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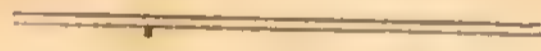
OFFICIAL CORRESPONDENCE

ON THE

LOURENÇO MARQUES-DELAGOA BAY

QUESTION

PRESENTED BY THE TRANSLATOR TO THE BRITISH PUBLIC.



HENRY S. KING & Co.

65 CORNHILL & 12 PATERNOSTER ROW, LONDON

1874

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THE translator having casually met with the 'White Books' published by the Portuguese Government for the years 1872 and 1873, which contain the Correspondence between the Portuguese and British Governments, respecting the claims set up by each country to a portion of territory in the south of Eastern Africa, has extracted it from them, and now offers it to that portion of the British public who may be interested to know the facts connected with this question which has been submitted to the arbitration of the President of the French Republic, and whose award will shortly be given thereon.

LONDON: *May* 1874.

NOTE.

The Despatches Nos. 1, 2, 3, 5, 7, 10, 12, 14, and 16, having been translated from the English originals into Portuguese, and then again rendered into their present form, cannot be said to be textually correct, though substantially they are so.



QUESTION RELATIVE TO THE SOUTHERN PART OF
THE BAY OF LOURENCO MARQUES.

No. I.

SIR CHARLES A. MURRAY, *Her Britannic Majesty's Minister
at Lisbon, to the Marquis D'AVILA E DE BOLAMA,
Minister for Foreign Affairs.*

[Translation.]

BRITISH LEGATION, LISBON:
25th of April 1871.

Monsieur le Ministre,—It has only recently come to my notice that the Portuguese Government is about to conclude a treaty with the Transvaal Republic in the south of Eastern Africa, and, according to the clauses of the said treaty, I have reason to believe that the Portuguese Government has included in its territories certain districts to which Her Britannic Majesty's Government has constantly and during a long period of years, denied to the Portuguese Crown the right of possession.

I presume that there can be little doubt (at least according to all the maps I have seen), that the line of the Portuguese limits fixed in § 2 of Article 23 of the said treaty, that is a line drawn from a point at 26° 30' south latitude directly towards the west, embraces the southern part of Delagoa Bay, including the island of Yniack, and the district on the main land parallel to it.

It would be unnecessary for me to repeat to your

Excellency, after the official correspondence exchanged on this subject at different periods since 1827, that Her Britannic Majesty's Government never admitted the correctness of the interpretation given by the Government of Portugal to the Treaty of 1817, as regards the lines of limits established in it.

The views of the British Government were distinctly explained to the Marquis of Palmella in a note from Lord Dudley dated December 5, 1827, and Her Majesty's Government has always held the same ideas whenever the question has been raised.

I also beg to call your Excellency's attention to a note from the British Minister at this Court, Sir A. Magenis, addressed on the 18th March 1862 to the Marquis of Loulé, on the said subject, to which I do not find any reply existing among the archives of this Legation.

More recently, and notably in August 1870, in addressing myself to Senor Carlos Bento da Silva, and in February to your Excellency, I deemed it my duty to protest, in the name of her Majesty's Government, against the unjustifiable act of the Governor of Mozambique in ordering Portuguese troops to occupy the island of Yniack, and I am much pleased to be able to add that, both on the part of your Excellency's predecessor and yourself, I received in reply an assurance that instructions had been sent from Lisbon, ordering the immediate evacuation of the island by the Portuguese troops.

Since that time it has come to my positive knowledge that a treaty was projected, containing stipulations for limits between the Government of Portugal and the Transvaal Republic. As however the final article stipulated that the treaty, in order to be valid, should be approved and ratified by his Most Faithful Majesty, and the ratifications exchanged within a year from the date of its celebration, that is by the 29th of July 1870 or earlier, I

understood that the actual Government had resolved not to adopt it or carry it into effect; learning now, however, that it had been presented and approved by the chambers in secret session, it is my duty to inform your Excellency that if, as I fear may have happened, the limit clauses of the treaty include any portions of territorial dominions, either of the bay, beaches, or lands, that her Britannic Majesty's Government has declared officially, distinctly and uniformly, cannot be recognised, or admitted to be, either legally or otherwise, as forming part of the possessions of the Crown of Portugal, I feel certain that I am anticipating the instructions, which I shall not fail to receive from her Majesty's Government, in making my formal protest, as I now do, against any stipulation of limits in the said treaty that may infringe the rights of the British Crown to the southern part of Delagoa Bay and the adjacent territories.

I avail myself of this occasion to renew to your Excellency the assurance of my highest consideration.

No. II.

SIR CHARLES A. MURRAY, *to the* Marquis D'AVILA E DE BOLAMA.

[Translation.]

HER BRITANNIC MAJESTY'S LEGATION, LISBON:
26th of April 1871.

Monsieur le Ministre,—With reference to the note I had the honour of addressing to your Excellency yesterday, respecting the treaty between the Portuguese Government and that of the Transvaal Republic, it is my duty to inform your Excellency that Her Britannic Majesty's Government has received notice of a proclamation made

by President Pretorius, dated the 29th of April 1868, by which many of the interior districts were annexed to that Republic.

This proclamation appears to have been made in anticipation of the treaty that was then projected between the Transvaal Republic and Portugal, for the purpose of fixing the respective limits, and I have instructions from Her Majesty's Government to acquaint myself as to whether the Portuguese Government, or its accredited local agents, took any part in the proceeding of President Pretorius in this respect.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

No. III.

Mr. WILLIAM DORIA, *Chargé d'Affaires for England, to the*
Marquis D'AVILA E DE BOLAMA.

[Translation.]

HER BRITANNIC MAJESTY'S LEGATION, LISBON:
24th of May 1871.

Monsieur le Ministre,—I have the honour to call your Excellency's attention to a communication addressed to you by Sir Charles A. Murray, on the 25th April last, containing a formal protest against certain limits stipulated for in a treaty about to be celebrated between the Governments of Portugal and the Transvaal, as also to a note addressed to your Excellency on the same subject, on the 26th ultimo in accordance with the instructions of Her Majesty's Government.

No reply whatever having been received in this Legation from your Excellency to the notes above referred to during the past month, I have the honour to request that

you will be good enough to oblige me with an answer, for the information of Her Majesty's Government.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

No. IV.

The Marquis D'AVILA E DE BOLAMA to Mr. WILLIAM DORIA.

[Translation.]

I had the honour to receive the note that your Excellency was pleased to direct to me on the 24th of May last, calling my attention to the subject of the two notes addressed to me by Sir Charles A. Murray, dated the 25th and 26th of the preceding April, and requesting a reply, in order to transmit the same to Her Britannic Majesty's Government.

In the first of the said notes Sir Charles A. Murray disputes the right that Portugal has to a part of the territory included in the limits fixed in Article 23 of the treaty of peace, friendship, and commerce, between Portugal and the South African Republic concluded and signed in Pretoria on the 29th of July 1869, because it embraces the southern part of the Bay of Lourenço Marques (Delagoa Bay in the English charts), and the island of Unhaca (Yniack), which Her Britannic Majesty's Government, as declared in the said note, never recognised nor recognises as belonging to the Crown of Portugal.

In the said note Sir Charles Murray protests against any limits, that may infringe the rights which Great Britain considers she has to that part of the Bay of Lourenço Marques and adjacent territory, and refers to the note of Lord Dudley of the 5th of December 1827, addressed to

the Ambassador for Portugal in London, the Duke (then Marquis) of Palmella.

With regard to this, it is right I should inform your Excellency that the said ambassador replied to the note of Lord Dudley, as it was his duty to do, and refuted the erroneous interpretation which the British Government desired to give to the 2nd Article of the Convention, dated the 28th July 1817, by which this same Government has already explicitly and solemnly acknowledged the right of the Crown of Portugal to all the territories washed by the Bay of Lourenço Marques.

Lord Dudley contended that, as regards the possessions named in the said Article, it was understood that they extended between Cape Delgado and the Bay of Lourenço Marques, but that those territories were not comprehended *inclusively*.

The Ambassador for Portugal, however, showed in his note of the 22nd of May 1828, addressed to the said Secretary of State, that the article referred to by stating that the Crown of Portugal possesses the territory extending between Cape Delgado and the Bay of Lourenço Marques, the whole of the said bay could never be understood to be *excluded* but rather *included*, more especially as the Crown of this realm possesses and has possessed establishments for centuries past to the south of it, as is well known.

The act of Captain Owen on the 28th of August 1825, in taking forcible possession of the English ship 'Eleonor,' legally detained by order of the Portuguese authorities at the port of Lourenço Marques, as being implicated in the crime of smuggling, gave rise to the present question between the Portuguese and British Governments.

To the note of the Portuguese Ambassador of the 17th of June 1826, reclaiming against the remarkable proceeding of Captain Owen, Mr. Canning, then Her Majesty's

principal Secretary of State for Foreign Affairs, replied explaining in his note of the 25th of April 1827 that Captain Owen had attempted to justify his action by the doubts he entertained as to whether the territory of Maputo (Mapoota), where the said vessel had been apprehended, belonged to the Crown of Portugal, and Mr. Canning therefore requested particulars respecting the foundations on which the right of sovereignty of this kingdom to the territory in question were based.

The Portuguese Ambassador in a note dated the 23rd of May 1827 declared to Lord Dudley, Mr. Canning's successor, that the rights of the Portuguese Crown were founded on :

1st. The indisputable priority of discovery of that coast of Africa, ever since the first voyages of the Portuguese to India ;

2nd. On the Portuguese factories founded there, and defended by the fortress in the Bay of Lourenço Marques, where a garrison, detached from the armed forces of the province of Mozambique, was stationed ;

3rd. On the conventions and successive reiterated acts of recognition for centuries past, on the part of the chiefs of the peoples who inhabited that coast, who had always recognised the sovereignty of the Crown of Portugal.

4th. On the constant admission of those rights by all the European Governments, who had always respected them, as may be proved by the simple inspection of the geographical maps.

Finally, On the above mentioned 2nd Article of the Convention of the 28th of July 1817 which contains the proof of the explicit and formal adhesion of the English Government itself to the rights of sovereignty of the Crown of Portugal to the whole of the territories on the east coast of Africa, comprehended between Cape Delgado and the Bay of Lourenço Marques.

It appears that Captain Owen, being ignorant of this Convention, availed himself of his stay in the Bay of Lourenço Marques, to induce the chiefs of Catembe (Temby), and of Maputo to sign the so-called treaties of 1823, by which they placed themselves under the protection of Great Britain.

In his above-mentioned note of the 23rd of May 1827, the Portuguese Ambassador, however, destroyed the significance of these surreptitious treaties, by presenting to Lord Dudley irrefragable documents corroborative of the relations of sovereignty existing between Portugal and the said chiefs, including the protest signed by the Chief of Maputo himself, on the 8th October 1823, months after the so-called cession, in which he declared "that he recognised only the Portuguese as sovereigns of his lands, and that he had never intended, neither was it possible for him to make them over as a gift to Her Britannic Majesty, because they belonged to the King of Portugal."

Lord Dudley's note of the 8th December 1827, above mentioned, left the solid arguments on which the Portuguese Ambassador took his stand, unrefuted, and to the same Ambassador's note of the 22nd May 1828, to which I refer above, and which served as an answer to that of Lord Dudley, Her Britannic Majesty's Government never replied.

The same Government, after allowing thirty-three years to pass without answering the last-mentioned note, and by their silence permitting it to be understood that they could not destroy the arguments adduced in it to substantiate our rights to the whole of the Bay of Lourenço Marques, resolved to take possession of the Islands of Unhaca, and of the Elephant, washed by the waters of that bay.

In the month of November 1861, the Governor of the

Colony of the Cape of Good Hope sent the man-of-war 'Narcissus,' with orders to hoist the English flag on the point of Unhaca, and on the contiguous island of Elephant, under the pretext of their having been declared British possessions, and annexed to the Colony of Natal.

The Governor of the District of Lourenço Marques, and the Governor-General of the Province of Mozambique, immediately protested against so daring an attack on the rights of the Crown of Portugal, and his Majesty's Minister in London, Count Lavradio, presented the respective demand for redress to Lord John Russell, in a note dated the 22nd February 1862.

Now, even admitting that the rights of the Crown of Portugal to the territories named in the Convention of the 28th of July 1817 were not so firmly established as they undoubtedly are, it is undeniable, as has already been expounded to Lord Clarendon, in a note from the Chargé d'Affaires of Portugal in London, dated the 14th June 1869, that no right could possibly give her Majesty's Government the power, *alone and singly*, to interpret an article, the meaning of which was alleged to be doubtful.

The Bay of Lourenço Marques being mentioned as the southern limit of the Portuguese dominions in Eastern Africa, cannot but be understood as intended *inclusively*, just as Cape Delgado, the northern limit, has always been held to be understood *inclusively*, by all the other nations, as well as by Great Britain herself.

The most recent act of such acknowledgment is evidenced in the treaty of the 29th of July 1869 with the South African Republic, which has just been ratified on the part of Portugal, and in which the southern limit of our territory is defined by a right line drawn at 26° 30' south latitude.

The limits proposed by President Pretorius in his proclamation of the 29th of April 1868, to which Sir

Charles Murray refers in his second note dated the 26th April, to which I also reply, fell through with the negotiation of the said treaty. The Portuguese Plenipotentiary did not fail to protest at once, as it was his imperative duty to do, against what was contained in that proclamation, by which it was proposed to annex a certain portion of territory to that Republic.

The alleged fact of His Majesty's Government having recently sent orders to withdraw from the island of Unhaca, proves the good faith of that Government, and its desire to maintain the *statu quo* pending the definite settlement of the question under debate.

In view, therefore, of the points I have just dwelt upon, His Majesty's Government trusts that your Excellency and your Government will recognise the right that the Crown of Portugal has to the southern part of the Bay of Lourenço Marques, and also the absence of any existing grounds for attempting to place the said right in doubt.

On this occasion I remit your Excellency a copy of the Memorial recently published by the Viscount de Paiva Manso relative to the Portuguese possession of Lourenço Marques, and renew to your Excellency the assurance of my distinct consideration.

Office of Secretary of State for Foreign Affairs,
3rd July 1871.

No. V.

Mr. WILLIAM DORIA to the Marquis D'AVILA E DE
BOLAMA.

[Translation.]

HER BRITANNIC MAJESTY'S LEGATION, LISBON:
17th July 1871.

Monsieur le Ministre,—I have the honour to acknowledge the receipt of your Excellency's note, dated 3rd July, which I received on the 6th instant, respecting the treaty

which, as your Excellency informs me, has been already ratified on the part of the Portuguese Government with the Transvaal Republic, and the question of limits between the English and Portuguese possessions in Delagoa Bay.

I availed myself of the first opportunity to transmit to Lord Granville your Excellency's communication, but I cannot for some days yet receive a reply to it from Her Majesty's Government, in consequence of the time occupied in the transmission of correspondence between England and Portugal.

I this morning received a Despatch from Lord Granville on the above subject, and his Excellency instructs me to inquire of the Portuguese Government, by what title the Government of His Most Faithful Majesty insists on the limits fixed in §2 of Article 23 of the treaty between the South African Republic and Portugal, dated 29th of July 1869, and I also received orders to declare to your Excellency that Her Majesty's Government does not recognise the pretensions of Portugal to any point on the east coast of Africa, south of the ancient factory of Lourenço Marques, at the entrance to the port of the same name, at the mouth of 'English River' in Delagoa Bay.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest esteem.

No. VI.

The Marquis D'AVILA E DE BOLAMA to Mr. WILLIAM DORIA.

[Translation.]

I had the honour to receive the note which you addressed to me on the 17th ultimo, respecting the limits fixed in Article 23 of the Treaty dated 29th July 1869,

between Portugal and the South African Republic, and in which a fresh attempt is made to dispute the right of the Crown of Portugal to the southern part of the Bay of Lourenço Marques.

In reply, it is my duty to inform you, that none of the arguments advanced in my note of the 3rd of the above month having been refuted on the part of Her Britannic Majesty's Government, nor those contained in the note addressed to Lord Clarendon under date of the 14th June 1869, for the purpose of proving Portugal's right of sovereignty over the territory in question, I have nothing more at present to add to what I said in the note above mentioned.

I renew to you on this occasion the assurance of my distinct consideration.

Office of Secretary of State for Foreign Affairs,
22nd August 1871.

No. VII.

Mr. WILLIAM DORIA *to the* Marquis D'AVILA E DE BOLAMA.

[Translation.]

HER BRITANNIC MAJESTY'S LEGATION, LISBON:
28th August 1871.

M. le Ministre,—I had the honour to receive your Excellency's note of the 22nd inst. referring to the demarcation of the limits between the British and Portuguese territories in Delagoa Bay, agreeably as they were stipulated by the Portuguese Government in the treaty recently celebrated with the South African Republic.

I hasten to inform your Excellency with respect to the note mentioned as having been addressed to Lord Clarendon on the 14th July 1869, that I presume it must

have been transmitted to Her Majesty's Government through the Portuguese Legation in London, as Her Majesty's Legation in Lisbon has no knowledge whatever of the existence of such a communication, it could not therefore have been transmitted to England through this Legation.

I also regret that your Excellency did not inform me as to the foundations on which the Portuguese Government based its pretensions to the territory within the line of limits fixed in the treaty with the 'Transvaal Republic.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

No. VIII.

MR. WILLIAM DORIA to SIR JOÃO DE ANDRADE CORVO,
Minister for Foreign Affairs.

[Translation.]

HER BRITANNIC MAJESTY'S LEGATION, LISBON:
28th September 1871.

M. le Ministre,—I this morning received a Despatch from Lord Granville, and hasten to explain to your Excellency the opinion of Her Majesty's Government respecting the question of the limits of the British and Portuguese possessions in the south part of Eastern Africa, in reply to the last communication addressed to me by the Marquis d'Avila on this subject, and to inform your Excellency of the promptitude with which Her Majesty's Government consents to the proposal made by the Marquis de Sa da Bandeira, by note addressed to Sir Charles Murray, on the 5th of January 1869. Her Majesty's Government cannot admit the pretensions of Portugal to the limits reclaimed, and which are duly set forth in Article 23 of the Treaty

between the South African Republic and Portugal, dated the 29th July 1869. It does not, however, wish to take any steps that may appear in the least degree hostile to Portugal, and consequently refrains from actually adopting energetic measures to assert the right it claims to have to the territory in question.

Her Majesty's Government being very solicitous of removing any cause that might possibly tend to interrupt the good relationship that has happily so long subsisted between Great Britain and Portugal, earnestly desires to find some amicable solution to this question so long pending; and as it infers from the note addressed to Sir Charles Murray by the Marquis de Sa da Bandeira on the 5th of January 1869, that the Portuguese Government was at that time disposed to submit the question to the arbitration of a third power, Her Majesty's Government would willingly adopt that means if it is still acceptable on the part of Portugal.

Her Majesty's Government attaches much importance to the speedy solution of this question, I having received instructions to express to your Excellency the hope that you will be good enough to at once present this proposal to His Most Faithful Majesty's Government, and inform Her Majesty's Government afterwards of its decision.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

No. IX.

Snr JOÃO DE ANDRADE CORVO to Mr. WILLIAM DORIA.

[Translation.]

The undersigned, His Most Faithful Majesty's Minister and Secretary of State for Foreign Affairs, has the honour to acknowledge the reception of the note

which Mr. William Doria, Chargé d'Affaires of Her Britannic Majesty, addressed to him on the 28th of September last, announcing his having received a despatch from Lord Granville respecting the limits of the Portuguese possessions in the south of Eastern Africa, in reply to the correspondence which had been addressed to him by my predecessor, the Marquis d'Avila e de Bolama.

The undersigned learned, with the greatest satisfaction, that Her Majesty's Government, desirous of removing any cause that might tend to disturb the good relationship happily existing between Portugal and Great Britain, is resolved to adopt, with satisfaction, any expedient that might lead to a definite solution of the question so long pending between the two Governments, respecting the rights of the Portuguese Crown to the territories situated to the south of the Bay of Lourenço Marques.

In a note addressed to Sir Charles Murray on the 5th of January 1869, the Marquis de Sa da Bandeira, then Minister and Secretary of State for Foreign Affairs, manifested the desire which the Portuguese Government had to see the question settled, respecting the right that Portugal has to the southern part of the Bay of Lourenço Marques, called in the English charts Delagoa Bay, situated in 26° south latitude on the east coast.

On the 3rd of February of the same year, in a note also addressed to Sir Charles Murray, the said Minister for Foreign Affairs referred to his previous proposal, and declared that His Majesty's Government was disposed to treat that and other questions, also pending, in such a way, that by mutual concessions an advantageous result might be obtained both for Portugal and Great Britain.

The Portuguese Government was also strongly desirous of proposing an amicable solution of the questions for so many years in dispute; and of putting an end to controversies which might produce misunderstandings between

the two nations, whose mutual interests require that they should maintain the most perfect harmony between them.

His Majesty's Government then hoped that his proposal would have been accepted by the British Government, actuated in this case by the same spirit of conciliation that led it to agree to the Bolama question being referred to arbitration.

Unfortunately the British Government did not at that time agree to the conciliatory proposal of His Majesty's Government.

Recently, in consequence of the treaty of peace, friendship, commerce, and limits celebrated between His Majesty the King of Portugal, and the Government of the South African Republic, Sir Charles Murray, in two notes, one dated the 25th and the other the 26th of April, renewed, on behalf of his Government, the allegations discussed and deliberated on at various times, that this Government advances against the right of Portugal to the territory in the southern part of the Bay of Lourenço Marques, included in the limits fixed in Article 23 of the above-mentioned treaty; also, in his second note, Sir Charles Murray refers to a proclamation of President Pretorius, dated 29th of April 1868, by which extensive territories would have been annexed to the Transvaal Republic.

To the observations made on behalf of the British Government, the Marquis d'Avila e de Bolama replied in his note, dated the 3rd July 1871. He there explains succinctly, but clearly, all the reasons on which the Crown of Portugal's rights to the contested territories are based, and also records the historic facts explaining the origin of the pending questions, and demonstrates the circumspection and good faith with which His Majesty's Government has at all times acted, striving diligently and anxiously to resolve by conciliation, all those questions which might disturb the good harmony existing between

two friendly nations, united by bonds of intimate and cordial alliance.

In so far as concerns the proclamation of President Pretorius, a proclamation by which it was sought to deprive Portugal of extensive territories that by right belonged to it, the Marquis d'Avila e de Bolama's note referred to, in showing how far that proclamation was contrary to the just interest of the Portuguese Crown, proved by the fact of a timely declaration having been made by the Portuguese Plenipotentiary, that those interests were defended by the Portuguese Government, and afterwards fully recognised in the Treaty of the 29th of July 1869, between Portugal and the South African Republic.

Sir Charles Murray, in one of his notes, alluded to the occupation of the Island of Unhaca by the Portuguese troops, expressing his satisfaction, however, at having received from the Government the assurance that positive orders had been given for the evacuation of the island by the Portuguese troops. The Marquis d'Avila, in his note, justly calls attention to the value of this resolution, taken by the Portuguese Government as showing its good faith and sincere desire to maintain the '*statu quo*' so long as the question pending remains undecided.

The undersigned considers it unnecessary to call to mind the facts which occurred in November 1861, when the ship of war, 'Narcissus,' was sent and ordered to hoist the English flag on the point of Unhaca, and on the contiguous Island of the Elephants, two places washed by the waters of the bay, whose right and possession belong to Portugal; and also to the protests made, not only by the Governor of the District of Lourenço Marques, and the Governor-General of Mozambique, but also by his Majesty's Minister in London, Count Lavradio.

In the actual stage at which the questions at issue respecting the territories bathed by the waters of the Bay

of Lourenço Marques are now in, and after the celebration of the treaty of limits of the 29th July 1869, with the South African Republic, his Most Faithful Majesty's Government learns with the utmost satisfaction that her Britannic Majesty's Government, acceding to the proposal made by the Marquis de Sa da Bandeira on the 5th of January and 3rd of February 1869, has resolved to submit the question in dispute to the arbitration of a third Power.

The Portuguese Government, recognising the desirability of removing all and every cause that could possibly alter the cordial relations of friendship and close alliance between the two Crowns of Portugal and Great Britain, and wishing to show once more its desire of maintaining, in all its international relations, those principles of justice which act as sure foundations of peace, and pledges of alliance and cordial friendship, yields gladly to the arbitration proposed by her Britannic Majesty's Government.

The undersigned makes use of this occasion to assure Mr. William Doria of his distinct consideration.

Office of Secretary of State for Foreign Affairs,
26th October 1871.

No. X.

MR. WILLIAM DORIA *to* SR JOÃO DE ANDRADE CORAVO.

[Translation.]

HER BRITANNIC MAJESTY'S LEGATION, LISBON:
30th October 1871.

The undersigned, her Britannic Majesty's Chargé d'Affaires, received the Despatch your Excellency did him the honour of addressing to him on the 26th inst., informing him of the acquiescence of the Portuguese Go-

vernment to the original proposal made by the Marquis de Sa da Bandeira, and of the readiness with which it is prepared to submit the question so long pending between Great Britain and Portugal, respecting the limits of their respective possessions in the south of Eastern Africa, in Delagoa Bay, or Lourenço Marques, to the arbitration of a third Power, this proposal, as the undersigned communicated to your Excellency in September, his Government was ready to adhere to if the Portuguese Government still evinced its desire to uphold it.

The undersigned entirely shares the expressions used by your Excellency, and the sentiments you cherish for the preservation of the friendship and cordiality that has happily so long existed between the Governments of Great Britain and Portugal, and would consider himself fortunate to be able in any way to contribute to that cause.

The undersigned takes this opportunity of renewing to your Excellency the assurance of his highest consideration.

No. XI.

SNR JOÃO DE ANDRADE CARVO to SIR CHARLES
A. MURRAY.

[Translation.]

Illustrious and Excellent Sir,—I received the note addressed to me on the 30th of October last by Mr. William Doria, expressing his satisfaction at His Majesty's Government having consented to the question relative to the rights of sovereignty over a portion of territory situated to the south of the Bay of Lourenço Marques, being referred to the arbitration of a third Power, in accordance with the wishes of Her Britannic Majesty's Government.

Confirming all that I wrote to Mr. William Doria in my note dated the 26th October last, and awaiting the final communications from Her Britannic Majesty's Government, I think it right to inform you that His Majesty's Government is prepared to invest the agreement arrived at between the two Governments on this subject, with all the necessary solemnities.

I renew to your Excellency on this occasion the assurances of my highest consideration.

Office of Secretary of State for Foreign Affairs,
16th November 1871.

No. XII.

SIR CHARLES A. MURRAY to SNR JOÃO DE ANDRADE
CORVO.

[Translation.]

BRITISH LEGATION, LISBON :
30th November 1871.

M. le Ministre,—With reference to your Excellency's note of the 16th inst., assuring me of the readiness with which His Most Faithful Majesty's Government agrees to the question of limits respecting the Portuguese and British possessions to the south of Eastern Africa, being submitted to arbitration, I have received instructions from Her Majesty's Chief Secretary of State for the department of Foreign Affairs, as your Excellency made no allusion whatever in favour of any particular Power to which His Majesty's Government would wish to commit the functions of arbiter, to inquire if it would be agreeable to the Portuguese Government to invite France to act in that capacity, or in the event of

this choice not being approved, to designate the Power it would wish to name in place of France.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

No. XIII.

SNR JOÃO DE ANDRADE CORVO to SIR CHARLES
A. MURRAY.

[Translation.]

Illustrious and Excellent Sir,—I had the honour to receive the note which your Excellency addressed to me under date of the 30th November last, in which you refer to mine of the 16th of the said month, wherein I assured your Excellency that His Majesty's Government promptly agreed to submit the question of the rights of sovereignty to a portion of territory south of the Bay of Lourenço Marques, to the arbitration of a third Power.

In the same note your Excellency stated that you had received instructions from your Government to enquire, if it would be agreeable to His Majesty's Government, that France should be invited to decide the question here treated of.

I have much pleasure in being able to assure your Excellency that His Majesty's Government cordially agrees that the choice of arbiter should fall on the President of the French Republic, to whom it entirely confides the decision of this matter; your Excellency may therefore make this known to Her Britannic Majesty's Government.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

Office of Secretary of State for Foreign Affairs,
12th of December 1871.

No. XIV.

Sir CHARLES MURRAY to Sr^{te} JOÃO DE ANDRADE
CORVO.

[Translation.]

BRITISH LEGATION, LISBON:
25th January 1872.

M. le Ministre,—On receiving your Excellency's note of the 12th ultimo, I communicated to Her Majesty's Government the consent of His Most Faithful Majesty's Government to the proposal that France should be invited to serve as arbiter in the question of limits of the Portuguese and English possessions in the south of Eastern Africa.

As it will be necessary in presenting the case to the Arbiter to specify distinctly the object of the Portuguese claim, I have received instructions from Her Majesty's Government to ask that your Excellency will enlighten them respecting the exact limits of the territory that Portugal claims, such particulars to be accompanied by a map or plan of the said territory.

I also received instructions to inform your Excellency that, as soon as the points are defined on which the Arbiter's decision is to be given, a protocol of reference, to be signed by both Governments, will be drawn up, and the respective Minute thereof submitted for the approval of His Most Faithful Majesty's Government.

I avail myself of this opportunity of renewing to your Excellency the assurance of my highest consideration.

No. XV.

SIR JOÃO DE ANDRADE CORVO *to* SIR CHARLES
MURRAY.

[Translation.]

Illustrious and Excellent Sir,—In your note of the 25th January you inform me that you had advised Her Britannic Majesty's Government of His Most Faithful Majesty's Government having assented to the proposal that France should be invited to serve as arbiter in the question respecting the limits of the Portuguese and English possessions situate to the south of Eastern Africa. Your Excellency adds in the same note that instructions had been given you by your Government to request an exact definition of the limits of the territories to which the Portuguese Government considers it has a right, the same to be accompanied by a map or plan of the said limits; and also informs me that the protocol respecting the arbitration can be signed as soon as, in the manner above shown, the points are defined on which the said arbitration is to turn.

Congratulating myself on seeing the moment arrived for the settlement of a long-standing cause of dissidence between England and Portugal in such a way, that while assuring to both the allied nations the just satisfaction of their rights, it will necessarily tend to knit more closely together those ties of ancient and cordial friendship which happily unite them, I proceed to satisfy the wishes of Her Majesty's Government, communicated to me by your Excellency, in order that the matter pending may be submitted to the arbitration of France.

The points on which the question of limits and extent of the Portuguese possessions in the Bay of Lourenço

Marques and neighbouring territories will turn, being as they are, perfectly well known to the two Governments, your Excellency will permit me to briefly record here such facts as may elucidate the subject, and establish in a clear and precise manner the object on which the arbitral decision has to be given.

The Portuguese took possession of the Bay of Lourenço Marques and the neighbouring territories, including the Islands of Unhaca and the Elephants, by reason of their having discovered them in 1544, and having built on their shores a factory and fortification. Not only by constant occupation, but also by uninterrupted commerce and important maritime expeditions, did the Portuguese Government assert its right of possession to those territories, this fact being recognised as well by the chiefs of the indigenous peoples, as by all the nations with whom Portugal maintained relations, and who either visited or knew that part of Eastern Africa. Numerous documents of the XVI. and XVII. centuries, and interesting writings by Portuguese authors who gave narratives of the discoveries and maritime successes that illustrated the history of Portugal at that period, are incontestable proofs of this. When in later years, foreign nations attempted to take the Bay of Lourenço Marques from the Portuguese Crown, and establish on its borders either forts or factories for the purpose of securing its usurpation to them, the Portuguese always resisted the violence with which their rights were attacked, and succeeded in re-establishing themselves in the possession and dominion of the whole of that part of the African coast, and in holding the chiefs of the neighbouring parts in submission and obedience.

Moreover, in the present century there have been established at Lourenço Marques: 1st in 1817, a company for the purposes of whale fishing, and afterwards in 1824 another company for colonising, and for the commercial exploration

of ivory and other natural productions that could be profitably exported from the bay. These facts constitute ample proofs that the Portuguese Crown has the established right to consider its sovereignty in the district of Lourenço Marques, including the whole of the bay of that name, as complete and perfect.

As confirmation of that right, which has always appeared, as it still appears, to the Portuguese Government to be incontestable, in the additional Convention to the Treaty of the 22nd of January 1815, celebrated between Portugal and Great Britain in 1817, the territory included between Cape Delgado and the Bay of Lourenço Marques on the eastern coast of Africa is designatedly considered as belonging to the Crown of Portugal. The interpretation that was afterwards sought to be put upon the terms of Article 2 of that Convention, which was otherwise clear and explicit, in a note from Lord Dudley on the 5th of December 1817 to the Marquis of Palmella then Ambassador for Portugal in London, could not in any way invalidate the force of the above-named article, as the same Marquis of Palmella, in May 1828 distinctly proved by a note which the English Government did not reply to, undoubtedly because it considered the lucid arguments of the Portuguese Ambassador to be entirely unanswerable.

The occurrence which gave rise to the note referred to must not be left unrecorded, because in consequence of it the British Government attaches pretensions to a portion of the territories (undetermined and badly defined) situated at the southern extremity of the Bay of Lourenço Marques.

The English ship 'Eleonor' was apprehended in the waters of Lourenço Marques, on the charge of being implicated in the crime of smuggling. Captain Owen of the British navy took forcible possession of that vessel on the 25th of August 1825. This violent act and unusual proceeding of Captain Owen, drew forth a just reclamation

from the Portuguese Minister in London. In order to explain, but not to justify the proceeding of Captain Owen, Mr. Canning, then (25th April 1827) Her Britannic Majesty's principal Secretary of State for Foreign Affairs, requested the Ambassador to explain the basis of Portugal's right of sovereignty over the territory of Maputa to the south of the Bay of Lourenço Marques. The object of Mr. Canning's request was Captain Owen's having explained his proceeding by the doubts that were said to exist, as to whether that part of the Bay of Lourenço Marques belonged to the Portuguese Crown. The circumstance of Captain Owen's having instigated the Chiefs of Catembe (Temby) and of Maputo (Mapoota) to enter into a species of treaties, in which they declared themselves to be under the protection of Great Britain, in manifest opposition to what they had previously stipulated with the Portuguese Government, should be taken fully into consideration.

In this way Captain Owen had strengthened his doubts.

In a note of the 23rd of May 1827, the Marquis of Palmella gave a complete explanation of the solid foundations on which the rights of the Crown of Portugal to all the territories whose dominion and possession it was desired to dispute rested. The long period of thirty-three years, during which time no reclamation was made on behalf of England respecting the Bay of Lourenço Marques and the neighbouring territories, Portugal all the meanwhile retaining possession of these, would be a more than sufficient argument, were there no others, to prove the validity of the right of His Most Faithful Majesty to the sovereignty of that part of Eastern Africa.

On the 5th of November 1861, the Governor of the English Colony of the Cape of Good Hope sent the war steamer 'Narcissus' to the Bay of Lourenço Marques, with orders to hoist the English flag on the so-called point of Unhaca, and on the small Island of the Elephants,

under the pretext of those lands *having been* declared British possessions, and as such annexed to the Colony of Natal. The Portuguese Government could not refrain from protesting against so manifest a violation of their rights. His Majesty's Minister in London, in a note, dated the 22nd of February 1862, addressed a reclamation on this subject to Lord John Russell, which was answered by a repetition of those arguments already refuted, which were advanced by Lord Dudley in 1827, and considered by Portugal both then and now as inconsistent.

A violent act, practised in a time of perfect peace, against a friendly nation, cannot but be considered as an offence offered to right and justice, and all unite in counselling that these qualities should be respected and maintained in international relationship. His Most Faithful Majesty's Government in not accepting, as it could not accept, the consequences which it was attempted to deduce from the proceedings of the 'Narcissus' against the legitimate rights of the Portuguese Crown to the territories in question, always cherished the hope that the upright and elevated spirit of noble England, and the enlightenment and prudence of Her Britannic Majesty's Government would be sufficient to bring to a beneficial result a question so contradictory to the principles of cordial and constant alliance which have for centuries united the two States. While defending its rights, and protesting against their violation, the Portuguese Government did not hesitate to propose an arbitration for the solution of the question, and had the satisfaction of seeing its proposal accepted by the English Government.

Convinced by the reasons here summarily stated, that the Portuguese Crown is fully entitled to the sovereignty over the Bay of Lourenço Marques, and all the district surrounding it, and considering that the facts alleged

against such sovereignty—purely accidental ones, and in no way consistent with the principles of international right,—cannot be taken as good grounds for the establishment of a just and indisputable claim on the part of England, his Most Faithful Majesty's Government conceives that that which has to be submitted to the decision of the Arbitrator is the question of the limits of the Portuguese possession, including the bay and the neighbouring territories, which Portugal considers belongs to her.

A circumstance which once more gave rise to the rights of Portugal to that part of Eastern Africa being recognised, and which at the same time more firmly fixed the line of limits to the colony, ought to be here noticed. To the greatest surprise of His Majesty's Government, the President of the Transvaal Republic, which country for a long distance confronts the Portuguese colony, published on the 29th April 1868, a proclamation in which he stated that extensive territories included in the dominions of the Crown of Portugal belonged to that Republic. His Majesty's Government at once protested through its representatives, against this invasion of and attack on Portuguese rights, and a short time afterwards had the satisfaction of seeing those rights recognised by the Transvaal Republic, and the frontier line rigorously fixed in the treaty of peace, friendship, commerce, and limits which was celebrated between His Most Faithful Majesty and the President Pretorius on the 29th of July 1869.

In the south the boundary line of the Portuguese possessions passes through $26^{\circ} 30'$ south latitude, from the sea to the chain of mountains in the interior called the 'Lobombo.' The Bay of Lourenço Marques, and all the surrounding territories, are included in what His Majesty's Government considers by reason of the just motives often alleged, and summarily recapitulated in this note to be by right and in fact dominions under the Portuguese Crown.

I do not believe that Her Britannic Majesty's Government has ever made pretensions, in a precise and definite manner, to any part of this territory excepting to the Point of Unliaca, and the Island of the Elephants. What was formerly alleged respecting the nominal concessions made by the Chiefs of Catembe and Maputo was of such an inconsistent nature, and was met, on the part of Portugal by so complete a refutation, (in the note of the 22nd May 1828 from the Marquis of Palmella then Ambassador in England to Lord Dudley,) that I do not imagine the illustrious and just Government of Her Britannic Majesty can seriously make such a matter an object of reclamation in the arbitration. Be the resolution of Her Britannic Majesty's Government, however, what it may in this respect, His Most Faithful Majesty's Government does not believe that it ought to withhold this subject from the arbitral judgment, though actually it appears to be altogether beside the question.

In order to fully comply with the wishes expressed by your Excellency to me, in your note of the 25th of January last, I send you a map in which the line His Majesty's Government considers should be the true limit of the Portuguese possession in the south of the Bay of Lourenço Marques, is traced.

Having thus, I believe, satisfied your Excellency with all that you requested in the name of your Government, I trust that the protocol referring to the proposed arbitration can be at once signed by the two Governments.

I am convinced that Her Britannic Majesty's Government will immediately agree with the Government of His Most Faithful Majesty, that everything should be maintained in its actual state, throughout the territories subject to this dispute, in order that the authorities, the delegates of whatever station or rank, and the subjects of the two nations, may practise no acts that may either

prejudice or favour, affirm or invalidate, the rights that are yet dependent on the arbitral decision, to which the two Governments have resolved to submit them.

I avail myself of this opportunity to renew to your Excellency the protests of my highest consideration.

Office of Secretary of State for Foreign Affairs,
19th February 1872.

No. XVI.

Sir CHARLES MURRAY to Sr J. DE ANDRADE
CORVO.

[Translation.]

HER BRITANNIC MAJESTY'S LEGATION, LISBON :
27th February 1872.

M. le Ministre,—I have the honour to acknowledge the receipt of the note your Excellency addressed to me on the 19th inst., stating in reply to my note of the 25th ultimo, relative to the question of limits between the British and Portuguese possessions in the south of Eastern Africa, what the limits of the territory reclaimed by Portugal are, and also forwarding me two copies of the respective map.

In reply I have the honour to inform your Excellency that I duly transmitted your communication to Earl Granville, from whom I expect to receive fresh instructions on the matter.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

No. XVII. 2201

SNR JOÃO DE ANDRADE CORVO, *Minister for Foreign Affairs, to the Count DE SEISAL, Portuguese Minister in Paris.*

[Translation.]

Illustrious and Excellent Sir,—The limits fixed in Article 23 of the treaty of peace, friendship, and commerce, between Portugal and the South African Republic, signed in Pretoria on the 29th of July 1869, led Her Britannic Majesty's Government to again impugn the right that Portugal has to a portion of territory situated to the south of the Bay of Lourenço Marques.

Her Britannic Majesty's Minister at this Court considered it his duty to protest in the name of his Government, against any limits that might infringe the right Great Britain claims to have to the southern part of that bay and the adjacent territory.

The question raised between the two Governments dates as far back as 1825.

To the note of the Portuguese Ambassador in London, the Duke (then Marquis) of Palmella dated the 17th June 1826, reclaiming against the unusual proceeding of Captain Owen, Mr. Canning then Her Britannic Majesty's Chief Secretary of State for Foreign Affairs, replied by a note dated the 25th of April 1827.

The act practised by Captain Owen, on the 28th of August of that year, when he took forcible possession of the English ship 'Eleanor' legally detained by order of the Portuguese authorities of the port of Lourenço Marques as being implicated in the crime of smuggling, gave rise to the Portuguese Government's reclaiming from the British Government the proper satisfaction.

The above-named Secretary for State alleged that Captain Owen pretended to justify his proceeding by the doubts he laboured under as to whether the territory of Maputo, where the said vessel was apprehended, belonged to Portugal or not, and Mr. Canning therefore asked for information respecting the grounds on which the right of sovereignty of this kingdom to that territory were founded.

The Portuguese Ambassador informed Lord Dudley, Mr. Canning's successor, in a note dated the 25th May 1827, that the right of the Crown of Portugal consisted :

On the incontestable priority of the discovery of that coast of Africa since the first voyages of the Portuguese to India ;

On the Portuguese factories established there and defended by the fortress of the Bay of Lourenço Marques, which was garrisoned by a detachment of the armed forces of the province of Mozambique ;

On the conventions and successively reiterated acts of recognition on the part of the chiefs of the peoples inhabiting that coast for centuries past, who had always recognised the sovereignty of the Crown of Portugal ;

On the constant admission of those rights by all the European Governments, who have ever respected them ;

And finally, on the 2nd Article of the Convention dated the 28th of July 1817 between Portugal and Great Britain, which contains the proof of the explicit and formal adherence of the British Government as to the right of the Crown of Portugal to the sovereignty over all the territories of the coast of Eastern Africa, embraced between Cape Delgado and the Bay of Lourenço Marques.

It appears that Captain Owen being ignorant of the existence of this Convention, availed himself of his stay in the Bay of Lourenço Marques to induce the Chiefs of Catembe and Maputa to sign the two so-called treaties of

1823, by which they affected to place their lands under the protection of Great Britain.

The Portuguese Ambassador however nullified the significance of these surreptitious treaties, by presenting to Her Britannic Majesty's Government in his above-mentioned note of the 23rd of May 1827, irrefragable documents, corroborative of the relations of sovereignty existing between Portugal and the said chiefs, including the protest signed by the Chief of Maputa himself on the 8th of October 1823, in which he declared 'that he only recognised the Portuguese as the sovereigns of his lands, and that he had never intended, neither was it possible for him to make over those lands to Her Britannic Majesty, *because they belonged to the King of Portugal.*'

Lord Dudley being unable to refute the solid arguments used by the Portuguese Ambassador, wished withal to maintain in his note, dated the 3rd of December 1827, that according to what was stated in the 2nd Article of the Convention referred to, respecting the possessions described, it should be understood that these extended between Cape Delgado and the Bay of Lourenço Marques, but that those two places were not comprehended *inclusively*.

The Portuguese Ambassador in refuting this erroneous interpretation, did not fail also to demonstrate triumphantly, in his note of the 22nd of May 1828, that it being stated in the article mentioned, that the Crown of Portugal possessed the territory embraced between Cape Delgado and the Bay of Lourenço Marques, it could not be interpreted as excluding, but rather as including the whole of that said bay, more particularly as the Crown of this kingdom has possessed factories to the south of it for centuries past.

Such was the position in which this question was found.

The British Government never replied to the Portuguese Ambassador's note of the 22nd May 1828, which latter also served as an answer to Lord Dudley's note.

The same Government after permitting thirty-three years to pass by without replying to the note alluded to, and allowing it to be understood by its silence that the arguments adduced in it, to establish the right of Portugal to the whole of the Bay of Lourenço Marques, could not be destroyed, nevertheless determined on seizing the Islands of Unhaca and the Elephants, washed by the waters of that bay.

In the month of November 1861, the Governor of the colony of the Cape of Good Hope sent the English war-steamer 'Narcissus,' with orders to plant the English flag on the point of Unhaca and on the contiguous Island of the Elephants, on the plea that those islands had been declared British possessions, and annexed to the colony of Natal.

The Governor of the district of Lourenço Marques, and the Governor-General of the province of Mozambique, both immediately protested against so daring an attempt against the rights of the Crown of this Kingdom's Sovereignty, while His Majesty's Minister in London, Count Lavradio, presented the proper reclamation to Lord John Russell, under date of the 22nd of February 1862.

Even admitting that the rights of the Crown of Portugal were not so strong as they undoubtedly are to the territories named in the Convention of the 28th of July 1817, it is undeniable that no right whatever could qualify Her Britannic Majesty's Government to *singly and alone* interpret an article whose meaning it was attempted to question.

The designation of the Bay of Lourenço Marques as the southern limit of the Portuguese possessions in Eastern Africa, leaves no doubt that it was intended to be under-

stood as *inclusive*, just as Cape Delgado, the northern limit, has always been understood to be *inclusive* by all the nations, even including Great Britain herself.

These reflections, which had been already made to Lord Clarendon by order of one of my predecessors, under date of the 14th of June 1869, having again been offered for the consideration of Her Britannic Majesty's Government on the 3rd July last, the said Government finally proposed to His Majesty that the question under dispute should be submitted to the arbitration of a third Power.

To this proposal made by Her Britannic Majesty's Minister in this Court, under date of the 28th September last, I replied on the 26th October, that His Majesty's Government recognising the desirability of removing all and every possible cause that might tend to alter the cordial relations of friendship and intimate alliance subsisting between the two Crowns, acceded gladly to the proposed arbitration.

On the 30th November last, Sir Charles Murray informed me he had received instructions from his Government to enquire if it would be agreeable to His Majesty's Government that France should be invited to decide the question pending.

I replied on the 12th inst., that I felt much satisfaction in being able to inform him, that His Majesty's Government willingly agreed that the choice of arbiter should fall on the President of the French Republic, to whom it implicitly confided the decision of this matter.

Both the English and Portuguese Governments having then agreed on the choice of the same President to arbitrate on this question, it becomes necessary that your Excellency, as soon as you receive a copy of the protocol in which the terms of the arbitration are stated, and which I will shortly transmit you, should, in conjunction with Her Britannic Majesty's Minister in Paris, address a note

to the Minister of Foreign Affairs for that Republic, requesting him to be good enough to state whether the said President (to whom His Majesty's Government most readily submits the plea, confiding fully on his impartial judgment), will undertake the arbitration proposed.

If the reply be in the affirmative, as it is hoped, I will forward your Excellency without delay all the documents tending to elucidate the question, so that they may be by you submitted to the arbiter for examination.

For the present I confine myself to remitting your Excellency some printed papers which you will find to be necessary.

God preserve your Excellency.

Office of Secretary of State for Foreign Affairs,
22nd of December 1871.

No. XVIII.

Sir CHARLES A. MURRAY to Sr^r JOÃO DE ANDRADE
CORVO.

HER BRITANNIC MAJESTY'S LEGATION, LISBON :
June 3rd, 1872.

Monsieur le Ministre,—The Portuguese Government having agreed, as stated in your Excellency's note of the 12th of December last, to refer to the arbitration of the President of the French Republic the claims of Great Britain and of Portugal to the territories formerly belonging to the Kings of Tembe and Mapoota, lying on the southern shores of Delagoa Bay, on the Eastern Coast of Africa, including the Islands of Inyack and Elephant, situated within that bay, it becomes necessary to place upon record the terms and arrangements for submitting the case to the Arbiter, and obtaining his decision.

Inasmuch as when the claims of Great Britain and of Portugal to the Island of Bulama were referred to the arbitration of the President of the United States, the Portuguese Government preferred that this should be done by means of a protocol, Her Majesty's Government presume that the Portuguese Government will wish the same course to be pursued on the present occasion.

In accordance, therefore, with instructions which I have received from my Government, I have the honour to transmit herewith to your Excellency a confidential draft of a protocol, which Her Majesty's Government have caused to be prepared for communication to the Government of His Most Faithful Majesty.

Should your Excellency not raise any objection to the terms of the draft of the protocol in question, I have the honour to request that your Excellency will lose no time in making the necessary arrangements for its signature. Should your Excellency, on the other hand, desire any alterations to be made in it, I shall have to refer them home for the consideration of Her Majesty's Government, for which purpose I should like to be made acquainted therewith at your Excellency's very earliest convenience.

Should the protocol be signed, Her Majesty's Government will instruct Her Majesty's Ambassador in Paris to invite the President of the French Republic to undertake the arbitration, and the Portuguese Government will no doubt address a corresponding invitation to the President through the representative of Portugal at Paris.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

no 3

No. XIX.

SIR JOÃO DE ANDRADE CORVO *to* SIR CHARLES A.
MURRAY.

[Translation.]

Illustrious and Excellent Sir,—I had the honour to receive the note that your Excellency was pleased to address to me on the 3rd inst., transmitting me, according to the instructions received from your Government, three copies of the confidential draft, framed to regulate the arbitration, to which the question of the rights of sovereignty to a part of the territory to the south of the Bay of Lourenço Marques, is about to be submitted.

In the same note your Excellency desires to be informed of any alterations that it may be desired to make in the project offered by Her Britannic Majesty's Government.

In reply I beg to inform your Excellency that His Majesty's Government has no hesitation in adopting the terms of the aforesaid protocol, saving, however, the following modifications:—

In the first paragraph, where it states that the Portuguese Government 'asserts a claim to a portion of the same territories,' the Government wishes the words 'as far as 26° 30',' to be added.

After the expression, 'Delagoa Bay,' it would be desirable, in order to avoid doubts, to insert the Portuguese name, 'Bay of Lourenço Marques.'

The period of eighteen months for the delivery of the memorials which have to be presented to the Arbiter, and that of twelve months for the replies, appears to be excessive, and therefore His Majesty's Government proposes that the time marked in the protocol which regulated

the arbitration on the Bolama question should be adopted by both, that is, six months for the presentation of the memorials, and six months for the replies.

His Majesty's Government hopes that Her Britannic Majesty's Government will have no objection on their part to accede to these modifications also.

I renew to your Excellency, on this occasion, the assurances of my high consideration.

Office of Secretary of State for Foreign Affairs,
21st June 1872.

No. XX.

Sir CHARLES A. MURRAY to Sr^r JOÃO DE ANDRADE
CORVO.

HER BRITANNIC MAJESTY'S LEGATION, LISBON:
July 8th, 1872.

Monsieur le Ministre,—In reply to your Excellency's note, dated the 21st of June last, on the subject of the alterations which the Government of His Most Faithful Majesty proposes should be made in the draft of the protocol for submitting the Delagoa Bay question to the arbitration of the President of the French Republic, I am instructed by Lord Granville to inform your Excellency that Her Majesty's Government cannot agree that the words suggested by your Excellency, namely, Bay of '*Lorenzo Marques*' should be substituted in the preamble of the protocol in question, on the ground that it is the definition of this very same bay that forms a subject of dispute between Great Britain and Portugal.

Her Majesty's Government are willing to agree to the addition of the words proposed by your Excellency, namely, 'as far as twenty-six degrees thirty minutes,'

after the words, in the same preamble, 'asserts a claim to a portion of the same territories.'

With respect to the periods fixed in the third article of the protocol, I have the honour to state to your Excellency that Her Majesty's Government consider the period of six months for the delivery of the cases, and that of six months for the replies, as proposed by your Excellency, too short; nevertheless, Her Majesty's Government are ready to consent that the respective periods should be fixed at *twelve months for each*.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

No. XXI.

no 5
 Sr JOÃO DE ANDRADE CORVO to Sir CHARLES A. MURRAY.

I had the honour to receive the note addressed to me by your Excellency on the 8th instant, informing me that Her Britannic Majesty's Government does not consent to the addition, in the preamble of the protocol for regulating the arbitration on the question of the rights of sovereignty to a part of the territory to the south of the Bay of Lourenço Marques, after the name Delagoa Bay, used in the English maps, of the Portuguese name Bay of Lourenço Marques, on the ground that it forms the definition of the very same bay that constitutes the object of dispute between Portugal and Great Britain.

Your Excellency states, however, that the same Government agrees that in the above-named preamble, where it states that His Majesty's Government '*asserts a claim to a portion of the same territories*,' the following words should be inserted, '*as far as 26° 30'*' (ate' 26° 30).

And with respect to the periods fixed in Article 3 of the said protocol, your Excellency informs me that Her Britannic Majesty's Government now proposes the period of *twelve months* both for the delivery of the cases, and for the delivery of the said replies, in place of the *six months* proposed by His Majesty's Government.

Having noted the contents of your said note, your Excellency will permit me to observe that the Bay of Lourenço Marques has always been known by that title since 1544, when it was discovered by the Portuguese navigator who gave it his name.

The British Government itself in Article 2 of the additional Convention signed in London on the 28th July 1871, wherein the right of the Crown of Portugal to all the territories situated in that bay, was explicitly and solemnly acknowledged, there gave it the same name. It is there called the Bay of Lourenço Marques.

The question, however, not turning on the geographical nomenclature of that part of the eastern coast of Africa, but on the right that Portugal has to a portion of territory situated to the south of the said bay, which the English describe as Delagoa Bay, His Majesty's Government proposes that in the protocol mentioned which will have to be drawn up in the two languages, it should be named in the original Portuguese, thus, Bay of Lourenço Marques (Delagoa Bay), and in the original English, Delagoa Bay (Bay of Lourenço Marques).

His Majesty's Government hopes that in view of what has been stated, Her Britannic Majesty's Government will readily assent to this wording, the same Government agreeing on their part to the new periods proposed by Her Britannic Majesty's Government.

I renew to your Excellency on this occasion the assurances of my high consideration.

Office of Secretary of State for Foreign Affairs,
12th July 1872.

No. XXII.

Sir CHARLES A. MURRAY to Sr J. JOÃO DE ANDRADE CORVO.

HER BRITANNIC MAJESTY'S LEGATION, LISBON:
July 17th, 1872.

Monsieur le Ministre,—I have the honour to acknowledge the receipt yesterday evening of your Excellency's note of the 12th July, in reply to that which I addressed to your Excellency on the 8th instant, relative to the draft of the Delagoa Bay Protocol.

In this note your Excellency proposes that, as a means of reconciling the different views of the British and Portuguese Governments, respecting the geographical description of the above-named bay, it should be designated in the English original of the said protocol as Delagoa Bay (Bay of Lorenzo Marques) and *vice versâ* in the Portuguese original. In reply, I beg to inform your Excellency that, in my opinion, Her Majesty's Government will not be able to assent to this suggestion which virtually repeats only, in a changed form of words, that identification of the English term *Delagoa Bay* with the Portuguese term *Bay of Lorenzo Marques*; while the view of the British Government is that the term *Bay of Lorenzo Marques* applies only to the small bay on which the town of Lorenzo Marques is situated.

Under this existing difference of geographical nomenclature above referred to between the two Governments, respecting the case to be submitted to arbitration, it only remains for me to refer the matter to Her Majesty's Government for further instructions.

In the same note your Excellency also informs me that the Portuguese Government agrees to twelve months as

the period for the delivery of the cases and to twelve months for the delivery of the replies.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

No. XXIII.

SNR JOÃO DE ANDRADE CORVO, *to the Duke of SALDANHA,*
Portuguese Minister in London.

[Translation.]

Illustrious and Excellent Sir,—Her Britannic Majesty's Minister in this Court has transmitted me, by order of his Government, three copies of a confidential minute of the protocol which has to regulate the arbitration which the question respecting the rights of sovereignty to a part of the territory to the south of the Bay of Lourenço Marques, is about to be submitted.

I informed Sir Charles Murray, on the 21st of June last, that His Majesty's Government had no hesitation in adopting the terms of the said protocol, save, however, a few slight modifications.

Among others His Majesty's Government proposed that after the name *Delagoa Bay*, used in the English maps, the Portuguese name *Bay of Lourenço Marques* should be inserted.

From the correspondence I have the honour of enclosing by copy, your Excellency will see that Her Britannic Majesty's Minister did not consent to this simple proposal, although I pointed out to him that the Bay of Lourenço Marques had always been known by that name, ever since its discovery in 1544.

Your Excellency being, therefore, acquainted with the correspondence referred to, will be pleased to take what

steps you consider right concerning the matter, and point out to Lord Granville that as the question does not turn on the geographical nomenclature of that part of the Eastern African coast, but on the right of Portugal to a portion of territory situated to the south of the said bay, which right is contested by Great Britain, there could be no harm in naming the bay in the manner described in my note of the 12th instant, the more so that the British Government itself, in the 2nd Article of the Convention of the 28th of July 1817, which was additional to the Treaty of the 22nd of July 1815, there gave it the same name, it being called the *Bay of Lourenço Marques*, a name that, besides recording a glory to Portugal, His Majesty's Government writes under the necessity of insisting that it may be mentioned in the protocol to which I allude, in the same way that it was mentioned in the above-named additional Convention.

God preserve your Excellency.

Office of Secretary of State for Foreign Affairs,
22nd of July 1872.

M. 8

No. XXIV.

The Duke of SALDANHA to SIR JOÃO DE ANDRADE
CORVO.

[Translation.]

LONDON, the 5th of August 1872.

Illustrious and Excellent Sir,—Immediately I had the honour to receive your Excellency's Despatch (No. 14), dated 22nd July last, I called on Lord Granville, and told him that the bay situated on the Coast of Africa, discovered by the Portuguese Lourenço Marques, in 1544, had always been known by that discoverer's name, and that it was

styled the Bay of Lourenço Marques in all geographical works and ancient maps. Also that in the minute of the protocol for regulating the arbitration to which the question of the rights of sovereignty to the territory situated to the south of that bay is to be referred, the British Government had called the Bay of Lourenço Marques by the name of Delagoa Bay.

Whatever might be the motive which induced his Government to make that alteration, no one could doubt the right with which His Most Faithful Majesty's Government insisted on the retention of the name by which the bay had been known throughout the world for upwards of three hundred years; a name which the English Government, before disputing the rights of the Crown of Portugal to the whole of that bay, had always given it, as may be seen in § 1 of the 2nd Article of the additional Convention to the Treaty on the Slave Trade, dated the 22nd of July 1814. But that the Portuguese Government, ever conciliatory, had proposed that the two names should be connected, the Portuguese Government calling it the Bay of Lourenço Marques, followed by the name of Delagoa Bay, in parenthesis; and the British Government calling it Delagoa Bay, followed by the name Bay of Lourenço Marques, in parenthesis.

Lord Granville, at all times polite and considerate, begged me to do him the justice of believing how much he desired to accede to the wishes of His Most Faithful Majesty's Government, but said that he could decide on nothing without first consulting his colleague the Minister for the Colonies.

I called again yesterday at the Foreign Office, and saw that the Minister for the Colonies insisted on the name of Delagoa Bay, even to the exclusion of the name of the Bay of Lourenço Marques, maintaining that Lourenço

Marques is not the name of the bay, but of one of the four large rivers that run into it.

Lord Granville having the strong conviction that he ought to support the views of his colleague, it occurred to me to propose that both the names should be eliminated, and the bay on the East coast of Africa described only by its latitude and longitude, an idea which pleased Lord Granville; and I have just received a letter from the permanent Under-Secretary of State, the Honourable Mr. Hammond, informing me that the Chargé d'Affaires at Lisbon had just been written to to that effect.

I hope your Excellency will approve the idea that suggested itself to me, seeing that we certainly should not have obtained the insertion of the name the Bay of Lourenço Marques.

No. XXV.

Mr. WILLIAM DORIA, *Her Britannic Majesty's Chargé d'Affaires at Lisbon*, to SNR JOÃO ANDRADE CORVO.

BRITISH LEGATION, LISBON:
August 6th, 1872.

Monsieur le Ministre,—I have been instructed by Earl Granville to make the following proposal to your Excellency, that, in consequence of the difference of the meaning assigned by Her Majesty's Government and that of His Most Faithful Majesty to the appellations *Delagoa Bay* and *Lourenço Marques Bay*, both terms should be omitted, and the protocol should be worded in this manner.

“Whereas the Government of Her Britannic Majesty
“ asserts a claim to certain territories formerly belonging
“ to the Kings of Tembé and Mapoota, on the East coast
“ of Africa, including the Islands of Inyack and Elephant,
“ and whereas, &c.”

In submitting this proposal for the assent of the Portuguese Government, I hope I may be favoured with as early a reply as possible from your Excellency, in order that I may forward your Excellency's answer by telegraph to London.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

No. XXVI.

Snr JOÃO DE ANDRADE CORVO *to the* DUKE OF
SALDANHA.

[Translation.]

Illustrious and Excellent Sir,—I have the honour to acknowledge the receipt of the Despatch you addressed to me, No. 24.

I am informed of all that passed between your Excellency and Lord Granville, relative to the way in which the protocol, which is to regulate the arbitration on the question as to the right of sovereignty to a portion of territory to the south of the Bay of Lourenço Marques, is to be worded, and of what your Excellency, with the zeal that distinguishes you, suggested on that subject, it is right I should inform your Excellency that the Chargé d'Affaires for England at this Court, Mr. Doria, communicated to me on the 6th inst., the instructions he had actually received with respect to this subject, and that on the 8th I replied to the above-named Chargé d'Affaires, informing him that His Majesty's Government, in order to show the spirit of conciliation which actuated them, and the desire they had to see the question referred to, decided as soon as possible, had no hesitation in consenting to the wording proposed by Her Britannic Majesty's Government,

I must say, however, that the refusal of the said Government in not allowing the Portuguese name Bay of Lourenço Marques followed by the English name Delagoa Bay, and *vice versá*, to appear in the preamble of the said protocol, cannot be reconciled with the fact of the British Government's having, in Article 2, § 1 of the additional Convention of the 27th July 1817, as I told your Excellency in my Despatch, No. 14, given to that same Bay the title by which it was always known since its discovery in 1544, calling it the Bay of Lourenço Marques, and recognising the right of the Crown of Portugal to all the territories washed by the waters of the bay in question.

Captain Owen himself, who had orders from the British Admiralty to make the surveys and maritime plans of a large part of the eastern coast of Africa, in the map relative to that bay, drawn in 1822, and published in 1827 by the hydrographic department of the said Admiralty, gave it the English name, but the corresponding name in Portuguese was also inserted.

That map, which has been in the hands of the public half a century, still bears, in spite of its numerous editions, the following title: "A Survey of Delagoa Bay or Lorenzo Marques."

It was Captain Owen, as your Excellency is aware, who in 1823, negotiated the so-called treaties with the Chiefs of Catembe and Maputa, ceding a portion of territory to the south of that bay to Great Britain, a cession that gave rise to the question which has now to be decided by the President of the French Republic as arbiter chosen by the two Governments.

Now the authority of the signatory himself of those surreptitious treaties ought surely not to be impugned by Her Britannic Majesty's Government.

It may be added, that even in recent editions of the map of Eastern Africa, between 1 and 27° south latitude,

drawn out under the direction of the said Captain Owen in the years 1822—1826, published also by order of the British Admiralty in 1828, certainly in the editions subsequent to 1854, the said bay is described in these words, *Delagoa Bay formerly Lorenzo Marques*, in this map our title to the said bay is certainly superseded by a stroke of the pen, but it was recognised that we had given the name preceding that by which they wish it now only to be known.

The foregoing will be sufficient to make apparent the reason why Her Britannic Majesty's Government did not wish to admit the two names to be one and the same.

The authority of many English hydrographers and map compilers might be cited, such as the well-known Arrowsmith, who, in his Map of Africa, at least in that of 1841 which I have before me, calls the bay referred to *Delagoa Bay or Lorenzo Marques*, and James Wyld as lately as 1846 called it the *Bay de Lagoa or Lorenzo Marques*. I think it useless, however, to occupy more time in demonstrating this.

God preserve your Excellency.

Office of Secretary of State for Foreign Affairs,
21st of August 1872.

No. XXVII.

Snr JOÃO DE ANDRADE CORVO to the COUNT DE SEISAL.

[Translation.]

Illustrious and Excellent Sir,—In my Despatch, No. 42, dated the 22nd of December of last year, I explained to your Excellency succinctly the state of the question raised between the Portuguese and British Governments relative

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to a portion of territory situated to the south of the Bay of Lourenço Marques, and at the same time informed you that the two Governments had agreed to submit the said question to arbitration, naming as arbiter the President of the French Republic.

With reference then to that Despatch, I now remit your Excellency enclosed an authentic copy of the protocol (document A.), for regulating the terms of the said arbitration, signed on the 25th instant by myself and the Chargé d'Affaires for England at this Court, in order that your Excellency may, concurrently with the representative of Great Britain in France, communicate the said protocol to M. Thiers, requesting him to be good enough to signify whether he will undertake the arbitration here referred to.

It being hoped that the Illustrious President of the French Republic will cordially accede to our wishes, I have to intimate to your Excellency that the case, which is mentioned in Article 3 of the above said protocol, will be shortly sent to you in order that it may be submitted to the Arbiter within the time fixed in the said Article.

God preserve your Excellency.

Office of Secretary of State for Foreign Affairs,
30th of September 1872.

A.

Protocol of a Conference held at the Foreign Office in Lisbon on the 25th of September 1872, between the Minister and Secretary of State for Foreign Affairs of His Most Faithful Majesty and Her Britannic Majesty's Chargé d'Affaires at the Court of Lisbon.

Whereas the Government of His Most Faithful Majesty asserts a claim to a portion of certain territories

formerly belonging to the Kings of Tembe and Mapoota, on the Eastern Coast of Africa, including the Islands of Inyack and Elephant, as far as $26^{\circ} 30'$; and whereas the Government of Her Britannic Majesty asserts a claim to the same territories, including the Islands of Inyack and Elephant; and whereas both parties being animated by a friendly feeling, and neither of them having any wish to appropriate territory which may lawfully belong to the other, have consented to refer their respective claims to the arbitration of a third Power, in whom both repose confidence :

For this purpose they have agreed to apply to the President of the French Republic, and it now becomes necessary to place on record certain terms and arrangements with a view to obtaining the speedy and convenient hearing and determination of the claim in question, and the undersigned, the Councillor João de Andrade Corvo, Minister and Secretary of State for Foreign Affairs of His Most Faithful Majesty, and William Doria, Her Britannic Majesty's Chargé d'Affaires at the Court of Lisbon, being duly authorised by their respective Governments, have agreed as follows:—

I. The respective claims of the Government of His Most Faithful Majesty, and of Her Britannic Majesty's Government, to the territories and islands above-mentioned, shall be submitted to the arbitration of the President of the French Republic, who shall decide thereupon finally and without appeal.

II. The award of the President of the French Republic, whether it be wholly in favour of the claim of either party, or in the nature of an equitable solution of the difficulty, shall be considered as absolutely final and conclusive, and full effect shall be given to such award without any objection, evasion, or delay whatsoever. Such decision shall be given in writing, and dated; it shall be in whatever

form the President may choose to adopt; it shall be delivered to the Ambassadors, Ministers, or other public agents of Portugal and Great Britain, who may be actually at Paris, and shall be considered as operative from the day of the date of the delivery thereof.

III. The written or printed case of each of the two parties, accompanied by the evidence offered in support of the same, shall be laid before the President within twelve months from the date hereof, and a copy of such case and evidence shall be communicated by each party to the other through their respective Ambassadors or Ministers at Paris.

After such communication shall have taken place each party shall have the power of drawing up, and laying before the President, a second and definitive statement, if it think fit so to do, in reply to the other party so communicated, which definitive statement shall be so laid before the Arbiter, and also be mutually communicated in the same manner as aforesaid by each party to the other, within twelve months from the date of laying the first statement of the case before the Arbiter.

IV. If in the case submitted to the Arbiter either party shall specify or allude to any report or document in its own exclusive possession, without annexing a copy, such party shall be bound, if the other party thinks proper to apply for it, to furnish that party with a copy thereof. And if the Arbiter should desire further elucidation, or evidence with regard to any point contained in the statements laid before him, he shall be at liberty to require it from either party, and he shall be at liberty to hear one counsel or agent for each party, in relation to any matters which he shall think fit for argument, and at such time and in such manner as he may think fit.

V. The Ambassadors, Ministers, or other public agents of Portugal, and of Great Britain at Paris, respectively,

shall be considered as the agents of their respective Governments, to conduct their case before the Arbiter, who shall be requested to address all his communications, and give all his notices to such Ambassadors, Ministers, or other public agents, whose acts shall bind their Governments to and before the Arbiter on this matter.

VI. It shall be competent to the Arbiter to proceed in the said arbitration, and in all matters relating thereto, as and when he shall see fit, either in person, or by a person or persons named by him for that purpose, either with closed doors, or in public sitting, either in the presence or absence of either or both agents, and either *viva voce*, or by written discussion or otherwise.

VII. The Arbiter shall, if he think fit, appoint a secretary, registrar, or clerk, for the purposes of the proposed arbitration, at such rate of remuneration as he shall think proper. This and all other expenses of and connected with the said arbitration shall be provided for as hereinafter stipulated.

VIII. The Arbiter shall be requested to deliver, together with his award, an account of all the costs and expenses which he may have been put to in relation to this matter, which shall forthwith be repaid in two equal portions, each by each of the two parties.

IX. The Arbiter shall be requested to give his award in writing as early as convenient after the whole case on each side shall have been laid before him, and to deliver one copy thereof to each of the said agents.

Should the Arbiter be unable to decide wholly in favour of either of the respective claims, he shall be requested to give such a decision as will, in his opinion, furnish an equitable solution of the difficulty.

Should he decline to give any decision, then everything done in the premises, by virtue of this agreement, shall be null and void; and it shall be competent for the

Portuguese and British Governments to do and proceed in all respects as if the reference to arbitration had never been made.

Done at Lisbon this 25th day of September 1872.

(L. S.) JOÃO DE ANDRADE CORVO.

(L. S.) WILLIAM DORIA.

No 13

No. XXVIII.

The Count DE SEISAL to SNR JOÃO DE ANDRADE CORVO.

[Translation.]

PARIS, *the 1st of November 1872.*

Illustrious and Excellent Sir,—The Minister for England in France, Mr. Sackville West, has now received instructions from his Government to deliver, in concert with His Majesty's Minister in Paris, to the French Government a copy of the protocol signed in Lisbon on the 25th of September last by your Excellency and Her Britannic Majesty's Chargé d'Affaires, determining that the question raised between the Portuguese and British Governments, relative to a portion of territory situated to the south of the Bay of Lourenço Marques, should be submitted to the arbitration of the President of the French Republic, and they also prescribed that Mr. West shall, at the same time, forward a note with the said protocol to Count Remusat, enquiring whether the President of the French Republic is willing to undertake the arbitration in question.

In pursuance of these instructions the Representative of England called on me yesterday to communicate Lord Granville's instructions to him, which are identical with those your Excellency gave me in your two Despatches,

No. 42A of last year, and 33A of the present year; and having shown Mr. West the note I proposed addressing to Count Remusat on this occasion, the Minister for England said he would adopt the same terms to the Minister for Foreign Affairs that I used in mine, and this he did as the enclosed copy of Mr. West's note, which I also have the honour to forward to your Excellency, will show.

To-morrow being the day on which Count Remusat receives the "corps diplomatique," Mr. West and myself hope then to personally place the said notes in his Excellency's hands.

No. XXIX.

No 14

The Count DE SEISAL to SNI JOÃO DE ANDRADE CORVO.

[Translation.]

PARIS, the 3rd of November 1872.

Illustrious and Excellent Sir,—Confirming my preceding Despatch, I have the honour to inform your Excellency, that the English Minister and myself delivered yesterday to the Minister for Foreign Affairs here, a copy of the Protocol signed in Lisbon in September last, accompanied by the notes, concerning which I have already informed your Excellency. M. de Remusat told me he could at once assure me that the President of the French Republic would feel extremely impressed with this manifest proof of confidence and consideration on the part both of the Portuguese and British Governments, and that he felt convinced M. Thiers would not refuse to accept the honourable commission thus confided to him; that he would bring the documents just left with him

into the presence of the Chief of the State, and would shortly officially communicate the decision of the President of the Republic.

No. XXX.

No. 15
Count DE SEISAL to SIR JOÃO DE ANDRADE CORVO.

[Translation.]

PARIS, *the 8th November 1872.*

Illustrious, and Excellent Sir,—I hasten to remit to your Excellency the note enclosed by copy (document A), which I have just received from the Minister for Foreign Affairs here, informing me that the President of the French Republic accedes to the wishes of the Portuguese and British Governments, and that he is ready to act as Arbiter in the question raised between the two Governments, relative to a portion of territory situate to the south of the Bay of Lourenço Marques.

God preserve your Excellency, &c.

A.

[Translation.]

VERSAILLES, *the 6th November 1872.*

M. le Comte,—Complying with the wishes your Excellency expressed to me in the Despatch you did the honour of addressing to me on the 1st instant, I submitted the Protocol, signed in Lisbon on the 25th September last, to the President of the French Republic, by which the Portuguese and British Governments agreed in selecting him as arbiter, for the purpose of putting an end to a dispute

for many years pending between Portugal and Great Britain, relative to the possession of some territories situated on the Eastern Coast of Africa.

The President of the Republic directed me to inform your Excellency that he feels deeply impressed with this honourable testimony of the esteem of the two Powers, and accepts with great pleasure the duty confided to him, also that he will use his best endeavours to carry it out according to the rules set down in the Protocol of the 25th of September.

Begging you to be good enough to convey this reply to your Government, I hasten to assure you that I am at your disposal, for the purpose of receiving, in the name of the President of the Republic, any communications you may think it necessary to address to him respecting the question subjected to his arbitration.

Please accept the assurances of the high consideration with which I have the honor to be, &c.,

(Signed)

REMUSAT.

M. le Comte de Seisal,
Minister for Portugal in Paris.

1130--Official correspondence on the Lourenço Marques--Delagoa Bay question presented by the translator to the british public, London. 1874. In-8.º gr. de 61 pags. B.

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