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[15 February 1892]**

Foreign Office, London, February 15, 1892.

Sir,

The reports recently received from British Guiana give some cause for apprehending collisions between the officers of the Colony and those of the Venezuelan Government in the disputed frontier districts.

Detachments of the Colonial and Venezuelan police forces are face to face on either side of the Cuyuni River, and that an imprudence on the part of one or the other might produce serious results.

Her Majesty's Government are desirous of making an intimation to the Venezuelan Government that while they do not recognize the title of Venezuela to the territory on the left bank of the Cuyuni, they have no intention of exercising jurisdiction beyond the limit of the frontier-line laid by Mr. Schomburgk, but that any aggressive action by Venezuelan officials on the right bank of the Cuyuni, and within that line, would lead to very grave complications. At the same time, Her Majesty's Government are ready to reopen the discussion of the boundary question with a duly accredited Representative of the Venezuelan Government empowered to make a reasonable proposal.

The German Government have kindly allowed the German Legation at Caracas to take charge of British interests during the interruption of diplomatic relations between Great Britain and Venezuela, and I have to request your Excellency to bring the present state of the question to their knowledge, and to inquire whether they would allow their Representative at Caracas to present to the Venezuelan Minister for Foreign Affairs, in the name of Her Majesty's Government, the Memorandum of which I inclose a draft. . .

(Signed) SALISBURY

Inclosure: Draft of a Memorandum to be handed to the Venezuelan Government by the German Representative at Caracas

Her Majesty's Government learn from the Governor of British Guiana that on the 9th November last General Briceño, a National Commissary of the Venezuelan Government, accompanied by a strong police force, came down the Uruan River to its junction with the Cuyuni, occupied a position on the left bank of the latter river, and demanded the withdrawal of a Magistrate

of the Colony of British Guiana and a small body of Colonial police from a police station on the right bank of the Cuyuni, within the line laid down by Sir R. Schomburgk as the boundary between the Colony and Venezuela.

Her Majesty's Government do not recognize the title of Venezuela to the territory on the left bank of the Cuyuni, where General Briceño is stationed; but while the boundary question is pending, they do not propose that the Government of British Guiana should exercise any act of jurisdiction beyond the limits of the Schomburgk line.

On the other hand, any aggressive attempt by the Venezuelan officials to interfere with or to dislodge the officers or servants of the Colonial Government within that line would entail serious consequences, and Her Majesty's Government trust that the Venezuelan Government will give strict instructions to their officers to abstain from all acts of this nature.

Her Majesty's Government, however, would remind the Venezuelan Government that they have always been prepared to resume the diplomatic discussions of the boundary question, or of any other question, with the Venezuelan Government, whenever the latter send for the purpose a duly accredited Representative to this country.

918. SIR EDWARD MALET, BRITISH MINISTER IN GERMANY, TO THE MARQUESS OF SALISBURY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

[27 February 1892]

Berlin, February 27, 1892.

My Lord,

With reference to your Lordship's despatch of the 15th instant, inclosing a draft Memorandum on the subject of the disputed frontier between British Guiana and the Republic of Venezuela, and desiring me to inquire whether the German Government should allow their Representative at Caracas to present it to the Venezuelan Minister for Foreign Affairs, I have the honour to inform your Lordship that Baron von Marschall informed me yesterday that he willingly agreed, and had already sent the Memorandum in question by post to Caracas. His Excellency also asked me whether he should telegraph to Caracas to apprise their Representative that a communication on the subject of the frontier dispute was on its way to him. I thanked Baron von Marschall and accepted his proposal, saying that I felt sure your Lordship would be grateful for his friendly disposition in the matter. . .

(Signed) EDWARD B. MALET

919. THE MARQUESS OF SALISBURY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO SIR EDWARD MALET, BRITISH MINISTER IN GERMANY
[4 March 1892]

Foreign Office, London, March 4, 1892.

Sir,

I have received your Excellency's despatch of the 27th ultimo, stating that the German Government will allow their Representative at Caracas to present the Memorandum respecting the British Guiana boundary question to the Venezuelan Government, and that a telegram had been sent to the German Representative to say that such a communication was on its way to him.

I have to request you to thank the Imperial Government for their good offices on this occasion. Your action in the matter is approved. . .

(Signed) SALISBURY

920. COUNT VON KLEIST, GERMAN MINISTER IN CARACAS, TO SEÑOR MANUEL CLEMENTE URBANEJA, VENEZUELAN MINISTER OF FOREIGN AFFAIRS

[17 March 1892]

(Translation – Original: French)

Caracas, March 17, 1892.

The Undersigned has the honour to inform his Excellency the Minister for Foreign Affairs, in compliance with instructions received from his Government, that according to reports which have been recently received by the English Government from British Guiana, there is ground for apprehension that collisions may take place in the disputed territory between officials of the English Colony and those of the Venezuelan Government. It is stated that British and Venezuelan police detachments stand opposed to one another on the right and left bank of the Cuyuni respectively in such a manner that any imprudence on one or the other side might lead to serious consequences.

Her Britannic Majesty's Government desire to bring to the knowledge of the Venezuelan Government that, on the one hand, although they cannot admit the claim of Venezuela to the territory on the left bank of the River Cuyuni, they do not intend, while the boundary dispute is still pending, to exercise jurisdiction beyond the frontier-line determined by Captain Schomburgk; but that, on the other hand, according to the view of Her Majesty's Government, any aggressive action of Venezuelan officials on the right bank of the Cuyuni and within Schomburgk's line must lead to serious complications. At the same time Her Majesty's Government is prepared to reopen the discussion of the boundary question in London with a regularly accredited Representative of the Venezuela Government.

The Undersigned has the honour to transmit to his Excellency herewith a copy of a Memorandum drawn up by Her Britannic Majesty's Government on this subject, and would be much obliged for an expression of the views of the Venezuelan Government in the matter. . .

(Signed) KLEIST

921. SIR EDWARD MALET, BRITISH MINISTER IN GERMANY, TO THE MARQUESS OF SALISBURY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

[21 March 1892]

Berlin, March 21, 1892.

My Lord,

With reference to your Lordship's despatch of the 4th instant, I have the honour to inform your Lordship that I have received a note from Baron von Marscall stating that the Memorandum on the British Guiana boundary question, which was inclosed in your Lordship's despatch of the 15th ultimo, was handed to the Venezuelan Government by the Imperial Minister Resident at Caracas on the 18th instant. . .

(Signed) EDWARD B. MALET

922. MANUEL CLEMENTE URBANEJA, VENEZUELAN MINISTER OF FOREIGN AFFAIRS, TO COUNT VON KLEIST, GERMAN MINISTER IN CARACAS

[21 March 1892]

(Translation – Original: French)

Caracas, March 21, 1892.

M. le Ministre,

I have the honour to acknowledge the receipt of your communication of the 17th instant respecting the dangers connected with the establishment of Venezuelan and English police detachment stationed on the Cuyuni River, together with a copy of a Memorandum transmitted to you by the British Government, for communication to the Venezuelan Government, on the same subject.

In reply to the first part of your note, i.e., with regard to the danger of conflict between the Venezuelan authorities and English agents, I have to inform you that the Ministry for Foreign Affairs has already requested the Ministry of the Interior at once to instruct the Government Commissioner for those districts, General Daniel Briceño, that he must take steps to avoid any conflict or quarrel with the agents of the Colony of Demerara, and that it is desirable to adopt a moderate and pacific attitude, without, however, in the least degree sacrificing the national dignity.

With regard to the second point which is dwelt upon both in your note and in the above-mentioned Memorandum, I have the honour to inform you that it is the intention of the Venezuelan Government to discuss this question in one of the next sittings of the Ministerial Council, with a view to its detailed examination. . .

(Signed) MANUEL CLEMENTE URBANEJA

923. SEÑOR MANUEL CLEMENTE URBANEJA, VENEZUELAN MINISTER OF FOREIGN AFFAIRS, TO COUNT VON KLEIST, GERMAN MINISTER IN CARACAS [6 April 1892]

(Translation – Original: French)

Ministry for Foreign Affairs, Caracas, April 6, 1892.

M. le Comte,

In accordance with the promise contained in the note from this office on the 21st March, I informed the President of the Republic and the Council of Ministers on the 4th instant of the point mentioned in the concluding paragraph of the Memorandum, copy of which was communicated to the Venezuelan Government by the Imperial Legation on the 17th ultimo, at the request of Her Britannic Majesty's Government.

The Executive Power of the Republic, in view of the special nature of the question pending between Venezuela and Great Britain, and at same time animated by the desire to avoid placing any obstacle in the way of the solution of the difficulty by a suitable compromise, are making preparations to arrive at the best means of again entering into negotiations with England with regard to the matter in dispute and its equitable solution without sacrificing the dignity of Venezuela, or in any way relinquishing the rights claimed by the Republic in this important question.

As soon as the Venezuelan Government has been able decide upon a basis for formal negotiations with England, they will not omit to inform the other party interested of the result, in the hope that the desired agreement may be arrived at. . .

(Signed) URBANEJA

924. BARON VON MARSCHALL, GERMAN MINISTER OF FOREIGN AFFAIRS, TO SIR EDWARD MALET, BRITISH MINISTER IN GERMANY [22 April 1892]

(Translation – Original: French)

Foreign Office, Berlin, April 22, 1892.

In continuation of this note of the 19th ultimo respecting the boundary question between British Guiana and Venezuela, the Undersigned has the honour to transmit herewith to his Excellency Sir Edward Malet a translation, received from the Imperial Minister resident at Caracas, of a note addressed to him by the Venezuelan Minister for Foreign Affairs on the 21st March, in which the latter replies provisionally to the Memorandum communicated to him through the intermediary of the Imperial Minister Resident.

Count Kleist has, meanwhile, been instructed to send home the original text of the Venezuelan note in question. . .

(Signed) MARSCHALL

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Inclosure: Manuel Clemente Urbaneja, Venezuelan Minister of Foreign Affairs, to Count Von Kleist, German Minister in Caracas, 21 March 1892 [Document No. 922 above].

925. MR. P. LE POER TRENCH OF THE BRITISH LEGATION IN BERLIN TO THE MARQUESS OF SALISBURY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

[23 April 1892]

Berlin, April 23, 1892.

My Lord,

With reference to Sir Edward Malet's despatch of the 21st ultimo, I have the honour to transmit to your Lordship herewith translation of a note, and its inclosure, which I have received from the Imperial Secretary of State for Foreign Affairs respecting the British Guiana and Venezuela boundary question. . .

(Signed) P. LE POER TRENCH

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Inclosure 1: Baron Von Marschall, German Minister of Foreign Affairs, to Sir Edward Malet, British Minister in Germany, 22 April 1892 [Document No. 924 above].

Inclosure 2: Manuel Clemente Urbaneja, Venezuelan Minister of Foreign Affairs, to Count Von Kleist, German Minister in Caracas, 21 March 1892 [Document No. 922 above].

926. THE MARQUESS OF SALISBURY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO MR. P. LE POER TRENCH OF THE BRITISH LEGATION IN BERLIN

[4 May 1892]

Foreign Office, London, May 4, 1892.

Sir,

I have received your despatch of the 23rd ultimo, forwarding the reply of the Venezuelan Minister for Foreign Affairs to the representation which has been addressed to him through the German Legation at Caracas on the question of the frontier of British Guiana.

I request that you will thank the Imperial Government for the communication of this paper. . .

(Signed) SALISBURY

927. BARON VON MARSCHALL, GERMAN MINISTER OF FOREIGN AFFAIRS, TO SIR EDWARD MALET, BRITISH MINISTER IN GERMANY

[11 May 1892]

(Translation – Original: French)

Foreign Office, Berlin, May 11, 1892.

In continuation of the note from this Office of the 22nd ultimo, respecting the British Guiana and Venezuela boundary question, the undersigned has the honour to forward herewith to his Excellency Sir Edward Malet a German translation of a further note, dated the 6th ultimo, from the Venezuelan Minister for Foreign Affairs, in reply to the Memorandum of Her Majesty's Government which has been received through the Imperial Minister at Caracas.

The latter has been requested to forward the Spanish text of this note also. . .

(Signed) MARSCHALL

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Inclosure: Señor Manuel Clemente Urbaneja, Venezuelan Minister of Foreign Affairs, to Count Von Kleist, German Minister In Caracas, 6 April 1892 [Document No. 923 above].

928. SIR EDWARD MALET, BRITISH MINISTER IN GERMANY, TO THE MARQUESS OF SALISBURY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

[12 May 1892]

Berlin, May 12, 1892.

My Lord,

With reference to Mr. Trench's despatch of the 23rd ultimo, I have the honour to transmit to your Lordship herewith translation of a further note, and its inclosure, which I have received from the Imperial Secretary of State for Foreign Affairs respecting the British Guiana and Venezuela boundary question.

(Signed) EDWARD B. MALET

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Inclosure 1: Baron Von Marschall, German Minister of Foreign Affairs, to Sir Edward

Malet, British Minister in Germany, 11 May 1892 [Document No. 927 above].

Inclosure 2: Señor Manuel Clemente Urbaneja, Venezuelan Minister of Foreign Affairs, to Count Von Kleist, German Minister In Caracas, 6 April 1892 [Document No. 923 above].

929. BARON VON MARSCHALL, GERMAN MINISTER OF FOREIGN AFFAIRS, TO SIR EDWARD MALET, BRITISH MINISTER IN GERMANY
[24 June 1892]

(Translation – Original: French)

Foreign Office, Berlin, June 24, 1892.

In continuation of his notes of the 22nd April and the 11th May last respecting the boundary question between British Guiana and Venezuela, the Undersigned has the honour to transmit herewith to his Excellency Sir E. Malet copies of the Spanish text of the Venezuelan notes of the 21st March and 6th April last,* which have been received from the Imperial Minister at Caracas since the notes above referred to were written, as well as a copy of Count Kleist's note of the 17th March, in which he forwarded to the Venezuelan Minister the Memorandum of Her Britannic Majesty's Government. . .

(Signed) MARSCHALL

(* Documents Nos. 922 and 923)

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Inclosure: Count Von Kleist, German Minister in Caracas, to Señor Manuel Clemente Urbaneja, Venezuelan Minister of Foreign Affairs, 17 March 1892 [Document No. 920 above].

930. SIR EDWARD MALET, BRITISH MINISTER IN GERMANY, TO THE MARQUESS OF SALISBURY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS
[28 June 1892]

Berlin, June 28, 1892.

My Lord,

With reference to Sir le Poer Trench's despatch of the 23rd April last, I have the honour to transmit to your Lordship herewith translation of a further note, with its inclosures, which I have received from the Imperial Secretary of State for Foreign Affairs respecting the British Guiana and Venezuela boundary question. . .

(Signed) EDWARD B. MALET

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Inclosure 1: Baron Von Marschall, German Minister of Foreign Affairs, to Sir Edward Malet, British Minister in Germany, 24 June 1892 [Document No. 929 above].

Inclosure 2: Count Von Kleist, German Minister in Caracas, to Señor Manuel Clemente Urbaneja, Venezuelan Minister of Foreign Affairs, 17 March 1892 [Document No. 920 above].

931. THE MARQUESS OF SALISBURY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO SIR EDWARD MALET, BRITISH MINISTER IN GERMANY [8 July 1892]

Foreign Office, London, July 8, 1892.

Sir,

With reference to your Excellency's despatch of the 28th ultimo respecting the boundary question between British Guiana and Venezuela, I have to request you to thank Baron von Marschall for his courtesy in communicating to you Baron Kleist's note of the 17th March, addressed to the Venezuelan Government. . .

(Signed) SALISBURY

932. STATEMENT BY FORMER AMERICAN SECRETARY OF STATE, THOMAS BAYARD, TO *THE NEW YORK TIMES* [14 September 1892]

The question of the boundaries of Venezuela, where they approach those of British Guiana, has been for a long time a vexed question between Venezuela and the Government of Great Britain, or, rather, private companies of British subjects engaged in gold mining in what is known as the Orinoco region.

From time to time maps have been delineated of the supposed boundaries of Venezuelan territory and jurisdiction. Serious complaints were made by the Venezuelan representatives in Washington of the encroachment of British jurisdiction and of claims to navigate the Orinoco River to such an extent as would penetrate the interior of Venezuela and destroy the independent authority of that country over a vast region of valuable commerce which that country claimed as her own exclusively.

I was never disposed to believe, after pretty full examination of the subject, that there was any design upon the part of Great Britain to expand her jurisdiction as a nation over the territory in dispute; but I believe, and I think a true history of the case will show, that the differences had

their origin in large mining concessions obtained by British subjects, as private enterprises, from the Government of Venezuela, and, consequently, the investment of a great deal of British capital in the development of these rich mining regions.

After these investments were made and property became valuable, these private owners found themselves not only without that protection of established law which alone gives property its security, but that they were subjected from time to time to the exactions and tyrannical demands of the Venezuelan officials. Therefore, it was that they claimed British protection against spoliation by Venezuelan officials, and were desirous of seeing British jurisdiction extended over the territory in which their mining operations were conducted.

It was only another instance of the dependence of the institution of property upon just laws honestly administered. The region in regard to which these boundary differences exist is remote, thinly settled, and unhealthy, with very few incidents of civilized government. The miners prefer British laws to Venezuelan authority, and have encouraged, undoubtedly, the expansion of the British boundaries so as to give them and their property security under British laws.

The United States continued to proffer their good offices to both Governments – Venezuela and Great Britain – but the conduct of Guzman Blanco in abruptly breaking off diplomatic relations with Great Britain prevented Lord Salisbury from entering into negotiations until diplomatic intercourse had been restored.

It was expected, and, in fact quite openly charged, that Guzman Blanco, the President of Venezuela, was creating difficulties in order to compel certain English mining companies to sell him or give him their stock; but it is certain that his actions stood in the way of an amicable adjustment or the boundary question.

Mr. Blaine's last note of May 2, 1890, is the final publication on the subject, excepting a note from Mr. Adee of July 2, 1890, to the same general effect. No volume of foreign relations correspondence has been published for 1891, as has been the custom heretofore.

As the attitude of the United States was to be one of impartial friendship toward both Governments, the present concentration of naval forces is not explained by anything in the published correspondence thus far.

Whether the more than doubtful claim of jurisdiction by the United States within the territorial waters of another Government. . . remains to be seen.

Certain it is, the United States would promptly enforce its own jurisdiction over all persons charged with a violation of its laws who were found within its territory, whether of land or water. If we deny this to other nations, or to some and not to others, our own position will be very difficult to maintain when we seek to execute our domestic laws within our own jurisdiction.

[Note: This statement was published in The New York Times on 16 September 1892.]

**933. DOCUMENT OF FULL POWER ISSUED TO SEÑOR TOMÁS MICHELENA BY
THE PRESIDENT OF VENEZUELA
[10 March 1893]**

(Translation – Original: Spanish)

Joaquin Crespo, Chief of the Executive of the United States of Venezuela.

To all who may see these presents, greeting:

Whereas, since the month of February 1887, the diplomatic relations between the Government of Venezuela and that of Her Britannic Majesty have been suspended on account of differences which have arisen in respect of the limits of Guiana; and

Whereas, the Executive Power desires to re-establish these bonds of union by means which international usage indicates as the most just and equitable:

Therefore, and having full confidence in the ability, patriotism, and discretion of Señor Tomás Michelena, I confer upon him the character of Plenipotentiary for the purpose of treating and negotiating with the person or persons of the same character who may be chosen for that purpose by Her Majesty's Government, with the object of re-establishing diplomatic relations between the two nations, and in the understanding that the Convention ("Convenio") which he may sign in virtue of the powers conferred on him by this Commission will be submitted for the ratification of the Government of the Republic.

In testimony of which I do hereby grant these presents, signed by my hand, and sealed with the great national seal, and countersigned by the Minister of Foreign Relations, in the Federal Palace of the capital, Caracas, the 10th day of March, 1893.

(Signed) JOAQUIN CRESPO

Countersigned:

The Minister of Foreign Relations,

(Signed) P. EZEGUIEL ROJAS, (L.S.)

It is a true copy:

(Signed) ROJAS

934. SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY, TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS [23 May 1893]

(Translation – Original: French)

Hotel Previtali, Arundel Street, London, May 23, 1893.

My Lord,

The Government of the United States of Venezuela, being animated with the desire of arranging the difficulties pending with Her Majesty's Government and of re-establishing diplomatic relations between the two countries at present suspended, has been pleased to send me in the character of Confidential Agent, with full power *ad hoc*, for the purpose of entering into negotiations with the authorities of the Foreign Office on the subject of the means which may best conduce to effect the speediest realization of those ends.

I have therefore, in consequence, the honour to herewith transmit to your Lordship a copy of the full power with which I am invested for the purpose of treating of the said points, and in so doing I respectfully request your Lordship will be pleased to inform me when it will be convenient to your Lordship to receive me, or to indicate me the official with whom it is necessary to initiate the negotiations.

I profit by this first opportunity to offer to your Lordship the assurance of my distinguished consideration.

(Signed) TOMÁS MICHELENA

P.S. – I inclose a translation in English of the note and power *ad hoc*.

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Inclosure: Document of Full Power issued to Señor Tomás Michelena by the President of Venezuela, 10 March 1893 [Document No. 933 above].

935. SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY, TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS [26 May 1893]

(Translation – Original: French)

*Confidential Agency of the Venezuelan Republic
Previtali's Hotel, Arundel Street, London, May 26, 1893.*

My Lord,

In view of meeting the wish expressed by your Excellency during the interview with which I was honoured yesterday, I now beg to inclose a *pro-memoriá* of the bases which, in the name of the Government of Venezuela, I submit to your Excellency's consideration, as a means of arriving at an agreement on the differences between the two countries and to the re-establishment of diplomatic relations.

I trust that your Excellency will see in the bases contained in the *pro-memoriá* a sincere proof that the present Government of Venezuela wishes, in so far as its legal responsibility allows, to offer to the Government of Her Britannic Majesty means most friendly and most in agreement with international usage of ending a state of affairs which is an obstacle to the active and open relations which should exist between the two countries.

I was very pleased to hear your Excellency declare that Her Britannic Majesty's Government is inspired by the same wishes, and I think that the steps which have now been begun will not fail to lead to a fruitful result. . .

(Signed) TOMÁS MICHELENA

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Inclosure: PRO-MEMORIA

(Translation – Original: French)

Bases for the conclusion of a Preliminary Convention between the Government of Her Britannic Majesty and that of the United States of Venezuela for the re-establishment of diplomatic relations and the friendly settlement of questions now pending: –

1. The Government of Great Britain claims certain territory in Guiana as successor in title of the Netherlands, and the Government of Venezuela claims the same territory as being the heir of Spain; both Governments being inspired by friendly intentions, and being desirous of putting an end to the differences which have arisen on this matter, and both Governments wishing to pay all deference to the titles alleged by either to prove its jurisdiction and proprietary rights over the territory in question, they agree and stipulate that as soon as official relations shall have been re-established between the two countries, and after the ratification of the present Preliminary Convention by both Governments, one or more Delegates shall be named by each Party with full power to conclude a Frontier Treaty founded on a conscientious and complete examination by the said Delegates of the documents, titles and data supporting the claims of either Party, it being agreed that the decision of doubtful points and the laying down of a frontier on the line of which the Delegates may be unable to agree shall be submitted to the final decision, from which there shall be no appeal, of a Juridical Arbitrator, to be appointed, should the case arise, by common agreement between the two Governments.

2. In view of replacing relations with Her Britannic Majesty's Government on a more friendly footing, the Government of Venezuela will conclude a new Commercial Treaty, and will abolish the additional duty of 30 percent, a Treaty of finite duration, as proposed by Lord Granville in 1884, taking the place of the old Treaty.

3. Claims of subjects of Her Britannic Majesty, and claims of citizens of the Republic of Venezuela against the respective Governments, shall be examined by a Commission appointed *ad hoc*. Venezuela agrees to this course in the present special case, although the examination and decision of foreign claims is within the jurisdiction of the Federal High Court, in virtue of a Decree of the Republic: it shall therefore be stipulated that Great Britain shall accept the provision in question as regards future claims.

4. It shall be recorded in the Preliminary Convention that both Her Britannic Majesty's Government and that of Venezuela acknowledge and declare that the *status quo* of the boundary question is that which existed in 1850, when Sir [Belford] Wilson, English Charge d'Affaires at Caracas, formally declared, in the name of, and under express instructions from, Her Britannic Majesty's Government, that no portion of the territory in dispute should be occupied, and demanded and obtained a corresponding declaration from the Government of Venezuela. The *status quo* shall be maintained pending the conclusion of the Frontier Treaty, mentioned in 1.

5. The Convention drawn on the bases now proposed will be signed by the Confidential Agent of Venezuela in virtue of the powers conferred on him, and by the person duly authorized thereto by Her Britannic Majesty's Government, and shall be immediately submitted to the direct ratification of both Governments; on the exchange of the ratifications, diplomatic relations between the two countries shall, *ipso facto*, be re-established.

London, May 26, 1893.

936. THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY
[31 May 1893]

Foreign Office, London, May 31, 1893.

Sir,

I have had the honour to receive your note of the 26th instant, inclosing a Memorandum of the bases upon which the Government of Venezuela prepared to negotiate for a settlement of the differences existing between the two countries, and for the re-establishment of diplomatic relations.

I beg to assure you that these proposals shall receive the prompt and attentive consideration of Her Majesty's Government. . .

(Signed) ROSEBERY

937. THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY
[3 July 1893]

Foreign Office, London, July 3, 1893.

Sir,

Her Majesty's Government have carefully examined the proposals set forth in your *pro-memoriá* of the 26th May for the settlement of the various questions which are at issue between the Government of Venezuela and that of Her Majesty.

The most important of those questions, in the opinion of Her Majesty's Government, is that of the boundary between Venezuela and the Colony of British Guiana, and it will, I think, tend to simplify the discussion if in this note I confine myself to that point, and refrain from offering for the present any observations on the proposals contained in clauses 2, 3 and 5 of the *pro-memoriá*. I must in the first place point out that, although the present proposal of the Venezuelan Government admits the possibility of settling the question of boundary by Treaty, the fact that it also involves reference to arbitration in case of difference between the Delegates of the two Governments charged with the negotiation of that Treaty practically reduces it to the form which has repeatedly been declined by Her Majesty's Government, viz., the reference to arbitration of a claim advanced by Venezuela to a great portion of a long-established British Colony.

Her Majesty's Government therefore consider than clause 1 of the *pro-memoriá* can only be accepted by them under the conditions specific in the Memorandum communicated in Sir T. Sanderson's note to Señor Urbaneja of the 19th March, 1890. They would propose that the first clause of your *pro-memoriá* should be amended in the manner indicated by the additions marked in red ink* in the copy inclosed herewith.

With regard to clause 4 of the *pro-memoriá* in which it is proposed that both Her Majesty's Government and that of Venezuela shall acknowledge and declare that the *status quo* of the boundary question is that which existed in 1850, Her Majesty's Government consider that it is quite impossible that they should consent to revert to the *status quo* of 1850, and evacuate what has for some years constituted an integral portion of British Guiana. They regret, therefore, that they cannot entertain this proposition.

The Declaration made to the Venezuelan Government in the year 1850 by Sir Belford Wilson, the British Charge d'Affaires, was as follows: That "whilst on the one hand Great Britain had no intention to occupy or encroach on the disputed territory, it would not on the other hand view with indifference aggressions in that territory by Venezuela." The arrangement on this basis was disturbed by Venezuela on several successive occasions prior to any attempt on the part of Her Majesty's Government to exercise, jurisdiction in the districts in question. In the same year (1850) in which the Declaration was made, the Venezuelan Government began to establish new positions to the east of Tumeremo, and in 1858 they founded the town of Nueva Providencia, on the south side of the River Yuruari. Again, in 1876, licenses were granted by the Government of Venezuela to trade and cut wood in the district of Barima, and to the eastward of that district. In 1881, the Venezuelan Government made a grant of great part of the disputed territory to General Pulgar, and in 1884 it made concessions to the Manoa Company and others, which were followed by actual attempts to settle the territory.

In contrast to this action, the attitude of the British Government was marked by great forbearance and a strong desire to execute the arrangement in good faith. In proof of this disposition, it may be instanced that when applied to in 1881 to grant a Concession in the disputed territory to certain applicants they distinctly declined to entertain the proposal, on the ground that negotiations were proceeding with Venezuela, and it was not until the encroachments of the Manoa Company began to interfere seriously with the peace and good order of the Colony that Her Majesty's Government decided that an effective occupation of the territory could no longer be deferred, and steps were taken for publicly asserting what they believe to be the incontestable rights of Great Britain.

Those rights they are unable now to abandon, and they could not consent that any *status quo* except that now existing should remain in force during the progress of the negotiations.

I shall be glad to learn that you are able to accept these modifications of your proposals, as it would be a subject of sincere satisfaction to Her Majesty's Government to find that there is a prospect of a speedy re-establishment of diplomatic relations between the two countries. . .

(Signed) ROSEBERY

* See words within brackets in Inclosure.

*

Inclosure: AMENDED ARTICLE I

[Whereas] The Government of Great Britain claims certain territory in Guayana as successor in title of the Netherlands and [by right of conquest as against Spain, and whereas] the Government of Venezuela claims the same territory as being the heir of Spain; both Governments being

inspired by friendly intentions, and being desirous of putting an end to the differences which have arisen on this matter, and both Governments wishing to pay all deference to the titles alleged by either to prove its jurisdiction and proprietary rights over the territory in question, they agree and stipulate that, as soon as official relations shall have been re-established between the two countries, and after the ratification of the present preliminary Convention by both Governments, one or more Delegates shall be named by each party with full power to conclude a frontier Treaty founded on a conscientious and complete examination by the said

Delegates of the documents, titles, and passed events supporting the claims of either party, it being agreed [that the said territory in dispute lies to the west of the line laid down in the Map communicated to the Government of Venezuela on the 19th March, 1890, and to the east of a line to be marked on the same Map running from the source of the River Cumano down that stream and up the Aima, and so along the Sierra Usapamo, and] that the decision of doubtful points and the laying down of a frontier on the line of which the Delegates may be unable to agree shall be submitted to the final decision, from which there shall be no appeal, of a Judicial Arbitrator, to be appointed, should the case arise, by common agreement between the two Governments.

938. SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY, TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS
[7 July 1893]

(Translation – Original: French)

*Confidential Agency of the Republic of Venezuela in Great Britain,
London, July 7, 1893.*

M. le Comte,

I have the honour to acknowledge the receipt of your Excellency's note of the 3rd instant, in reply to mine of the 26th May last, proposing bases for the settlement of the questions pending between Venezuela and Great Britain.

Your Excellency's observations on certain portions of the Memorandum, as well as the modifications which you suggest on various points of the proposals which I presented to Her Majesty's Government in the name of the Government of Venezuela, will be taken into careful consideration, and the earliest possible reply will be sent. . .

(Signed) TOMÁS MICHELENA

939. SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY, TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS
[31 July 1893]

(Translation – Original: French)

*Confidential Agency of the Republic of Venezuela in Great Britain,
London, July 31, 1893.*

My Lord,

Having considered attentively the opinions expressed by your Lordship in your note of the 3rd instant, in reply to the proposals made on the 26th May by the Undersigned as a basis for a Convention, this Agency, having powers sufficient for the purpose, proceed to make the observations suggested to them by the final declarations of that note, as well as by all which appears therein of the nature of charges made against the conduct of Venezuela in the disputed question of the frontiers between the Colony of Demerara and the Republic of Venezuela.

The Foreign Office begin by saying that “the most important of the questions which are at issue between the Governments of Venezuela and Great Britain is, in the opinion of Her Majesty’s Government, that of the boundary between Venezuela and the Colony of British Guiana;” and they add, “that to simplify the discussion, they confine themselves exclusively to that point, and refrain from offering for the present any observations on the proposals contained in clauses 2, 3 and 5 of the Memorandum of the 26th May last.”

This declaration means that even on the supposition that the observations relative to the boundaries should be considered admissible, they still could only be so by not considering the other clauses mentioned; further, that as the statements which relate to the frontiers destroy the bases of the Convention altogether, it does not seem useless for your Lordship to consider the character and tendency of those clauses; but not thus will the discussion be facilitated, in fact, quite the reverse is the case, for it amounts to abolishing all discussions whatever.

It was in virtue of a laudable purpose, and a sincere desire for conciliation, by arriving at an agreement about all the controverted points, and thus advancing the interests of both nations, that the Undersigned discarded the well-worn path of a discussion on the respective rights over the territory, and the interminable formulas hitherto followed in treating this affair; such considerations made him imagine the possibility of settling the question of boundary by a Treaty involving a reference to arbitration in case of differences or doubts on the part of the Delegates appointed to demarcate the frontier-line.

Your Lordship rejects this idea by calling it “a reference to arbitration of a claim made by Venezuela on a large portion of a British Colony which has been for many years established.”

Your Lordship will allow me to express to you my astonishment at this assertion, which differs very much from historical truth and from the character of the discussion which this question has caused from the year 1841 up to the present time. What Venezuela claims is the fair and natural delimitation of frontiers, about which nothing definite in the way of rights has as yet been established, and with that object she desires that both sides should produce before an Arbitrator the title on which they base their claim, inasmuch as the claim on the part of Great Britain to consider the territory an integral portion of one of her Colonies is not recognized by Venezuela. If Her Britannic Majesty’s Government consider that their dominion extends over territories which from ancient times have formed an integral part of the Republic of Venezuela, for which reason the latter dispute the claim, this fact alone does not justify them in refusing the intervention at an Arbitrator, who would judge and decide, according to titles and data, about the rights

of each of the two nations over the territory on the north and west of the Rivers Moroco, Pomeroon, and Essequibo, and naturally without any arbitrary limitations laid down by the unjust pretensions of one of the parties. With equal right Venezuela might claim that the judgment of the Arbitrator should be confined in an opposite direction; but such is not the case, inasmuch as the Government of the Republic make no limitations, ask for nothing in an unjust manner, and are not holding any of the territory by an arbitrary occupation; on the contrary, they submit to a Judge the whole of their claims, and bind themselves to respect the decision which shall lay down what ought to belong to each country, the one as the heir of Spain, and the other as successor to the Netherlands.

The conditions laid down by your Lordship as modifications of the first clause, viz., "those specified in the Memorandum communicated by Sir T. Sanderson to Señor Urbaneja in his note of the 19th March, 1890," cannot be accepted on any account as they imply the recognition on the part of Venezuela of the pretensions of Great Britain over a large part of the territory which has been the subject of controversy for many years, and which is the very foundation of the discussion relative to the legitimate rights of each side; and the modification now suggested by your Lordship in the language quoted below also cannot be accepted for the same reason: —

"Her Majesty's Government would propose that the first clause of your *pro-memoriá* should be amended in the manner indicated by the additions marked in red ink in the copy inclosed herewith; the additions being the following: "That the said territory in dispute lies to the west of the line laid down in the map communicated to the Government of Venezuela on the 19th March, 1890, and to the east of a line to be marked on the same map running from the source of the River Cumano down that stream and up the Aima, and so along the Sierra Usapamo."

In short, the only concession is on the subject of the extreme pretensions of the Government of Great Britain, as explained by Sir T. Sanderson in the name of the Marquess of Salisbury, and it only corrects in part the capricious line drawn by the explorer Schomburgk; all this being absolutely opposed to another demarcation proposed by your Lordship in 1886, which reduced the British pretensions to narrower limits.

The Foreign Office pass on to consider clause 4 of my Memorandum, and to impugn the idea of the *status quo* of 1850 by declaring "that it is impossible for Her Majesty's Government to revert to the *status quo* of 1850, and evacuate what has for some years constituted an integral portion of British Guiana." They regret that they cannot entertain this proposition, and the Undersigned regrets it likewise, because by reverting to that *modus vivendi* Great Britain would have given a splendid proof of her love of justice, of her respect for the fulfilment of an agreement, and of her desire of conciliation, in order to renew political relations between the two countries, and thus put an end to all the questions at issue. They give in support of this lamentable decision reasons which cannot be declared sufficient, for they rest on a sophism, and are not applicable in treating of the territory which was declare neutral in 1850. In considering and recognizing the declaration made by Her Majesty's Government through Sir Belford Wilson, the British Charge d' Affaires at Caracas, your Lordship adds "that the arrangement on this basis was disturbed by Venezuela on several successive occasions prior to any attempt on the part of Her Majesty's Government to exercise jurisdiction in the district in question; that in the same year (1850) in which the declaration was made, the Venezuelan Government began to establish new positions to the east of Tumereno, and in 1858 they founded the town of Nueva Providencia, on the south side of the River Yuruary; that again, in 1876, licences were granted by the Govern-

ment of Venezuela to trade and cut wood in the district of Barima, and to the eastward of that district; that in 1881 the Venezuelan Government made a grant of great part of the disputed territory to General Pulgar; and that in 1884 it made concessions to the Manoa Company and others.”

These previous incidents have served as a justification to the British Government, not only for proceeding as they have done in occupying a large extent of territory which Venezuela maintains belongs to her, but also for their conduct during the last few years, and as a basis for declaring now that these territories belong to the colony of Demerara, and that they cannot therefore evacuate them, or even submit their claims to the examination and judgment of an Arbitrator.

But it is advisable to establish what are the territories which were declared neutral and in dispute by the Agreement of 1850. Were they those which are within the capricious line of the explorer Schomburgk? Were they comprised in the arbitrary limits traced by the Marquess of Salisbury? Did they comprise all those which are called the extreme pretensions? On the contrary, those lines appeared much later, as themes for discussion, and it is natural to suppose that the line traced by Lord Aberdeen in 1841 would serve nine years later for the consideration of British rights in that year; it is all the more natural to suppose this as later on, in 1886, your Lordship indicated another line, which only differs from Lord Aberdeen's in that it advances a little more towards the north. Neither the one nor the other line incloses the Yuruary and the bank upon which the city of Nueva Providencia was founded, nor the district of Barima, where licences were granted to trade and cut wood, as your Lordship has yourself pointed out. As for the concessions or privileges granted to General Pulgar, to the Manoa Company, and to others, they did not have effect, nor were they granted, over any territory except that of the Republic; the rights of the Colony of Demerara were respected, and consequently so the neutrality which it was agreed in 1850 should extend over a portion of the boundary over which Venezuela has always refrained from exercising any jurisdiction.

Your Lordship signifies, in a manner which appears final, that those rights, viz., those which Great Britain claims to possess over the territory she has occupied, and both that which corresponds with the territory mentioned in the *modus vivendi* of 1850, as well as that which is more to the north and west, cannot be abandoned, and that you could not consent that any *status quo*, except that now existing, should remain in force during the progress of the negotiations.

I am convinced that the theory that accomplished facts have the force of law cannot be applied to diplomatic negotiations which have for their object to arrive at a cordial and friendly agreement between two nations joined to one another from ancient times by the glory shared in a great war, and by commercial interest of importance; that theory cannot prevail when it is a question of avoiding serious dangers in the future, when it is attempted to protect and guarantee the extensive capital which Great Britain has invested in Venezuela, and when, the commercial affairs between the two countries being almost paralyzed, an attempt is being made to restore them to the same prosperous footing as that on which they were years ago, so as to prevent that the prolongation of the present state of the political relations between the two countries should produce a serious conflict.

Apart from the consideration that the institutions of Venezuela form an insuperable obstacle to the Governments of the country consenting to recognize tacitly by means of Treaties rights claimed by any other nation over territory which is considered an integral part of the Republic, which rights have never been proved or defined by any legal authority, or consented to or accepted according to international law, there is also the dignity of both countries which would be

jeopardized – that of Venezuela by yielding to the force of a demand dishonourable to her, and that of Great Britain by her action in forcing it upon her by the mere fact of being a Great Power.

On the strength of all these reasons, the Undersigned ventures to address to the Ministry for Foreign Affairs a further request for the acceptance of this settlement, the bases of which are so just and liberal that they ought not to meet with rejection. It is with these views that I continue to urge the consideration of a basis for a preliminary agreement, which would put aside all discussions about alleged territorial rights, and throw this important matter entirely upon the natural decision of an Arbitrating Judge, in the event of the Commission of Delegates appointed to draw the boundary line not being able to agree on all points.

The Undersigned hopes that your Lordship, being convinced by these reasons, may modify your views in accordance with the declarations made by Mr. Gladstone before Parliament, and in the name of Her Majesty's Government, relative to the question of arbitration, and that your Lordship will thus put an end finally to all the questions at issue with Venezuela, in which object your Lordship may with the greatest reliance count upon the best dispositions on the part of the Undersigned. . .

(Signed) TOMÁS MICHELENA

940. SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY, TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS
[26 August 1893]

(Translation – Original: French)

Hotel de Bade, 32, Boulevard des Italiens, Paris, August 26, 1893.

M. le Comte,

The Venezuelan Minister for Foreign Affairs writes to me as follows in a letter dated Caracas, the 4th instant: –

“The newspapers of certain British Colonies, especially those of the Island of Trinidad, have lately spoken of new acts of jurisdiction performed by the authorities of Demerara in the territories of Guiana, which Venezuela considers to be within her frontiers.

“This is happening at a time when the Republic, in conformity with her own desire to see the differences existing between herself and Great Britain settled in a manner consistent with international comity, is sending to London an Agent who is charged to negotiate with the Foreign Office for the re-establishment of political relations between the two Governments. The Venezuelan Executive is therefore much astonished at the statements made by certain colonial newspapers, and thinks it advisable that you should call the attention of Her Majesty's Secretary of State to this matter.

“The *Port of Spain Gazette* of the 25th July, after mentioning the favourable conditions obtaining in the district now called by the English ‘north-west district,’ which extends to the mouth of the Orinoco, and which has been claimed by Venezuela on legal grounds since

Lord Aberdeen's time, talks of great schemes for exploiting the territory in question, by raising capital and forming Companies in the Colony. The same paper says that under the direction of Dr. Chittenden, Secretary of the Agricultural Society of Trinidad, a ship was got ready a short time ago which was to convey a party of twenty-nine to the Upper Barima, and to expedite the work of the 'Dixon' Company.

"Acts of this kind, which hinder the progress of the negotiations which have been opened, cannot and must not be allowed to pass without notice; .and it is therefore very necessary that the British Government should be informed of the feelings with which the Venezuelan Executive observes the tendency of the Colony of Demerara to place difficulties, by active measures, in the way of the conclusion of the agreement which is desired for the settlement of the pending dispute. . .

"(Signed) P. EZEQUIEL ROJAS"

I have the honour to communicate the above to your Excellency for the purpose mentioned in the letter. . .

(Signed) TOMÁS MICHELENA

941. THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY
[12 September 1893]

Foreign Office, London, September 12, 1893

Sir,

Her Majesty's Government have carefully examined the arguments contained in the your note of the 31st July last for the settlement of the boundary question between the Republic of Venezuela and the Colony of British Guiana.

I regret to inform you that the contents of your note do not appear to Her Majesty's Government to afford any opening for arriving at an understanding on this question which they could accept.

They continue, however, to be desirous of arriving at a friendly settlement of the boundary between the possessions of the two countries, and they are willing to give their best consideration to any practical proposals for that object....

(Signed) ROSEBERY

942. THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY
[22 September 1893]

Foreign Office, London, September 22, 1893.

Sir,

With reference to my note of the 2nd instant, I have the honour to inform you that Her Majesty's Government have given their careful attention to the representations contained in your note of the 26th ultimo complaining of acts on the part of the authorities of British Guiana which are considered by the Venezuelan Minister for Foreign Affairs to be in contravention of the rights of Venezuela.

Her Majesty's Government are desirous of showing all proper respect for the recognized rights of Venezuela, but the acts of jurisdiction to which you refer in your note do not appear to them to constitute any infraction of, or encroachment upon, those rights. They are, in fact, no more than part of the necessary administration of a territory, which Her Majesty's Government consider to be indisputably a portion of the Colony of British Guiana, and to which, as it has been their duty to state more than once, they can admit no claim on the part of Venezuela. . .

(Signed) ROSEBERY

943. SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY, TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS [29 September 1893]

(Translation – Original: French)

*Confidential Agency of Venezuela in Great Britain,
Hotel de Bade, Boulevard des Italiens, Paris, September 29, 1893.*

My Lord,

I have the honour to acknowledge the receipt of your Excellency's note of the 12th instant, in which you inform me that Her Majesty's Government has carefully considered the arguments contained in my note of the 31st July respecting the settlement of the question of the frontier between the Republic of Venezuela and the Colony of British Guiana, but regretted to have to inform me that the contents of my above-mentioned note offered no basis which could be accepted in view of settling that question.

In concluding your Excellency adds, nevertheless, that Her Britannic Majesty's Government is still desirous of reaching a friendly settlement of the frontier between the two countries, and is prepared to consider any practicable proposal that may lead to such an end.

Your Excellency rejects completely the proposal which I made in my note of the 31st July, reproduced from that of the 26th May, to submit to the examination of a Commission of Delegates everything relating to the frontier question, with power to lay down a frontier-line between the possessions of the Colony of British Guiana and the territory of the Republic of Venezuela, and, as an ultimate course, to submit to Arbiters *de jure* any differences respecting the frontier-line which the Delegates might not be able to settle in common; furthermore, Her Britannic Majesty's Government passes in silence the arguments which I submitted in support of the most just

refusal of the Venezuelan Government to accept, as, beyond dispute, the line proposed in your Excellency's note of the 3rd July last, which included a large part of the territory which Venezuela maintains is hers. The terms in which my proposal is rejected, and the fact that these arguments are passed over in silence, greatly weaken, if they do not entirely destroy, the confidence inspired by the concluding sentiment of the note to which I have the honour to reply, namely, the expression of the sentiment that Her Majesty's Government is, nevertheless, desirous of arriving at a friendly solution of the frontier question, and will give their best attention to any practicable proposal which may be made with that object.

The premise made by your Excellency's predecessor to his Excellency Dr. Lucius Pulido, former Agent of the Venezuelan Government, and the well-founded hope that Her Britannic Majesty's present Cabinet, and your Excellency in particular, who had in 1886 conducted the negotiations for a settlement in a spirit so much more conciliatory than that shown by Lord Salisbury, would accept, without imposing conditions which would amount to a dishonourable and unjustifiable submission on the part of Venezuela, proposals founded on a conscientious examination of the question by persons fully authorized thereto by Government, and empowered to fix a frontier-line in harmony with the titles to sovereignty put forward by either party, and on the understanding that whatever the Commission might be unable to settle in common and definitively should be examined and settled by a Court of Arbiters *de jure*; the Government of Venezuela relied on these hopes, I repeat, when they hastened to renew the negotiations interrupted in 1890, and charged me to continue them, and to submit, as I have done, to your Excellency the proposals already brought to your knowledge. These hopes were fortified by the replies which your Excellency gave to the London Chamber of Commerce, and to a Peace and Arbitration Society, when they asked that the question pending with Venezuela might be settled.

The course to which I refer, and which was proposed to your Excellency in my note of the 26th May last, can alone enable historical truth and the legitimate title-deeds of both parties to be brought fully to light, it alone promises a solution which shall not be destructive of that equality and respect which nations owe the one to the other, and which should all the more be preserved whenever it might possibly be feared that the employment of any *vis major* might unduly press on the rights of the weaker; it is, moreover, the only course shown to be easy and practicable by the special nature of this long-pending question by the many proposals for settlement made since it began, and by the divergence of the frontier-lines, each more advantageous than its predecessor, which have at successive epochs been proposed by Her Britannic Majesty's Government; the action of that Government in this respect has indeed justified an eminent statesman, the Secretary to the Foreign Department of the Republic of the United States in 1885, in saying in an official note, which has been published and which was addressed to the Minister Plenipotentiary of the Republic in London, "that if it should appear that the British claim had no fixed limit, the friendly desire of the United States to assist in finding a solution would be predestined to failure, that a deep feeling of regret would take its place."

This question, which has unfortunately interrupted the old and very cordial diplomatic relations between the Governments of Great Britain and Venezuela, has been the subject of an expression of opinion on the part of all the Governments of America, thanks to the wide distribution of the publications recording its various incidents, and several of the Cabinets of those countries have expressed to the Venezuelan Government their readiness to interpose their friendly influence with the Government of Her Britannic Majesty, with a view to arriving at an honour-

able settlement.

The history of this question needs only to be briefly recounted to produce a deep conviction that when Venezuela showed herself ready to trust its final and unconditional settlement to arbitration, there as nothing chimerical in her wish so to deal with the situation of affairs which has recently been produced by acts of force which can bring about nothing but violence an disturbance; for arbitration is recognized as a means of settlement by all civilized nations, and was recently praised by the Prime Minister, Mr. Gladstone, in a solemn and much applauded speech in Parliament.

If the length of this note is a contrast to the laconic shortness of your Excellency's, it is because of the necessity of showing, so far as I may be permitted to do so, that the refusal of Her Britannic Majesty's Government to view, as acceptable and practicable the proposal to submit the frontier question to a Commission of Delegates, and, as an ultimate step, unconditionally to the decision of Arbiters *de jure*, stands in entire contradiction with the wish which your Excellency assures me is felt by Her Majesty's Government, that a friendly settlement may be found, and with the assurance that they would consider any practicable proposal framed with such a view. The refusal to which I allude and the wish just mentioned are entirely incompatible; it will be well that I should here briefly describe the various phases presented by the frontier question, in order that it may be seen that the claims put forward in recent years by Her Britannic Majesty's Government regarding the frontier between the English Colony of Guiana and Venezuela differ so widely from those put forward when the question first arose, that if the Government of Venezuela were to submit to them unconditionally as the Government of Her Majesty desires, far from reaching an amicable settlement between the two countries, the result would be to reduce the Venezuelan nation to the condition of a conquered country.

The first frontier-line, that of 1841, was proposed by Lord Aberdeen when Dr. Alejo Fortique came to London as Charge d'Affaires of Venezuela; that line started at the River Moroco on the coast, and stretched towards the interior of the territory which Venezuela considered to be hers, and converted into British territory all the region of the left bank of the River Cuyuni. Dr. Fortique's premature death interrupted these negotiations, which would certainly have terminated in manner satisfactory to the Governments of both countries, for Her Britannic Majesty's Government gave reason to hope that their claims would be moderated, and the Venezuelan Government, with the approval of the Council of Government, was on the point of proposing an intermediate line.

In connection with these negotiations, the Government of Her Britannic Majesty, at the request of the Venezuelan Government, and through Sir Belford Wilson, then Charge d'Affaires at Caracas, declared solemnly and officially that both countries should consider the disputed zone as absolutely neutral until the conclusion of a definitive Delimitation Treaty, the zone in question being none other than that lying between the line proposed by Lord Aberdeen, which started from the coast at the River Moroco, and extended towards the interior along the left bank of the Cuyuni, and the line claimed as rightful by Venezuela, namely; the line of the Essequibo. The request of the Venezuelan Government was prompted, in part, by the arbitrary conduct of the engineer, Mr. R. Schomburgk, who, during his explorations, established himself in the Venezuelan territory, and put up posts and marks along a line which was quite new, and founded on caprice. Her Britannic Majesty's Government, acting on the express request of Dr. Fortique, Venezuelan Charge d'Affaires, ordered these posts and marks to be removed, and the Foreign Office

declared that the posts and marks were no indication of *rights*, but merely of a *desideratum*. Schomburgk's line, which was justly described at the time by the British Government as the line wished for, has nevertheless become the regular war-horse or weapon of the Foreign Office, used not as a line wished for, as was the case from 1841 to 1850, but as marking territory to be occupied, and as a pretext for declaring that this occupation is acknowledged by Venezuela as a title-deed of legitimate ownership, because the territory embraced by the line is, as said in the Decree of October 1886, *in dispute*.

In a note of September 1881 Señor José Maria Rojas, Minister accredited by Venezuela to the Government of Her Britannic Majesty, proposed to Lord Granville a frontier line which started from the coast 29 miles of longitude east of the left bank of the River Barima, and joined, in the interior, Lord Aberdeen's line, thus including the region of the left bank of the River Cunyuni. Señor Rojas, the representative of Venezuela, had proposed a frontier line starting from the coast one mile north of the mouth of the Moroco (a point near Lord Aberdeen's line), and from that point following a meridian of longitude [*sic*] to its intersection with longitude [*sic*] 60° of Greenwich; from this last point the frontier would have run south, along the meridian of longitude, as far as the territories of both countries extended.

Five years later your Excellency, being then, as now, Principal Secretary of State for Foreign Affairs, proposed that the dispute territory should be held to be that between the line fixed by Señor Rojas on the 21st February, 1881, and that proposed by Lord Granville on the 15th September of the same year, both of which are referred to above, *and that the frontier line should be drawn between the limits of this zone either by means of arbitration or by a Mixed Commission, so as to divide it equally between the two parties, taking into consideration whatever natural limits there might be*. Your Excellency added that your Government *laid special stress on the possession of the River Guayma and desired to stipulate that the line should meet the sea-shore westward of that river, and your Excellency offered to make at another point of the disputed territory compensation for this deviation from the principle of the equal division of the zone*. Your Excellency also offered to consider, in connection with the frontier, the cession to Venezuela of the Island of Patos, and asked at the same time for complete freedom for the commerce and navigation of the Orinoco.

I must avail myself of this opportunity to bring into strong relief the significance of these bases of settlement which were proposed by your Excellency in 1886, and which differ so widely in their conciliatory and moderate spirit from the position which Her Britannic Majesty's Government has now thought it their duty to assume, when the question at issue is nothing less than the re-establishment of good diplomatic relations between the two countries, in view of repairing the serious ills which the present unfortunate state of affairs has, during recent years, occasioned to very considerable interests.

By making these proposals, your Excellency placed a limit on the extreme claim made by Lord Granville, namely, by offering to divide the disputed territory in equal parts, allowing consideration to any natural limits; your Excellency pointed to the nomination of a Mixed Commission, or to a recourse to arbitration, in order to lay down the frontier line, thus recognizing the undeniable suitability of such courses as means of settling the boundary question. Your Excellency put forward as a *wish* of Her Britannic Majesty's Government, and as an *important desire*, that it should be stipulated that the line should leave the sea-shore westward of the River Guayma, and offered to make, at another point of the territory in dispute, suitable compensation

for this deviation from the principle of equality. Your Excellency will perceive how far removed are these bases of settlement from the unconditional and extreme proposal contained in your Excellency's note of the 3rd July last, which requires Venezuela to accept as incontrovertible the line which Schomburgk laid down by caprice, excluding from arbitration all the territory included by that line, the line which Great Britain had formerly looked upon as a *desideratum*, but not as a right, and which gives to the Colony of British Guiana jurisdiction over the Rivers Guayma and Barima, over the point of that name, and over the territories adjacent to those torrents from their source to their mouth, in the great channel of the Orinoco. This involves the abandonment by Venezuela of an amount of territory far larger than that sketched by Lord Aberdeen in 1841, and than that proposed by Lord Granville in 1881; twice as considerable as that proposed by your Excellency in 1886; and even more important than that looked forward to by Sir Thomas Sanderson, in the conference of the 31st July, 1890, with Dr. Lucius Pulido, when he proposed that England should abandon her pretensions to the mouth of the Orinoco, and should agree to laying down the frontier on that side "by means of a line which should start from Point Mocomoco, between Point Barima and the River Guayma, and should, on the south-west, touch the River Amacura."

In your note of the 3rd July last, replying to the proposals for a settlement presented by me in my Memorandum of the 26th May, your Excellency repeated the requirement that Venezuela should recognize as lying outside the range of discussion the line proposed by Sir Thomas Sanderson in his note of the 19th March, 1890, addressed to Dr. Modesto Urbaneja, inclosing a map showing the direction of the line, which goes beyond that originally laid down by Schomburgk, as well as Lord Aberdeen's original line, and that of Lord Granville. Your Excellency admitted the principle of arbitration proposed by my Government for that portion alone of the territory concerned which would lie on the left bank of the Cuyuni as far as the point where that artery cuts Schomburgk's line, near the mouth of the Acarabisi; that is, arbitration was admitted solely for a territory which had never at any previous time been in dispute, and which the Republic of Venezuela has quietly and peacefully possessed ever since its independence, that possession being founded on notoriously sufficient historical and admissible evidence.

Your Excellency can now realize the substantial differences between the various frontier lines proposed by Her Britannic Majesty's Government in 1841, 1881, 1886, 1890, and at the present time; your Excellency can also realize the persistent tendency to extend the borders of the Colony of British Guiana at the expense of Venezuela, as well as the obvious want of agreement existing between your Excellency's proposals of 1886 with the present requirement that Venezuela shall accept, without any sort of compensation, Schomburgk's extended line, which dispossesses her not only of the River Guayma – the Foreign Office's *important desideratum* in 1886 – but also of the River Barima and of the point of the same name, together with the adjacent territory.

It must there be asked, of what nature can the title-deed and documents be which can serve as foundation for frontier claims so various and so very different from that single and precise basis which can alone serve for the erection of the convincing evidence required to establish a claim of this nature. If title deed and documents exist, sufficient and convincing to the degree of those which the Foreign Office declares itself to hold, why are they not produced before an impartial Tribunal, which would be able to judge of their value and pronounce upon their legal efficacy? Can any solution be hoped for more practical, more amicable, more in harmony with the customs

of all countries that respect the sacred rights of justice, and that asked for by Venezuela, namely, that this discussion, which has lasted more than fifty years, shall be confided for examination and judgment to a Mixed Commission of Arbitrators?

The only document cited by Sir Thomas Sanderson, in his reply to the Memorandum sent to the Foreign Office in 1890 by Dr. Lucius Pulido, was the Treaty of Munster of 1648, according to which, Sir Thomas Sanderson maintains, the territory in dispute belonged to Holland by right of first occupation, and argues that it was publicly and electively occupied by Great Britain during the wars at the end of the eighteenth century; that the formal transfer of the country thus occupied was carried out by the Treaty of Peace with the Netherlands of the 13th August, 1814; and that this transfer was not questioned by Spain when a Treaty of Peace was signed with her that same year.

But Sir Thomas Sanderson omitted to state that the Treaty of Munster did not specify the extent of the territory thus recognized by Spain as belonging to the Dutch; that the Spaniards remained in occupation of the whole territory from the Orinoco to the Essequibo, in the neighbourhood of which they had Missions, and had posts on the Cuyuni; that Spain made incessant efforts to keep the Dutch away from the Orinoco, and that the Treaty of Munster forbade the Dutch from even communicating with the Spanish Settlements; that when the English had by force possessed themselves of the Dutch Colonies, the same prohibition must needs apply to them; that acts of war committed by the Dutch, or by the Dutch and English, or by the English alone, in direct opposition to the precepts of the Treaty, and never legalized at any subsequent date by the assent of Spain, constitute no title to sovereignty; that the Treaty of the 13th August, 1814, by which the Netherlands ceded to England the Colonies of Essequibo, Berbice, and Demerara, merely specified them by name, without stating what was the extent of the territory of any one of them.

In the history of the Colonies of Essequibo, Demerara, and Berbice, published in 1888 by the Dutch Captain, M. P. N. Nestchen, and derived from documents in the official archives of his country, it is seen that, in his opinion, the line shown on one of maps, starts on the Moroco, and runs in a south-westerly direction till it cuts the Cuyuni, and then runs straight south to the mountains of Roraima and Pacaraima. Moreover, the only document which shows in any direct manner the boundary between the Spanish Colonies and the Dutch Colonies of Guiana, namely, the Convention for the surrender of fugitive and deserter slaves of 1791, places the Spanish Colonies on the Orinoco and the Dutch Colonies on the Essequibo in Demerara, Berbice and Surinam. Thus Spain did not hold that the Dutch had any possessions north or north-east of the Essequibo; and when, 1814, she concluded a Treaty, not of Peace, as Sir Thomas Sanderson says, but a Treaty of Alliance, she would have had no cause to complain that undue extension had been given to the territory of the Dutch Colonies at the expense of those of Spain. As to the Treaty not being a Treaty of Peace, it could not have been such a Treaty for peace had existed between the two countries since 1802, and their forces operated together in repelling the French invasion. Lastly, Sir Thomas Sanderson omitted to state that the list of the British Colonies, published in 1877 by the British Government, carried the frontier of Guiana nearly to the south of the mouth of the Amacura, to the union of the Rivers Cotinga and Fakutu, and that the list of 1887 gives a line with a southward extension following the Yuruary.

This narrative shows that, during the long period that the question has been in discussion, Great Britain has never produced any historical and valid title-deed, proving with the proper exactness, the true and legitimate origin of the many frontier lines which she has required Vene-

zuela to accept as outside the range of discussion. Notwithstanding the absence of such title-deeds, and in violation of what was promised and stipulated by Sir Belford Wilson in 1850 – namely, that the territory then in dispute should be treated by both countries as neutral until the conclusion of a definitive Boundary Treaty – Great Britain has *de facto* proceeded to occupy the zone included by Schomburgk's line, which, at an earlier stage, had been explicitly declared to be not a *right*, but a *desideratum*; as a contrast to these claims and proceedings, which are so little calculated, to maintain a good understanding between the two countries, and to lead to an equitable, lawful and amicable settlement of this long debated question, Venezuela offers and proposes to submit it to the award of a Commission of persons, properly authorized by both parties, who would analyze all the data of the subject, examine the title-deeds, documents and justificatory evidence on which each party founds its claims, and lay down the right frontier-line, any points in regard thereto which cannot be settled by common accord by the members of the Commission being referred, as a final recourse, to the examination and sentence of Arbiters *de jure*.

It cannot but be acknowledged that, in so acting, the Venezuelan Government gives most manifest proof of their love of justice, and of their decided wish to reconcile, as far as their legal duties allow, the defence of the Venezuelan territory, which they are charged to maintain intact, with the desire to settle this vexed question in the manner most friendly and satisfactory for both countries, in order that they may then proceed to re-establish good political relations with Great Britain. No greater guarantee for an effectual settlement, no greater degree of independence and impartiality, could be desired than is furnished by such a High Court constituted as a Tribunal of Arbitration, from whose decision there would be no appeal. How can Her Britannic Majesty's Government hold arbitration to be impracticable or unacceptable for settling a frontier question with Venezuela, when they have accepted arbitration for settling similar questions with other nations, and when they have so recently referred to arbitration the grave question of the Behring Sea fisheries, which had arisen with the Republic of the United States?

It will be with the deepest regret that I shall communicate to my Government the contents of your Excellency's note of the 12th instant rejecting the proposals which I had made under the instructions which I had received – proposals inspired by the earnest desire to put an honourable and lawful end to this much-discussed question of the frontier, and thus to renew diplomatic relations between the two countries.

I must now declare, in the most solemn manner, and in the name of the Government of Venezuela, that it is with the greatest regret that that Government sees itself forced to leave the situation produced in the disputed territory by the events of recent years unsettled, and subject to the serious disturbances which acts of force cannot but produce, and to declare that Venezuela will never consent to proceedings of that nature being accepted as title-deeds to justify the arbitrary occupation of territory which is within their jurisdiction. . .

(Signed) TOMÁS MICHELENA

**944. SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY, TO THE
EARL OF ROSEBURY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS
[6 October 1893]**

(Translation – Original: French)

*Confidential Agency of Venezuela in Great Britain,
Hotel de Bade, Boulevard des Italiens, Paris, October 6, 1893.*

My Lord,

I have the honour to acknowledge the receipt of your Excellency's note of the 22nd ultimo, in which you inform me that Her Majesty's Government have considered the representations contained in my note, of the 26th August, complaining, on the part of the Government of Venezuela, of certain acts performed by the authorities of British Guiana in contravention of the territorial rights of the Republic, and you state that Her Majesty's Government are not of opinion that the acts referred to in my note are a violation of those rights, since, you add, the acts complained of are in reality only a part of the necessary administration of a territory which Her Majesty's Government consider to be unquestionably a portion of the Colony of British Guiana, and in regard to which, as it has been their duty to declare more than once, they cannot admit any claim on the part of Venezuela.

I shall not fail to communicate to my Government your Excellency's note, which will, without doubt, produce a painful impressions, seeing that Her Majesty's Government refuse to recognize the legitimate right of Venezuela to object to certain acts of the authorities of the Colony of British Guiana with regard to a territory which Venezuela considers exclusively her own, of which she has been in peaceful possession, and which the British Colony has only during the last few years invaded with acts of jurisdiction, which have called forth repeated energetic protests from the Government of the Republic.

It is in vain that the Government of Her Britannic Majesty consider the territory in question to be undoubtedly a part of the Colony of British Guiana, when the history of this boundary question for the last fifty years rises up against such a claim as an irrefutable proof of which the whole world has full knowledge. That history fully proves the doubtfulness of the rights claimed by the Colony of British Guiana, and before the supreme tribunal of public opinion Her Majesty's Government will not be able by a stroke of the pen to cancel the verdict condemning acts of force as wrong, and as being no proof of the existence of right.

I am only doing my duty in again protesting most solemnly, in the name of the Government of Venezuela, against the proceedings of the Colony of British Guiana, which constitute an invasion of the territory of the Republic, and against the statement made in your Excellency's note, that Her Majesty's Government consider that part of the territory as a portion of British Guiana, and do not admit any claim to it on the part of Venezuela. In support of this protest, I repeat all the arguments contained in my note to your Excellency of the 29th September last, and all those forwarded by the Venezuelan Government on the various occasions on which they have made the same protest.

In conclusion, I cast upon Her Majesty's Government the entire responsibility for any events which may occur in future as a result of Venezuela being forced to resist, by all the means in her power, the seizure of a portion of her territory, seeing that her legitimate wish to see this strained situation put an to by arbitration is rendered nugatory, and that the painful duty of providing for her legitimate defence is forced upon her. . .

(Signed) TOMÁS MICHELENA

945. TO THE EARL OF ROSEBERY, BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO SEÑOR TOMÁS MICHELENA, VENEZUELAN PLENIPOTENTIARY

[12 October 1893]

Foreign Office, London, October 12, 1893.

Sir,

I have the honour to acknowledge the receipt of your note of the 6th instant referring to the complaint which the Venezuelan Government have brought against the authorities of British Guiana. . .

(Signed) ROSEBERY

946. EXTRACT FROM US PRESIDENT GROVER CLEVELAND'S STATE OF THE UNION MESSAGE TO CONGRESS

[4 December 1893]

The boundary dispute between Venezuela and British Guiana is yet unadjusted. A restoration of diplomatic intercourse between that Republic and Great Britain and reference of the question to impartial arbitration would be a most gratifying consummation. . .

947. RESOLUTION OF THE BRITISH HOUSE OF COMMONS

[16 July 1893]

Resolved, That this House has learnt with satisfaction that both Houses of the United States Congress have, by resolution, requested the President to invite, from time to time, as fit occasions may arise, negotiations with any Government with which the United States, or may have, diplomatic relations, to the end that any differences or disputes arising between the two Governments which cannot be adjusted by diplomatic agency may be referred to arbitration and peaceably adjusted by such means; and that this House, cordially sympathizing with the purpose in view, expresses the hope that Her Majesty's Government will lend their ready co-operation to the Government of the United States upon the basis of the foregoing resolution.
