundary dispute. The Plenipotentiary of the Republic has received orders to hasten the negotiations, and doubtless they would soon reach the desired agreement if ill-timed proceedings were avoided which bear the semblance of acts of force, and which are thoroughly at variance with the respect due to the principles of territorial property, and to the justice which should characterize the relations between civilized countries.”

In conformity with the orders received from my Government, and in view of the preceding statements, and inclosing a copy of the Agreement to which they consented at the instance of Mr. Wilson, Charge d’Affaires of Great Britain at Caracas, I respectfully request:

1. The removal of all the signs of sovereignty placed by order of the Governor of British Guiana in the disputed territories.
2. The recall of the officers and public force that may have been placed in the same territories.
3. Satisfactory explanations for the failure to comply with the Agreement proposed to Venezuela on the part of Great Britain, and the violations of the laws of the Republic as to the ports not open to foreign vessels.
4. Nullification of the proceedings instituted against Robert Wells, his release and indemnification for the losses brought on him by his capture, imprisonment, and trial, and punishment for an offence committed on Venezuelan territory.
5. Complete restoration of things to the footing they were on in 1850, the date of the Agreement referred to, and stringent orders to the Governor of British Guiana to have it scrupulously observed, till the settlement by the two Governments of the boundary question. . .

(Signed) GUZMAN BLANCO

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Inclosure: Mr. Belford Wilson, British Charge d’Affaires in Caracas, to Señor Vincente Lecuna, Venezuelan Minister of Foreign Affairs, 18 November 1850 [Document No. 668 in From 1842 to 1857]

807. GENERAL GUZMAN BLANCO, VENEZUELAN MINISTER TO GREAT BRITAIN, TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

[29 July 1886]

(Translation – Original: French)

Venezuelan Legation, London, July 29, 1886.

My Lord,

I have had the honour of receiving the communication of your Ministry dated the 20th instant, and the Memorandum, accompanying the same, of the bases for the settlement of the questions pending between our respective countries.

Those questions are three, and the British Government have connected them, and requested their amicable and simultaneous solution.

With regard to the boundary, the Constitution of the Republic declares its limits to be those appertaining to the Captaincy-General of Venezuela in 1810; and by another of its Articles any alienation of the national territory is prohibited. The combination of both provisions renders it impossible for the Government to enter into any accommodation on the subject, they entertaining the conviction that in 1810 the Captaincy-General, to whose rights the Republic has succeeded, was bounded by the Essequibo. Therefore, there can be no other means of solution than arbitration, which will show who is better entitled to that property.

The exclusion from arbitration of the very matter to which it is best suited, and respecting which it is indispensable for Venezuela, is to lessen the hope of coming to an understanding. In addition to this, the restriction of the arbitration opposes another obstacle to the signing of the Treaty of Commerce, the aforesaid Constitution containing another Article which absolutely forces upon the Executive the insertion of the arbitration clause.

Arbitration to that extent has been agreed upon between Venezuela and Italy, Spain, Belgium, Columbia, etc.

In order to settle the dispute about the differential duties, it is sufficient to insert in the Treaty a stipulation putting the Colonies upon the same footing as the mother country, as Venezuela has proposed; and her Decree in regard to the duty having been issued in exercise of her sovereignty, and with no violation of any international obligation, as she has made manifest, she cannot submit to the Award of an Arbiter the point whether she is responsible for the execution of such a law.

The acceptance of the most-favoured-nation clause under the terms wished for by Venezuela would be completely satisfactory were it not made dependent upon her consent, to what has been proposed in regard to the other questions.

The Treaty of 1825-34, left to be completed in fresh negotiations to be opened without delay, as expressed in Article XIV, cannot be deemed binding sixty-one years after its conclusion, still less as the Republic has been endeavouring for more than four decades to fix the term of its duration, the Article in reference to which was doubtless one of those omitted.

The agreement as to the mode of payment of the money claims ought not to be made subject to the consent of the private creditors, for by the Conventions of 1865-68 they became a diplomatic debt of Venezuela to Her Britannic Majesty's Government.

In the inclosed Memorandum I have entered more fully into the situation.

There remains for me only to express my pain that so well-intentioned, so sincere, so friendly efforts as mine have been during two years have failed to secure the effect I expected from them, and that I return to my country leaving the pending questions as they were before, perhaps in a worse condition, for he who may come to replace me will not be able to resume the triple negotiation now left in abeyance until he has had time to study the voluminous and difficult masses of papers dealing with it, and understand the different and profound doctrines bearing upon such questions.

I present to your Excellency the assurance of my high consideration.

(Signed) GUZMAN BLANCO

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Inclosure:

MEMORANDUM ON GUIANA BOUNDARY AND DIFFERENTIAL DUTIES

(Translation – Original: French)

Her Britannic Majesty's Government proposed to that of Venezuela in 1883, through their Legation at Caracas, the simultaneous and amicable settlement of the three following questions, namely, boundary, differential duties, that is the Treaty of Commerce, and money claims. This idea having been willingly entertained, the President of that Republic sent General Guzman Blanco to London with a sincere desire to bring the negotiation to a close. The Envoy reached this country in July 1884. He set to work at once by initiating the steps conducive to his purpose, and by the middle of 1885 matters had so far advanced that nothing was pending but the discussion of the most-favoured-nation clause, and what related to the mode of payment of the claims. By the acceptance of general arbitration a way was opened to the solution of the boundary dispute; by the conclusion of a new Treaty of Commerce, the difficulties arising out of the obsolete compact of 1825 were removed, and the treatment of the mother country was secured to the British Colonies; and by the admission of the obligations of a diplomatic debt, the execution of a Venezuelan law was arrived at, to the benefit of both debtor and creditors. Under those circumstances, a political change took place, and Lord Granville's successor retracted the general Arbitration Article, although, it had been agreed upon by both parties. It was in vain that the Venezuelan Legation demanded the fulfilment of the pledge given by the former Administration, notwithstanding it was proclaimed at the time that the promises of the Government should be redeemed, although given by its predecessors. Thus the Republic did not obtain what Russia did.

In the meantime, grave events were being consummated in the Republic, into which vessels carrying the English flag, one of them with English officers and crew, has been made clear in a Tribunal of this city, and repeated with several comments by newspapers, had made a revolutionary invasion, starting from London and Port-of-Spain.

These circumstances were not calculated to further those amicable overtures. When the danger was averted, not by the use of any repressive measure on the part of Her Britannic Majesty's functionaries, but by the valour and with bloodshed of Venezuelans, the Legation resumed its task. Nor was it prevented by the other painful proceedings, executed by order of the Governor of the British Colony of Demerara, which had caused great excitement in the Republic, the territory of which was invaded by official Commissions, charged with penetrating into several places, fixing Notices and other signs of dominion, and even seizing and taking away for trial, as he was tried and punished, a Commissary of Police. This Legation refers thereto in a note on the subject marked No. 350.

His last instant requests for the settlement of the three points, which he still hoped for, and on account of which he has delayed his return to Caracas, notwithstanding his appointment to the

Presidency of the Republic, since the 27th April, have been answered in such a manner that the possibility of the parties coming to an understanding is farther and farther removed.

In fact, it is claimed that the lines described in the note of M. Rojas of the 21st February, 1881, and in Lord Granville's note of the 15th September, 1881, being taken as extremes, the territories lying between those lines should be considered the territories in dispute, and that a boundary-line should be traced within the limits of this territory, either by an Arbitrator or by a Joint Commission, on the basis of an equal division of this territory, due regard being paid to natural boundaries. But as Great Britain attaches especial importance to the possession of the mouth of the River Waini, she desires that the line should start from the sea-coast westwards of that point, due compensation being found in some other portion of the disputed territory for this departure from the basis of an equal division. It is promised to connect the boundary question with the cession of the Island of Patos; and lastly, it is requested that the Orinoco should be entirely free to commerce and navigation.

To agree to Lord Rosebery's proposal would be to decide at once, and unfavourably to Venezuela, the question about her constantly alleged right to the country as far as the Essequibo. If Venezuela could do so much, she would have no need to apply to a Mixed Commission or arbitration to divide by equal parts the portion of the territory sought to be declared in dispute. Venezuela has impressed upon Great Britain the impossibility she is under of alienating any part of the territory of the Republic, this being emphatically prohibited by the Constitution, so that no other means than arbitration is left her to bring boundary disputes to an end.

It is proper to observe that, since 1841, the Republic has been pressing upon Her Britannic Majesty's Cabinet the settlement of the boundary controversy, and that, in 1844, the then Secretary for Foreign Affairs, Lord Aberdeen, proposed a line that, after subsequent modifications, ran thus: "Beginning on the sea coast at the mouth of the Moroco River, the line shall be drawn directly to the junction of the River Barama, with the River Waini; thence up the River Barama to the Aunama, and up the Aunama to the point at which that stream approaches nearest to the Acarabisi; and thence down the Acarabisi to its confluence with the Cuyuni, from which point it will follow the bank of the Cuyuni upwards until it reaches the high lands in the neighbourhood of Mount Roraima, which divide the waters flowing into the Essequibo from those which flow into the Rio Branco."

Such a proposal was not accepted, not only because of its inconsistency with the rights of Venezuela, but also because it appeared to cede to her a part of what she claims as her own, and this under a condition both onerous and limiting her right of property, viz., that of not alienating to any foreign Power any part of the ceded territory. It was, moreover, required that the tribes of Indians resident there at the time should be protected against any ill-treatment and oppression. The death of the Venezuelan diplomatist then stopped the course of the negotiation, which was resumed with great diligence in 1876, and extended to the Island of Patos question by two separate despatches. On the 16th February, 1877, Lord Derby acknowledged both communications, and on the assumption that the Minister Rojas would bring instructions in regard to the contents of those notes, was pleased to say that his Government would ever be happy to receive and consider most attentively any representations which the Venezuelan Government might deem it advisable to address to them, either through M. Rojas or Her Majesty's Minister Resident at Caracas.

Such an Agent, M. Rojas, made some exertions on the subject, and on his own account put

forward the accommodation proposal, dated the 21st February, 1881, which was rejected by Lord Granville on the 15th September of the same year, and replaced by the following one: –

“The initial point to be fixed at a spot on the sea-shore 29 miles of longitude due east from the right bank of the River Barima, and to be carried thence south over the mountain or hill called on Schomburgk’s map the Yarikita Hill, to the 8th parallel of north latitude, thence west along the same parallel of latitude until it cuts the boundary-line proposed by Schomburgk and laid down on the map before mentioned; thence to follow such a boundary along its course to the Acarabisi to its junction with the Cuyuni, thence along the left bank of the River Cuyuni to its source, and from thence in a south-easterly direction to the line as proposed by Schomburgk to the Essequibo and Corentyne.”

In commenting upon this proposal in a Memorandum with which he communicated it, Lord Granville said that this frontier recognized the reasonable claims and requirements of Venezuela, and avoided the occasion for subsequent disputes; that such a line surrendered to Venezuela what has been called the Dardanelles of the Orinoco, the entire command of its mouth and about one-half of the disputed territory; while it secured to British Guiana a well-defined natural boundary along almost its whole course, except for about the first 50 miles inland from the sea, where it was necessary to lay down an arbitrary boundary in order to secure to Venezuela the undisturbed possession of the mouths of the Orinoco. That likewise it was such that it did not encroach on any territory actually settled or occupied by Venezuela, and, lastly, that it was one that would be well understood by the Indians and others, since it ran along the Cuyuni from its source to its junction with the Acarabisi, and from that point along the Acarabisi to its source, and from there along the high lands which stretched thence towards the sea.

It results from the above that by the process of time the proposals of Her Majesty’s Government have become less and less favourable. By the two first ones they aimed at leaving to Venezuela the freehold of the mouths of the Orinoco, acknowledging it to be a reasonable claim and requirement; while by the last one it is sought to limit her rights in that respect by demanding entire liberty of navigation and trade in that large river. On the other hand, it appears that the proposed line consults no more than the convenience of British Guiana, regardless not only of the legal question, but also of the convenience of Venezuela.

Now, as the Orinoco flows entirely through Venezuelan territory, it has the character of an internal river, and is subject to her absolute control, so that she may dispose, and has ever disposed, of its navigation and trade as she has deemed convenient to her interests. She has always supported those very principles supported by Great Britain in her memorable discussion with the United States of America as to the navigation of the St. Lawrence River, through which the large lakes of that Republic discharge their waters into the sea. Up to the present time her legislation has not opened the use of the national rivers to the foreign flag except in some cases temporarily, and in exchange for reciprocal concessions.

In conclusion, Venezuela asserts today, as she has done before, specially in the Presidential Message of 1877, her rights as far as the Essequibo, and repeats that, the Federal Constitution of Venezuela prohibiting absolutely any alienation of territory, her Government can agree to no compromise, whatever it may be, and finds no other way out of the difficulty than an appeal to arbitration.

Respecting the Island of Patos, it has been shown that on account of its being nearer to the Venezuelan than to the English coast, and for other reasons, it belongs to the Republic, and not to

Great Britain. Its ascription to the Municipal Council of Trinidad, alleged to have been made by the Spanish Governor, did not obtain, as was indispensable to its validity, the confirmation of the Court of Madrid.

Her Majesty's Government offer to accept the "most-favoured nation clause" in the terms desired by Venezuela, but it is under the condition that the other questions at issue should be satisfactorily settled, and it has already been seen, and it will be further seen, that the disagreement between the parties is becoming broader and broader.

They offer also to agree to the insertion in the Treaty of Commerce of the "arbitration" clause proposed by Venezuela, provided it be limited to differences that may arise after the date of the signature of the Treaty, and excluding the questions of the boundary and of the Island of Patos, which shall be dealt with specially in the manner indicated above.

But it is precisely the boundary question that it behoves most to refer to, and that is most fitting for arbitration, just as Great Britain has referred some disputes of the same nature with the United States of America, and lately the one concerning the "Haro Canal," submitted to the award of the Emperor of Germany, and decided by him, it being worthy of note that it was Her Majesty's Cabinet that put forward as many as six times this means of bringing the dispute to a close.

Let it be, too, taken into consideration that the 109th Article of the Venezuelan Constitution enjoins on the Executive the insertion in Treaties of the arbitration clause for any differences whatever arising between the Contracting Parties, with no exception of any kind. It follows thence that neither is it lawful for the President of the Republic to admit, nor for the Congress to approve, of any compact lacking that stipulation, or containing it with restrictions.

Regarding the differential duties, it is suggested that they should cease as soon as the Preliminary Agreement between the two Governments has been signed. The Venezuelan Minister has evinced from the outset, and constantly, his willingness to place the British Colonies upon the same footing as the mother country, by the adoption in a new Treaty of an Article conveying it in express terms.

A novelty has now been introduced in proposing arbitration to decide the question of the claims to indemnity for the imposition of those duties in contravention of the existing Treaty.

From 1881 to 1883 the Venezuelan Government kept up with the British Legation at Caracas a correspondence intended to illustrate and justify the legitimate right of her Legislature to establish an additional duty of 30 percent upon the merchandise from the British West Indian Colonies. The attention of the British Government is called to this discussion, the more so as the last note of the Venezuelan Foreign Minister of the 7th February, 1883 has never yet been impugned, and as the next step taken by Her Majesty's Government consisted in connecting that question with the boundary and money claims, and requesting their simultaneous and amicable settlement.

It is thought advisable to review the substance of the controversy. A Law enacted by Venezuela in 1881 imposed a duty of an additional 30 percent upon merchandise from the Colonies. Lord Granville thought that, as to Great Britain, that constituted a violation of the Treaty concluded with Colombia in 1825, and renewed with Venezuela in 1834.

His reason was that its IVth Article prohibits the imposition of other or higher duties on the importation into Venezuelan ports of any articles the growth, the product, or manufacture of the dominions of Her Britannic Majesty than those paid or to be paid for similar articles when they are the growth, product, or manufacture of any other foreign country.

It is argued that, according to the new Law, merchandise imported direct from the British Colonies of the West Indies will be taxed with higher duties than similar articles from other countries, and that when such merchandise is the growth, product, or manufacture of Her Britannic Majesty's dominions, the application of the Law would be incompatible with the provisions of said Treaty.

It is hereby seen, on the one hand, that if the merchandise taxed is foreign, though from the Colonies, that furnishes no ground for complaint; and that, on the other hand, the duty not being limited to the British Colonies, but applicable to all Colonies, with no discrimination of nationality, including even Venezuelan merchandise, there is not therein any infraction of the compact. Nay, more, if the very territory of the mother country were embraced in the increased duty, provided it included every other Power, the stipulations referred to would not have been overstepped.

It has been equally demonstrated that, according to Article III, reciprocal liberty of commerce was established between the territories of Colombia and the territories of His Britannic Majesty in Europe, a language which excludes the Colonies, since they might be, and were not, there made mention of.

The difference which has always been preserved between the mother country and the Colonies, placing the latter upon a less advantageous footing than the former, has been emphasized, as well as the fact that in the political language of Great Britain the words "Colony" and "dominion" do not mean one and the same thing.

It was made patent that in Article III referred to His Britannic Majesty grants to the Colombians the same liberty of commerce and navigation stipulated for in Article II towards His Majesty's dominions out of Europe to the same extent to which it may be granted to any other nation, whence an inequality between the commerce with the mother country and the commerce with the Colonies appears to have been established.

Finally, the significant fact was recalled that in 1825, the date of the conclusion of the Treaty between Colombia and Great Britain, there existed in the Republic differential duties respecting the Colonies, which were maintained after the ratification of the Treaty, and as this did not raise any objection on the part of the London Cabinet, it follows that they put then upon the Treaty the same construction to which Venezuela adheres.

Prompted by a conciliatory spirit, the President of the Republic issued, on the 22nd January, 1883, a Decree, by which such a duty was no longer applicable to the produce and manufacture which, being sent from Europe or the North American United States to Venezuelan ports in the manner prescribed by the Law for the management of custom-houses, would arrive in transit at the Colonies, and were there transhipped or deposited, to proceed afterwards to Venezuelan ports in other vessels. Such a modification has mitigated, to the benefit of the Colonies, the effects of the measure in question.

The Government of the Republic has shown no less favourable a disposition to insert in the Treaty of Commerce an Article exempting from differential duties all the imports permitted in Venezuela from the Colonies.

It is urgently necessary to terminate the Treaty of 1825-34, for, besides having become too old, as Lord Granville characterized it, stipulations relative to navigation and commerce ought not to be perpetual and remain stationary, but to follow the tide of human events.

The Contracting Parties themselves declared that compact an incomplete one, and promised

to each other to proceed without the least delay with the negotiations, in order to provide for the want of the omitted Articles, one of which was evidently that which should fix the term of the Agreement.

This has not been done yet, although it is now sixty-one years old, and Venezuela has been pressing the matter for a long time, and although Great Britain conceded it from 1866 to New Granada, who, like Venezuela, inherited the Colombian Conventions.

It is to be applauded that Her Majesty's Government are prepared to agree as to the claims adjusted in 1865 to a settlement similar to that contained in the IInd Article of the Convention between Venezuela and France of the 26th November, 1865.

What does not seem to be advisable is to make it subject to the consent of the individual claimants at a time when the claims have passed out of the private sphere into that of international agreements. The parties interested have been able to express ere this their opinion about the proposed change, and it admits of no doubt that it will be favourable to the same, as it has been the case with the German, Spanish, and French claimants.

Between a slow and gradual extinction of the capital only of a debt bearing no interest, not simultaneously for all the claimants, but successively for two classes of them, and its full and immediate payment, by means of a paper, the interest on which would render it a marketable one, there is no possibility of hesitation.

In case there should be other pending claims of subjects of Her Majesty against Venezuela, her Government will not decline to submit them to the award of a Mixed Commission, as it has been done respecting some French claims by the recent Convention of Paris, but of course under the conditions specified in its Vth Article.

808. THE EARL OF IDDESLEIGH, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO GENERAL GUZMAN BLANCO, VENEZUELAN MINISTER TO GREAT BRITAIN

[11 August 1886]

(Translation – Original: French)

Foreign Office, August 11, 1886.

M. le Ministre,

I have the honour to acknowledge the receipt of your letters of the 28th and 29th ultimo in regard in the questions pending between Her Majesty's Government and that of Venezuela.

These communications will have my careful consideration, and, in accordance with the wish verbally expressed by you, the negotiations, which are for the present interrupted by your departure, will be resumed with your successor as soon as he is prepared to enter upon them. . .

(Signed) IDDESLEIGH

809. THE EARL OF IDDESLEIGH, BRITISH SECRETARY OF STATE FOR FOREIGN

AFFAIRS, TO MR. F. R. ST. JOHN, BRITISH MINISTER IN VENEZUELA
[12 August 1886]

Foreign Office, August 12, 1886.

Sir,

At my reception at the Foreign Office on the on the 7th instant of the foreign Representatives accredited to the Court of St. James, General Guzman Blanco informed me that he was leaving England on the 12th of this month in order to take up the post to which he has been elected as President of the Republic of Venezuela.

He said that it would take his successor some time to study the three questions pending between Her Majesty's Government and that of Venezuela, viz., the boundary with British Guiana, the Treaty of Commerce, and the diplomatic of pecuniary claims. He therefore hoped that I would allow these matters to stand over for the present.

I did not offer any objection to this temporary suspension of the negotiations which had been entered upon in the course of the last few weeks by my predecessor. . . .

(Signed) IDDESLEIGH

810. MR. F. R. ST. JOHN, BRITISH MINISTER IN VENEZUELA, TO THE EARL OF IDDESLEIGH, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS
[20 October 1886]

Caracas, October 20, 1886.

I received a visit three days ago from a gentleman who came to inform me that President Guzman Blanco, now residing at his country house, situated about 7 miles from Caracas, would be glad if I came out to breakfast and stay the day with him, as he wished to converse with me in a friendly manner on various pending questions. For family reason, which I explained, the interview was postponed and fixed for yesterday afternoon.

His Excellency commenced by expressing regret that he had hitherto been unable, owing to the very complicated nature of the pending questions, to select a fit person to continue in London the negotiations which were there suspended by his departure, and he suggested that matters should be discussed here in a friendly and quite confidential manner.

I replied that I should be ready to communicate to Her Majesty's Government anything he might say, but that, being without instructions, it would be impossible for me to enter in any way into what might be termed "negotiations."

General Guzman replied that he perfectly understood my position, and he proceeded at once to state that, leaving out the Diplomatic Claims question, which he looked upon as good as settled by him in London, the difficulty resolved itself into three, namely, the 30 percent differential duties, the new treaty, and the Guiana boundary. As to the differential duties, that was a measure which it was decided should be repealed; while the new Treaty only required England's consent to the arbitration clause, since all the other impediments to an understanding had been removed,

and on this being obtained a settlement of the Guiana boundary question offered no real difficulty, as, whatever the award assigned, it would be looked upon by Venezuela not as a cession of territory, expressly forbidden by the Constitution, but as a simple definition of her frontier, which could be legally accepted by the Government.

On a pause occurring, I asked the President if it were quite decided to abolish the differential import duties against the Antilles. He replied, "Yes, quite." I then said that, as far as I could judge, there would be no great difficulty in agreeing on an arbitration clause if it were not expected to be retroactive, and it were understood to apply only to questions arising in the future.

To this the President remarked, with some emphasis, that he believed the Article in the Constitution forbidding the conclusion of Treaties without containing an arbitration clause to have been expressly inserted with a view to facilitating by such means a settlement of the Guiana boundary, and he added that Her Majesty's Government had last year concurred in his proposal to include all pending as well as all future questions to arbitration.

As his Excellency had by this time worked himself into a state of considerable excitement, I said no more than that I had not been previously aware of what he asserted. On changing the subject by asking his permission to mention one or two minor matters, and on being encouraged to do so, I alluded to the "Henrietta" and "Josephine" cases, on which I lightly touched. The President at once called to his Private Secretary in the adjoining room to make a note of it, and I proceeded to mention my complaint of a second violation of British territory at Patos which had more than two months ago, by order of Her Majesty's Government, addressed to the Venezuelan Government, but without receiving any reply.

His Excellency begun by remarking to this that doubtless the delay was due to the unwillingness of an outgoing Administration to deal with so grave a question; that such delays occurred even in England, where, more than five months ago, he had addressed to Her Majesty's Government a note on a most important question which had to this day remained unanswered.

President Guzman Blanco then dwelt, with great warmth of manner, on the unheard-of and unjustifiable pretension that an island so close to the Venezuelan coast, without a single representative of the law residing upon it, and used as a meeting-place for conspiracies against the neighbouring State, should be considered inviolable by that State, even in cases of self-preservation.

I here interrupted the President, reminding him that I had not broached the subject in order to start a discussion, but to urge the return of an official answer and explanation to an official complaint.

The President promised that this should be done, and then abruptly invited me to adjourn to Mrs. Guzman Blanco's drawing-room, where, he said, tea was awaiting us.

I should mention that during our conversation the President twice affirmed, in a very emphatic manner – as if desirous of impressing it on me – that Venezuela though formerly weak, was now (owing to Mexico) strong; which, I presume intended to imply, if Great Britain means coercion, like France in Mexico under the Empire, then the United States will interfere. He also said, on my referring to the subject, that Señor Rojas proposed a Joint Commission in 1877 without instructions from his Government, and was on this account recalled . . .

(Signed) F. R. ST. JOHN

811. EXTRACT FROM THE *LONDON GAZETTE*
[22 October 1886]

Colonial Office, Downing Street, October 21, 1886.

THE COLONY OF BRITISH GUIANA.

Whereas the boundary-line between Her Majesty's Colony of British Guiana and the Republic of Venezuela is in dispute between Her Majesty's Government and the Government of Venezuela:

And whereas it has come to the knowledge of Her Majesty's Government that grants of land within the territory claimed by Her Majesty's Government as part of the said Colony have been made, or purport to have been made, by or in the name of the Government of Venezuela.

Notice is hereby given, that no title to land, or to any right in, or over, or affecting any land within the territory claimed by Her Majesty's Government as forming part of the Colony of British Guiana, purporting to be derived from or through the Government of Venezuela or any officer or person authorized by that Government, will be admitted or recognized by Her Majesty or by the Government of British Guiana; and that any person taking possession of, or exercising any right over, any such land under colour of any such title, or pretended title, will be liable to be treated as a trespasser under the laws of the said Colony.

A map showing the boundary between British Guiana and Venezuela, claimed by Her Majesty's Government, can be seen in the Library of the Colonial Office, Downing Street, or at the Office of the Government Secretary, Georgetown, British Guiana.

812. THE EARL OF IDDESLEIGH, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO MR. F. R. ST. JOHN, BRITISH MINISTER IN VENEZUELA
[23 October 1886]

Foreign Office, October 23, 1886.

Sir,

I transmit herewith, for your information, a Notice published in the *London Gazette* of last night relative to the territory claimed by Her Majesty's Government as part of the Colony of British Guiana. . .

(Signed) IDDESLEIGH

*

Inclosure: Extract from the London Gazette, 22 October 1886 [Document No. 811 above].

813. MR. F. R. ST. JOHN, BRITISH MINISTER IN VENEZUELA, TO THE EARL OF IDDESLEIGH, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

[7 December 1886]

(Telegraphic)

Trinidad, December 7, 1886.

President told me yesterday that a lighthouse would be immediately erected at Barima Point, in compliance with English request of the 26th May, 1836, and, if opposed by us, would instantly break off relations.

(Received December 11, 8.00 a.m.)

814. MR. F. R. ST. JOHN, BRITISH MINISTER IN VENEZUELA, TO THE EARL OF IDDESLEIGH, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

[7 December 1886]

Caracas, December 7, 1886.

My Lord,

I have this day reported, by telegraph, that it was the intention of the President of the Republic immediately to erect a lighthouse at Barima Point, in compliance with the alleged desire of Her Majesty's Government in 1836, and, should any opposition be made by Great Britain, that he would instantly break off relations. The circumstances which induced me so to address your Lordship are the following: –

Early yesterday morning I received a visit from the Chief Clerk of the Venezuelan Foreign Minister, who came to announce that, the President being desirous of an interview with me, the Minister for Foreign Affairs would call at my house at 3 o'clock in a carriage and accompany me to General Guzman Blanco's country house, if I accepted.

On reaching the President's residence, in company of Dr. Urbaneja, the present, and Señor Seijas, a former, Foreign Minister, I was at once ushered into the drawing-room, where I found a number of visitors assembled, and after a few minutes I was shown into another room, where a table was brought, and a map laid upon it.

The President then invited my two companions and myself to take seats, and, after a long and awkward pause, commenced in a very sententious manner to explain his motive in requesting my visit. He said news of the very gravest kind, and calculated to lead to the most serious consequences, had reached him, namely, that of her Majesty's Government having formally taken possession of the disputed Guiana territory by establishing British functionaries ("autoridades") upon it in violation of all previous understanding and arrangement; that such an act compelled him, in vindication of the rights of Venezuela over the banks of the Orinoco, at once to erect a lighthouse at Barima Point, and thus bringing matters to a head by instantly breaking off relations if the works were interfered with.

After another long pause, as if desirous of giving me time to reflect, the President asked what explanation I had to give for such conduct. I replied that the only one I could offer was that having myself heard not a single word in corroboration of the rumour, it was probably untrue, and I requested him to tell me whence he had derived his information. The President hereupon appeared somewhat disconcerted, altered his tone, and observed that he believed the news had come from a trustworthy source.

After this we all rose, and approaching the table with the map (a small one of Tejera), the President remarked that up to the left bank of the Barima River, all territory was Venezuelan and undisputed, and that, therefore, the erection of a lighthouse at Barima point was justified.

I was, however, better acquainted with the topography of this precise locality than any one present, and was able, in the first place, to point out that the disputed territory commenced at the Amacura River, 10 miles westward of the Barima; and in the second place, that even admitting the neutral line to begin where his Excellency imagined, that the erection of a lighthouse would still constitute a violation of disputed ground, since the "Point" stood not on the left, but on the right bank of the Barima River, a fact which the President denied at first, but was afterwards forced to admit, on inspecting the Map with a magnifying glass.

I then begged permission to speak, and said I was not authorized by my Government to discuss this question, but should simply state my personal impression that the Venezuelan Government were unduly precipitating matters by resolving on a step exactly similar to that which they accused Her Majesty's Government of having taken, and I besought his Excellency to postpone any action till I had referred the matter home and received a reply.

But the President refused my request on the ground that by lighting Barima Point he was only carrying out the wishes of the British Government, and on my asking when and how these wishes were expressed, I was referred to a note addressed by Sir Robert Porter on the 26th May, 1836.

In the course of the interview I stated that the only instances of British authorities visiting the disputed territories had been as far as I knew, for police purposes; and I added that on the occasion of the last expedition, the fact had been communicated and explained by my predecessor, Colonel Mansfield, in a note which I distinctly remembered, I said, to have read, but which Señor Seijas as distinctly denied the existence of, and which, on referring afterwards to the Legation archives, I found to have been addressed by Colonel Mansfield on the 26th January, 1885, and replied to by the Venezuelan Government on the 3rd February.

Since writing the above I have called at the Venezuelan Foreign Office where, on being received by Messrs. Urbaneja and Seijas, I said that on reference to the Legation archives, my statement of yesterday with regard to Colonel Mansfield's notification of an intended expedition for police purposes had proved correct, as they would themselves see if, they referred to their own archives; and I asked if I could be shown the note by which in 1836 Her Majesty's Government, as alleged, had asked that of Venezuela to erect a lighthouse at Barima Point. My request was at once complied with, and the note produced in which Sir Robert Porter, on the 26th May 1836, mentions (in the concluding paragraph of a lengthy communication addressed to the Venezuelan Government) a wish on the part of Her Majesty's Government* which was doubtlessly modified some years after on the report by Sir Robert Schomburgk, of the existence of the remains of an old Dutch fort.

I then drew attention to the amicable desire of Her Majesty's Government, at various times

expressed, of abandoning their rights over the bank of the Orinoco if they were met in an equally friendly spirit by the Government of Venezuela. I asked if the language of menace used by the President on the previous day, which I was bound to report by telegraph, was not calculated to render all prospect of an amicable settlement hopeless. And on Dr. Urbaneja here observing that this danger might be avoided by withholding for the present my telegram to your Lordship, I replied that I should willingly do so if before mail tin tomorrow, I received an assurance that its cause was removed by postponement for the present of the threatened occupation.

Before concluding this despatch, I must not omit to mention that during the early portion of my interview with the President, his Excellency used the expression, "occupation of Barima Point," which he subsequently changed into, "erection of a lighthouse" (as though the terms were not synonymous), after my remark that the Government of Venezuela appeared to contemplate precisely what they accused and blamed Her Majesty's Government for doing; and that on my remarking that in order to prevent the disputed territory from becoming an asylum for criminals these had often being pursued by British police, and could be similarly pursued by Venezuelan police when escaping from the other side, the President observed, "Then this alters the case;" but he, nevertheless, on my asking at the conclusion of the interview if I should still forward to Her Majesty's Government my proposed telegram, answered "Yes."

(Signed) F. R. ST. JOHN

P.S. December 8, 1886 – Twenty-four hours have elapsed since my interview with Messrs. Urbaneja and Seijas at the Foreign Department, and I am now forced, in the absence of any communication from them, to close this despatch, which will leave for England by Royal mail-steamer to-day.

F. R. ST. J

[* *Document No. 815 below*]

**815. SEÑOR DIEGO URBANEJA, VENEZUELAN MINISTER OF FOREIGN AFFAIRS,
TO MR. F. R. ST. JOHN, BRITISH MINISTER IN VENEZUELA
[7 December 1886]**

(Translation – Original: French)

Caracas, December 7, 1886.

Sir,

By order of the President of the Republic, and in consequence of the interview which we yesterday had with him, I do myself the honour of addressing you a record of the substance of what he stated.

He said that the grave news received respecting events stated to have occurred in Guiana, where it borders on British Guiana, had attracted his serious attention. He referred to the Agree-

ment, entered into in 1850 by an exchange of notes between the two Governments, spontaneously suggested by Great Britain, and owing to reports, made by Mr. Vice-Consul Mathison from Ciudad Bolivar to Mr. Wilson, Charge d'Affaires at Caracas, with reference to orders given to the authorities of the Province of Guiana to place it in a state of defence, and to repair and arm the dismantled forts, and to the Governor-General, Joseph Thomas Machado, having spoken of the raising of a fort at Barima Point, and also on the ground of rumour spread about in Venezuela that Great Britain was endeavouring to claim the Province of Venezuela Guiana. Mr. Wilson, besides contradicting the rumour and affirming that it was not only baseless, but precisely the reverse of the truth, declared, in the name of his Government, that they had no intention of occupying or usurping the disputed territory, and that they would neither order nor sanction such usurpation or occupation on the part of British authorities. At the same time he asked for and received similar assurances from the Government of the Republic, who have carried out the Agreement and preserved the *status quo*, while Great Britain has broken it; since, in addition to the acts of jurisdiction perpetrated since 1884, it has been proved ("averiguado") that she has at this moment in the Rivers Amacura and Barima, concerning which there had been heretofore no question, a Commissary with two ships, arms, and a police force, and that he issues licences and forbids the transaction of business on the part of travellers engaged in commerce; that he has constructed a Government House, on which he has hoisted and maintains the British flag; that churches and school-houses are being built; that, in October last, a small war-steamer was there; that a coastguard frequently passes over the ground between the Amacura and Barima; and that at this same place has been commenced the formation of an agricultural colony.

Even on the supposition, which is denied, that such places formed part of the disputed territory, Great Britain could not have occupied them without violating the said Agreement, and if, in spite of everything, she should occupy them, with much better reason would Venezuela reoccupy them, freed, as she is, from all engagements in virtue of the infraction by the other Contracting Party, and with the full consciousness of her indisputable proprietary right.

The President stated, at the same time, that the Concession to the Manoa Company could not have given just cause of complaint to Great Britain, because, by its unmistakable terms, it extended "no further than to British Guiana," that is to say, to the places not disputed, and besides that, the Contract referring to the matter had lapsed.

After what has been shown, and on the ground that the British Legation having requested, with the greatest urgency, in an official note to this Department, dated the 26th May, 1836, the placing of a lighthouse at Punta Barima, thus recognizing of its own accord the incontestable sovereignty of Venezuela, the President added that he was about to send thither an engineer charged with its erection, and new functionaries, who would exercise authority for the Republic in that locality and in those situated between the Rivers Barima and Amacura, and notify to the foreign occupiers that they should withdraw from the same, saying, in conclusion, that if Her Britannic Majesty's Government should occupy a spot like Barima, whose possession would constitute them joint proprietors of the Orinoco, and should thus solve by themselves the gravest question for Venezuela, depriving her by the force of the exclusive dominion over that river, and thus offer an indubitable *casus belli*, he would feel compelled, by the dictates of patriotism and the high duties imposed upon him as the guardian of the territorial integrity of the Republic, to sever the relations between the two nations.

The President has ordered me to write this note in order that you may communicate to me

any information or data that you may know concerning such unheard-of and almost incredible occurrences. . . .

(Signed) DIEGO B. URBANEJA

816. MR. F. R. ST. JOHN, BRITISH MINISTER IN VENEZUELA, TO SEÑOR DIEGO URBANEJA, VENEZUELAN MINISTER OF FOREIGN AFFAIRS
[9 December 1886]

(Original: Spanish)

Caracas, December 9, 1886.

Señor Ministro,

I have had the honour to receive your Excellency's note of the 7th instant, in which, by order of the President, you record what in substance was stated by his Excellency at our interview of the 6th instant on the Guiana frontier question, and in which you invite me to furnish you with any information I possessed in regard to certain alleged proceedings on the part of the British authorities in Guiana.

I beg to state, in reply, that the President, having declined, before resorting to the occupation of a part of the disputed territory, to await the result of my reference of his intention to Her Majesty's Government, I fail to see how compliance with your Excellency's request, or continuance of the discussion by me, can now serve any useful purpose.

But I must, nevertheless, in order to avoid error, remark on the points treated in your note: (1) that the territory lying between the Rivers Amacura and Barima, which is affirmed by you Excellency to be only now claimed by Her Majesty's Government, was already mentioned in Lord Aberdeen's note of the 30th March, 1844, to Señor Fortique as forming part of British Guiana; and (2) that the request of the 26th May, 1836, by the British Agent at Caracas to the Venezuelan Government, that they should erect a lighthouse at Point Barima, appears, from my thorough search in the archives of this Legation, to have been addressed to the Venezuelan Government without any knowledge or authority of the British Government, to whom it was never even reported by the Agent, and to have been made solely at the suggestion of certain merchants at Ciudad Bolivar who were interested in the removal of danger in the navigation of the Orinoco River.

If your Excellency will be good enough to refer to a communication made on the 26th September, 1851, by this Legation to the Venezuelan Government, by order of Her Majesty's Government, you will find it there stated, with reference to another subject, that such a doctrine as that a Government is bound by every act or word of its Diplomatic Agent is entirely at variance with international law, it being perfectly well known that even a formal Treaty concluded and signed by a Plenipotentiary is not valid unless it shall have been duly ratified by the Government of such Plenipotentiary. . . .

(Signed) F. R. ST. JOHN

817. MR. F. R. ST. JOHN, BRITISH MINISTER IN VENEZUELA, TO THE EARL OF IDDESLEIGH, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS
[10 December 1886]

Caracas, December 10, 1886.

My Lord,

I much regret that in my despatch to your Lordship of the 7th instant I should have written as follows: –

“My request was at once complied with, and the note produced in which Sir R. Porter, on the 26th May, 1836, mentions in the concluding paragraph of a lengthy communication a wish on the part of Her Majesty’s Government,” etc.

Had I been allowed by the Foreign Minister to see the whole context in Sir R. Porter’s note, instead of only the concluding paragraph, namely, from “Before I close this despatch” to the end, I should then not have been led into the error of believing that the word “Government” implied the British Government. . .

(Signed) F. R. ST. JOHN

818. MR. F. R. ST. JOHN, BRITISH MINISTER IN VENEZUELA, TO THE EARL OF IDDESLEIGH, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS
[10 December 1886]

Caracas, December 10, 1886.

My Lord,

In continuation of my despatch of the 7th instant, I have the honour to forward herewith in translation, a note which I received yesterday from the Venezuelan Government, purporting to be a record of my interview of the 6th with the President, but introducing matter connected with the mission of Sir Belford Wilson in 1850, which was not even alluded to at the interview in question.

I have also the honour to forward a copy of my reply explanatory of the circumstances under which Sir Robert Ker Porter was induced in 1836 by certain merchants at Ciudad Bolivar interested in procuring safer means of navigating the Orinoco, but without the authority, or even the knowledge, of Her Majesty’s Government, to request the Venezuelan Government to buoy the entrance to that river, and, in ignorance or forgetfulness of the question it might raise, place a light, on Barima Point – a suggestion which appears by the correspondence at the time to have been practically entirely disregarded by this Government, and was no doubt in consequence thought by Sir Robert insufficiently important to be reported to Her Majesty’s Government.

A draft of the note in question, addressed by Sir Robert on the 26th May, I have now found in the archives of this Legation, and beg to forward herewith, for your Lordship’s information, together with the reply of the Venezuelan Government, in which, as your Lordship will perceive,

any allusion to the suggested erection of a lighthouse at Barima Point is studiously avoided – doubtless in the hope of its passing unobserved, and consequently unrepudiated, by Her Majesty's Government. . .

(Signed) F. R. R. ST. JOHN

*

Inclosure 1: Señor Diego Urbaneja, Venezuelan Minister of Foreign Affairs, to Mr. F. R. St. John, British Minister in Venezuela, 7 December 1886 [Document No. 815 above].

Inclosure 2: Mr. F. R. St. John, British Minister in Venezuela, to Señor Diego Urbaneja, Venezuelan Minister of Foreign Affairs, 9 December 1886 [Document No. 816 above]

Inclosure 3: Sir Robert Ker Porter, British Envoy in Caracas, to Señor José Gallegos, Venezuelan Minister of Foreign Affairs, 26 May 1836 [Document No. 583 in *From 1803 to 1840*]

Inclosure 4: 584. Señor José Gallegos, Venezuelan Minister of Foreign Affairs, to Sir Robert Ker Porter, British Envoy in Caracas, 15 June 1836 [Document No. 584 in *From 1803 to 1840*]

819. SEÑORES JESUS MUÑOZ TEBAR AND SANTIAGO RODIL TO SEÑORES NUÑEZ AND GEFFRIE
[24 December 1886]

(Translation: Original – Spanish)

United States of Venezuela, Amacura, December 24, 1886.

Gentlemen,

The Undersigned have been commissioned by the President of the Republic to reorganize the districts of Amacura, Barima, and Guaima, pertaining to the Venezuelan territory of the Delta; and we are surprised to find you exercising authority here by order, and in representation of the neighbouring Colony of British Guiana.

All the territory included between the Rivers Amacura and Guaima, belongs to the Republic of Venezuela, and, on its part, it its never been considered as subject to controversy, and, consequently, the very fact of the Government of British Guiana appointing officers in these places is a manifest usurpation of the rights of Venezuela, against which we protest in the name of its Government.

We would request you to inform us who appointed you to the office you hold, and the date of your appointment, also if you have received instructions to interfere with the Venezuelan authorities in these districts in the performance of their duties. . . .

(Signed) JESUS MUÑOZ TEBAR
SANTIAGO RODIL

820. MR. FRANCIS STEPHEN NEAMES TO SEÑORES JESUS MUÑOZ TEBAR AND SANTIAGO RODIL

[24 December 1886]

Amacura River, British Guiana, December 24, 1886

Gentlemen,

The Undersigned have received the official note, dated the 24th December, 1886, requesting to answer you about our appointments by the English Government of Georgetown, Demerara, and we have the honour to tell you that, in reality, we have been appointed by Mr. Michael McTurk, one of Her Majesty's Stipendiary Magistrates in and for the Colony of British Guiana, to be a Rural Constable in British Guiana, as you have seen it in the precept signed by said Michael McTurk which we have handed to you. We also inform you that the Undersigned Francis Stephen Neames has been Acting Rural Constable since the 1st March, 1885 and the Undersigned George Benjamin Jeffrey has been appointed and acting as Constable since the 6th September, 1886, both as Constables in Amacura River.

We have not received instructions to interfere with the Venezuelan authorities on the right bank of the Amacura River, but we have instructions to prevent any foreign vessel from selling rum and other spirituous liquors on the English territories, in which case any vessel selling rum without a proper licence given by our Government may be seized at any time. . . .

(Signed) FRANCIS STEPHEN NEAMES

821. MR. PEARCE TO MR. TURNER

[Undated – but believed to be 27 December 1886]

(Telegraphic)

Marlborough, Pomeroon District [Undated – believed to be 27 December 1886].

Spanish steamer at Waini Mission 27th instant, and people there saying lands Spanish, not English; will return there next week to claim lands and also to Waramira Mission, Morucca.

822. MR JACOBUS LUGLES, THE CATECHIST, WAINI RIVER MISSION, TO MR. PEARCE

[27 December 1886]

Kerabannah, Waini River, December 27, 1886.

Dear Mr Pearce,

I write to tell you Spanish steamer arrived here 8 o'clock this morning on the Mission, make the people jump, and also I can understand story, they say this not English land, they own land. So please you write to me and send, let me know about this land, and please wrote and send when they come again. Let me show them about this land, and how die. . . .*

(Signed) JACOBUS LUGLES

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