Fallacies of the British "Blue Book"

ON

The Venezuelan Question,

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The British Blue Book of March, 1896, entitled "Documents and Correspondence relating to the Question of Boundary between British Guayana and Venezuela," is perhaps as clever a presentation of the English side of the case as the facts and circumstances would admit. True, it seems to have greatly disappointed the English people; but its faults and failures are chargeable less to the advocate of a bad cause than to the inherent weakness of the cause itself.

In so far as its mistakes were foreshadowed or adopted in Lord Salisbury's note of November last, and subsequently by a published synopsis, they have received due attention already.[1] There is, therefore, no necessity for going over that part of the ground again. There are, however, some additional statements in the Book which may be thought worthy of notice. They may be briefly summarized as follows:

1. That "prior to 1596, the Spaniards had established no settlements" in Guayana; and, inferentially, that no part of the country was then in their possession;

2. That in 1648, at the time of the Treaty of Münster, "the Dutch settlements" extended westward to the Orinoco and southward beyond the Cuyuni; and, in-

[1] In a pamphlet by the author, entitled "Lord Salisbury's Mistakes," submitted to the Boundary Commission.

ferentially, that the whole of Guayana, with the possible exception of the Caroni valley, was a Dutch possession;

3. That up to 1723, the Spaniards had but one settlement in Guayana, and that was at Saint Thomé on the Upper Orinoco; and, inferentially, that the Lower Orinoco, including its immense delta, was under Dutch dominion;

4. That up to 1796, the Spanish settlements were limited to "a few Capuchin Missions and two villages above the old town of Saint Thomé;" and, inferentially, that the Dutch held all the balance of the territory east and south of the Orinoco;

5. That this Dutch occupancy, which is claimed to have extended to the Orinoco Delta and Point Barima, "was known to the Spanish Government," which, however, interposed no objection, or at least "failed to dispossess" the Dutch; and

6. That "subsequently to 1796, Great Britain *has continuously remained in possession*, and her subjects have occupied further portions of the territory *to which the Dutch had established their title.*"

Whilst these assumptions are wholly unsustained by historical evidence, or even by the very citations and "extracts" produced in the Blue Book, they shall be treated with all due deference and with the utmost fairness.

The following propositions are nowhere denied, even in the Blue Book, viz.:

1. That in 1498, Columbus, sailing under Spanish Commission, was the first discoverer of the Gulf of Paria and the Orinoco Delta;

2. That in 1499 Alonzo de Ojeda, a Spanish subject sailing under Spanish Commission, was the first discoverer of

the Atlantic coasts of Guayana; that he skirted the entire coast from the Orinoco to the Marowine and beyond, landing at many places and taking formal possession in the name of the Spanish Government;

3. That in 1500, Vicente Yañez Pinzon, another Spanish subject, likewise sailing under Royal Commission, was the first to explore the Orinoco Delta, taking formal possession of its numerons estuaries and islands, including *Boca de Navios* and the island of Barima, in the name of his sovereign.

4. That in 1531 Diego de Ordaz, another Spanish subject, was the first to explore the Orinoco River, which he ascended as far as the mouth of the Meta, taking formal possession of both banks and of its numerous affluents in the name of his sovereign;

5. That it was this same Ordaz who received from the Spanish monarch the first European Charter of lands and government in the territories thus discovered and explored; and,

6. That these first discoverers, explorers, and grantees complied with all the requisite formalities of international law, as that law was then recognized and understood, necessary to invest title in the King of Spain.[1]

These are historical facts so universally accepted that it seems almost superfluous to burden this paper with ponderous citations.

When, then, and under what circumstances, did Spain relinquish her possessions in Guayana?

Before proceeding to the consideration of this query, perhaps it may be as well to state in passing (especially

[1] Justin Winsor, "Nar. & Crit. Hist. America: Span. Explorations & Settlemts. in America from the 15th to the 17th Centuries," Vol. II., p. 133 *et seq.*: Irving, "Life of Columbus," &c.: Also Hackluyt So. Publications: also Bancroft, Caulin and others.

since it is strangely omitted in the Blue Book), that as early as 1528, in order to follow up Ojeda's explorations, the Spanish Emperor agreed with a Dutch mercantile house "to protect a colony to be sent out by them" to the northeastern coast of Guayana; and that this was the origin of the Alfinger expedition of 1530, which, however, came to naught.[1]

The next year, 1531, an expedition inland, by way of the Orinoco, was fitted out from Spain under Ordaz, who penetrated to the valleys of the Cuyuni and Yuruary. This became the only foundation for the pretended discovery of the fabled El Dorado, sixty years afterwards, of which Sir Walter Raleigh speaks.[2]

In 1534 the Dutch made an attempt to penetrate the interior of what is now Venezuela. The expedition was headed by George of Spires, but was under the imperial sanction and patronage of the King of Spain, who was then also titular Emperor of Holland. Spires started from Spain with 400 men, landed near where the present city of Coro stands, penetrated some 1,500 miles into the interior, and returned with the few survivors in 1538.[3]

In 1549 Ursua, a Spanish subject, who had superseded Armendariz, another Spanish subject, obtained command of an expedition and founded a town in Guayana, far in the interior; which, however, he had to abandon in 1552, owing to the hostility of the Indians. According to the most reliable chronicles of the time, Ursua ascended the Rio Negro, passed through the Casiquiari channel to the Orinoco, and thence down the Orinoco to the Atlantic

[1] Karl Klüpfel, Bib. des Literarischen Verens; Stutgart, No. XLVII: Klünzenor, Arith. der Deutschen an der Entelckung: Von Kloo's Die Wesler: Augsburg, etc., etc.

[2] Works, pub. by Hackluyt Society: Justin Winsor, "Spanish Explorations," vol. II., 579.

[3] Winsor, vol. II. See, also, all the standard histories and geographies of Colombia and Venezuela, by Restrepo, Caulin, and others.

Ocean.[1] Thus, as early as 1549 the Spaniards had completely circumnavigated the whole of Guayana.

In 1568, the Spanish Government mapped out the country, and appointed Pedro Malaver de Silva and Diego Fernandez de Serpa as Governors; the first over the part west of the Orinoco, the second over the eastern section from the Delta.[2]

The compilers of the Blue Book assert that in 1595, "Dutch settlements were formed near the mouth of the Orinoco." But it was precisely in 1595 that Sir Walter Raleigh made his first voyage to the Island of Trinidad, and thence through *Boco de Navios* up the Orinoco to the mouth of the Caroni. He reported that, after first overcoming the Spanish force at Trinidad, he ascended the great river as stated, where he found "the Spaniards had previously traversed the whole country;" that they (the Spaniards) had been "cruel to the Indians;" that he "made friends of the Indians," and told them he had come to deliver them from their Spanish conquerers and oppressors.[3]

In 1596, Raleigh sent Captain Keymis, a companion of his first voyage, to renew the search for the fabled El Dorado, "with a view of planting a colony." Keymis returned to England in June of the same year and reported that "the Spaniards already occupied the country, and had established settlements at the mouth of the Caroni" and at "other places" with men sent out from Spain.[4]

In June, 1617, Raleigh fitted out another expedition of 11 vessels and 431 men, his son, Walter, and Captain

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[1] Winsor, vol. II.; Bancroft, Cent. America, II., 61; also the Spanish colonial historians.

[2] Winsor, II., pp. 585–6; Certified MS. copies of Spanish Archives, at Seville, now before the Commission.

[3] Raleigh's Works, Hacklyut ed.; Winsor, vols. II. and III.; also Span. Colonial Archiv.

[4] *Ib.*, *id.*

Keymis being of the number. The expedition was resisted by the Spaniards at St. Thomé, in which engagement young Walter was killed. Keymis continued the search for the fabled El Dorado, but was met and defeated by the Spaniards before he had proceeded very far southeastward, in what is now the mining region of the Yuruary. He returned to St. Thomé for reinforcements, but became despondent and committed suicide. The next year (1618) Raleigh was beheaded at the instance of the Spanish King, who had been offended at these meddlesome incursions.[1]

And yet it is gravely asserted in the Blue Book[2] that in 1596 "the Spaniards did not then hold any part of Guayana;" and a carefully-selected (I will not say garbled) "extract" from a letter of Don Roque de Montes, the Spanish Colonial Treasurer at Cumana, is produced to prove this.[3] But even this carefully-selected extract proves just the contrary. The writer says he had "instructed Captain Felipe de Santiago" of the Spanish service to "ascend the River Orinoco and arrest two Englishmen whom Raleigh had left there" as spies and informers, and "to advise the Indian chiefs not to admit or receive any foreigners except Spaniards;" that these instructions were faithfully carried out; that the only surviving Englishman had been arrested, and that the Indians were warned against the intrusion of "any more foreigners." He closes by recommending better facilities for navigating the Orinoco, as it was the great fluviatile highway to western and southern Guayana and the other Spanish provinces. If the Spaniards were not then in actual possession of the lower Orinoco, and in fact of the whole of Western Guayana, how were they

[1] Winsor, "Nar. and Crit. Hist.," vols. II. and III., and the authorities there cited.

[2] Page 4.

[3] Blue Book, App., p. 50.

able to arrest the only foreigner found there, and to warn the Indians against similar spies and informers in the future?

In 1619, two Spanish colonial military expeditions were sent out from St. Thormé to the Esequibo and Vervice Rivers to punish the Aruacas. The last of the two was entrusted to Captain Gerónemo de Grados, and was composed of but thirty soldiers; yet it marched right through the whole region, by way of Baruma to the banks of the Esequibo and returned, without once encountering any Dutch or other European settlements or forces; and no mention is made of any having been even heard of.[1]

It is stated[2] that "early in the 17th century various Dutch Companies (afterwards merged into the great West India Company) were employed in colonizing Guayana, and had established several settlements there before 1614." But all these trading Companies were merely private commercial corporations. Not one of them was ever, in any sense, a State. Not one of them ever possessed eminent domain. Moreover, up to 1648, they were all under Spanish allegiance, as was Holland itself. Therefore any grants they may have made conveyed no sovereignty and jurisdiction. Nor can any temporary inability of Spain or her colonies to adequately defend the Orinoco Delta and the coast west of the Esequibo against pirates and smugglers (Dutch, English, or other), be deemed an "abandonment" of domain and jurisdiction.

In 1671 the Island of Trinidad and the Orinoco Delta being threatened by the Dutch and Caribs, the Home Government was recommended to cause an inspection

[1] "Noticias Historiales de los Conquestas de Tierra Firma en las Indias Occadentales," by Fr. Pedro Simón, etc., etc, 1626: See Bogota ed. of 1882, Chap. XXX., p. 401, *et. seq.*

[2] Blue Book, p. 4.

of the most important forts, and to fortify the island itself against possible attack. It was also recommended that an additional fort be established at the narrowest part of the Orinoco, as the Dutch were "said to be" already "near the entrance of said river." But why this should be gravely cited in the Blue Book to show that the Spaniards had "abandoned" the Orinoco Delta, is difficult to conjecture!

The Caribs and other native Indian tribes had often been incited to insurrection by the Dutch and English during the seventy years' war which ended in the general peace of Westphalia. The Dutch, and afterwards the English, made annual presents to these savage tribes, sought alliance with them against Spain, and finally claimed to have established some sort of "Protectorate" over them. But, in reality, this so-called "Protectorate" never amounted to anything, as we shall see farther on. It certainly conveyed no eminent domain and jurisdiction. The Dutch never claimed that it did.[1]

At the time of the general peace of Westphalia, (1648,) the Dutch had four "establishments" or "settlements," as they were alternately termed, on the Atlantic coast between the Corentyn and Esequibo rivers. By the treaty of that date, usually referred to as the Treaty of Münster, these four "establishments" were ceded by Spain to Holland. The first extended from the Corentyn to the Surinam; the second from the Surinam to the Berbice; the third from the Berbice to the Demerara; and the fourth from the Demerara to the Esequibo. The cession embraced no others.[2] Indeed, there were then no others in existence. There had been frequent predatory raids into the Orinoco valley, as there had been in other parts of what is now the Republic of Venezuela; but there were certainly no permanent Dutch "establish-

[1] Post, pp. 14, 15, 16, 17.

[2] Treaty of Münster, Oct. 24, 1648, Art. V.

ments" west of the Esequibo River, or, at the very farthest, west of Cape Nassau and the Pumaron.[1]

The citation of the Treaty of Utrecht, of 1713, was probably an inadvertance on the part of the compilers of the Blue Book. That treaty, so far from strengthening the English case, is almost fatal to it. In that treaty England obligated herself (Article VIII.), to "aid the Spaniards to recover their ancient possessions," in Guayana as in other portions of the West Indies and the Americas, "as they stood in the time of Charles II.," that is, as they stood from 1661 to 1700; that is, as they stood just 23 years before the enforced temporary "abandonment" by the Spanish forces of the coast between the Esequibo and Orinoco, upon which so much stress seems to be laid by the compilers of the Blue Book.

The correspondence between the Governments of Spain and Portugal, of 1753–4, is cited to strengthen the English case. The correspondence, however, shows nothing beyond an effort on the part of Spain to arrange with Portugal (who owned adjacent territory) to rid the Spanish and Portuguese Guayanas of Dutch interference with the Indian tribes, whom they were constantly inciting to insurrection and pillage. Spain had become so exasperated at these meddlesome interventions, and at the frequent raids into Spanish territory by Dutch adventurers and freebooters, that she had well nigh resolved to try to find some means of ridding the whole Atlantic Coast of them.[2]

The refusal by Spain to permit the Dutch to fish at the mouth of the Orinoco, in 1758, has been often cited in support of the Venzuelan claim, but never before in

[1] Reynal, Hist. Indies; Dalton, Hist. Brit. Guiana; Depon's Voy., III.; Noire, Geog. Works; Myer's Geog. II.; Bolingbroke, Voyages, &c.; Brett, Indian Tribes of Guiana; Caulin, Hist. Nueva Andalucia. See, also, certified copies of MSS. Cor. Colonial Archives, Saville, during 16th and 17th centuries, now before the Commission.

[2] Archivo General de las Indias. Seville, 131–2–17, Certified Copies, etc. before the Commission.

support of the British contention. Just why it should have been cited by the compilers of the Blue Book is not clear. It is certainly against them.

The same is true of the official correspondence between the Dutch Ambassador and the Spanish Government in 1778. It clearly establishes the fact of Spanish dominion on the lower Orinoco. There had been some very destructive raids, claimed to have been retaliatory in character, though not authorized by the Spanish Government, upon the Dutch "establishments," not anywhere near the mouth of the Orinoco, for the Dutch had none there, but on the upper Esequibo. It was one of these, which seems to have been particularly destructive, that constituted part of the Dutch Ambassador's complaint. He was assured, in reply, that orders would be given to prevent such occurrences in the future, and to "leave the Dutch alone" in their recognized settlements.[1]

In 1788, the Confidential Agent of the Spanish Government in Guayana recommended that no more timber be cut on the lower Orinoco; and this fact is cited[2] to show that the Dutch were then "in possession" of that region! But it may well be asked, Why such a recommendation if the Spaniards were not then in actual possession? True, the recommendation was made for prudential reasons. The forests were about the only "safeguard and barrier against the Dutch," and their Carib allies, who would otherwise "see our nakedness and attack us." Apprehending raids by these people, the Spaniards thought it prudent to leave the forests standing. But there is certainly no evidence of a purpose to "abandon" the lower Orinoco. On the contrary, even the very meagre and partial extract produced, shows that the Spaniards were preparing to defend the country against

[1] Archivo de las Indias: Seville: MSS.: Certified Copies before the Commission.

[2] Blue Book, pp. 17, 18.

possible attack; and when the letter is read as a whole, it proves just the reverse of the British contention.[1]

So, too, of the report of Antonio Lopez de la Puente, in 1788, respecting the defences of the Cuyuni and Yuruan valleys.[2] He recommended that the Caribs be prevented from going to the Dutch settlement on the Esequibo, lest the Indians should tell the Dutch of the condition of the country, and they should attack the Spanish settlements on those rivers. Here is certainly no evidence of "abandonment."

Again, it is asserted[3] that "the entire absence of any control by the Spaniards over the territory in question is further shown by a Report of Don Miguel Marmion, the Spanish Governor" of Guayana, in 1788. But even the seven lines extract (in translation) adduced,[4] fails utterly to support this assertion. While the certified copy and correct translation of the original Report as a whole,[5] dated August 16, 1788, tell quite a different story.

If in 1790, as intimated in the Blue Book, the Dutch and the Caribs were again making raids upon the Spanish settlements in the interior, it was but natural that, the Spanish Colonial authorities should refuse to establish a "new settlement," near Tumeremo, unless the Home Government would agree to establish and maintain an additional military post "to prevent robberies by the Indians and Dutch."[6]

II.

England acquired title to what is now known as British Guayana in 1814. Her previous military occupations of

[1] Certified copy of original MSS. before the Commission.

[2] Cited in the Blue Book, p. 18.

[3] Blue Book, p. 17.

[4] *Ib., id.*

[5] No. XVIII., Archivo General de Indias: Seville: C., 131, S. 2, B. 17; now before the Commission.

[6] Archivo Confidencial, Caracas, 1790–6: certified copies before the Commission.

the country (in 1781, 1796, and again in 1803) conveyed no title, as has been many times shown.[1] Whatever title she may have claimed or acquired by those military occupations, was swept away by the treaties of peace which followed.[2] By the supplemental treaty of 1814,[3] Holland ceded to England "in full Sovereignty," and for a monetary consideration, the three "Settlements of Berbice, Demerara, and Esequibo," as the limits of those "settlements" had been recognized by the Münster Treaty of 1648, as they had been interpreted by the Treaty of Aranjuez of 1791, and as they stood at the time of the cession of 1814. There have been no additional cessions to England since, either by Holland, Spain, or Venezuela; and it has been many times shown that the native aboriginal tribes had no authority to make any such cessions.[4]

It follows, then, that the alleged "marking out of boundaries" by the British military authorities in 1796[5] was purely an *ex parte* arrangement, and amounted to nothing. Plainly speaking, it was merely an unjustifiable aggression upon Spanish territory by a military and naval power which Spain was not at that time in a position to successfully resist. There is not the slightest evidence that Spain, if cognizant of this aggression, ever assented to it for a moment.

Nor does it anywhere appear, even from the documents cited in the Blue Book, that the Dutch were, at any time from 1648 to 1796, in the "uninterrupted possession" of a foot of territory west of the Pumaron River. Indeed, there are very grave doubts whether they ever, at any time, held any permanent or "uninterrupted"

[1-4] "Lord Salisbury's Mistakes," pp. 2, 3, 4.

[2] Treaty of Amiens, Mar. 25, 1802; Peace of May, 1814; Treaty of Aug. 13, 1814.

[3] Art. I.

[4-6] "British Aggressions, etc., or The Monroe Doctrine on Trial," pp. 11–15; Wharton, Dig., vol. I, sec. 7.

[5] Blue Book, p. 19.

possessions between the Pumaron and the Esequibo. The evidence on this latter point is somewhat conflicting; but the weight of testimony is that the Esequibo was regarded as the true divisional line between the Dutch and Spanish possession, and that any Dutch intrusions west and south of that river were constantly (and generally successfully) resisted by the Spanish authorities. Even the documents and extracts cited or produced in the Blue Book fail to show to the contrary. They show merely that while the Dutch and Caribs had made frequent raids upon the Spanish settlements and missions west of the Esequibo, and that even the Orinoco Delta was sometimes infested by bands of alien smugglers and pirates (mostly Dutch) who incited the Indians to insurrection and pillage, the domain and jurisdiction always remained with Spain.

The official Report by Don Felipe de Requena, of July 29, 1802, is cited in the Blue Book[1] to prove that the Dutch held possessions on the Cuyuni and Caroni rivers. The document, when read as a whole in the original text, shows nothing of the kind. Even the partial and carefully selected "extracts" in the imperfect English translation, as produced,[2] fail to establish the British contention on this point. It is there stated merely that the Dutch and French had, many decades before, founded settlements on the Surinam and Cayana rivers; that the Dutch had subsequently advanced up the Esequibo River; and the apprehension is expressed that they "might," in the course of time, advance still further, by way of the Cuyuni and Caroni rivers, to the Orinoco itself, and "take possession of the lower part of this great river"—thus clearly asserting, by necessary implication, that at that very time (1802) the Dutch had no possessions, "settlements," or even temporary military stations whatever, either in the Cuyuni or Caroni valleys, or at or near the mouth of the Orinoco.

[1] Pages 21 and 139.

[2] App. II., p 139.

Moreover, the Report of Major McCreagh of the British army, made at the time of the English military occupation in 1802, although cited in the Blue Book[1] for a different purpose, shows conclusively that the estuaries of the Orinoco, as well as the river itself and its confluents, were then under the effective jurisdiction of Spain. Major McCreagh reported that he found a Spanish military post near the *Boca de Navios;* that he found also Spanish pilots there; that some distance further up he found another Spanish post, a Spanish settlement of "eight houses, and about six Indian families," the sergeant in command being a "white" Spaniard; that a little further up he found still another military force, in which were "about forty-six Indians, supposed to be soldiers, with three (white) Spaniards, besides the lieutenant commanding;" that yet a little further up he found another Spanish force, composed (as usual) of Indians, whites, and creoles, but all were Spanish subjects, and in the Spanish military colonial service. "It was," he says, "the rule to stop all vessels here" (at a place called Barrancas) "except Spaniards, and even those except such as are specially privileged. Adhereing, however," he continues, "to the line of conduct which I had been ordered to pursue, I was, after some delay, permitted to proceed."

It is contended[2] that the native Indian tribes in what is now the disputed territory, "had been for a long time under the protection of the Dutch," and that this Protectorate "was continued by the Representatives of Great Britain." The "contemporary reports of the Governors of British Guayana in the early part of the 19th century" are cited to prove this. They however prove only that the Caribs and other hostile tribes had, at different times, been in "alliances" with the Dutch, who had been in the

[1] App. II., p. 154.

[2] Blue Book, p. 22.

habit of making them "annual presents." There is absolutely nothing to show that any Dutch "Protectorates" of the Indians ever really existed.

But even if they had existed (which nowhere appears), how were they transferred to England by the cession of 1814? Nothing is therein said either of "Protectorates" or of the office of "Protector of Indians." The cession was specifically limited to the three "Settlements of Berbice, Demerara, and Esequibo." Surinam was beyond the limits of the three "Settlements" named; therefore Surinam remained a Dutch possession. Indian Protectorates (if there were any) were beyond the limits of the three "Settlements" specified; therefore, Indian Protectorates (if there were any) remained to the Dutch.

The destruction of a Spanish Mission in the interior of Guayana, by the Venezuelan Revolutionary forces in 1816, and the Executive Decree of General Bolivar, of 1817, are both gravely cited[1] in support of the English contention. The first named proves nothing; the second proves too much. The Venezuelan patriots were then in the midst of their long struggle for independence. They were at war with the mother country, and war meant the destruction of the enemy's strongholds and stragetic points wherever and whenever that was possible. The Executive Decree of General Boliver named General Sucre to be "Governor of the old Fort of Guayana," *and likewise* to be "Military Governor of the Orinoco to the old mouth," thus showing conclusively that the whole region of the Orinoco, from the Delta upwards, was under the effective jurisdiction of the Venezuelan revolutionary government as the successor of Spain.

It is stated in the Blue Book (p. 24) that Venezuela "declared her individual independence" in 1830! Venezuela "declared her individual independence" July 5,

[1] Blue Book, p. 23.

1811. She had maintained "her individual independence" up to 1819, when she became a constituent member of the old Colombian Confederation. In 1830 she withdrew from that compact of union and resumed her separate nationality. It would seem that even a superficial knowledge of Spanish colonial history, or the slightest acquaintance with the terms of the compact of 1819, ought to have been sufficient to prevent such a ludicrous historical blunder as this.

Recurring to the subject of Indian "Protectorates," documents are cited in the Blue Book [1] to sustain the assumption (made on page 24) that England, as the successor in title of Holland, exercised jurisdiction "for a considerable distance up the rivers Esequibo, Mazaruni and Cuyuni" as late as 1831. The assumption is not sustained even by the carefully selected "extracts" produced. Briefly, the case is this:

A murder had been committed by an Indian beyond the immediate limits of the Esequibo "settlement." He was arrested and brought to trial before the British colonial authorities. The venue was admitted to have been beyond the limits of the colony, and in a region inhabited by Indians. The murdered person was likewise a resident Indian. But it was held that the old Dutch "Protectorate of Indians" had extended over that particular region, and that this "Protectorate" had descended to the English. The accused was accordingly tried and convicted; but he was almost immediately released on appeal. Why? Because the evidence at the trial had disclosed that the so-called "Protectorate" was a myth. A former official of the Dutch colony (Van Ryck, by name), testified that he had "lived forty years" in the colony, and had held the office of "Protector of the Indians;" that in that capacity he had always acted "only as mediator," never as a magistrate; that he had

[1] App. II., pp. 168–177.

"no authority to compel attendance;" that he, in fact, "had nothing to do unless they (the Indians) chose to call on" him as "mediator;" that he had "no authority over them;" that he "never had any authority to interfere" with them, and certainly no jurisdiction over them; and that he was merely "authorized to give them presents," and to cultivate them "as *friends and allies*."[1]

It is gravely stated[2] that some time about 1831, Protestant Missionaries, from England, visited and preached the gospel to the natives on the lower Mazaruni and Cuyuni rivers. It is even hinted that these Christian teachers erected preaching stations and chapels there. The same is true to-day of American and English Protestant teachers in various parts of Venezuela, Colombia, and Mexico, but it has never before been intimated that this fact transfers domain and jurisdiction to the American or English Governments!

III.

In May, 1836, and again in September of the same year, Sir Robert Ker Porter, the British Diplomatic Agent at Caracas, addressed a formal note to the Minister of Foreign Affairs, requesting the Venezuelan Government to establish and maintain buoys and beacons at the very places on the main estuary of the Orinoco, including Point Barima, now claimed and forcibly held as British territory. And it is admitted[3] that this fact was known at the British Foreign Office, certainly as early as 1842, if not before. But now, sixty years after this formal request was made, and at least fifty-four years after it is admitted to have become known at the

[1] Even if the facts had been otherwise, it would be a work of supererogation to prove that "Indian Protectorates" on this continent by any European power other than the original discoverer or its legal successor, are absolute nullities. Wharton's Digest, Vol. I., sec. 7.

[2] Blue Book, p. 24.

[3] Blue Book, p. 26.

Foreign Office, Her Majesty's Government gravely disclaims and disavows this official act of their duly accredited representative. Moreover, it is seriously asserted[1] that "the Venezuelan Government never returned any reply" to sir Robert's official request. Turning, however, to page 245 of the Blue Book itself, we find there reproduced, in somewhat defective translation, a formal official reply by the Venezuelan Government, dated June 15, 1836, promising compliance with Sir Robert's request. It may be added that, after some delay, this promise was complied with, and that the buoys and beacons were there in 1886, when the English took forcible possession of those places in open violation of repeated pledges.

Up to 1839, not a single map could be found on which was traced a divisional line west of Cape Nassau. A few of the maps of that and anterior dates gave Cape Nassau as the starting point, and the Moroco River as the line. A very much larger number gave Cape Nassau as the starting point and the Pumaron River as the line. Others, still more authentic, including Myers and other eminent English geographers, gave the western estuary of the Esequibo as the starting point, and the river Esequibo itself as the true divisional line. So that, up to 1839, the only territory in dispute was, at most, the narrow strip between the Moroco and Esequibo rivers. Venezuela's title to the vast domain southward of this had never once been called into question.

In 1840 Mr. (afterwards Sir Robert) Schomburgk was employed by Her Majesty's Government to "survey and mark out" the frontier boundaries of British Guayana. It was purely an *ex-parte* arrangement. Venezuela was not asked to participate in it, nor was her assent solicited. It was then, for the first time, that "a map was prepared" in accordance with the Schomburgk survey,

[1] Blue Book, p. 26.

which extended the British claim to the Lower Orinoco and to the Lower Mazaruni and Cuyuni rivers. This capricious line (still known as "the Schomburgk line"), represented not an absolute, but only a possible, future claim by Great Britain. It was professedly established "only as a preliminary measure" to the negotiation of boundary treaties with "adjacent countries." In case those countries should make "any objections," then "Her Majesty's Government" would "give such answers as might appear proper and just."[1]

Venezuela did make "objections." She not only objected, but remonstrated and protested. She not only remonstrated and protested, but refused, absolutely, to enter into any negotiation of a boundary treaty so long as that capricious line should be allowed to stand.[2] Finally, the "Schomburgk line" was explicitly disclaimed, and its marks and posts ordered obliterated or taken down.[3] Her Majesty's Government then indicated Cape Nassau as the starting point of a divisional line.

Under these circumstances, it may well seem incredible that, forty-three years later, the question of boundary being still unsettled, and the Agreement of 1850[4] still in force, that the discarded "Schomburgk line" should be revived and claimed by Her Majesty's Government as an absolute boundary within which no proposition looking to peaceful arbitration would be entertained! It is even more incredible that in order to sustain this untenable position, there should be produced a carefully selected and very misleading "extract" from a letter

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[1] Lord Levesen to Mr. James Stephen, March, 1840; see "Official Hist. Discus., etc., on Guayana Boundaries," 1896, already before the Commission.

[2] Dr. Fortique to Lord Aberdeen, Nov. 18, 1841; also, same to same, Dec. 8, 1841; also, same to same, Jan. 10, 1842.

[3] Lord Aberdeen to Dr. Fortique, Jan. 31, 1842.

[4] See Lord Salisbury's Mistakes," pp. 7,8.

dated July 15, 1839, addressed to the Marquis of Normanby by Governor Light of Demerara.[1]

Elsewhere in the Blue Book,[2] it is stated that Venezuela's first formal "claim that the territory of the Republic extended to the Esequibo" was made in 1844. The first formal claim to that limit was put forth as early as 1822, as has been shown already,[3] and that claim has been persistently and consistently maintained ever since whenever the question came up for discussion.

That portion of the Blue Book covering the period from 1850 to date, seems to have been anticipated by Lord Salisbury in his note of November last; and since all the points therein have received due attention already, it is not worth while to go over them again.

There is, however, one feature of the British contention, not hitherto very prominent, yet ever lurking in the back ground, which is of the gravest import. If the recent "inspired" utterances of the London court journals are to be credited, it is now conceded that the capricious "Schomburg line" will have to be abandoned. That line is no longer claimed as an absolute limit, within which no proposal for arbitration can be entertained. But it is contended that all "settled districts" within that line, or even those beyond it, must be exempted from arbitration. Her Majesty's Government no longer claims "indefeasable title" to the soil. It is stated only that "British subjects" are settled there, and that Her Majesty's Government must protect them in *their* interests!

It has been many times shown that every British settlement west of the Esequibo, whether large or small,

[1] Blue Book, App., p. 81. Compare this "extract" with certified copy of the original, now before the Commission!

[2] Page 27.

[3] "Lord Salisbury's Mistakes," p. 1; MS. Instruc. to Colombian Minister at London, 1822; "Official History of the Boundary Dispute," etc.

was placed there over the protests and remonstrances of the Venezuelan Government.[1] And it has been quite as often shown that every such settlement, large or small, west of the Moroco and southward of the Cuyuni was planted there in open violation of the Agreement of 1850.[2] It has been likewise pointed out that nearly two years after the British forces had taken possession of Point Barima and the Amacura mouth, the Colonial Government of Demerara warned British settlers there that they could expect no protection, or any compensation for losses, in case the boundary question should be finally decided in favor of Venezuela.[3]

In view of these facts, this latest phase of the British contention may well excite apprehension. If mere *de facto* British "settlements," however illegal in origin, are to constitute a basis of British claim to domain and jurisdiction in one part of Venezuela, they may do so in other parts of the Republic. If in any part of Venezuela, then why not in any part of any other Central or South American State? And if the principle is to be admitted with respect to all Central and South American States, why exclude any one of the territories or commonwealths of the United States of North America?

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[1] "British Aggression in Venezuela, etc." IV., pp. 15–24; "Official Hist., etc., Boundary Discus.," I., II., III., IV., V., VI., VII.,: Also correspondence between General Blanco and Earl Granville, and his successors, pp. 81–168.

[2] *Ib., id.:* also, "Lord Salisbury's Mistakes," pp. 7, 8.

[3] *Ib., id.*, p. 7.