

# NORTH AMERICA.

No. 14. (1864.)

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## CORRESPONDENCE

WITH

### MR. MASON,

COMMISSIONER OF THE SO-STYLED  
CONFEDERATE STATES OF AMERICA.

(In continuation of Papers presented to Parliament in  
March 1863.)

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*Presented to the House of Lords by Command of Her Majesty, in pursuance of their  
Address dated April 5, 1864.*

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“Copies or Extracts of any Correspondence that may have taken place between Her Majesty’s Government and the Government of the so-styled Confederate States of North America, relating to the Removal of British Consuls from those States, or the Cessation of the Functions of the Consuls, or any of them, therein; and of the Correspondence with the Consuls thereupon:

“Also, Copies or Extracts of all Correspondence with any Agents of the so-styled Confederate Government in this Country up to this Date, in continuance of that already before the House.”

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No. 1.

*Mr. Mason to Earl Russell.—(Received March 2.)*

24, Upper Seymour Street, Portman Square,  
London, March 2, 1863.

My Lord,

I HAVE the honour to transmit herewith to your Lordship, as Her Majesty’s Secretary of State for Foreign Affairs, a copy of a despatch from the Secretary of State of the Confederate States of America, bearing date December 10, 1862, which was received by me on the 25th of February ultimo.

I do this, as your Lordship will perceive, pursuant to instructions at the close of the despatch, directing me to furnish a copy to your Lordship at the earliest moment.

I avail myself of the occasion to acknowledge the receipt of your Lordship’s letter of the 19th of February ultimo, in reply to mine of the 16th, respecting the blockade of the ports of Galveston and Charleston; and also of your Lordship’s letter of the 27th of February, in reply to mine of the 18th of that month.

The contents of both shall be communicated, as soon as practicable, to the Government at Richmond.

I have, &c.  
(Signed) J. M. MASON.

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Inclosure in No. 1.

*Mr. Benjamin to Mr. Mason.*

Sir,

*Department of State, Richmond, December 11, 1862.*

THE recently published correspondence between the Cabinets of France, Great Britain, and Russia, indicates that the period is fast approaching when the dictates of reason, justice, and humanity will be respected, and our undoubted right to recognition as an independent nation be acknowledged. This recognition must, in the nature of things, be followed by a speedy peace.

The consideration of the effects which will be produced by this event, on the commercial relations of the Confederacy, evokes deep solicitude, and it becomes my duty to communicate to you the instructions of your Government on this important subject.

It is necessary to keep in view the very exceptional condition in which the present war has placed the Confederate States, in order to form a just estimate of the probable results of the renewal of peaceful relations between the belligerents.

The almost total cessation of external commerce for the last two years has produced the complete exhaustion of the supply of all articles of foreign growth and manufacture, and it is but a moderate computation to estimate the imports into the Confederacy at 300,000,000 dollars for the first six months which will ensue after the Treaty of Peace. The articles which will meet with most ready sale (and in enormous quantities), as soon as our country is open to commerce, are textile fabrics, whether of wool, cotton, or flax; iron and steel, and articles manufactured therefrom in all their varieties; leather and manufactures of leather, such as shoes, boots, saddlery, harness, &c.; clothing of all kinds; glass; crockery; the products of the vine, whether wines, brandies, or liqueurs; silk and

all fabrics of silk ; hats, caps, &c. ; the large class of commodities known as “ articles de Paris ;” the “ comestibles ” of France, including not only preserved meats, game, and fish, but fruits, vegetables, confectionery, and sweetmeats ; salt ; drugs ; chemicals ; stationery ; manufactures of brass, lead, pewter, tin ; together with an innumerable variety of other articles of less importance.

In exchange for these importations, we have to offer the cotton, tobacco, and naval stores accumulated in the Confederacy. They are of much larger value, even at half their present prices, than the amount of importations estimated as above for the first six months ; indeed, I feel confident that at one-third the present European prices for our staples, we have exchangeable value for the whole 300,000,000 dollars in these three enumerated articles, independently of rice, ship timber, and other productions of the field and forest. It must, however, be admitted as not improbable, that a considerable quantity of these accumulated products may be destroyed by us, in order to avoid their seizure by the enemy, in such portions of the country as may become readily accessible to their gun-boats, during the approaching season of high water. This necessity is imposed on us, as you are aware, by the fact that the troops of the United States pay no respect to private property, even of neutrals or non-combatants, but appropriate to themselves every article of moveable property that they can reach in any part of the country.

Notwithstanding the exasperation of feeling against the United States now prevalent in the Confederacy, no statesman can fail to perceive that on the restoration of peace the commercial intercourse between the present belligerents must necessarily be placed on such a basis as to accord to each other the same terms and conditions as are accorded to friendly nations in general. It is scarcely to be supposed, that a Treaty of Peace could be concluded that should leave it optional to either party to wage a war of hostile tariffs, or special restrictions against the other ; nor would such a state of things be desirable, if possible, for it would be manifestly incompatible with the maintenance of permanent peaceful relations. It must be conceded, therefore, that the final cessation of hostilities will open to the United States access to the markets of the Confederacy, as free as that which may be conceded to European nations in general.

In view of this condition of affairs, it is not difficult to predict the probable results on the commerce of the Confederacy, which will immediately be developed unless prevented by some counteracting influence :—

1. The first consequence to be anticipated is that our land will be pervaded by agents of the Northern merchants, who will monopolize those products of the South from which Europe has been so long debarred, and which are so needful to its prosperity. The cotton, tobacco, and naval stores of the South will become at once the prize of Northern cupidity, and will only reach Europe after having paid heavy profits to these forestallers.

Nor will the amount of the profits exacted be the only loss entailed on Europe. The purchase of the raw material at lower cost would give to the manufacturers of New England an advantage over their European rivals much more important than the mere original excess of outlay to which the latter would be subjected.

2. Such are the necessities of our people, and so eager will be their desire to avail themselves of the first opportunity for procuring commodities which they have cheerfully foregone as long as privation was the price of liberty, that it will be nearly impossible to prevent the enormous demand for necessary supplies from being satisfied almost exclusively by the North, which will avail itself of its close proximity to preoccupy so inviting a field of richly remunerative commerce.

3. The current of trade will thus, at the very outset of our career, continue to flow in its ancient channels, which will ever be deepened ; and our commerce with Europe, instead of becoming direct, to mutual advantage, as we have for years desired, will remain tributary to an intermediary. The difficulty of diverting trade from an established channel has become proverbial, and in our case the difficulty would be enhanced by the causes just indicated.

These contingencies cannot be contemplated without deep concern. During the whole period of the existence of the Southern States, their pursuits have been almost exclusively agricultural : they possess scarcely the semblance of a commercial marine, nor can they hope to acquire one sufficient for the exchange of their products, till after the lapse of a number of years ; and a still longer period must intervene before they can expect to provide by their own manufacture a supply of many articles of necessary consumption. In addition to the difficulties necessarily inherent, under any circumstances, in the task of creating the navigation and the manufactures required for a population of over ten millions of people, there exist, in the South, obstacles resulting from the education, habits, tastes, and interests of its citizens. For generations they have been educated to prefer agricultural to other pursuits, and this preference owes its origin to the fertility of their soil and the

genial influences of their climate, which render those pursuits not only more attractive to their tastes, but more lucrative than those of the manufacturer or the seaman. It is certain, therefore, that for many years the carrying trade of the Confederacy, both foreign and coast-wise, will be conducted, and its supplies of manufactured articles will be furnished, by foreign countries, in exchange for the products of its soil.

It is the most earnest desire of this Government and people, that a commerce so large and profitable as that which they tender to mankind, shall not be monopolised by the United States, and that a direct trade with Europe shall furnish to us all articles the growth or manufacture of that continent. They are well aware, that from proximity the Northern States possess a natural advantage over any European rival for much of our trade; but the value of their political independence would, in their estimation, be greatly impaired if the result of the war should leave them in commercial dependence, by giving to those States the additional enormous advantage arising out of the present exceptional condition of the South. Unless some preventive measures be adopted, the exchanges of the South for staples accumulated during the two years of the war will be practically effected during the first two months of peace, and will enure to the almost exclusive benefit of that Power whose wicked aggressions have already entailed so much misery and distress, not only on ourselves, but on the rest of the civilized world.

It is scarcely possible to refrain from the reflection, that consequences so hostile to the interests of Europe, as well as our own, have been produced by a policy, on the part of certain European Powers, in disregard of the plainest dictates of international law, as well as of implied promises to ourselves. If Europe had asserted its unquestioned right to resist a predatory cruise carried on against its commerce on 3,000 miles of our coast by the ships of the United States, under pretext of a blockade of our ports, we should not now be engaged in an effort to avert the disastrous effects to European interests which must be anticipated from the causes above pointed out. Our markets would not now be denuded of all supplies of European commodities, and, on the restoration of peace, the North would possess, in the competition for our commerce, none of the abnormal advantages which we now seek to neutralise. It is far from our purpose, in the expression of this view, to indulge in vain recrimination, but the suggestion is made in the hope that neutral nations will be induced, not only by a regard to their own interests, but by the higher obligations of justice and duty, to co-operate in the endeavour to obviate any further ill effects of a policy which experience now justifies us in pronouncing to have been at least unwise.

What are the practical measures which can be devised for this purpose? What can be done to prevent consequences which we frankly avow would be considered by us as a national calamity, as well as a source of deep mortification? The difficulties are great, but not, perhaps, insurmountable, especially if you can succeed in exciting the solicitude of the Court to which you are accredited, and awakening it to the magnitude of the interests of neutral nations involved in the subject. It is one which our position has forced upon our attention, and which it is not unnatural to suppose has been considered by us with more care than by those less intimately conversant with the state of our affairs on this side of the Atlantic. Without, therefore, restricting you as to the adoption of any other measures that may be proposed, or may occur to your mind, you are instructed to urge the different points which I now proceed to suggest:—

1. In order to prevent the monopoly by the Northern States of the accumulated staples now held by our people, no measure seems less objectionable, nor more appropriate, than to encourage the merchants of neutral nations to purchase in advance these products, and to leave them here in *dépôt* till the ports are opened. This course would already have been adopted to a very considerable extent (as I am aware from numerous applications made to this Department), if the staples thus purchased could be guaranteed against destruction by the respective belligerents. The remedy for this seems to be very simple, and entirely within the reach of neutral Powers, but they have hitherto, for reasons doubtless satisfactory to themselves, but which we are unable to conjecture, declined to adopt it.

The case stands thus. In the language of Mr. Phillimore, "there is no more unquestionable proposition of international law, than the proposition that neutral States are entitled to carry on, upon their own account, a trade with a belligerent." The United States, however, do not concern themselves with unquestionable propositions of international law, nor have they even affected, during the present war, to refrain from any exercise of power against neutrals which seemed to offer the slightest momentary advantage. General Butler still continues to imprison and rob indiscriminately foreign merchants and native citizens of New Orleans: and in no place where the forces of the United States penetrate, is there a moment's hesitation in appropriating any neutral property to their use. This universal robbery by the enemy of all private property forced upon this Government the necessity of destroying everything moveable, as fast as it became exposed to imminent

danger of pillage. In this state of the case, the Department was addressed by agents of foreign merchants, desirous of purchasing our staples, and storing them until peace should be restored, with the request that special instructions should be given to exempt from such destruction the property thus purchased. This Government could have no possible motive for destroying neutral property, but every dictate of policy counselled, on the contrary, that we should protect it. We could not consent, however, that neutral property should be seized by the enemy, and converted to its use; for we would thus have been supplying him with the means of continuing hostilities against ourselves. The effect of such action on our part, may be readily illustrated. Cotton is worth at least 200 dollars a bale, in specie, in the United States; and not more than one fifth of that sum in the Confederacy. Thus, on the supposition that only 100,000 bales of cotton belonging to neutrals should be seized and appropriated by the United States, they would be provided with 20,000,000 of dollars in specie, and if called on to respond in damages by neutral Powers would seek to escape responsibility, and perhaps succeed in so doing, by reimbursing to the neutral owners, after some years of diplomatic correspondence, the fifth of that sum, as being the value of the cotton at the time and place of its seizure. The simplest instincts of self-defence required us to defeat such machinations; and this Department therefore made answer to the applications of neutral merchants, that this Government would protect their property against destruction upon receiving any satisfactory assurance from their own Governments, that the property would be effectually protected against seizure and appropriation by the enemy, if it fell into his hands. This answer seems to have been submitted to the Government of Her Britannic Majesty by different British Consuls, and to have elicited a reply to which extensive publicity was given. This reply, dated the 10th of August, 1862, and signed by Her Britannic Majesty's Chargé d'Affaires at Washington, is confined to an acknowledgment of the right of this Government to act in the manner already mentioned; but omits giving to British subjects any assurance of protection against spoliation by the United States. No action on the subject has been taken by any other neutral Power, if we are fully informed; and the whole matter seems *res integra*, so far as the present inquiry is concerned; for it is impossible to interpret the mere silence of the British Cabinet on this point as an abandonment of the right of protecting British subjects against unlawful spoliation.

2. In order to prevent the United States from preoccupying, for their exclusive benefit, the market for foreign merchandise which the South will present as soon as peace is declared, several suggestions occur.

It would, in the first place, seem not to be impracticable for the several European Governments, pending the negotiations which must necessarily precede the final settlement of the terms of a Treaty, to devise some means for communicating, in advance, to their merchants the assured conviction of an early renewal of commerce with the Confederacy, and to encourage the formation in their West India Colonies of large depôts of the supplies known to be needed here ready for immediate introduction into the Confederacy. Such measures, accompanied by the necessary arrangements for the speediest transmission to these depôts of the news of the opening of commerce, would aid, to some extent, in the accomplishment of the objects desired. A large number of the merchant-ships required for the transportation of these supplies would also meet with ready sale in the ports of the Confederacy, especially if screw-steamers suitable for future direct trade with Europe, or for Government transport-ships. And the efficiency of this measure would be greatly increased if accompanied by the prompt operation of one or more lines of steamers between European and Southern ports.

But the only effective remedy for preventing Northern monopoly, and for neutralizing the unjust advantages which the United States, at the expense of Europe, would seek to secure from their violent infractions of international law, would be to place the Confederacy in the same condition relative to foreign supplies as was occupied by it prior to the declaration of the blockade of the entire coast; a declaration which for the first time in history has been respected as legal by neutral Powers. To this end, no measure seems better adapted than that proposed by His Imperial Majesty of France to the Cabinets of Great Britain and Russia in the correspondence already adverted to. An armistice for six months, "during which every act of war, direct or indirect, should provisionally cease, on sea as well as on land," would give to European Powers that opportunity which justice demands for placing within the Confederacy the supplies, and making the purchases, that would long since have been effected but for the unjust interference by the United States with neutral rights; and thus enforce against that aggressive Power the rule of universal equity that none shall be allowed to profit by their own misdeeds. Neutral nations would thus be reintegrated in the possession of their "unquestionable" right to "trade for their own account with a belligerent;" and upon the final cessation of hostilities would enter into the competition for our trade, then open to the world, upon conditions approximating

equality with the North: a result eminently desirable for the common interests of all, and scarcely attainable in any other manner.

Even if the blockade were continued during an armistice, the object desired could be greatly promoted. The cessation of our foreign commercial intercourse has been caused not by the blockade of our ports, but by a general cruize on the coast against all neutral commerce, and the seizure of neutral vessels bound to points where not a blockading vessel was stationed. We have now numerous ports where there is not a single blockading vessel, but no neutral trader dares sail for them for fear of capture on the high seas by the Federal cruisers. If Europe, even at this late date, would put an effectual stop to this outrage on its rights of trade with a belligerent, we would soon be so well supplied with her manufactures, and she would obtain so large a supply of our staples, as would effectually deprive the North of the profits it hopes to reap by the unprecedented acquiescence of all nations in its interdict against their trade with us. In the event of an armistice the cruize against neutral vessels could not, of course, be continued, even if the blockade were respected in ports where a blockading force is stationed.

You are instructed to furnish a copy of this despatch to Her Britannic Majesty's Secretary of State for Foreign Affairs at the earliest moment.

I have, &c.  
(Signed) J. P. BENJAMIN.

No. 2.

*Earl Russell to Mr. Mason.*

Sir, *Foreign Office, March 11, 1863.*  
I HAVE the honour to acknowledge the receipt of your letter of the 2nd instant, inclosing a copy of a despatch signed by Mr. Benjamin and dated Richmond, December 11, 1862, and I request you will accept my thanks for this communication.

I am, &c.  
(Signed) RUSSELL.

No. 3.

*Mr. Mason to Earl Russell.—(Received July 6.)*

My Lord, *24, Upper Seymour Street, Portman Square, July 4, 1863.*

THE newspaper slip which I have the honour to inclose herewith marked No. 1 contains what purports to be the copy of a despatch from the Secretary of State of the Confederate States, addressed to me as the Commissioner of those States at London, dated on the 6th of June ultimo. It is taken from one of the public journals of London published within the last two days, and (as you will see from the introductory note) was transferred from a newspaper published at Richmond, Virginia, on the 12th of the same month.

I do not doubt that it is a genuine paper, and as it refers to the action of the Confederate Government on a subject that may be interesting to the Government of Her Majesty I have thought it best to send it to you at once in the informal shape in which it has come before me.

None of the documents referred to in the despatch were published in the newspaper from which I have taken it, but from another, published yesterday, I have taken the inclosed, marked No. 2, which show from their dates and import that they are the documents designated in the despatch by the letters C and D.

You will see that I am instructed by the President to communicate to your Lordship a copy of this despatch and of the documents accompanying it, which I will have the honour to do when they shall arrive.

I have, &c.  
(Signed) J. M. MASON.

Inclosure 1 in No. 3.

*Newspaper Extract:*

[See "North America, No. 13 (1864)," pp. 6-8.]

## Inclosure 2 in No. 3.

*Mr. Benjamin to Consul Moore, June 5, 1863.*

[Ibid., p. 2.]

## Inclosure 3 in No. 3.

*Letters-Patent revoking Consul Moore's Exequatur.*

[Ibid., p. 2.]

## No. 4.

*Mr. Mason to Earl Russell.—(Received July 6.)*

My Lord,

24, Upper Seymour Street, Portman Square, July 6, 1863.

I HAVE the honour to transmit herewith an original protest made by the master and crew of the Confederate steam-ship "Margaret and Jessie," transmitted to me by the commercial agent of the Confederate States at Nassau.

It sets forth that this steamer, laden with cotton and a large number of passengers, whilst on her voyage from Charleston, South Carolina, to Nassau, and near the Island of Eleuthera, a British possession in the Bahamas, was chased by a United States' war-steamer, believed to be the "Rhode Island;" that the "Margaret and Jessie" continued on her course toward the said island thus pursued, and fired at from time to time, until she had approached within 300 yards of the beach; fearing to run nearer, she changed her course, coasting along the island at the distance of from 300 to 500 yards from the shore.

That, notwithstanding the Confederate ship was thus beyond mistake or dispute within British jurisdiction, the United States' war-vessel continued the pursuit, having changed her course to conform to that of the Confederate steamer, continuing to fire shot and shell until the latter was struck, disabled, and sunk; at the time of which occurrence the "Rhode Island" was so near to the shore that a number of shot from her struck the shore inland, cutting the trees and ploughing up the soil.

I am further informed by our Commercial Agent that measures were to be taken by him to procure the testimony of many residents of the island who witnessed the affair, and which, if received, I shall have the honour to transmit to your Lordship. In the meantime the protest herewith will be sufficient, at least to lay the foundation of proper inquiry on the part of Her Majesty's Government, and if the facts are found correctly stated will establish a claim for adequate compensation to the owners and others who have sustained injury by this outrage.

I have, &c.  
(Signed) J. M. MASON.

## Inclosure in No. 4.

*Protest of the Master and Crew of the Confederate steam-ship "Margaret and Jessie."*

Bahama Islands, New Providence.

BY this Public Instrument of Declaration and Protest be it known and made manifest that on Tuesday, the 2nd day of June, in the year of our Lord 1863, personally came and appeared before me, Bruce Lockhart Burnside, a Notary Public by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, William Wilson, the master of the steam-ship "Margaret and Jessie," of and belonging to the port of Charleston, in the State of South Carolina, Confederate States of America, and caused a Protest to be duly noted before me the said Notary against the acts and deeds of the Captain or other officer in charge of a certain vessel of war of and belonging to the United States of America, occasioning injury to the said steam-ship "Margaret and Jessie," and thereby entailing loss and damage to the owners and others interested in the said steam-ship and the cargo on board of her laden. And now on this day, being Friday, the 5th day of June in the year aforesaid, again came and appeared the said William Wilson, the master, and James Forbes, first mate, Christopher Cowper, second mate, John Fitzgerald, third mate, Thomas Plane, purser, John Blackley, carpenter, Robert Warner Lockwood, pilot, Octavius Henry Dorsett, coasting pilot, Peter Skues, chief engineer, John Scott, second engineer, Thomas Russell, third engineer, Samuel Johnson, fourth engineer, John



McLean, fireman, and Joseph Gilbreath, fireman, of and belonging to the said steam-ship, who of their own free will and voluntary accord did solemnly declare, such declaration being made in pursuance of the laws of the Bahamas for substituting a declaration in lieu of an oath in certain cases—

That these declarants and the rest of the crew of the said steam-ship "Margaret and Jessie" sailed in and on board of her on Wednesday, the 27th day of May last past, from the port of Charleston, in the State of South Carolina, one of the Confederate States of America, with a cargo consisting of 730 bales of cotton, and with 16 passengers, bound on a voyage to Nassau, in the Island of New Providence, one of the said Bahama Islands, the said steam-ship at the time of her departure as aforesaid being tight, staunch, strong, and seaworthy, and in every respect fitted, equipped, manned, and found for the prosecution of the aforesaid voyage.

That nothing material occurred. They encountered heavy weather until the forenoon of Saturday, the 31st day of May, about 10 A.M. civil time, the "Margaret and Jessie" then being about ninety miles to the north and east of the Island of Abaco, one of the Bahama Islands, and then steering a south-by-west course to make the land of Eleuthera, also one of the Bahama Islands, the territory of Her Majesty the Queen of Great Britain, then distant about twenty-five miles, a steam-ship was observed to the leeward of the "Margaret and Jessie," heading eastwardly across her stern. That about a quarter of an hour after the said steam-ship had been first observed by the parties on board of the "Margaret and Jessie," she was seen to change her course and give chase to the "Margaret and Jessie," the master of which, suspecting that the other vessel was a vessel of war of the United States, and that the intention was to make a prize of his vessel, ordered her to be put at full speed for the land of Eleuthera, then being a part of the neutral territory of Her Britannic Majesty the Queen of England.

That the said vessel of war continued to chase the "Margaret and Jessie," but at no time succeeded in approaching nearer to her than four miles until about half-past 12 o'clock noon of that day, the "Margaret and Jessie" being distant from the mainland of Eleuthera, which she was then fast approaching, about five miles, and the vessel of war distant astern of the "Margaret and Jessie" about four miles, a shot was fired from the vessel of war which fell short of the "Margaret and Jessie;" that the "Margaret and Jessie" was still run direct for the land, and arrived within the territorial limit of three miles shortly after, in the meantime the vessel of war firing shot after shot at her.

That from the time the "Margaret and Jessie" arrived within such territorial limit as aforesaid, the "Margaret and Jessie" being hemmed in by the land, the vessel of war was enabled to approach nearer to her, and the "Margaret and Jessie" was consequently taken to within 300 yards of the shore.

That from the time the "Margaret and Jessie" arrived within such territorial limit as aforesaid until she was taken to within such distance of 300 yards from the land as before mentioned, no cessation whatever was made in the discharge from the war-vessel of shot and shell, many of which passed over the "Margaret and Jessie," struck and exploded upon the land which lay within her.

That the steam-ship "Margaret and Jessie" having arrived within the distance of 300 yards as aforesaid, her course was at once changed to prevent her grounding on the rocks, and she was coasted along the land in a westwardly direction, keeping within that distance from the land, notwithstanding which no cessation was made in the discharge at her of shot and shell from the war-vessel, which approached to within 500 yards of the "Margaret and Jessie," and coasted along with her for an hour and a half, incessantly discharging shot, shell, and what appeared to these declarants to be grape and cannister.

That the "Margaret and Jessie," from her close proximity to the land, took the bottom on several occasions, and many of the shot and shell discharged at her passed over and struck against the land of Eleuthera; that at about 30 minutes past 3 P.M. the "Margaret and Jessie" then being not over 300 yards from the beach, a seven-inch spherical shell, discharged from the vessel of war, struck her on the starboard side, just below the water-line, and entered her boiler, causing the steam to escape, thereby severely injuring one of her engineers, and the water to flow into the ship, and the said declarant William Wilson then at once ordered the wheel to be put astarboard, but before the order could be obeyed the ship ran upon the ground and filled with water not 300 yards from the beach, the position being a little to the east of a point of land known as James Point, on the north side of the Island of Eleuthera, one of the Bahama Islands.

And the declarants did further declare that whilst the said merchant-ship "Margaret and Jessie" and the said vessel of war of the United States of America were both within

the territorial jurisdiction of Her Majesty the Queen of Great Britain as hereinbefore detailed; they, the said parties on board of the said vessel of war, then being officers in the naval service of the United States of America, in violation of the municipal laws of the said territory of Her Majesty the Queen, did feloniously discharge against the said parties, then being on board of the said steam-ship "Margaret and Jessie," certain cannons then loaded with gunpowder and shot, shell, shrapnell, and other deadly missiles, with intent thereby the said parties on board of the said merchant-ship "Margaret and Jessie," or some of them, to kill and murder.

That from the time the said vessel of war entered within the distance of three miles from the land until the time that a shot from her sunk the "Margaret and Jessie," as before set forth, the American ensign was flying at her main peak, she being a brig-rigged steam-vessel propelled by side-wheels, with a beam-engine above the deck; that when a shot propelled from a gun on board of her struck the "Margaret and Jessie," she, the said war-vessel, was distant from the mainland of Eleuthera not 500 yards; but so soon as it was observed by the parties on board of the war-vessel that the "Margaret and Jessie" had been driven ashore and sunk, the vessel of war was headed to sea, and having proceeded to the distance of about a mile from where the "Margaret and Jessie" lay, she, the vessel of war, was brought to anchor, and two armed boats dispatched to the "Margaret and Jessie," which rowed round her; in the said boat were officers in the uniform of the navy of the United States; and this declarant, the said James Forbes, inquired of one of the officers what ship of war that was, and was answered that it was the United States' vessel of war "Savannah," but these declarants believe that in truth and in fact the vessel of war was the United States' vessel of war "Rhode Island," and not the "Savannah."

And these declarants did further declare that the master and crew of the said steam-ship, with the passengers, upon observing the armed boats proceeding for the steam-ship, all quitted her and landed on the shore. That shortly after parties of wreckers from inland came down, and the said steam-ship was given up to them to work in endeavouring to save the cargo, and, if possible, to get her off; that the said parties immediately commenced working, and with the aid and assistance of others who subsequently arrived at the ship in wrecking vessels succeeded, after great exertions, in discharging the cargo, and in pumping the water from the said steam-ship, after which she was floated off, and in their charge he, the declarant, the said Captain Wilson being also on board, brought to this port of Nassau; the passengers and crew having been brought to this port of Nassau in the wrecking-vessels, they, the said wreckers, claiming salvage remuneration for their services to the said ship and her cargo.

And the said declarants did further declare that from the time the said steam-ship quitted the said port of Charleston until she was sunk as aforesaid, within the jurisdiction of Her Britannic Majesty, by a vessel of war of the United States, everything was done by the master and all on board to conduct her in safety to the port of her destination, and they attribute the sinking of the said steam-ship, and her stranding upon the Island of Eleuthera, to the act of the parties on board of the said vessel of war of the United States, whilst both of such vessels were within the territorial jurisdiction of Her Majesty the Queen, in exercising acts of hostility against the said merchant steam-ship "Margaret and Jessie," and feloniously attempting to kill and murder the persons on board of her, she then being not 300 yards from the land; and to the fact of a shell having been shot through the side of the said steam-ship from the said vessel of war when such last-mentioned vessel was not 500 yards from the land.

(Signed)

WM. WILSON, *Master.*

JAMES FORBES, *Chief Mate.*

CHRISTOPHER COWPER, *Second Mate.*

J. FITZGERALD.

THOMAS PLANE, *Purser.*

JOHN BLACKLEY, *Carpenter.*

ROBERT WARNER LOCKWOOD, *Pilot.*

OCTAVIUS H. DORSETT, *Coasting Pilot.*

PETER SKUES, *Chief Engineer.*

JOHN SCOTT, *Second Engineer.*

THOMAS RUSSELL, *Third Engineer.*

SAMUEL JOHNSON, *Fourth Engineer.*

JOHN Mc LEAN.

his

JOSEPH  $\times$  GILBRAITH.

mark.

Wherefore the said master has desired me, the said notary, to protest, and I do by these presents solemnly and formally protest and declare against the acts and deeds of the persons on board of the said vessel of war, and against all and every act, matter, and thing occasioning as aforesaid loss and damage to the said steam-ship, to the intent that it may be submitted unto, suffered, and borne by those to whom it shall of right belong, or in anywise concern.

In testimony whereof the said declarants have hereunto set their hands, and I, the said notary, my hand and seal notarial, this 5th day of June, in the year of our Lord 1863.

(Signed) B. L. BURNSIDE, *Notary Public.*

Bahama Islands, New Providence.

To all to whom these presents shall come, I, Bruce Lockhart Burnside, a notary public by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, do hereby certify the foregoing to be a true copy of a protest duly made before me, the said notary, by the master and crew of the Confederate merchant steam-ship "Margaret and Jessie," as the same remains of record in my official notarial record-book, page 153 to page 160.

In faith and testimony whereof I have placed and affixed my hand and seal notarial this 6th day of June, in the year of our Lord 1863.

(Signed) B. L. BURNSIDE, *Notary Public.*

Bahama Islands, New Providence.

To all to whom these presents shall come, I, Charles Rogers Nesbitt, Esq., Colonial Secretary of the Bahama Islands, do hereby certify that Bruce Lockhart Burnside, who attests, as a notary public, the protest hereto attached, is a duly qualified notary public, and that all faith and credit is and ought to be given to his acts and deeds as such.

In witness whereof I have hereunto set my hand this 6th day of June, in the year of our Lord 1863.

(Signed) C. R. NESBITT, *Colonial Secretary.*

Bahama Islands.

By his Excellency Charles John Bayley, Esquire, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-chief in and over the said Islands, Chancellor, Vice-Admiral, and Ordinary of the same.

To all to whom these presents shall come, greeting:

Be it known that the Honourable Charles Rogers Nesbitt, Esquire, by whom the annexed certificate is subscribed, was, on the day of the date thereof, and now is, the Colonial Secretary for the said Bahama Islands; therefore all due faith and credit are and ought to be had and given to the said annexed certificate.

(Signed) C. J. BAYLEY.

In testimony whereof I have caused the seal of the said Islands to be hereunto affixed at Nassau, New Providence, this 6th day of June, A.D. 1863, and in the twenty-sixth year of Her Majesty's reign.

By his Excellency's command,  
(Signed) C. R. NESBITT, *Colonial Secretary.*

No. 5.

*Earl Russell to Mr. Mason.*

Sir,

*Foreign Office, July 8, 1863.*

I HAVE the honour to acknowledge the receipt of your letter of the 4th instant and its inclosures, relative to the position of Mr. G. Moore, Her Majesty's Consul at Richmond.

I am, &c.  
(Signed) RUSSELL.

*Earl Russell to Mr. Mason.*

Sir,

*Foreign Office, July 10, 1863.*

I HAVE the honour to acknowledge the receipt of your letter of the 6th instant, inclosing an original protest made by the master and crew of the steamer "Margaret and Jessie," with regard to the damage sustained by that vessel from being fired into by a United States' vessel of war.

A copy of this protest has also reached Her Majesty's Government through other sources, and they learn from Lord Lyons, who has been in communication with the United States' Government on the subject, that he has been assured by Mr. Seward that if it shall appear on inquiry that any act of hostility or power was committed on the occasion in question within the marine jurisdiction of Great Britain, the act will be disavowed, and redress be promptly given.

Her Majesty's Government will therefore await the result of that inquiry.

I am, &c.

(Signed) RUSSELL.

No. 7.

*Mr. Mason to Earl Russell.—(Received July 16.)*

*24, Upper Seymour Street, Portman Square,*

*July 16, 1863.*

My Lord,

I HAVE the honour to transmit herewith a list of vessels arriving at the port of Nassau (Bahamas) from ports alleged to be blockaded in the Confederate States of America, from the 18th of July, 1862, to the 2nd of June, 1863, being 102 in number.

This list was sent to me by the Commercial Agent of the Confederate States at Nassau; and, besides the minuteness of his description, is entitled to be received as an authentic document.

I have no instructions to make any new communication to your Lordship on the subject of the alleged blockade, but I desire to place the document on the files of the Foreign Office as part of the history of the occasion, interesting certainly to my Government, and perhaps to the Government of Her Majesty.

I have, &c.

(Signed) J. M. MASON.

Inclosure in No. 7.

Names of Vessels arrived at the Port of Nassau, N.P., from Confederate States.

Date of Arrival.	Name and Description.	Name of Master.	Where from.	Cargo.
1862.				
July 18	Sloop .. ..	..	Wilmington, N.C. ..	Cotton.
" 21	Sloop .. ..	..	St. John, Fld. ..	Ditto.
" 25	Steam-ship .	..	Charleston, S.C. ..	Cotton and turpentine.
" 25	Boat .. ..	..	Florida .. ..	Turpentine.
" 25	Boat .. ..	..	Jacksonville, Fld. ..	Cotton and turpentine.
" 26	Steamer .. ..	..	A port in Georgia ..	Ditto.
" 28	Schooner .. ..	..	Charleston, S.C. ..	Turpentine.
August 6	Schooner .. ..	..	A port in Georgia ..	Ditto.
" 6	Schooner .. ..	..	Wilmington, N.C. ..	Ditto.
" 19	Sloop .. ..	..	A port in Georgia ..	Ditto.
September 2	Steam-ship .	..	Charleston, S.C. ..	Cotton.
" 4	Steamer .. ..	..	Wilmington, N.C. ..	Ditto.
" 16	Sloop .. ..	..	Florida .. ..	Ditto.
" 25	Schooner .. ..	..	Wilmington, N.C. ..	Cotton and turpentine.
" 26	Steam-ship .	..	Charleston, S.C. ..	Cotton.
October 3	Schooner .. ..	..	Ditto .. ..	Turpentine.
" 6	Schooner .. ..	..	Ditto .. ..	Ditto.
" 6	Schooner .. ..	..	Wilmington, N.C. ..	Cotton and turpentine.
" 6	Sloop .. ..	..	Charleston, S.C. ..	Turpentine.
" 7	Schooner .. ..	..	Savannah, Geo. ..	Cotton.

Date of Arrival.	Name and Description.	Name of Master.	Where from.	Cargo.
1862.				
October 7	Schooner .. ..	..	A port in N. Carolina	Cotton and turpentine.
" 8	Steamer .. ..	..	Wilmington, N.C. . .	Ditto.
" 14	Schooner .. ..	..	A port in Georgia . .	Cotton.
" 14	Schooner .. ..	..	Ditto .. ..	Ditto.
November 5	Steamer .. ..	..	Wilmington, N.C. . .	Ditto.
" 21	Steam-ship . . .	..	Charleston, S.C. . .	Ditto.
" 21	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 22	Sloop .. ..	..	Ditto .. ..	Ditto.
" 26	Schooner .. ..	..	Ditto .. ..	Turpentine.
" 27	Sloop .. ..	..	Florida .. ..	Cotton.
" 27	Sloop .. ..	..	Savannah, Geo. . .	Cotton and resin.
December 2	Schooner .. ..	..	Wilmington, N.C. . .	Ditto.
" 23	Schooner .. ..	..	Ditto .. ..	Cotton and turpentine.
" 23	Sloop .. ..	..	Charleston, S.C. . .	Cotton.
" 23	Schooner .. ..	..	Ditto .. ..	Turpentine.
" 27	Schooner .. ..	..	Wilmington, N.C. . .	Cotton.
" 30	Steam-ship . . .	..	Charleston, S.C. . .	Ditto.
1863.				
January 2	Schooner .. ..	..	Savannah, Geo. . .	Ditto.
" 5	Steam-ship . . .	..	George Town, S.C. .	Ditto.
" 19	Steam-ship . . .	..	Charleston, S.C. . .	Ditto.
" 21	Sloop .. ..	..	Ditto .. ..	Turpentine.
" 26	Schooner .. ..	..	Beaufort, N.C. . .	Tar and resin.
" 26	Steam-ship . . .	..	Wilmington, N.C. . .	Cotton.
" 27	Schooner .. ..	..	Charleston, S.C. . .	Turpentine.
" 30	Schooner .. ..	..	Wilmington, N.C. . .	Cotton and turpentine.
" 31	Steam-ship . . .	..	Charleston, S.C. . .	Cotton.
February 3	Schooner .. ..	..	Savannah, Geo. . .	Cotton and turpentine.
" 5	Sloop .. ..	..	Ditto .. ..	Cotton.
" 6	Sloop .. ..	..	Charleston, S.C. . .	Ditto.
" 9	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 16	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 17	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 23	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 23	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 25	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 26	Sloop .. ..	..	Ditto .. ..	Ditto.
" 26	Schooner .. ..	..	Ditto .. ..	Ditto.
" 27	Schooner .. ..	..	Ditto .. ..	Ditto.
March 5	Steam-ship . . .	..	Wilmington, N.C. . .	Ditto.
" 6	Schooner .. ..	..	Charleston .. ..	Ditto.
" 10	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 13	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 14	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 16	Steam-ship . . .	..	Wilmington, N.C. . .	Ditto.
" 17	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 17	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 23	Steam-ship . . .	..	Charleston, S.C. . .	Ditto.
" 23	Steam-ship . . .	..	Ditto .. ..	Cotton and tobacco.
" 24	Sloop .. ..	..	Fernandino, Fld. . .	Cotton.
" 27	Steam-ship . . .	..	Wilmington, N.C. . .	Ditto.
" 28	Steamer .. ..	..	Charleston, S.C. . .	Ditto.
" 30	Sloop .. ..	..	Ditto .. ..	Ditto.
" 28	Sloop .. ..	..	Wilmington, N.C. . .	Cotton and turpentine.
April 2	Schooner .. ..	..	Charleston, S.C. . .	Ditto.
" 3	Sloop .. ..	..	Ditto .. ..	Ditto.
" 6	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 8	Schooner .. ..	..	North Carolina .. .	Ditto.
" 10	Steam-ship . . .	..	Charleston, S.C. . .	Cotton.
" 16	Steam-ship . . .	..	Wilmington, N.C. . .	Cotton and turpentine.
" 16	Schooner .. ..	..	Louisiana .. ..	Turpentine.
" 20	Steam-ship . . .	..	Wilmington, N.C. . .	Cotton.
" 22	Steam-ship . . .	..	Charleston, S.C. . .	Ditto.
" 24	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 24	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 28	Steam-ship . . .	..	Wilmington, N.C. . .	Ditto.
" 29	Schooner .. ..	..	Charleston, S.C. . .	Ditto.
May 7	Schooner .. ..	..	Savannah, Geo. . .	Ditto.
" 9	Steam-ship . . .	..	Charleston, S.C. . .	Ditto.
" 9	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 10	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 10	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 13	Steam-ship . . .	..	Wilmington, N.C. . .	Ditto.
" 13	Steam-ship . . .	..	Charleston, S.C. . .	Ditto.
" 19	Steam-ship . . .	..	Ditto .. ..	Ditto.
" 22	Steam-ship . . .	..	Wilmington, N.C. . .	Ditto.

Date of Arrival.	Name and Description.	Name of Master.	From where.	Cargo.
1863.				
May 23	Schooner .. ..	..	Charleston, S.C. ..	Cotton.
" 25	Steam-ship . . .	..	Wilmington, N.C. ..	Ditto.
" 25	Steam-ship . . .	..	Charleston, S.C. ..	Ditto.
" 25	Sloop .. ..	..	Wilmington, N.C. ..	Cotton and turpentine.
" 25	Schooner .. ..	..	Ditto .. ..	Cotton and lumber.
" 26	Steam-ship . . .	..	Charleston .. ..	Cotton.
June 2	Steam-ship . . .	..	Ditto .. ..	Ditto.

## No. 8.

*Mr. Mason to Earl Russell.—(Received July 16.)*

My Lord,

24, *Upper Seymour Street, Portman Square, July 16, 1863.*

I HAD the honour, with my letter of the 10th July instant, to transmit to your Lordship the protest of the master and crew of the Confederate steam-ship "Margaret and Jessie," and at the same time to inform your Lordship that further testimony was expected in regard to the affair referred to in the protest which, when received, should in like manner be transmitted to your Lordship.

I have now the honour to inclose herewith twelve affidavits made by passengers on board the Confederate steamer, and by residents of the Island of Eleuthera, in everything confirming the declarations made in the protest. They have just been received from the Commercial Agent of the Confederate States at Nassau, who informs me that copies of the same documents were transmitted by the same opportunity (the mail-steamer "La Plata," just arrived) to the Duke of Newcastle, sent, as I am informed, by the authorities at Nassau.

I have, &c.

(Signed) J. M. MASON.

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Inclosure 1 in No. 8.

*Declaration of Theodore Cavillier.*

Bahama Islands, Eleuthera.

BE it remembered that on this 4th day of June, in the year of our Lord 1863, personally came and appeared before me, Ormond Drimmie Malcolm, Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, one of the said Bahama Islands, Theodore Cavillier, of James' Point, in the Island of Eleuthera, one of the said Bahama Islands, planter, who of his own free will and accord did solemnly declare (such declaration being made in pursuance of the laws of the Bahama Islands made for substituting a declaration in lieu of an oath in certain cases) in manner following (that is to say):—

I live at a settlement called James' Point, on the Island of Eleuthera, one of the Bahama Islands. On Saturday, the 30th day of May last, I was out in a boat fishing on the southern side of the settlement. The settlement is bounded on the north and south by the sea, and the distance across, that is from the north to the south, is about two miles. While I was fishing I heard the reports of several guns; I immediately went on shore on the southern side of the settlement, proceeded to a hill nearly over to the northern side, and climbed up a tree, in order that I might see the vessel from which I supposed the guns were being fired. On looking out to sea I saw two steamers; one of them, having paddle-boxes, was steering down outside of a reef, which is about 300 or 400 yards from the shore, and the other, without paddle-boxes, also steaming down outside of the reef, about 500 or 600 yards from the first steamer. The steamer farthest out was firing at the inner one; I could see the smoke come from her side, and hear the report of the guns as they went off. She would fire first from one side—a broadside, and then turn and fire from the other side. I could see the shot from these guns fall on the land about 300 yards from where I was up the tree. I was about half-a-mile from the settlement. On seeing the shot fall so near, I jumped from the tree, ran to the southern shore and got into my boat to come home. While I was coming down to my house in the boat, I heard a gun go off in the direction of the two steamers, and a cannon-ball passed over my head, and fell in the sea about thirty yards from the boat in which I was.

I fell down in the boat from the shock. On Saturday evening, after I came home, I went over to the northern side of the settlement, on the beach. I saw a steamer on shore on the reef, and one laying-to about 500 or 600 yards from the one on the reef. They were the same steamers that I had seen running down outside in the morning, when I was up the tree. I did not stay long on the beach, but soon returned home. One steamer that was laying-to had an American flag flying. I do not know when she left.

(Signed) THEODORE <sup>his</sup> CAVILLIER.  
mark.

Declared to before me, this 4th day of June, A.D. 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public*.

Bahama Islands, New Providence.

To all to whom these presents shall come, I, Ormond Drimmie Malcolm, Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the said Island of New Providence, do hereby certify that the annexed paper writing is a true copy of a notarial declaration made before me by Theodore Cavillier, therein named, of the Island of Eleuthera, as the same appears of record in my notarial Register Book A, pages 13 to 16.

In testimony whereof I have hereunto set my hand and seal notarial, the 6th day of June, in the year of our Lord 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public*.

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Inclosure 2 in No. 8.

*Declaration of Robert C. Fonte and Ivey Foreman.*

Bahama Islands, New Providence.

KNOW all men by these presents that on the 6th day of June, in the year of our Lord 1863, before me, Bruce Lockhart Burnside, a Notary Public, by lawful authority appointed, duly admitted, and sworn, residing and practising in the City of Nassau, in the Island of New Providence, personally came and appeared Robert C. Fonte, at present of the City of Nassau, in the Island of New Providence, gentleman, who did solemnly declare, such declaration being made in pursuance of the Laws of Bahamas for substituting a declaration in lieu of an oath in certain cases—

That he the declarant was a passenger on board the steam-ship "Margaret and Jessie" which sailed from the port of Charleston on the 27th day of May last bound for this port of Nassau.

That on the morning of Saturday the 30th, a steam-vessel of war gave chase to the "Margaret and Jessie," and she was run for the land of Eleuthera, one of the Bahamas Islands in the territory of Her Majesty the Queen of Great Britain, and about half-past twelve noon, the "Margaret and Jessie" being then distant from the land of the Island of Eleuthera about five miles, with the vessel of war astern distant about four miles, the latter vessel opened fire upon her with shot and shell. That the "Margaret and Jessie" was still headed for the land, the war vessel continuing in pursuit, incessantly discharging shot and shell which fell thickly over and around the "Margaret and Jessie" until she arrived within 500 yards of the beach, when to prevent her going upon the land her course was changed, and she was headed westwardly coasting and skirting the land at a distance of between 400 to 500 yards from it; that she thus continued for a period of an hour and three quarters, during all which time the "Margaret and Jessie" never was further than 500 yards from the land, the vessel of war continued to chase being to the distance of about a mile from the land, and discharging shot and shell by broadsides which fell thickly around the vessel, and many of which passed over her and struck the land, and so near during all this latter time was the "Margaret and Jessie" kept to the shore, that she took the ground several times in passing over a reef which lies a short distance from the land.

That eventually a shell shot from the vessel of war struck the "Margaret and Jessie," she then being not further than 400 yards from the land, and passed through into her boiler, which so disabled her that she within a minute of time took the ground and filled with water not over 400 yards from the beach, and the passengers and crew fearing that boats would board from the vessel of war quitted the vessel and went to the shore, and shortly afterwards two boats from the vessel of war quitted her and rowed round the "Margaret

and Jessie" as she lay ashore, and then returned to their ship, in which boats were officers dressed in the uniform of the United States' navy.

That the said steam-vessel of war had flying from her main peak the United States' ensign, she being brig-rigged with a beam engine on deck, and propelled by side wheels.

(Signed) R. C. FONTE.

Declared to at Nassau this 6th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public*.

Bahama Islands, New Providence.

Know all men by these presents that on the 6th day of June, in the year of our Lord 1863, before me, Bruce Lockhart Burnside, a Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the City of Nassau, in the Island of New Providence, personally came and appeared Ivey Foreman, at present of the City of Nassau, in the Island of New Providence, gentleman, who did solemnly declare, such declaration being made in pursuance of the laws of Bahamas, for substituting a declaration in lieu of an oath in certain cases—

That he the declarant was a passenger on board the steam-ship "Margaret and Jessie" which sailed from the port of Charleston on the 27th day of May last, bound for this port of Nassau.

That having heard read over to him the annexed declaration of Robert C. Fonte, he can personally testify that everything therein contained is just and true, this declarant having been an eye-witness to all the occurrences therein detailed and set forth.

(Signed) IVEY FOREMAN.

Declared to at Nassau this 6th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public*.

Bahama Islands, New Providence.

To all to whom these presents shall come, I, Bruce Lockhart Burnside, a Notary Public, by lawful authority appointed, duly admitted, and sworn, residing and practising in the City of Nassau, in the Island of New Providence, do hereby certify the foregoing to be a full just and true copy of notarial declarations duly made before me the undersigned Notary Public by the declarants therein named, as the same remains of record in my official record book page 143 to 147.

In witness whereof I have hereunto set my hand and affixed my seal of office at Nassau, this 9th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public*.

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Inclosure 3 in No. 8.

*Declaration of Charles M. Morris, H. B. Clairbon, and Charles K. King.*

Bahama Islands, New Providence.

KNOW all men by these presents, that on this 6th day of June, in the year of our Lord 1863, before me, Bruce Lockhart Burnside, a Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, personally came and appeared Charles M. Morris, at present of the city of Nassau, in the Island of New Providence, gentleman, who did solemnly declare, such declaration being made in pursuance of the laws of the Bahamas for substituting a declaration in lieu of an oath in certain cases—

That he the declarant was a passenger on board the said steam-ship "Margaret and Jessie," which sailed from the port of Charleston on the 27th of May last, bound for this port of Nassau:

That on the morning of Saturday the 30th a steam-vessel of war gave chase to the "Margaret and Jessie," and she was run for the land of Eleuthera, one of the Bahama Islands, in the territory of Her Majesty the Queen of Great Britain; and about half-past 12 noon the "Margaret and Jessie" being then distant from the land of the Island of Eleuthera about five miles, with the vessel of war astern distant about four miles, the latter vessel opened fire upon her with shot and shell:

That the "Margaret and Jessie" was still headed for the land, the war vessel continuing in pursuit, incessantly discharging shot and shell, which fell thickly over and



around the "Margaret and Jessie," until she arrived within 500 yards of the beach, when to prevent her going upon the land her course was changed, and she was headed westwardly, coasting and skirting the land at a distance of between 400 to 500 yards from it:

That she thus continued for a period of an hour and three-quarters, during all which time the "Margaret and Jessie" never was further than 500 yards from the land; the vessel of war continued the chase, being to the distance of about a mile from the "Margaret and Jessie," and shot and shell by broadside, which fell thickly around the vessel, and many of which passed over her, and struck the land; and so near during all this latter time was the "Margaret and Jessie" kept to the shore that she took the ground several times in passing over a reef which lies a short distance from the land:

That eventually a shell shot from the vessel of war struck the "Margaret and Jessie," she then being not further than 400 yards from the land, and passed through into her boiler, which so disabled her that she within a minute of time took the ground, and filled with water not over 400 yards from the beach; and the passengers and crew fearing that boats would board from the vessel of war quitted the vessel, and went to the shore, and shortly afterwards two boats from the vessel of war, quitted her and rowed round the "Margaret and Jessie" as she lay ashore, and then returned to their ship, in which boats were officers dressed in the uniform of the United States' navy:

That the said steam-vessel of war had flying from her main peak the United States' ensign, she being brig-rigged, with a beam-engine on deck, and propelled by side-wheels.

(Signed) C. M. MORRIS.

Declared to at Nassau this 6th day of June, 1863.

(Signed) B. L. BURNSIDE, *Notary Public*.

Bahama Islands, New Providence.

Know all men by these presents, that on this 6th day of June, in the year of our Lord 1863, before me, Bruce Lockhart Burnside, a Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, personally came and appeared Charles R. King and Henry B. Clairbon, at present of the city of Nassau, in the Island of New Providence, gentleman, who did solemnly declare, such declaration being made in pursuance of the laws of the Bahamas, for substituting a declaration in lieu of an oath in certain cases:

That they, the declarants, were passengers on board the steam-ship "Margaret and Jessie," which sailed from the port of Charleston on the 27th of May last, bound for this port of Nassau:

That having heard read over to them the annexed declaration of Charles M. Morris, they can personally testify that everything therein contained is just and true, these declarants having been eye-witnesses to all the occurrences therein detailed and set forth.

(Signed) H. B. CLAIRBON.  
CHAS. K. KING.


Declared to at Nassau the 6th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public*.

Bahama Islands, New Providence.

To all to whom these presents shall come, I, Bruce Lockhart Burnside, a Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, do hereby certify the foregoing to be full, just, and true copy of notarial declarations duly made before me the undersigned Notary Public by the declarants therein named, as the same remain of record in my official record book, pages 138 to 142.

In witness whereof I have hereunto set my hand, and affixed my seal of office at Nassau, this 9th day of June, A.D. 1863.

 (Signed) B. L. BURNSIDE, *Notary Public*.

## Inclosure 4 in No. 8.

*Declaration of Jane Hanna.*

Bahama Islands, Eleuthera.

BE it remembered, that on this 4th day of June, in the year of our Lord 1863, personally came and appeared before me, Ormond Drimmie Malcolm, notary public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, one of the said Bahama Islands, Jane Hanna, of James' Point, in the Island of Eleuthera, one of the said Bahama Islands, who of her own free will and accord did solemnly declare (such declaration being made in pursuance of the laws of the Bahama Islands made for substituting a declaration in lieu of an oath in certain cases) in manner following, that is to say:—

I live at James' Point, in the Island of Eleuthera. On Saturday, the 30th day of May last, I was in my house at James' Point, when I heard guns firing from the sea. I looked out of the door of my house, the northern one.

The house is on a hill about two miles from the shore, on the north side of the settlement. I can see the sea from the door. I saw a steamer passing up along the shore firing guns. I left my house and went on a hill near, when I saw another steamer a-head, at which the other was firing. I watched them for some time, when the inner steamer turned and came down. I then saw the one that had been firing also turn and commence to fire at her; several of the shot I saw fall on the land. I entered my house, when I heard the report of a gun, and something struck on the roof of the house. I looked out of the door, and saw the steamer that had been firing before opposite my house, and clouded with smoke.

I went over to the northern shore in the evening, and saw one of the steamers on shore, and the other, the one that had been firing guns, lying-to outside of her, with a flag flying. I do not know the flag, of what nation it was; it had red and white stripes.

(Signed) JANE HANNA.

Declared to before me this 4th day of June, A.D. 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public.*

Bahama Islands, New Providence.

To all whom these presents shall come, I, Ormond Drimmie Malcolm, notary public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the said Island of New Providence, do hereby certify that the annexed paper writing is a true copy of a notarial declaration made before me by Jane Hanna, therein named, of the Island of Eleuthera, as the same appears of record in my Notarial Register, book A, pages 22 to 23.

In testimony whereof I have hereunto set my hand and seal notarial the 6th day of June, in the year of our Lord 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public.*

## Inclosure 5 in No. 8.

*Declaration of Clinton Johnson.*

Bahama Islands, New Providence.

KNOW all men by these presents that on the 6th day of June in the year of our Lord 1863, before me, Bruce Lockhart Burnside, a Notary Public by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, personally came and appeared Clinton Johnson, of the Island of Eleuthera, farmer, who of his own free will and voluntary accord did declare:

That he lives at a town known as "James' Cestern," on the south side of the Island of Eleuthera, and on Saturday the 30th day of May last he heard the reports of cannon on the north side of the island, that he immediately went to the highland to the north of the town, and then saw two steam-ships one in chase of the other, the outer ship discharging guns very rapidly at the ship that was nearest to the shore, both of which ships were approaching at full speed to the land.

That the ship nearest the land was an unarmed vessel, and the vessel chasing her was a vessel of war; the unarmed vessel having arrived within 300 yards of the beach changed her course and skirted along the land, at no time being 400 yards from it, that the vessel of war also changed her course, and having arrived within a distance of at

most half a mile from the other ship, continued for at least an hour and a half to discharge without cessation shot and shell, which from time to time passed over the inner ship and struck and exploded upon the land.

That many of the shot so discharged as aforesaid fell within a distance of 100 yards from the dwelling houses in the town at "James' Cestern," and caused great destruction among the trees and wood in the neighbourhood, and the inhabitants of the town, fearing that their houses would be struck by the shot, and that some of them would be killed, they quitted the town and took refuge under the hills until the firing had ceased.

(Signed) CLINTON <sup>his</sup> JOHNSON.  
mark.

Declared to at Nassau this 6th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public*.

Bahama Islands, New Providence.

To all to whom these presents shall come I, Bruce Lockhart Burnside, a Notary Public by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, do hereby certify the foregoing to be a full, just, and true copy of a notarial declaration duly made before me the undersigned Notary Public, by the declarant therein named, as the same remains of record in my official record book from page 161 to 163.

In witnesswhere of I have hereunto set my hand and fixed my seal of office at Nassau, in the Island of New Providence, this 9th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public*.

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Inclosure 6 in No. 8.

*Declaration of Thomas Mackey.*

Bahama Islands, Eleuthera.

BE it remembered that on this 4th day of June, in the year of our Lord 1863, personally came and appeared before me, Ormond Drimmie Malcolm, Notary Public by lawful authority appointed, duly admitted and sworn, residing and practising in the City of Nassau, in the Island of New Providence, one of the said Bahama Islands, Thomas Mackey of James's Point, in the Island of Eleuthera, one of the said Bahama Islands, planter, who of his own free will and accord did solemnly declare (such declaration being made in pursuance of the laws of the Bahama Islands made for substituting a declaration in lieu of an oath in certain cases) in manner following, that is to say:—

On Saturday morning last, the 30th day of May past, I was out fishing on the southern side of the settlement called James's Point, on the Island of Eleuthera. I am a resident of the settlement. I was out fishing with William Hanna, another resident of the settlement. Just as we started to return home, about 1 o'clock, I heard the reports of several heavy guns; the sound came from the north-east, across the Island of Eleuthera. When the boat was about three miles from the settlement, and about half a mile from the shore on the southern side, I heard the report of another gun, and saw a cannon-shot come over and fall upon the land. We kept on in the boat, and when about half a mile from the settlement I again heard the report of a gun, and saw a cannon-shot fall in the water about sixty or seventy yards ahead of the boat in which we were, and very near a boat in which Theodore Cuvillier of the same settlement was.

After I landed from fishing I walked over to the beach on the northern side of the settlement, which beach is about two miles from the southern shore. Upon reaching there I saw a steamer on the reef, about 400 yards from the shore. I also saw a steamer lying-to outside of the reef, about 600 or 700 yards from it; she had an American flag flying. I could see guns on board of her run out through the portholes. I saw two boats come from her and row around the steamer that was on shore. Officers were in these boats; they had gold lace around their caps. The steamer left about 8 o'clock that night.

(Signed) THOMAS MACKEY.

Declared to before me this 4th day of June, A.D. 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public*.

Bahama Islands, New Providence.

To all to whom these presents shall come, I, Ormond Drimmie Malcolm, Notary Public by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the said Island of New Providence, do hereby certify that the annexed paper writing is a true copy of a notarial declaration made before me by Thomas Mackey therein named of the Island of Eleuthera, as the same appears of record in my Notarial Register Book A, pages 17 to 19.

In testimony whereof I have hereunto set my hand and seal notarial, the 6th day of June in the year of our Lord 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public.*

Inclosure 7 in No. 8.

*Declaration of William Hanna.*

Bahama Islands, Eleuthera.

BE it remembered that on this 4th day of June, in the year of our Lord 1863, personally came and appeared before me, Ormond Drimmie Malcolm, Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the City of Nassau, in the Island of New Providence, one of the said Bahama Islands, William Hanna, of James's Point, in the Island of Eleuthera, one of the said Bahama Islands, farmer, who of his own free will and accord did solemnly declare (such declaration being made in pursuance of the laws of the Bahama Islands made for substituting a declaration in lieu of an oath in certain cases) in manner following, that is to say:—

I reside at James's Point, a settlement on the Island of Eleuthera, one of the said Bahama Islands. I am a farmer, but occasionally go to sea. The settlement of James's Point is bounded on the north and south by the sea, being about two miles in width, that is from the north to the south.

On Saturday morning past, the 30th day of May last, I left my residence at James's Point in my boat on the south side of the settlement for the purpose of fishing; Thomas Mackey, a resident of the said settlement, went with me. After fishing for some time we started on our return home. When we were about a mile from the settlement I heard the reports of several heavy guns, the same seeming to be fired from a north-easterly direction. When about 200 yards from the place where I intended to land in order to proceed to my house, I heard the report of a gun, and about five or six seconds after a cannon-shot went past the boat in which we were, and fell in the water, having come across the land in a northerly direction, about thirty yards from a boat in which one Theodore Cuvillier of the same settlement was.

I landed at the settlement about three o'clock on this day, Saturday the 30th, and on landing was informed that a steamer was on shore on the northern side of the settlement. Upon hearing this I climbed to the roof of my house, which is about thirty-five feet from the ground, and on looking across the land to the northern side of the settlement, I saw two steamers, one of them being ashore on a reef a few hundred yards from the shore, and the other lying-to about three hundred yards from the one on shore, with an American flag flying from her main peak. The steamer on shore had no flag flying.

I then came down from the roof of my house, and proceeded, in company with several others, to the beach on the northern side of the settlement, where I found two ladies and several gentlemen, who had just landed from the steamer on shore on the reef. The captain, mates, and crew of the said steamer landed while I was there.

After I had been on the beach about two hours, two boats put off from the steamer with the American flag flying, and came to the steamer on shore, rowed around her, and then returned. Both of these boats had American flags in their sterns. An officer was in each boat, having gold lace on his cap and gold buttons on his coat. There were guns on board of the steamer with the American flag flying. I could see them run out through the port-holes in her side. I could plainly see the men moving about her decks. I should say she was about 600 or 800 yards from the shore. She remained in the position and place that I have described until dark. I did not notice when she left.

(Signed) WILLIAM <sup>his</sup> HANNA.  
mark.

Declared to before me this 4th day of June, A.D. 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public.*

Bahama Islands, New Providence.

To all to whom these presents shall come, I, Ormond Drimmie Malcolm, Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the City of Nassau in the said Island of New Providence, do hereby certify that the annexed paper writing is a true copy of a notarial declaration made before me by William Hanna, therein named, of the Island of Eleuthera, as the same appears of record in my notarial register, Book A, pages 9 to 12.

In testimony whereof I have hereunto set my hand and seal notarial the 16th day of June, in the year of our Lord 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public.*

Inclosure 8 in No. 8.

*Declaration of Charles Rutledge Burnside.*

Bahama Islands, New Providence.

BE it remembered that, on this 10th day of June, in the year of our Lord 1863, personally came and appeared before Ormond Drimmie Malcolm, Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence aforesaid, Charles Rutledge Burnside, of the city of Nassau, in the said Island of New Providence, gentleman, who of his own free will and accord did solemnly declare (such declaration being made in pursuance of the laws of the Bahama Islands for substituting a declaration in lieu of an oath in certain cases) in manner following, that is to say:—

That he, the declarant, was, on the 4th day of June instant, at a town on the Island of Eleuthera, known as "James' Cistern," in the the vicinity of James' Point.

That he, the declarant, had heard that shot and shell, thrown from a vessel of war on the north side of the island, had struck the ground near to the town, and Samuel Mackey, a resident of the town, pointed out to him, at a distance of about 200 yards from the dwelling-houses in the town, trees which had been destroyed, and the marks on the earth and stones caused by the missiles which had struck them; that the declarant, whilst inspecting the spots pointed out by the Samuel Mackey, picked up the smaller of the two pieces of shell hereto attached, and Samuel Mackey also picked up in the presence of this declarant the other piece.

That both of such pieces remained in the possession of this declarant, and were by him delivered to the Notary Public to be attached to this declaration, which he, the Notary, has done in declarant's presence.

(Signed) C. R. BURNSIDE.

Declared to before me this 10th day of June, A.D. 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public.*

Bahama Islands, New Providence.

To all to whom these presents shall come I, Ormond Drimmie Malcolm, Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, do hereby certify that the annexed paper writing is a true copy of a notarial declaration made before me by Charles Rutledge Burnside therein named, of the Island of New Providence, as the same appears of record in my Notarial Register, book A, pages 24 and 25.

In testimony whereof I have hereunto set my hand and seal notarial the 10th day of June, in the year of our Lord 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public.*

Inclosure 9 in No. 8.

*Declaration of Samuel Mackey.*

Bahama Islands, Eleuthera.

BE it remembered that on this 4th day of June, in the year of our Lord 1863, personally came and appeared before me, Ormond Drimmie Malcolm, Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, one of the said Bahama Islands,

Samuel Mackey, of James' Point, in the Island of Eleuthera, one of the taid Bahama Islands, planter, who of his own free will and accord did solemnly declare (such declaration being made in pursuance of the laws of the Bahama Islands made for substituting a declaration in lieu of an oath in certain cases) in manner following (that is to say) :—

I am a planter, and reside at James' Point, in the Island of Eleuthera, one of the Bahama Islands. On Saturday, the 30th day of May last past, I was out fishing on the southern side of the settlement. The settlement is about two miles wide from north to south. While out fishing I heard the reports of several heavy guns from the north-east. On returning to the shore, being about three yards from it, I heard the report of a gun, and saw a cannon-ball fall on the land in the middle of the settlement where the houses are built. I found a portion of the shot to-day in the place where I saw it fall.

(Signed) SAMUEL <sup>his</sup> ⚡ MACKEY.  
mark.

Declared to before me this 4th day of June, A.D. 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public*.

Bahama Islands, New Providence.

To all to whom these presents shall come, I, Ormond Drimmie Malcolm, Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, do hereby certify that the annexed paper writing is a true copy of a notarial declaration made before me by Samuel Mackey, therein named, of the Island of Eleuthera, as the same appears of record in my Notarial Register, Book A, pages 20 and 21.

In testimony whereof I have hereunto set my hand and seal notarial, the 6th day of June, in the year of our Lord 1863.

(Signed) ORMOND D. MALCOLM, *Notary Public*.

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Inclosure 10 in No. 8.

*Declaration of Laurence Thiescelin and Laurcel Thiescelin.*

Bahama Islands, New Providence.

KNOW all men by these presents, that on this 11th day of June, in the year of our Lord 1863, before me, Bruce Lockhart Burnside, a Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, personally came and appeared Laurence Thiescelin, at present of the Island of New Providence, gentleman, and Laurcel Thiescelin, at present of the Island of New Providence, single woman, who did solemnly declare, such declaration being made in pursuance of the laws of the Bahamas for substituting a declaration in lieu of an oath in certain cases :

That these declarants are subjects of His Imperial Majesty Napoleon III, Emperor of the French, and are natives of the city of Paris in the Empire of France, but for some years past have resided at Mobile, in the State of Alabama, one of the States of America known as the Confederate States of America.

That they sailed in and on board of the Confederate merchant steam-ship "Margaret and Jessie," on Wednesday the 27th day of May last past from Charleston, South Carolina, as passengers for Nassau, on their way to France.

That on Saturday morning, about 10 o'clock, a vessel of war gave chase to the "Margaret and Jessie," and continued to chase until about 12 o'clock, when the "Margaret and Jessie" had been brought to about five miles distant from the land of Eleuthera, within the jurisdiction of Her Majesty the Queen of England; the war vessel was then astern of the "Margaret and Jessie" about four miles, and commenced to fire shot and shell at her.

That the war-vessel continued to chase the "Margaret and Jessie," and to fire shot and shell at her incessantly, until the latter vessel was taken within 300 or 400 yards of the shore of the Island of Eleuthera aforesaid, the war-vessel coming in to the same shore within the distance of one mile, and coasting along with the "Margaret and Jessie," and discharging shot and shell at her, many of which these declarants saw strike the land of Eleuthera. That during all the time before referred to, these declarants remained on deck, but the danger to life on board of the "Margaret and Jessie" being very great from the constant discharge of shell and other missiles which fell thickly around her, and

it being evident that the intention of the parties on board the war-vessel was to kill and murder the persons then on board the "Margaret and Jessie," they the declarants, Laurence Thiescelin and Laurcel Thiescelin, were persuaded by the male passengers who were with them in the "Margaret and Jessie" to take refuge in the cabin.

That at the time the said Laurence Thiescelin and Laurcel Thiescelin left the deck and went to the cabin, the said steam-ship "Margaret and Jessie" was not over 400 yards from the beach, and the war-vessel was not a mile distant from the "Margaret and Jessie." That after these declarants went into the cabin the ship struck several times on the bottom, and they still heard the incessant discharge of cannon from the war-vessel.

That after they had been for some time in the cabin a shot struck the "Margaret and Jessie," and almost immediately she ran upon the ground, and the declarants upon going to the deck found that the ship was on the ground not 400 yards from the beach.

And these declarants further declare that the parties on board of the "Margaret and Jessie," fearing that she would be boarded from the war-vessel which had then anchored a short distance from them, immediately hastened to the shore, and immediately after armed boats were sent from the vessel of war, in which were officers in the naval uniform of the United States of America, which boats approached near to the "Margaret and Jessie," rowed round her, and then returned to their ship.

And these declarants lastly declare that they verily believe and are convinced that the intention of the said parties on board the said vessel of war discharging shot and shell from guns on board that vessel at the "Margaret and Jessie," when both such vessels were within the territorial jurisdiction of Her Majesty the Queen, was none other than to kill and murder the parties or some of them then being on board the "Margaret and Jessie."

(Signed) THIESCELIN.  
LAURCEL THIESCELIN.

Declared to at Nassau the 11th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public*.

Bahama Islands, New Providence.

To all to whom these presents shall come, I, Bruce Lockhart Burnside, a Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau in the Island of New Providence, do hereby certify the foregoing to be a full, just, and true copy of notarial declarations duly made before me the said notary by the declarants therein named, as the same remains of record in my official record book, pages 148 to 152.

In testimony whereof I have hereunto set my hand fixed my seal of office at Nassau, this 11th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public*.

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Inclosure 11 in No. 8.

*Declaration of Fenn Peck and M. M. Kerr.*

Bahama Islands, New Providence.

KNOW all men by these presents that on this 8th day of June, in the year of our Lord 1863, before me, Bruce Lockhart Burnside, Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, personally came and appeared, Fenn Peck, at present of the Island of New Providence, master mariner and Matthew Morris Kerr, also at present of the Island of New Providence, merchant, who did solemnly declare that such declaration being made in pursuance of the laws of the Bahamas, for substituting a declaration in lieu of an oath in certain cases.

That they sailed as passengers on board the steam-ship "Margaret and Jessie," from Charleston, on the 27th of May last, bound to Nassau.

That on Saturday morning, when about 25 miles from the mainland of Eleuthera, one of the Bahama Islands, a vessel of war gave chase to them, but that as the "Margaret and Jessie" was put at full speed for the land, the pursuing vessel did not gain upon her until about noon; the "Margaret and Jessie" was then distant from Eleuthera about five miles, and the war vessel astern of the "Margaret and Jessie" about four miles. She opened fire upon the "Margaret and Jessie," but at first the shot fell short, but as the

“Margaret and Jessie” nearer the land and became hemmed in by it, the shot from the war vessel, which had gradually nearer the “Margaret and Jessie,” fell thickly around her; that the “Margaret and Jessie” was then taken to within 400 yards of the shore, notwithstanding which the war vessel, which had now approached to within a mile of her, continuing to pour shot and shell and what appeared to be grape and cannister into the “Margaret and Jessie.”

That the “Margaret and Jessie” continued at such distance of 400 yards for a period of an hour and a half at the very least, during all which time the war vessel, which was not at any time a mile distant, continued incessantly discharging shot, shell, and what appeared to be grape and cannister at the “Margaret and Jessie.”

That during this latter time the “Margaret and Jessie” frequently took the ground until a spherical seven-inch shot struck her which disabled her, caused her immediately to take the ground, fill with water and sink, she then being not 400 yards from the beach, so near in fact that persons on the beach could converse with persons on board the said vessel.

That so soon as this occurred the vessel of war, which was at this time coasting along with the “Margaret and Jessie,” headed to sea, and having steamed out for a short time came to anchor, and the parties on board the “Margaret and Jessie,” observing that boats were about to be sent from her, and fearing that although within neutral territory they would be made prisoners, they quitted the “Margaret and Jessie” and landed on the shore, and armed boats were seen to quit the war vessel and proceed towards the “Margaret and Jessie.”

That the said declarant Fenn Peck found that only eight minutes and a half elapsed from the time these armed boats quitted the war vessel until they arrived at the “Margaret and Jessie,” and that in these boats were officers dressed in the uniform of the navy of the United States of America, and having rowed round the “Margaret and Jessie” they returned to the vessel of war, which remained at anchor until dark, after which she was no more seen.

(Signed) FENN PECK.  
M. M. KERR.

Declared to at Nassau this 8th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public.*

Bahama Islands, New Providence.

TO all to whom these presents shall come I, Bruce Lockhart Burnside, a Notary Public, by lawful authority appointed, duly admitted and sworn, residing and practising in the city of Nassau, in the Island of New Providence, do hereby certify the foregoing to be a full, just, and true copy of notarial declarations duly made before me the Undersigned Notary Public, by the declarants their named, as the same remains of record in my official record book from page 165 to 169.

In witness whereof I have hereunto set my hand and affixed my seal of office at Nassau, in the Island of New Providence, this 9th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public.*

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Inclosure 12 in No. 8.

*Declarations of Daniel Trigg and H. B. Littlepage.*

Bahama Islands, New Providence.

KNOW all men by these presents, that on this 6th day of June, in the year of our Lord 1863, before me Bruce Lockhart Burnside, a Notary Public by lawful authority appointed, duly admitted and sworn, residing and practising in the City of Nassau in the Island of New Providence, personally came and appeared Daniel Trigg and Hardin B. Littlepage, at present of the City of Nassau, in the Island of New Providence, gentlemen, who did solemnly declare, such declaration being made in pursuance of the Bahamas for substituting a declaration in lieu of an oath in certain cases—

That they the declarants were passengers on board the steam-ship “Margaret and Jessie,” which sailed from the port of Charleston on the 27th day of May last bound for this port of Nassau.

That having heard read over to them the declaration of Robert C. Fonte, they can personally testify that everything therein contained is just and true, these declarants having been eye-witnesses to all the occurrences therein detailed and set forth, with the



exception of the officers in the boats being in the uniform of the navy of the United States of America, which the said Daniel Trigg did not himself see.

(Signed) DANIEL TRIGG.  
H. B. LITTLEPAGE.

Declared to at Nassau, this 6th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public*.

Bahama Islands, New Providence.

To all to whom these presents shall come I, Bruce Lockhart Burnside, a Notary Public by lawful authority appointed, duly admitted and sworn, residing and practising in the City of Nassau, in the Island of New Providence, do hereby certify the foregoing to be a full, just, and true copy of notarial declarations duly made before me, the undersigned Notary Public, by the declarants therein-named, as the same remains of record in my official Record Book from page 163 to 165.

In witness whereof I have hereunto set my hand and fixed my seal of office at Nassau, in the Island of New Providence, this 10th day of June, A.D. 1863.

(Signed) B. L. BURNSIDE, *Notary Public*.

No. 9.

*Earl Russell to Mr. Mason.*

Sir, *Foreign Office, July 18, 1863.*  
I HAVE the honour to acknowledge the receipt of your letter of the 16th instant, inclosing a list of vessels which had arrived at Nassau from American blockaded ports from the 18th of July, 1862, to the 2nd of June, 1863.

I am, &c.  
(Signed) RUSSELL.

No. 10.

*Earl Russell to Mr. Mason.*

Sir, *Foreign Office, July 18, 1863.*  
I HAVE the honour to acknowledge the receipt of your letter of the 16th instant, inclosing twelve affidavits made by passengers on board the steamer "Margaret and Jessie," respecting the sinking of that vessel by a shot from a United States' man-of-war, and I beg leave to thank you for the communication of these papers.

I am, &c.  
(Signed) RUSSELL.

No. 11.

*Mr. Mason to Earl Russell.—(Received July 21.)*

My Lord, *24, Upper Seymour Street, Portman Square, July 21, 1863.*  
I HAVE the honour to inform your Lordship that I have received to-day a despatch from the Secretary of State at Richmond, dated the 12th of June ultimo, in which I am advised that the Government of the Confederate States has been informed by Mr. Moore, late Her Majesty's Consul at Richmond, of the receipt by him of despatches from your Lordship, stating that the prisoner Hester, charged with murder at Gibraltar, on board the Confederate steamer "Sumter," had been sent on board Her Majesty's ship "Shannon," leaving Gibraltar on the 6th of May last, to Bermuda.

That the consent of the United States' Government would be asked for the passage through the blockade of the ship having the prisoner on board; and asking that arrangements should be made by the Confederate authorities to receive him, at whatever port the ship conveying him might arrive.

I am instructed by the Secretary of State to inform your Lordship that the Government of the Confederate States would be prepared to receive the prisoner at any port of the Confederacy where he may be delivered up; and that in the event of a refusal on the part of the United States to consent to the passage of the "Shannon" through the blockade, a naval officer of the Confederacy would be sent to Bermuda, with authority to receive the prisoner, and to bring him into one of its ports in a vessel of the Confederate Government.

I am further instructed to renew to your Lordship, as Her Majesty's Secretary of State for Foreign Affairs, the expression of the thanks of the Confederate Government for your Lordship's considerate attention in the matter.

I avail myself of the occasion to inform your Lordship, that I have received, at the same time with the foregoing, the despatch of the 6th of June ultimo, of which I had the honour recently since to transmit to your Lordship an unofficial printed copy; and, also a further despatch, dated on the 11th of June ultimo, concerning the case of Mr. Cridland, representing himself as "Acting English Consul" at Mobile, Alabama; of which, together with that of the 6th of June, I am instructed to communicate copies to your Lordship, which I shall do as soon as the copies can be prepared.

I have, &c.  
(Signed) J. M. MASON

No. 12.

*Mr. Mason to Earl Russell.—(Received July 24.)*

My Lord, 24, *Upper Seymour Street, Portman Square, July 24, 1863.*

I HAVE the honour to transmit to your Lordship herewith a copy of the despatch of the Secretary of State of the Confederate States of America to me, dated the 11th June ultimo, with copies of the documents accompanying it.

The instructions of the Secretary to me being confined to the duty of furnishing this copy to your Lordship, I refrain from any further act than to say, should it be the desire of the Government of Her Majesty to express any views on the matter contained therein, I will be happy in being the medium of communicating them to the Secretary of State at Richmond.

I have, &c.  
(Signed) J. M. MASON.

Inclosure in No. 12.

*Mr. Benjamin to Mr. Mason, June 11, 1863.*

[See "North America, No. 13 (1864)," p. 25.]

Annexes.

(A.)—*Extract from the "Richmond Whig" of May 18, 1863.*

FOREIGN CONSULS.—MR. CRIDLAND, for some years past Her Britannic Majesty's Vice-Consul at Richmond, is about to leave this city for Mobile, having in his pocket the commission of full Consul. So runs a common report, which has not yet been denied.

Mr. C.'s promotion will give great pleasure to his numerous friends in this city, where he is sincerely respected and warmly esteemed. But he is accredited to Mr. Lincoln, not to Mr. Davis, and his credentials bear recent date. This intelligence, so long as it remains uncontradicted, will not give pleasure to any one in the South. To be sure, we know that we have no national existence outside of our own fond imaginations, and that in the eyes of Great Britain we are still part and parcel of the United States, and destined, for all she cares, so to remain for ever. We know, further, that sundry private citizens of the South, nicknamed Ministers, are cooling their heels to no earthly purpose in the ante-chambers of St. James and the Tuileries, and this useless refrigeration of the *ossa calcis* of Messrs. Mason and Slidell has been going on for above a year. Nor are we ignorant that some remote intimations of these things have reached the "so-called Confederate Government" without exciting the least stir or movement on the part of the "so-called."

Knowing all this, our duty as good citizens and believers in that sound political dogma, "the Government is in the possession of facts," is to imitate the "so-called," and make no stir. Accordingly we make none.

Nevertheless, the creation at this late day of a Lincoln Consul at Mobile by the English Secretary of Foreign Affairs, and the acceptance of such a commission by that Consul, may well excite, if it does not excite, a tendency on the part of the Southern people to take the liberty of making a remark. There is a certain newness about the thing, which might, under other circumstances, occasion surprise; and, so to speak, a rawness in the matter that might, in ordinary times, produce a sensation bordering on the disagreeable. But these contingencies are remote. We are quite sure that there is not a man in the Confederacy who feels the slightest inclination to make any remark until the war is over, and the public as well as the "so-called Confederate Government" is in possession of those awful facts on which the unofficial mind would be justified in basing an opinion, and in the absence of which the private citizen is dutifully and reverently dumb.

So far as Mr. Cridland is concerned the statements made above may be unfounded. We shall be glad to hear it—if gladness be compatible with good citizenship and the facts possessed by the "so-called."

It is possible, though not probable, that there are no British Consuls accredited to the United States in this Confederacy or elsewhere. If such be the fact, we may venture to be agreeably surprised, so soon as the war terminates, and the mysterious possessions of the "so-called" are generally distributed. Pending the war, however, we shall esteem it a great privilege to be permitted by the "so-called" to be as indifferent to the dignity and honour of the country as we are ignorant of the appalling facts in possession of the aforesaid "so-called."

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(B.)—*Extract from the "Richmond Whig" of May 19, 1863.*

MR. CRIDLAND.—WE desire to correct the report mentioned by us yesterday in connection with this gentleman, so far as to state that he goes to Mobile without commission from the Queen or exequatur from Washington, but simply at the request or order of Lord Lyons, to look after British interests in that quarter in an unofficial way. Of this we are assured by Mr. C. himself, who leaves the city this morning. In the capacity in which he goes, he will, we are sure, receive from the hospitable and polished people of Mobile the consideration and courtesy to which he is entitled.

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(C.)—*Admiral Buchanan to Mr. Mallory.*

(Telegraphic.)

Mobile, June 4, 1863.

THE French Consul, M. Portz, has, in his official capacity as Acting English Consul, introduced me to Mr. Cridland, who has shown me an official document, signed by Lyons, appointing him the Acting English Consul at Mobile. Am I to recognize him as such?

(D.)—*Mr. Walsh to Mr. Magee.*

Dear Sir,

*Bank of Mobile, Mobile, November 11, 1862.*

THE State of Alabama is very anxious to insure to its creditors their dues to the utmost fraction, notwithstanding the obstacles now thrown in the way of United States' Government to prevent creditors in the Confederate States from meeting their obligations.

This State will owe, the coming year, in payment of its interest coupons, in bonds due British subjects, some 40,000*l.* sterling, which coupons are payable at the Union Bank and at the counting-house of the Messrs. Rothschild, in London. The State is not only anxious, but determined, if possible, to continue to protect its credit, and promptly meet its obligations as heretofore; also to fulfil strictly its promises to its foreign creditors, both in regard to the payment of its dues as well as its promised places of payment. With this view, will you allow me to invoke your kind aid, in behalf of the State, and this bank, which has acted as the fiscal agent of the State, for many years past, in the payment of its foreign interests, to fulfil its obligations, which is of the utmost importance, in every point of view, both to the State of Alabama and its foreign creditors. I have now to ask the favour of your ascertaining from the British Minister at Washington (or through any other channel) if this bank can be allowed to place in your hands the sum necessary, in coin, for transmission to England by the first favourable opportunity, at the expense of the State, for the purpose mentioned. I must ask you, kindly, to give me as early a reply to this communication as your convenience will permit.

I am, &amp;c.

(Signed) CHARLES WALSH.

(E.)—*Mr. Magee to Mr. Walsh.*

Sir,

*Mobile, November 14, 1862.*

YOUR favour of the 11th current duly received, and referring to its contents I beg leave to inform you that I sent yesterday by an opportunity to New Orleans, a despatch to Her Britannic Majesty's Consul there stating the gist of your desire, and asked if Her Majesty's ship "Rinaldo," Captain Hewett, now at New Orleans, could not be sent to this place in order to receive from you the specie, take it hence to Havana, and allow the Consul-General of Great Britain to forward it per steamer to London.

If I fail here, I will invoke the aid of Lord Lyons at Washington.

I am, &amp;c.

(Signed) JAMES MAGEE.

(F.)—*Mr. Walsh to Mr. Magee.*

I DO hereby certify that the thirty-one kegs of specie, marked B.M., containing each 5,000 dollars, together 155,000 dollars handed over to you by this institution for the purpose of having the same delivered to H. Bell, Consul-General at Havana, and to be transmitted thence to England to the consignment of the Union Bank of London, by the British mail-steamer, is for the purpose of paying dues to British subjects from the State of Alabama, and is the property and belongs to the subjects of Her Britannic Majesty.

Very respectfully, &amp;c.

(Signed) CHARLES WALSH.

(G.)—*Mr. Walsh to Mr. Scrimgeour.*

Dear Sir,

*Mobile, January 3, 1863.*

THIS institution deposited in the French Consul's hands, for safe keeping, in May last, thirty-one kegs of specie, containing each 5,000 Mexican dollars, together 155,000 dollars, appropriated by the State of Alabama to pay the British and other foreign holders of State bonds, the interest due on sums as follows:

				£	s.	d.	
1863.	June 1	..	..	..	7,380	17	7. Payable at Union Bank.
	July 1	..	..	..	3,215	11	9. Ditto.
	July 1	..	..	..	465	17	3. Payable at Messrs. Rothschild's.
1864.	January 1	..	..	..	3,215	11	9. Payable at the Union Bank.
	January 1	..	..	..	465	17	3. Payable at Messrs. Rothschild's.
	June 1	..	..	..	9,380	17	7. Payable at the Union Bank.
	July 1	..	..	..	3,215	11	9. Ditto.
	July 1	..	..	..	465	17	3. Payable at Messrs. Rothschild's.

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The arrival of Her Britannic Majesty's ship "Vesuvius," Lieutenant Crooke, affords the opportunity of sending this forward; and the said specie has been turned over to Her Britannic Majesty's Acting Consul here, James Magee, Esq., who has shipped it by the said vessel to James G. Crawford, Esq., Her Britannic Majesty's Consul-General at Havana, and who is requested to ship the same, by the British mail-steamer, to your consignment, for the purpose of paying it over to the parties holding the said interest coupons under such arrangements as have heretofore existed with you by this bank.

The charges for freight from this port, and all expenses belonging thereto, you will please pay to the debit of this bank.

I remain, &c.  
(Signed) CHARLES WALSH.

B.M., thirty-one kegs specie, 5,000 dollars each, together 155,000 dollars.

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(H.)—*Commander Hitchcock to Mr. Magee.*

Sir,

"Susquehanna," Pensacola Bay, April 8, 1863.

YOUR communication of the 4th instant has this moment been received by flag of truce. In relation to your connection with the transaction of shipping specie from Mobile I know very little. The Commander of the "Vesuvius" told me he came to transact Government business with the British Consul, and that he believed he (the Consul) had some money to send by him. To which I replied, "We cannot examine an English man-of-war; we trust all you do will be right and proper. You could go up to the city, if you wished, where we do not go." Further than this I have no knowledge.

Very respectfully,  
(Signed) N. B. HITCHCOCK.

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(I.)—*Circular to Consuls and Consular Agents.*

Sir,

Department of State, Richmond, June 10, 1863.

IT becomes my duty to inform you that the President has determined to permit no direct communication between Consuls or Consular Agents of foreign countries residing within the Confederacy, and the functionaries of such foreign Governments residing in the enemy's lines. The passage, in future, of Consular couriers, messengers, or of Consuls or Consular Agents themselves, through the Confederate lines to the enemy is accordingly prohibited, and foreign officials will be allowed to communicate with their Governments only directly, or through neutral countries.

With great respect, &c.  
(Signed) J. P. BENJAMIN.

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No. 13.

*Earl Russell to Mr. Mason.*

Sir,

Foreign Office, July 25, 1863.

I HAVE the honour to acknowledge the receipt of your letter of the 21st instant, in which you inform me with reference to the case of the officer charged with murder on board the "Sumter," at Gibraltar, that the Confederate Government would be prepared to receive the prisoner at any one of the Southern ports where he might be delivered up, and that in the event of a refusal on the part of the United States' Government to consent to the passage of the "Shannon" through the blockade, a naval officer of the Confederacy would be sent to Bermuda, with authority to receive the prisoner, and to bring him into one of its ports in a vessel of the Confederate Government.

I have the honour to state to you in reply, that Her Majesty's Minister at Washington was not able to obtain the consent of the United States' Government to the passage of the "Shannon" through the blockade for the purpose above-mentioned, and that Her Majesty's Government having been advised by the Law Officers of the Crown that the prisoner was a person over whom no British Court had jurisdiction, came reluctantly to the conclusion that he ought not to be detained in custody by any British authority longer than might be necessary for the purpose of disposing of him on shore.

Orders were accordingly, about a fortnight back, given to that effect to the Governor of Bermuda, and to the British Admiral on the North American station, and Mr. Consul Moore would have been instructed in due course to communicate this result to the authorities at Richmond had he not been obliged to quit that city under the circumstances to which you refer in the concluding portion of your letter.

I am, &c.  
(Signed) RUSSELL.

No. 14.

*Mr. Mason to Earl Russell.—(Received July 30.)*

My Lord, 24, Upper Seymour Street, Portman Square, July 29, 1863.

AS promised in my letter of the 21st of July instant, I have now the honour to communicate herewith to your Lordship a copy of the despatch of the 6th of June ultimo, from the Secretary of the Confederate States to me, with copies of the documents accompanying it. They relate to the matter of the dismissal of Mr. Moore, late British Consul at Richmond.

I have, &c.  
(Signed) J. M. MASON.

Inclosure 1 in No. 14.

*Mr. Benjamin to Mr. Mason, June 6, 1863.*

[See "North America, No. 13 (1864)," pp. 6-8.]

Inclosure 2 in No. 14.

*Consul Moore to Mr. Benjamin.*

Sir, *Richmond, February 16, 1863.*

I HAVE the honour to request your favourable consideration of the following enactment, in so far as it regards British subjects.

I observe that the Legislature of Mississippi has passed an Act to amend an Act entitled "An Act to revise and reduce into one the Militia and Volunteer Laws of that State." Section 12 runs thus:—

"Be it further enacted that all white male persons above the age of 18 years and under the age of 50 years, residing temporarily or permanently in this State, and not specially exempted by law, shall be liable to serve in the Militia of this State."

Also, the following order has appeared thus:—

*"Department of State, Richmond.*

*"Head-Quarters, State of Mississippi, Adjutant and Inspector-General's  
Office, Jackson, January 19, 1863.*

*"Special Order, No. 271.*

*"Major-General T. C. Tupper.*

*"Section 3. You will order all field, company, and staff officers, not in active service, and all white males between the ages of 18 and 50, who are either temporarily or permanently residing in the State, to be included in the draft, except such as may be liable, and have not been discharged from conscription. All those discharged from State service by reason of surgeon's certificates, together with those who are exempt from.*

conscription by Act of Congress, are to be included in said draft, unless specially exempt by the laws of the State.

"By order,  
(Signed) "JOHN J. PETTUS,  
"Governor and Commander-in-chief.

(Signed) "JAMES S. HAMILTON,  
"Adjutant and Inspector-General, State of Mississippi."

I would therefore now crave your opinion as to the construction of this order, if I am to understand that any Act of Congress is to be subservient to the Legislature of Mississippi.

I put this question as a case has arisen this morning claiming my interference to protect a British subject, in accordance with the Queen's Proclamation of neutrality from enrolment in that State.

I have, &c.  
(Signed) GEO. MOORE.

P.S.—Since writing the above I have received a letter from a Mr. Thomas Kingsly Jones, a British subject, from Rankin county, Mississippi, who according to his own statement has been most harshly dealt with, assaulted, and one eye injured, and imprisoned as a malefactor at Jackson, in a bitterly cold prison, for resisting the conscription. Mr. Jones holds a certificate of British nationality, and he has already rendered military service here, and has been honourably discharged; whose soldier's discharge is on file at my office.

G. M.

Inclosure 3 in No. 14.

*Mr. Benjamin to Consul Moore.*

Sir, *Department of State, Richmond, February 20, 1863.*  
YOUR letter of 16th instant, in relation to certain enactments and military orders in the State of Mississippi, has been received. In that letter you also make reference to the complaint of a British subject, alleging ill-treatment at the hands of officers enforcing the conscript law in Mississippi.

Before replying to the subject matter of your letter it is deemed necessary to inquire into the extent of the authority vested in you by Her Majesty's Commission as her Consul in Richmond. The exequatur granted on that Commission by the Government of the United States was conferred at a date when that Government had the right to act in such matters as the agent of the States that have since formed the Confederacy, and the exequatur has therefore not been questioned. It was supposed to have reference solely to Consular functions in Richmond, or, at furthest, in the State of Virginia.

As your letter, however, initiates a diplomatic correspondence with this Department on the subject of the laws and regulations of the State of Mississippi, it becomes necessary to request that your Consular Commission, as well as any other authority you may have received to act in behalf of the Government of Her Britannic Majesty, be officially submitted to this Department, in order that the precise nature and extent of your functions may be ascertained before further correspondence can be held with you as Her Majesty's Consul at the port of Richmond.

I am, &c.  
(Signed) J. P. BENJAMIN.

Inclosure 4 in No. 14.

*Mr. Benjamin to Consul Moore, June 5, 1863.*

[See "North America, No. 13 (1864)," p. 2.]

Inclosure 5 in No. 14.

*Letters-Patent revoking Consul Moore's Exequatur.*

[Ibid., p. 2.]

Inclosure 6 in No. 14.

*Lieutenant-Colonel Edgar to Captain Catlett, C.S.A.*

*Head-Quarters 26th Virginia Battalion,  
Handley's Hill, May 25, 1863.*

Captain,

THE communication from the Secretary of War, asking information respecting the conscription of Nicholas Maloney and Eugene Farrel has been received, and in reply I submit the following :

Nicholas Maloney is a native of Ireland. He does not know exactly how long since he came from Ireland to this country. He has been a resident of Greenbrier County, Virginia, for eight years. He bought land in said county, and after the several payments were made he received the deed for the land, and that deed was recorded in the Clerk's Office of Greenbrier County three years ago. From the time of purchase till he was conscribed he resided upon and cultivated the land. His family still resides upon it. He has also exercised the right of suffrage. He was assigned (as a conscript) to this battalion in December 1862.

Eugene Farrel is a native of Ireland: does not know the exact time when he came to this country. He bought land in Fayette county, Virginia, and after the payments were made he received the deed for the land; that deed was recorded in the Clerk's Office of Fayette County. He afterwards exchanged his land in Fayette for land in Greenbrier. He afterwards sold one half of his land in Greenbrier to his brother, and his family still resides upon the half reserved. He has been a resident of Virginia for eight years, and has exercised the right of suffrage. He was assigned to this battalion as a conscript in December 1862. From time of purchase to time of conscription he resided upon and cultivated his land.

Very respectfully, &c.

(Signed)

GEO. M. EDGAR.

Inclosure 7 in No. 14.

*Mr. Moore to Mr. Caldwell.*

My dear Sir,

*Richmond, Virginia, May 5, 1863.*

I HAVE just received your letter of the 30th April, and I have at once addressed a letter to the Secretary of War on the subject of Maloney and Farrel, of which I transcribe a copy herewith.

I am really at a loss to account for the dilatory proceedings, not to make use of any harsher term; however, I cannot help saying to you unofficially that the apparent apathy and indifference with which the War Department seems to regard cases of the most atrocious cruelty quite baffle all my preconceived opinions of my own kindred race.

I have lived thirty-two consecutive years (from 1826 to 1858) in despotic countries, and I am compelled to bear witness that I have met in those foreign countries more official courtesy and consideration from the local authorities on my representation of grievances than I have met at the hands of my own blood and lineage.

These reports, which I am obliged to send home, do not tend to the consummation which perhaps some of us desire.

I will say no more, for it grieves me to write this.

Believe me, &c.

(Signed)

GEORGE MOORE.

No. 15.

*Mr. Mason to Earl Russell.—(Received July 30.)*

My Lord,

*24, Upper Seymour Street, Portman Square, July 29, 1863.*

I HAVE the honour to acknowledge receipt of your Lordship's letter of July 25th instant, in which I am informed that Her Majesty's Minister at Washington was not able to obtain the consent of the United States' Government to the passage of the "Shannon" through the blockade, for the purpose of delivering over to the authorities of the Confederate States a prisoner charged with murder, committed on board a Confederate vessel of war. Your Lordship further informs me that for reasons stated in the



letter, Her Majesty's Government had reluctantly come to the conclusion that the prisoner ought not to be detained in custody by any British authority longer than might be necessary to dispose of him on shore; and that orders had accordingly been issued to that effect to the proper authorities at Bermuda, and to the British Admiral on the North American station.

I shall send a copy of your Lordship's letter, by the first opportunity, to the Secretary of State at Richmond, and can only anticipate the great regret with which the President of the Confederate States will learn that Her Majesty's Government had deemed it proper to depart from its original purpose in regard to this prisoner, as the same had been communicated to him, under instructions from your Lordship, by Mr. Moore, late British Consul at Richmond.

I have, &c.  
(Signed) J. M. MASON.

## No. 16.

*Earl Russell to Mr. Mason.*

Sir, *Foreign Office, August 10, 1863.*

WITH reference to your letter of the 16th ultimo inclosing a list of vessels which had arrived at Nassau from American blockaded ports from the 18th of April, 1863, to the 2nd of June, 1863, and to my letter of acknowledgment of the 18th ultimo, I think it right to observe that Her Majesty's Government see no reason to alter the opinion as to the efficiency of the blockade which was conveyed to you in my letters of the 10th and 27th of February last.

I am, &c.  
(Signed) RUSSELL.

## No. 17.

*Earl Russell to Mr. Mason.*

Sir, *Foreign Office, August 19, 1863.*

IN reply to your letters of the 24th and 29th ultimo, I have to state to you that Mr. Acting Consul Magee failed in his duty to Her Majesty, by taking advantage of the presence of a ship of war of Her Majesty at Mobile to transmit specie to England. This transaction had the character in the eyes of Her Majesty's Government of aiding one of the belligerents against the other.

Laying aside, however, this question of the conduct of Mr. Acting Consul Magee, of which Her Majesty is the sole judge, I am willing to acknowledge that the so-styled Confederate States are not bound in any way to recognize an authority derived from Lord Lyons, Her Majesty's Minister at Washington.

But it is very desirable that persons authorized by Her Majesty should have the means of representing at Richmond and elsewhere in the Confederate States, the interests of British subjects who may be in the course of the war grievously wronged by the acts of subordinate officers. This has been done in other similar cases of States not recognized by Her Majesty, and it would be in conformity with the amity professed by the so-styled Confederate States towards Her Majesty and the British nation if arrangements could be made for correspondence between Agents appointed by Her Majesty's Government to reside in the Confederate States, and the authorities in such States.

I am, &c.  
(Signed) RUSSELL.

## No. 18.

*Mr. Mason to Earl Russell.—(Received September 4.)*

*24, Upper Seymour Street, Portman Square,  
September 4, 1863.*

My Lord,

I HAVE had the honour to receive your Lordship's letter of the 19th August ultimo, in reply to mine of the 24th and 29th July ultimo. I shall transmit a copy of your Lordship's letter to the Secretary of State at Richmond.

The despatches of Mr. Benjamin (full copies of which I have by his direction furnished to your Lordship) certainly evince no disinclination to permit any person accredited by Her Majesty's Government as its Consular or other Agents to reside within the Confederate States, and as such to be in communication with the Government there. They explain only (and certainly in terms of amity) how it has resulted that the Government of the Confederate States has felt itself constrained to prohibit in future any direct communication between such agents and Her Majesty's Minister resident at Washington—a prohibition which I understand from those despatches is equally extended to all like Agents of foreign Powers and their Ministers at Washington. All communications to or from such Agents are in future to be made through vessels arriving from or despatched to neutral ports.

That it should have become necessary to impose this restriction is, I am sure, a matter of regret to the President of the Confederate States, but the circumstances which have called it forth are under the control of foreign Governments, and not under the control of the President.

In regard to the suggestion in your Lordship's letter that it would be "very desirable that persons authorized by Her Majesty should have the means of representing at Richmond and elsewhere in the Confederate States the interests of British subjects," which, as your Lordship states, "has been done in other similar cases of States not recognized by Her Majesty," under arrangements for correspondence between Agents appointed by Her Majesty's Government to reside in the Confederate States and the authorities in such States, I can only say that if it be your Lordship's pleasure to make this proposition in such form as may be agreeable to Her Majesty's Government, and not at variance with the views expressed in the despatches of Mr. Benjamin, I do not doubt it would receive the favourable consideration of the Government at Richmond, and I should be happy in being the medium to communicate it.

I have, &c.  
(Signed) J. M. MASON.

## No. 19.

*Mr. Mason to Earl Russell.—(Received September 21.)*

24, Upper Seymour Street, Portman Square,  
September 21, 1863.

My Lord,

IN a despatch from the Secretary of State of the Confederate States of America, dated the 4th of August last, and now just received, I am instructed to consider the commission which brought me to England as at an end, and I am directed to withdraw at once from the country.

The reasons for terminating this mission are set forth in an extract from the despatch which I have the honour to communicate herewith. The President believes that "the Government of Her Majesty has determined to decline the overtures made through you for establishing by Treaty friendly relations between the two Governments, and entertains no intention of receiving you as the accredited Minister of this Government near the British Court.

"Under these circumstances your continued residence in London is neither conducive to the interests nor consistent with the dignity of this Government, and the President therefore requests that you consider your mission at an end, and that you withdraw with your Secretary from London."

Having made known to your Lordship on my arrival here the character and purposes of the mission entrusted to me by my Government, I have deemed it due to courtesy thus to make known to the Government of Her Majesty its determination, and that I shall, as directed, at once withdraw from England.

I have, &c.  
(Signed) J. M. MASON.

## No. 20.

*Earl Russell to Mr. Mason.*

Sir,

Foreign Office, September 25, 1863.

I HAVE had the honour of receiving your letter of the 21st instant, informing me that your Government have ordered you to withdraw from this country, on the ground

that Her Majesty's Government have declined the overtures made through you for establishing by Treaty friendly relations, and have no intention of receiving you as the accredited Minister of the Confederate States at the British Court.

I have on other occasions explained to you the reasons which have induced Her Majesty's Government to decline the overtures you allude to, and which have hitherto prevented the British Court from recognizing you as the accredited Minister of an established State.

These reasons are still in force, and it is not necessary to repeat them.

I regret that circumstances have prevented my cultivating your personal acquaintance, which in a different state of affairs I should have done with much pleasure and satisfaction.

I am, &c.  
(Signed) RUSSELL.

No. 21.

*Mr. Mason to Earl Russell.—(Received October 2.)*

*London, September 28, 1863.*

MR. MASON presents his compliments to Earl Russell, and has the honour to inclose herewith two original papers pertaining to the case of the "Margaret and Jessie," recently received from the parties interested.

Mr. Mason does this because of his previous knowledge that this case had been brought to the notice of Earl Russell.

Inclosure 1 in No. 21.

*Mr. Trenholm to Governor Bayley.*

Sir, *Nassau, N. P., Bahamas, July 3, 1863.*  
THE Undersigned, George A. Trenholm, a citizen of the Confederate States of North America, and a merchant of the city of Charleston, in the State of South Carolina, begs leave respectfully to submit to your Excellency, and through your Excellency to Her Britannic Majesty's Imperial Government—

That on Saturday, the 30th of May last past, the steam-ship "Margaret and Jessie," a duly registered vessel in the said Confederate States, and the property of the Undersigned, while engaged in a lawful navigation and trade between the neutral port of Nassau, in the Island of New Providence, and the Confederate port of Charleston, and while proceeding on her voyage, with the emblem of her nationality at her mast, within waters of Her Majesty the Queen of Great Britain's jurisdiction, at less than one mile from the Island of Eleuthera, in the Bahamas, and within speaking distance of the settlement of James Point in said Island, after a hot pursuit and chase was fired into with shot and shell by an armed vessel bearing the colours of the United States of America, the same being, as the Undersigned verily believes, the United States' vessel of war "Rhode Island," until, being disabled by a ball which struck her on the starboard side, just above the water line, entering her boiler and paralysing her machinery, she became entirely unmanageable, foundered several times on the reef, and sank.

The outrage thus committed on the "Margaret and Jessie," and the injury sustained by her cargo, her machinery, and her hull, constituting a tort which, by the law of nations, can only be set up and brought to reparation through the agency and under the guarantees of the friendly Power within whose jurisdiction and in contempt of whose supremacy the wrong was perpetrated, the Undersigned lays this his complaint and claim before your Excellency that the same may be brought to the notice of Her Britannic Majesty's Government, and be attended to and acted upon with the zeal and energy which that Government is wont to apply to cases arising out of similar emergencies.

Appended will be found the protest and declarations taken by duly commissioned officers of the British Crown residing at Nassau. To these documents the Undersigned craves reference, as they will elucidate and stand in proof of the facts set forth in this Memorial.

The "Margaret and Jessie" being on an errand of legitimate trade, she had no motive to conceal, and therefore did not conceal, either her colours or the character of her venture; a belligerent, she was entitled to all the immunities and protection due to

friendly vessels on the coasts and in the ports, bays, harbours, and rivers of neutral jurisdiction.

After being chased by a Federal cruiser from a distance which the evidence puts at twenty miles from land, she had, by dint of swiftness, escaped the pursuer, and was making rapidly for the Island of Eleuthera, which she had neared less than 400 yards, when she was fired into, struck, and sunk, as aforesaid. That she was then within grounds where no Federal vessel could lawfully commit hostilities will not be denied, as even any forbearance on the part of the neutral Power, whose sovereignty and jurisdiction were thus invaded and infringed, instead of imparting legitimacy to the transgression, would not only entail upon such Power a liability co-extensive to the wrong suffered, but make it a party to the contest, as it would thereby have departed from the position of neutrality.

That it was an outrage of the deepest dye, fraught with all the evidences of the most unmitigated perverseness and effrontery, the declarations taken and herewith submitted, but too palpably establish.

Charles M. Morris, who was a passenger on board the "Margaret and Jessie," attests "that the firing into her by the Federal cruiser commenced when running for the Island of Eleuthera, she was only five miles distant from it, the war vessel continuing in pursuit, and incessantly discharging shot and shell, which fell thickly over and around the 'Margaret and Jessie,' until the latter arrived within 500 yards of the beach, when, to prevent her going upon the land, her course was changed, and she was headed westwardly, coasting and skirting the land at a distance from 400 to 500 yards from it; she thus continued for a period of an hour and three-quarters, during all which time she was never further than 500 yards from the land.

"The war vessel continued the chase, being about a mile from the 'Margaret and Jessie,' discharging shot and shell by broadsides, which fell thickly around the vessel, many passing over and striking the land; and so near was the 'Margaret and Jessie' during all this time kept to the shore, that she took ground several times in passing over the reefs, which lie a short distance from the land, and eventually a shell shot from the vessel of war struck the 'Margaret and Jessie,' she then being not further than 400 yards from the land, and passed through into her boiler, which so disabled her that within a minute of time she took the ground and filled with water."

This statement of Charles M. Morris is strengthened by the concordant declarations of all the other witnesses who testify to the same effect with slight variances, which would only go to reduce to 300 yards the distance at which the "Margaret and Jessie" stood from the beach the whole time that she was headed westwardly, and was kept coasting and skirting the land until she was struck, disabled, and sunk.

Thus is the fact fairly established that for upwards of an hour and three-quarters the "Margaret and Jessie," she being then within less than 500 yards from the Island of Eleuthera, and the United States' cruiser at less than a mile farther, was chased, pursued, and repeatedly fired into by the latter, without there being anything in her conduct of a nature to incend the wrath of the pursuer, or to afford him the slightest excuse for the infringement of British supremacy over grounds within which, under Her Britannic Majesty's protection, she was entitled to enjoy all the immunities of asylum, hospitality, and intercourse.

Nor could those on board the pursuing vessel have been, at any time, in error respecting the character of the waters over which they were treading. Not only was the "Margaret and Jessie" so close to the shore that her passengers could exchange words and converse with the people upon the beach, but the shots and shells fired from the Federal cruiser could be seen falling upon the land, passing through the tenements there, and forcing the inhabitants, stricken with terror, to fly from their dwellings, and seek refuge under the hills.

Clinton Johnson, a farmer of the Island of Eleuthera, who lives at the town known as James Cistern, on the south side of said island, thus describes the circumstances, the time and manner of the pursuit, which brought the "Margaret and Jessie" to the shoals where she was stranded. Says he:—

"On Saturday the 20th of May last I heard the reports of cannon on the north side of the island. I immediately went to the high land to the north of the town, and saw two steam-ships, one in chase of the other, the outer ship discharging guns very rapidly at the ship that was nearest to the shore, and both approaching at full speed to the land. The ship nearest the land was an unarmed vessel, and the vessel chasing her was a vessel of war. The unarmed vessel having arrived within 300 yards of the beach, changed her course, and skirted along the land, at no time being 400 yards from it. The vessel of war also changed her course, and having arrived within a distance of at most half-a-mile

from the other ship, continued for at least one hour and a-half to discharge without cessation shot and shell, which from time to time passed over the inner ship, and struck and exploded upon the land. Many of the shots fell within a distance of 100 yards from the dwelling-houses in the town of James Cistern, and caused great destruction among the trees and wood in the neighbourhood; and the inhabitants of the town, fearing that their houses would be struck by the shot, and some of them be killed, quitted the town, and took refuge under the hill until the firing had ceased."

It will be noticed that the chase and pursuit of the "Margaret and Jessie" were being had on the north side of the settlement at James Point, where the island is but two miles wide from north to south.

Thomas and Samuel Mackey, together with Theodore Cuvillier and William Hanna, of the same settlement, were fishing at the time on the south side of the settlement, and here is what they state of the occurrence as by them witnessed. Says Thomas Mackey:—

"I was out fishing. I heard the reports of several heavy guns. The sound came from the north-east across the island. When the boat" (his fishing-boat) "was about three miles from the Settlement, and about half-a-mile from the southern shore, I heard the report of another gun, and saw a cannon-shot fall in the water, about sixty or seventy yards a-head of the boat in which we were, and very near the boat in which Theodore Cuvillier was."

How near must the chasing vessel have been to the northern shore may easily be deduced from the fact of the shot traversing the island, and reaching more than seventy yards beyond the southern shore.

Theodore Cuvillier testifies that "while he was out fishing, on Saturday the 30th of May, on the southern side of the settlement of James Point, in the Island of Eleuthera, which Settlement is bounded on the north and south by the sea, the distance across being only two miles, he heard the report of several guns. He immediately went on shore, proceeded to a hill nearly over to the northern side, and climbed up a tree that he might see from whence the guns were being fired. On looking out to sea he saw two steamers, one of them having paddle-boxes, and steering down, outside of a reef which is about 300 or 400 yards from the shore; and the other, without paddle-boxes, also steering down, outside of the reef, about 500 or 600 yards from the first steamer. The steamer further out was firing at the inner one. She would fire first from one side, and then turn and fire from the other side. He could see the shots from these guns fall upon the land, about 300 yards from where he was up the tree, about half-a-mile from the Settlement. On seeing the shot fall so near, he jumped from the tree, ran back to the southern shore, and got into his boat to come home. While he was coming down, he heard a gun go off in the direction of the two steamers, and a cannon-ball passed his head, and fell in the sea about thirty yards from him, which caused him to fall down in the boat from the shock."

Samuel Mackey, a planter, who resides at James Point, was also fishing on the southern side of the Settlement, "when he heard the reports of several heavy guns from the north-east, and on returning to the shore, being about three yards from it, saw a cannon-ball fall on the land in the inside of the Settlement where the houses are built, and found afterwards a portion of the shot in the place where he had seen it fall."

William Hanna corroborates every essential statement made by the preceding witnesses, and Jane Hanna gives the finishing stroke to the stirring scene, in her clear, short, and unadorned narration of incidents, which she watched the more closely as she found herself within range of the shots fired by the Federal cruiser, and in imminent peril of being killed by one of them.

This woman lives on the same settlement of James Point. On Saturday, the 30th May last, says she, "I was in my house at James Point when I heard guns firing from the sea. I looked out of the door of my house to the north. The house is on a hill, about two miles from the shore, on the northern side of the settlement. I can see the sea from the door. I saw a steamer passing up along the shore firing guns; I left my house and went on a hill near, when I saw another ahead, at which the other was firing; I watched them for some time, when the inner steamer turned and came down; I then saw the steamer that had been firing also turn and commence to fire at her. Several of the shots I saw fall on the land. I entered my house, when I heard another report of a gun, and something that struck on the roof of my house; I looked out of the door and saw the steamer that had been firing before opposite my house, and clouded in smoke. I went over to the northern side in the evening and saw one of the steamers on shore, and the other, the one that had been firing the guns, lying outside of her with a flag flying." (The United States' flag, as attested by other witnesses.)

The facts stated by these witnesses require no comment, and lose nothing by retaining the unstudied style in which they are told. Unless there be no virtue in the principles which regulate the relations between belligerents on the one side, and neutrals on the other, they cannot fail to impress themselves upon the mind as being of the most grave significance and import. The recognition by the great Powers of Christendom of the existence of civil war between the Confederate States and the States that still retain the name of United States of America, and the avowed determination of those Powers not to take part in the mighty conflict for independence on the one side, and for subjugation on the other, in which said States are engaged, has imparted to them not only the character of belligerents possessing the sovereign rights of war, and entitled to be respected in the exercise of those rights, but also those attributes which are inherent to friendly Powers, and invest them incontestably with equal rights of asylum, hospitality, and intercourse in neutral territories.

Confiding in the immunities arising out of the relations created by that recognition and that avowal, and reposing unbounded faith in the ability of the Powers thus committed by their own declarations to vindicate and uphold those immunities when invoked within their respective jurisdiction, the Undersigned, with others of the Confederate States, selected the port of Nassau, in the Bahamas, as one of the points where might be centred what of commercial intercourse and trade might find a channel to and from the Confederate ports, notwithstanding the difficulties and perils which the blockade of said ports was likely to entail upon such intercourse and trade.

The selection and the traffic proving highly profitable to both Her Britannic Majesty's subjects and the citizens of the Confederate States, there came to be established between Nassau on the one side, and Charleston and Wilmington on the other, a regular uninterrupted communication, through the steady voyages of upwards of twenty steamers carrying openly, and without serious hindrance, to and from said ports, the commodities interchanged in each of them respectively.

Of seven steamers which the Undersigned alone has kept plying on the sea between said ports, and which have performed no less than thirty-two round voyages within these twelve months just elapsed, aggregating a return cargo of over 21,000 bales of cotton, not one has ever been stopped in her trade, or in any manner impeded in her progress, by the interference of the blockading force; all of them have carried out successfully their adventure, with the exception of the "Kate" and the "Stonewall Jackson," which were lost by mere accident, the one as she ascended the river near Wilmington, and the other by being stranded on the bar at Charleston.

Among the said steamers was peculiarly distinguishable the "Margaret and Jessie" for the precision and steadiness of her voyages, having performed, in less than five months, five complete trips, with a full return cargo of cotton to Nassau, aggregating 3,714 bales, as may be seen by the sworn declaration of J. B. Lafitte, and the certified statement of the Custom-house Collector at this port hereto annexed.

It was not until the "Margaret and Jessie" fell in with a Federal cruizer, on grounds of Her Britannic Majesty's jurisdiction, and there was chased, pursued, and fired into by said cruizer within voice-hearing distance of land, near by and in sight of an inhabited settlement, and in defiance of the protection which she had an unquestionable right to enjoy, being within neutral waters, and far beyond the line assigned as the ultimate terminus for such hostilities, that a vessel of the Undersigned was interfered with and assailed.

The Undersigned therefore now files here, with a condensed statement and evidence of the loss which he has sustained in consequence of the piratical course pursued by the Federal cruizer towards the "Margaret and Jessie," respectfully requesting your Excellency to submit the same, with this Memorial and the accompanying documents, to the consideration of Her Britannic Majesty's Imperial Government, that it may please said Government, under the pledges, obligations, and guarantees of its declared neutrality, to press the same to a speedy recognition and settlement.

I have, &c.

(Signed) GEORGE A. TRENHOLM,  
By his Agent JNO. B. LAFITTE.

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## Inclosure 2 in No. 21.

CLAIM of George Alfred Trenholm, of Charleston, South Carolina, against the Government of the United States of America, through the agency, and under the plighted guarantees, assumed by Her Britannic Majesty's Government in its recognition of the Confederate States as belligerents, and its avowal of neutrality in the contest between the said Confederate States and the said United States.

	£	s.	d.
Amount of salvage and expenses paid by Messrs. Henry Adderly and Co., as per their account marked A .. .. .	11,198	17	7
Actual loss on cargo, as shown by statement marked B and the accompanying documents .. .. .	17,532	5	0
Cost of repairs as estimated by Board of Surveyors, as shown by certificate copy of survey .. .. .	14,000	0	0
Loss of freight for one round voyage, as shown by statement marked C and accompanying documents .. .. .	26,407	4	2
	<u>69,138</u>	<u>6</u>	<u>9</u>

Nassau, New Providence, July 3, 1862.

(Signed)

GEORGE A. TRENHOLM,  
By his Agent, JNO. B. LAFITTE.

## No. 22.

*Earl Russell to Mr. Mason.*

*Foreign Office, October 6, 1863.*

LORD RUSSELL presents his compliments to Mr. Mason and has the honour to acknowledge the receipt of his note of the 28th ultimo, inclosing certain original papers relating to the case of the vessel "Margaret and Jessie."

NORTH AMERICA.

No. 14. (1864.)

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Correspondence with Mr. Mason, Commissioner of  
the so-styled Confederate States of America.

(In continuation of Papers presented to Parliament  
in March 1863.)

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*Presented to the House of Lords by Command  
of Her Majesty. 1864.*

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