

AS PLAIN AS A B C

THE CHILEAN MATTER IS BEFORE CONGRESS

Details of the Brutal, Cowardly Valparaiso Assault Recited in the Message.

President Harrison, in his message to congress upon the Chilean situation, quotes references made to the matter in his last annual message to congress, in which he states that this government is awaiting the result of the investigation of the assault. He adds:

"In my opinion the time has now come when I should lay before congress and the country the correspondence between this government and the government of Chile from the time of the breaking out of the revolution against Balmaceda, together with all the other facts in the possession of the executive department relating to this matter. The diplomatic correspondence is herewith transmitted, together with some correspondence between the naval officers for a time in command in Chilean waters, and the secretary of the navy, and also the evidence taken at the Mare Island navy yard since the arrival of the Baltimore at San Francisco.

EGAN AND THE REFUGEES. It may be just as well at the outset to say that, whatever may have been said in this country or in Chile in criticism of Mr. Egan, our minister at Santiago, the true history of this exciting period in Chilean affairs from the outbreak of the revolution until this time discloses no act on the part of Mr. Egan unworthy of his position, or that could justly be the occasion for serious animadversion or criticism. He has, I think, on the whole, borne himself, in every trying circumstance, with dignity, discretion and courage, and has conducted the correspondence with ability, courtesy and fairness. It is worth while also at the beginning to say that the right of Mr. Egan to give shelter in the legation to certain adherents of the Balmaceda government who applied to him for asylum has not been denied by the Chilean authorities, nor has any demand been made for the surrender of these refugees.

All the refugees, the president declares, "are now safe outside Chile. This incident he continues, might be considered wholly closed but for the disrespect manifested toward this government by the close and offensive police surveillance of the legation premises, which has been maintained during most of the period of the stay of the refugees therein.

BEATEN FOR BEING AMERICANS. But the most serious incident disclosed by the correspondence is that of the attack on the sailors on the Baltimore in the streets of Valparaiso on the 16th of October last. We have now received from the Chilean government an abstract of the conclusion of the fiscal general upon the testimony taken by the judge of crimes in the investigation which was made to extend over nearly three months. I very much regret to be compelled to say that this report does not enable me to modify the conclusions announced in my annual message. I am still of the opinion that our sailors were assaulted, beaten, stabbed and killed, not for anything they or any one of them had done, but for what the government of the United States had done, or was charged with having done, by its civil officers and naval commanders. If that be the true aspect of the case, the injury was to the government of the United States, not to these poor sailors who were assaulted in a manner so brutal and so cowardly.

LEGAL ASPECTS OF THE CASE. Before attempting to give an outline of the facts upon which the conclusion rests, I think it right to say a word or two upon the legal aspects of the case. The Baltimore was in the harbor of Valparaiso by virtue of the general invitation which nations are held to extend to war vessels of other powers when they have friendly relations. This invitation I think must be held ordinarily to embrace the privilege of such communication with the shore as is reasonable, necessary and proper for the convenience of the officers and men of such vessels. Captain Schley testifies that when his vessel returned to Valparaiso on September 14, the city officers, as is customary, extended the hospitalities of the city to his officers and crew.

CLEARLY DEMANDED RECOGNITION. It is not claimed that every personal collision or injury in which a sailor or officer of such a naval vessel visiting shore may be involved raises an international question, but I am clearly of the opinion that when such collisions or injuries are committed by the government, they are assumed by the government, and are animated by hostility to the government whose uniforms these sailors and officers wear, and the resentment of acts done by their government, not by them, their nation must take notice of the event as one involving an infraction of its rights and dignity; not in a secondary way, as where a citizen is injured and presents his claim through his own government, but in a primary way, precisely as a minister or consul or the flag itself is the object of the same character of assault.

THE OFFICERS AND SAILORS OF THE BALTIMORE were in the harbor of Valparaiso under the orders of their government, not by their own choice. They were upon shore by the

He reviewed at some length the story of the assault on the Baltimore's men, the investigation of which followed both at Valparaiso and San Francisco, and commented on the same.

TESTIMONY IMPEACHED. He reviews the testimony of our men and says: There is nothing in the report of the Chilean investigation made to us that seriously impeaches this testimony. It appears from Chilean sources that almost instantly, with a suddenness that strongly implies premeditation and preparation, a mob, headed by the police at one time to number 2,000 and at another 1,000, was engaged in an assault upon our sailors, who are represented as resisting "with stones, clubs and bright arms." The president refers to the graphic description of the fighting, narrated in the Chilean testimony, and says the pretense that our men were fighting "with stones, clubs and bright arms" is, in view of these facts, incredible. It is further refuted by the fact that our prisoners when searched were also found with stones, clubs and bright arms being found in the possession of the men arrested, while there were received by our men more than thirty stab wounds, every one of which was inflicted in the back, and almost every contused wound was on the back or the back of the head.

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can in Valparaiso. When American sailors, even of merchant ships, can only secure their safety by denying their nationality, it must be to readjust our relations with a government that permits such demonstrations.

As to the participation of the police, the evidence of our sailors shows that our men were struck and beaten by police officers before and after their arrest, and one of them was engaged with a police officer who mounted a policeman. But the death of Riggin was the result of a rifle shot fired by a policeman or soldier, on duty, is shown directly by the testimony. The Chilean authorities do not pretend to fix the responsibility for the shot on any particular person, but avow their inability to ascertain who fired it, further than that it was fired from the crowd.

NOT A SINGLE REGRET. The communications of the Chilean government in relation to this cruel and disastrous attack upon our men, as will appear from the correspondence, have not, in any degree, taken the form of a friendly overture, expressions of regret, much less apology. The event was of so serious a character that if the injuries suffered by our men had been wholly the result of an accident in the Chilean port, the incident was grave enough to have called for some public expression of regret and sympathy from the local authorities. It is not enough to say that the affair was lamentable, for humanity would require that expression, even if the beating and killing of our men had been justifiable. It is not enough to say the incident was regretted, without the statement that the affair was not of an unusual character in ports where foreign sailors are accustomed to meet. It is not for a generous and sincere government to seek for words of small equivocal in imparing in any way to the honor of our country, or to apologize for an offense so atrocious as this.

Reference is made to the assault by the mob in New Orleans upon the Spanish consulate in 1851, and the action of the government of the United States in promptly apologizing for it, and its expression of regret and sympathy to our government. Continuing, the message says:

"In our note of October 23 last, after receiving the report of the board of officers appointed by Captain Schley to investigate the affair, the Chilean government was advised to apologize for the assault upon our sailors, and to make good any injury done to them. It was assumed and called upon to do so in any fact in its possession that might tend to modify the unfavorable impression which our report had created. It was very clear from the correspondence that from the receipt of the note the executive branch of the government was practically closed.

It was, however, reopened and protracted through a period of nearly three months. We might justly have complained of this unreasonable delay, but in view of the fact that the incident was of a serious and provoking nature, and that the government was engaged in a friendly termination, I have awaited the report, which has just recently been made. On the 21st inst. I caused to be communicated to the government of Chile, by the American minister at Santiago, the conclusions of this government after full consideration of all evidence and every suggestion affecting this matter, and to these conclusions I adhere.

THE PRESIDENT'S CONCLUSIONS. First—That the assault was not relieved of the aspect which the early information of the event gave it, viz: That it was an act of violence and not a riot, and that the United States navy had its origin and motive in a feeling of hostility to this government, and not in any action of the sailors or any of them.

Second—That the public authorities of Valparaiso flagrantly failed in their duty to protect our men, and that the police and Chilean soldiers and sailors were themselves guilty of unprovoked assaults upon our sailors before and after the arrest. He (the president) thinks the preponderance of evidence and inherent probabilities lead to the conclusion that Riggin was killed by a Chilean soldier.

Third—That he (the president) was therefore compelled to bring the case back to the position taken in the note of Wharton October 23 last and asks for a suitable apology and some adequate reparation for the injury done to this government, for the sake of our relations with the Chilean government, was called to the offensive character of a note addressed by Matta, ex-minister of foreign affairs, to Montt, the minister at this capital, on the 11th ult. This dispatch was not officially communicated to the government, but as Montt was directed to translate it and give it to the press of this country, it seemed to me it could not pass without official notice. It was not only undiplomatic, but grossly insulting to our naval officers, and to the executive department, as it directly imputed untruth and insincerity to the reports of the naval officers and to the official communications made by the executive department to congress. It will be observed that I have notified the Chilean government that unless this note is retracted and the apology is made to the public as the offense is made, I will terminate diplomatic relations.

The request for the recall of Egan upon the ground that he is not persona grata, was accompanied by any suggestion that could properly be used in support of it, and I feel that it is not proper to upon the official acts of Egan which had received the approval of this government. But, however that may be, I could not consent to consider such a question until it had first been settled whether our correspondence with Chile could be conducted upon a basis of mutual respect.

SHOULD BE ENFORCED. In submitting these papers to congress for that grave and patriotic consideration which the questions involved demand, I desire to say I am of the opinion that the demands made of Chile by this government should be adhered to and enforced. If the dignity, as well as the prestige and influence of the United States is not to be wholly sacrificed, we must protect those who, in foreign ports, display the flag and wear the colors of this government against insult, brutality and death inflicted in resentment of the acts of their government, and not for the fault of their own. It has been my desire in every way to cultivate friendly and intimate relations with all the governments of this hemisphere. We do not covet their territory. We desire their peace and prosperity. We look for no exchange in our relations with them except increased exchanges of commerce upon a basis of mutual benefit. We regret every civil contest that disturbs their peace and paralyzes their development, and are always ready to give our good offices for the restoration of peace. It must however be understood that this government, while exercising the utmost forbearance toward weaker powers, will extend its strong and adequate protection to its citizens, to its officers and to its honest sailors, when made the victims of wanton and cruelly in resentment, not of their personal misconduct, but of the official acts of their government.

PROTECTION TO LOYALTY. Upon information received from Patrick Shields, an Irishman, and probably a British subject, but at the time the fireman of the American steamer "Keweenaw," who was on board at Valparaiso, and had been subjected to personal injuries in that city, largely by the police, I directed the attorney-general to cause the evidence of the officers and crew of that vessel to be taken upon

its arrival in San Francisco, and this testimony is also herewith transmitted. The brutality and even the savagery of the treatment of our men by the Chilean police would be incredible if the evidence of Shields was not supported by other direct testimony and by the distressing condition of the man himself when he was finally able to reach his vessel. The claim for reparation has been made on behalf of this man, for while he is not a citizen of the United States, the doctrine so long held by us, as expressed in the consular regulations is: "The principles which are maintained by this government in regard to protection of seamen is well settled. It is held that the circumstances that the vessel is American is evidence; and in every regularly documented merchant vessel the crew will find their protection in the flag that covers them.

Next we received no reply to our note of the 21st inst., but, in my opinion, I ought not to delay longer to bring these matters to the attention of congress for such action as may be deemed appropriate. BENJAMIN HARRISON, Executive Mansion, January 23, 1892."

THE MARKETS. Chicago Grain and Provisions. WHEAT—Mar. 91c. CORN—May, 32c. RICE—May, 32c. LARD—May, 36c. SUGAR—May, 36c.

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Dollar for Dollar. HOLIDAYSBURG, Pa., Jan. 26.—The appraisers in the estate of the Tyrone bank of Tyrone, Pa., which recently failed and assigned its effects, made a report to the Blair county court showing the total resources of the bank \$108,234.78. If this statement of the assets is correct the bank will pay dollar for dollar of its indebtedness. A. A. Stevens, the assignee of the bank, gave bonds in the sum of \$300,000.

THE MARKETS. Chicago Grain and Provisions. WHEAT—Mar. 91c. CORN—May, 32c. RICE—May, 32c. LARD—May, 36c. SUGAR—May, 36c.

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