

affect the question that the injury was the act of a mob. If there had been no participation of the police or military in this cruel work, and no neglect on their part to extend protection, the case would still be one, in my opinion, when its extent and character are considered, involving international rights.

THE STORY OF THE ATTACK.

The President then tells the story of the attack on the sailors of the "Baltimore" as related in the testimony of Captain Schley and others at the investigation, showing that the sailors were sober and behaving themselves, evidenced further by the fact the Chilean police had made no arrests, and says that it is remarkable that the protracted investigation of the judge of crimes did not enable him to assign any more satisfactory account of its origin than a fight between sailors. He then quotes the testimony of Apprentice Talbot, that the trouble originated in a Chilean sailor spitting in Talbot's face, for which Talbot knocked him down. Then followed a general attack on Talbot and Riffin, with the result already known.

The President continues: There was nothing in the report of the Chilean investigation made to us that seriously impeaches this testimony. It appears, from Chilean sources, that almost instantly, with a suddenness that strongly implies meditation and preparation, a mob, stated by the police authorities at one time to number 2000, and at another 1000, engaged in the assault upon our sailors who are represented as resisting with stones, clubs and light arms.

The report of the Intendente October 30th states that the fight began at 6 p.m. in three streets which are named; that information was received at the Intendencia at 6:15, and that the police arrived on the scene at 6:30, fully half an hour after the assault began. In that time, he says, a mob of 2000 men had collected, and for several squares there was an appearance of a real battle field. The scene at this point is very graphically set before us by the Chilean testimony. The American sailors, who, after so long an examination, have not been found guilty of any breach of the peace, so far as the Chilean authorities were able to discover, unarmed and defenseless, are fleeing for their lives, pursued by overwhelming numbers and fighting only to escape death or succor some mate, whose life was in great peril. Eighteen of them are brutally stabbed and beaten, while one Chilean seems from the report to have suffered some injury, but how serious, or with what character of weapons, or whether by a missile thrown by his own men, or by some of his fellow rioters, is unascertained.

THE AMERICANS UNARMED.

The pretense that our men were fighting with stones, clubs and light arms, in view of these facts, is incredible. It is further refuted by the fact that our prisoners, when searched, were absolutely without arms, only seven penknives being found in possession of the men arrested, while there were received by our men more than thirty stab wounds, every one of which was inflicted in the back and almost every contused wound on the back of the head. The evidence of the ship's

officer of the day is that even the jack-knives of the men were taken from them before leaving the ship.

As to the brutal nature of the treatment received by our men, the President quotes an extract from the account given of the affair by *La Patria*, a newspaper, which, he says, cannot be regarded as too friendly. It tells how our men were pursued by stones and missiles and beaten down, as has already been told many times.

The message continues: No amount of evasion or subterfuge is able to cloud our clear vision of this brutal work. It should be noticed in this connection that the American sailors arrested, after the examination were, during the four days following the arrest, every one discharged, no charge of any breach of the peace or other criminal conduct having been sustained against a single one of them.

FOSTER'S LANGUAGE.

Judge of Crimes Foster, in a note to the Intendente, under date of October 23rd, before the dispatch from this government of the following day, which aroused the authorities of Chile to a better sense of the gravity of the affair, says:

"Having presided temporarily over this court in regard to the seamen of the United States cruiser 'Baltimore,' who have been tried on account of the deplorable conduct which took place."

The noticeable point here is that our sailors had been tried before the 22nd of October, and the trial resulted in their acquittal and return to their vessel. It is quite remarkable and quite characteristic of the management of this affair by the Chilean police authorities, that Seaman Davidson of the "Baltimore" has been included in the indictment, his offense being, so far as I have been able to ascertain, that he attempted to defend a shipmate against an assailant who was striking him with a knife. A perfect vindication of our men is furnished by this report. One only is found to have been guilty of criminal fault, and that for an act clearly justified.

THE PART TAKEN BY THE POLICE.

As to the part taken by the police in the affair, the case made by Chile is also far from satisfactory. The point where Riffin was killed is only three minutes' walk from the police station and not more than twice that distance from the Intendencia, and yet, according to their official report, full half an hour passed after the assault began before the police were on the ground. It has been stated that all but two of our men have said that the police did their duty. The evidence taken at Mare Island shows that if the statement was procured from our men, it was accomplished by requiring them to sign a writing in a language they did not understand, and by their representation that it was a mere declaration that they had taken no part in the disturbance. Lieutenant McCrea, who acted as interpreter, says in his evidence that when our sailors were examined before the court, the subject of the conduct of the police was so carefully avoided that he reported the fact to Captain Schley, on his return to the vessel.

THE EVIDENCE OF ANIMOSITY

In the minds of the sailors of the Chilean navy and the populace of Valpar-

aíso is so abundant and various as to leave no doubt in the mind of any one who will examine the papers submitted. It manifested itself in threatening and insulting gestures towards our men as they passed the Chilean man-of-war in their boats, and in the derisive and abusive epithets with which they greeted every appearance of the American sailors. On the evening of the riot, Captain Schley reports, the boats from the Chilean war ships several times went out of their course to cross the bows of his boats, compelling them to back water. He complained of the discourtesy, and it was corrected. That this feeling is shared by men of higher rank is shown by an incident related by Surgeon Stitt of the "Baltimore." After the battle of Placilla he, with other medical officers of the war vessels in the harbor were giving voluntary assistance to the wounded in the hospitals. The son of a Chilean army officer of high rank was under his care, and, when his father discovered it, he flew into a passion and said he would rather have his son die than have the Americans touch him, and at once had him removed from the ward. This feeling is not well concealed in the dispatches of the foreign office, and had quite an open expression in the disrespectful treatment of the American legation. Chilean boatmen in the bay refused, even for large offers of money, to return our sailors, who were crowded to the mole, to their ships when they were endeavoring to escape from the city on the night of the assault. The market boat of the "Baltimore" was threatened, and even quite recently the gig of Commander Evans of the "Yorktown" was stoned while waiting for him at the mole.

THE ATTACK EXPECTED.

The evidence of our sailors clearly shows that the attack was expected by the Chilean people; that threats had been made against our men, and that in one case, somewhat early in the afternoon, the keeper of one house into which some of our men had gone closed his establishment in anticipation of the attack, which he advised them, would be made upon them as darkness came on. In the report of Captain Schley to the navy department, he says:

In the only interview that I had with Judge Foster, who was investigating the case relative to the disturbance, before he was aware of the entire gravity of the question, he informed me that the assault upon my men was the outcome of hatred for our people among the lower classes, because they thought we sympathized with the Balmaceda government on account of the "Itata" matter, whether with reason or without he could, of course, not admit, but such, he thought, was the explanation of the assault at that time.

Several of our men sought security from the mob by such complete or partial changes in their dress as would conceal the fact of their being seamen of the "Baltimore," and found it then possible to walk the streets without molestation.

THE UNIFORM ATTACKED.

These incidents conclusively establish that the attack was upon the uniform of the nationality and not upon