

Notes et Documents

Notas y Documentos

**PRELUDE TO THE TETOUAN WAR (1859):
PART I: Correspondence respecting the Spanish Moroccan
conflict about Melilla Frontier**

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When Spain ceded the Rock of Gibraltar to Britain in 1704, this place has become one of the key British colonies in the Mediterranean basin. In the same context, Morocco as a part of the Muslim world, and a country situated south west of the Mediterranean, at a distance so close to Europe, it has become by necessity a key element in the future strategy of the Foreign Office. The stakes were high, as they imply involving back up multiple interests of the British crown, not only in the Mediterranean, but also in other distant British colonies in Africa and Asia. To achieve these objectives, the Foreign Office has to ensure that the Mediterranean coast of Morocco would never fall into the hands of a lonely rival European power. However, after the end of the Napoleonic wars, and the restoration of the Spanish monarchy, Great Britain and Spain found themselves in front of the *fait accompli* when the French invaded Algeria in 1830.

Unlike Britain, Spain had lost years earlier had years earlier lost the position it used to occupy on the international level due to by losing its overseas colonies. However, Spain's possession, for hundreds of years, of several enclaves in the north of Morocco, particularly in Ceuta and Melilla, had for long been the source of disputes between the governments of Spain and Morocco. Following the French occupation of Algeria, the integrity of Morocco also began to be threatened. Exploiting the differences between Morocco and France, prior to the Battle of Isly, the Spanish made seven claims to the Makhzen.⁽¹⁾ To avoid any political complications between Spain and Morocco, which would later threaten the British Navy movements and the British trade through the straits of Gibraltar, the Foreign Office ordered the British Consul-General in Tangier, Edward Drummond Hay and subsequently his successor John Drummond Hay, to intervene in order to pacifically settle the differences between Morocco and Spain⁽²⁾.

In 1847, the Spanish Government asked the *Makhzen* to station 1500 Moroccan guards along the borders of Melilla to prevent attacks from the reefian tribe Qal'iya. The Sultan refused, particularly as the Spanish authorities in Melilla intended to begin construction work. On December 30, 1851, the head of the Spanish Government wrote a report where he reviewed the attacks of the Qal'iya tribe on Melilla stressing that

⁽¹⁾ See the details concerning these Spanish claims and the reply of the Makhzen in: Abderrahman, Ibn Zaidan, *Al- Alaeq As-siassia Li Ad-dawla al Alawia*, edited by Abdellatif Chadli, Al Matbaa Al-malakiyya, Rabat, 1999, pp.102-106.

⁽²⁾ F. R. Flournoy, *British Policy towards Morocco in the Age of Palmerston 1830-1865*, London, 1935, pp.77-111; Ibn Zaydan, *op.cit*, pp.107-108.

there was no point in diplomatic negotiations unless these were backed up militarily to clearly allow the seizure of the lands surrounding Melilla⁽³⁾.

General O'Donnell's return to power in 1858 at the head of a military government was of particular importance for Spanish-Moroccan relations due to his firm desire to conduct a new expansionist policy in the north of Morocco.⁽⁴⁾ To achieve these goals, Spain had in its hands more cards to play. Since the Rif tribes, mainly the tribe of Qal'iya, had never ceased its threats toward the colony of Melilla, while conducting what the Foreign archives describe as piratical attacks since 1850s against European ships in the Mediterranean⁽⁵⁾, Spain did not hesitate to open some old files on Rif piracy to submit various claims to the Makhzen. For reasons mentioned earlier, Britain was faced with the obligation to intervene between Spain and the *Makhzen*.

As noted above, the Spanish expansionist intentions became clear, and it was merely a question of waiting for the appropriate time to start their implementation. Earlier in March 1856, the Rif tribes attacked and plundered a Spanish ship, the *San Joaquin*. Following this, the Spanish Chargé d'Affaires in Morocco, Don Juan Blanco Del Valle, asked the *Makhzen* for financial compensation. At first, the Spanish request was rejected. However, after almost two years of negotiations and on the recommendation of the British Government, the *Makhzen* agreed on the ground that Spain had the same rights as those which Britain and France had previously obtained in two similar disputes⁽⁶⁾. The *Makhzen* believed, in good faith, that by paying compensation it would be able to put an end to the causes of the dispute with Spain.

However, in the summer of 1858, the Qal'iya tribe set up small cannon pointed in the direction of Melilla. Through his informant among the Qal'iya, the Spanish governor was able to find out where the cannon was hidden seize it and thus prevent the tribe from using it against the colony. When the tribe found out, it forced some of its tribesmen, who were acting as informers for the Spanish, to set up a trap to ambush some Spanish soldiers who would be then ransomed for the small cannon. The plan was successful and ended with the tribe taking Lieutenant Alvarez and six of his men captive.

The Spanish reaction to the capture was swift: two vessels owned by Rifians involved in the coastal trade between Tetuan and Tangier were seized. It cannot be ruled out that it was the news of the approaching settlement of the conflict with Mexico

⁽³⁾ Hassan Al-Figuigui, (in Arabic): *Al-moqawama Al-Maghribiyya lihwojoud Al-Isbanni bimalila (1697-1859)*, Publications of the Faculté des Lettres, Rabat, 1997, pp. 396-397.

⁽⁴⁾ J-L Miège, *Le Maroc et l'Europe (1830-1894)*, Vol 2, PUF, Paris, 1962, pp. 353-54.

⁽⁵⁾ It was very difficult to know if we were really in front of acts of piracy or only simple attacks by various tribes of the Rif to settle their claims with some unscrupulous European traders following smuggling operations from both sides. The volume FO 99/69 in the National Archives (Kew, London) contains ample information about the activities of the Rifians from 1852 to 1855; and the file FO 99/81 for the years 1856 and 1857. During this period the Rif tribesmen seized the following boats: *Violet*, *Vampire*, *Cuthbert*, *Young*, *Prometheus*, *Mary*, *Newton*, *J. Despois*, *Lively*, *Medusa*, *Hymen*, *Ariel*, *Danzic*, *Ruth*, *Conference*, etc; see also Richard Pennell, "John Drummond Hay: Tangier as the centre of a spider's web" in *Tangier (1800-1956)*, Contribution à l'histoire récente du Maroc, Publications de la Faculté des Lettres et des Sciences Humaines de Rabat, 1991, pp 107-134. R. Pennell, *Bandits at Sea; a Pirate Reader*, New York: New York University Press, 2001. See also Abderrahman Taibi (in Arabic) concerning the activities of Bani Ouriaghhal tribe against European ships: *al-Moujtamaa bimantaqati Rif qabla al-himaya, qabail sahil arrif al-awssat min 1860 ila 1920*, Diplôme d'études Supérieures, defended at the Faculty of Letters, Rabat in 1993.

⁽⁶⁾ *Confidential Print 819, Correspondence respecting Spain and Morocco, Part I, 1859*. Letter n°79- from Buchanan, the British Ambassador in Madrid to the British Foreign Secretary Earl of Malmesbury Madrid, February 20, 1859.

and General O'Donnell's determination to increase his popularity in Spain - even through a war with Morocco if necessary - which lay behind the Spanish government's change in policy towards Morocco and the beginning of the implementation of its prearranged plans.

Thus, at the beginning of 1859, Spain made demands which astonished the Sultan's *na'ib*, Mohammed Al-Khatib, and John Drummond Hay. In short, together with the demand for the release of the captives taken by the Qal'iya tribe, they included the demand for financial compensation of 30.000 riyals for five Spanish ships which had been plundered by the same tribe ten years previously and the return of some old fortresses which, allegedly, had formerly belonged to them but they had lost possession of in the seventeenth century.

Under such conditions, the British Government deemed it imperative to intervene and tried to open a peaceful dialogue between the protagonists. It is in this particular context, that we propose the publication of the first part of the integral correspondence produced on the conflict which had pitted the *Makhzen* to Spain few months before the outbreak of the War of Tetuan, called by the Spanish *la guerra di Africa*. These exchanged letters between different diplomats acting on behalf of their respective governments in Tangier, Madrid, Paris, and London, reflected the multiple meetings and consultations held in Tangier, and also in other European capitals respecting the Moroccan Spanish conflict. These documents reveal to us some precise details about the evolution of the crisis, and allow us to follow step by step the efforts made by British diplomacy and the *Makhzen* authorities to reach an agreement on a plan to solve the problems raised and to avoid any military conflict between Spain and Morocco.

While discussing the Spanish claims, Al-Khatib said he was convinced that the Sultan Moulay Abderrahman would refuse the payment of the compensation demanded by the Spanish Government. He also raised the question of the sort of guarantees Spain could give the *Makhzen* even if the Sultan agreed to pay such unjust compensation, expressing the fear that in the future Spain would make even more demands based on ancient pretexts. As a matter of fact, John Drummond Hay feared the consequences of such refusing and decided to make some suggestions to the Foreign Office on a way to resolve the dispute between Spain and Morocco without recourse to military action. As we can notice from his suggestions (*see document 1*), some of his proposals were fraught with dangers and could make matters to the brink in extremely sensitive Moroccan region like the Rif. However, he considered this as being preferable by far – in terms of Britain's interest- to having Spain take a reckless step which would lead to war with Morocco, the strategic and economic consequences of which could not be foreseen.

On the other hand, it was clear that Spain's financial claims were highly exaggerated, which was an indication that the reason behind them was not financial gain but to put pressure on the Sultan and hereby bring him round to agree on the expansion of the frontiers of Melilla to the advantage of Spain. Faced with Al-Khatib's rejection of Spain's financial claims in the name of the Sultan, Del Valle, the Spanish Chargé d'Affaires, was prompt to announce that his government was prepared to

withdraw those claims if the *Makhzen* consented to the cession of a portion of Melilla and the expansion of the area of the Spanish fortresses in such a way as to guarantee their security and safety. Against all odds, the Sultan, who considered that these proposals were so excessive and directly violated the dignity of Morocco and its territorial integrity, rejected unequivocally the Spanish proposals. But, Moulay Abderrahman accepted to take into consideration the British Government's proposal on the creation of a neutral ground around Melilla to ensure peaceful relations between his Rifians subjects and the inhabitants of the Spanish colony (*see document 4 and its inclosure*).

The other issue which the same documents published below dealt with simultaneously was the British involvement in the release of the seven Spanish captives. The case became more complicated when the Melilla authorities seized boats owned by Rifian tribes which had for some time stopped attacking Spanish vessels. In the course of these operations, the Spanish captured twenty eight Rifians who had been peacefully involved in the coastal trade between the northern Moroccan coasts. Afterwards, the Spanish Government requested the *Makhzen* in vehement tones to release the Spanish held captives by the Qal'iya and to expand the borders of Melilla (*see document 3 and its inclosure*). After tremendous efforts, the British were able to convince the most influential members of Qal'iya tribe to release the seven Spanish captives⁽⁷⁾. However, they were attacked and recaptured while leaving the Rif by a group of Qal'iya tribesmen who insisted that their freedom depended on the return of the small cannon and the release of their fellow Rifians held as prisoners in Melilla. Del Valle, the Spanish Chargé d'Affaires, who did know that his countrymen had been recaptured, had returned to Tangier on 28 February 1859 from Algeciras with two warships. This is sufficient evidence of Spain's determined hostility against Morocco. It further leads Drummond Hay and the *Makhzen* to believe that the Spanish Government had decided to sever relations with Morocco and communicate through arms, and that Del Valle would have acted in the same way even if all the captives had been released. Things became more complicated and serious because Spain's aim was to obtain not only the neutral ground to which the Sultan had already agreed in principle, but also to obtain an expansion of the frontiers of Melilla (*document 14 and its inclosures 1-2-3*).

Del Valle was astonished at the recapture of his countrymen and gave Al-Khatib only four days to have them released. He even threatened that the failure of abiding by this period, relations between the two countries would be severed and warships would be sent to attack Moroccan ports. Al-Khatib reached the conclusion that, in depths of his heart, the Spanish Chargé d'Affaires did not want a peaceful settlement to the problem. Renewed efforts were made to release the captives, who left Qal'iya tribe on 2 March 1859 and were handed to Del Valle in Tangier while Spain released the Rifian captives a few days later (*see documents 30 and 31*). However, the fundamental

⁽⁷⁾ It should be noted that John Drummond Hay had tied since the fifties of the XIXth century personal relations with some notables of the Rif and particularly with the Murabit el Hadry of Beni Said tribe. Brooks, L.A.E., *A Memoir of Sir John Drummond Hay Sometime Minister at the Court of Morocco*, London, John Murray Albemarle street, 1896, pp. 144-58. See also Abdelmajid Benjelloun, *Fragments d'histoire du Rif Oriental*, Imp. El Maarif Al-Jdida, Rabat, 1995. These relationships were useful to facilitate the British mediation with Qal'iya tribe, where the seven captives were detained.

problem of the expansion of Melilla frontiers remained, a problem which was to become more fraught and one on which Britain was to play an active role.

The representative of Queen Victoria in Tangier, John Drummond Hay, received information from his colleague Buchanan, the British ambassador in Madrid, confirming General O'Donnell's determination to reoccupy some of the old border lines around Melilla. O'Donnell's pretext was that Spain had never ceded them to Morocco, but the Melilla authorities had gradually neglected them until they had been forgotten (*document 13 and inclosure*). As J. D. Hay was thoroughly informed about the background of the affair, he was astonished at the Spanish statements. Consequently, he asked Al-Khatib for confirmation of O'Donnell's claims.

The Sultan *na'ib* was even more astonished and immediately denied that the *Makhzen* had previously given any assurances to the Spanish Chargé d'Affaires to cede territory other than the neutral ground. For his part, J. D. Hay confirmed that the *Makhzen* had not received any request from Del Vallee related to changing any of the border lines that Spain might have possessed in the distant past around Melilla. He vehemently criticized the ambiguous way in which the Spanish Government had made a request for new borders to be ceded as the demand made no clear delimitation of where those borders should be and gave no information about when Spain had abandoned them or the Moroccan had retaken them by force and because the term 'new borders' could mean a large or a small area. The result was that the Sultan, whose control was not absolute over the Rifians decided to refuse this vague and risky request. After inquiries, Del Valle frankly declared that Spain wanted the neutral ground and the Melilla valley, otherwise the Spanish Government would sever relations and declared war against Morocco.

Al-Khatib told J. D. Hay that he was greatly surprised at the false conclusion that Del Valle had drawn from his letter of March 6, 1859. After Al-Khatib had shown him the draft original, it became evident that Del Valle had been given an inaccurate, or rather false, translation of Al-Khatib's letter. As far as the Arabic of J. D. Hay, would allow him, he could not find any sentence that would make Del Valle think that Al-Khatib has consented to the demarcation of new borders as well as ceding a neutral ground.

In the meantime, J. D. Hay asked Al-Khatib to write to the Sultan to convince him of accepting all the Spanish demands to avoid the danger of Morocco going to war. However, J. D. Hay was convinced that the Spanish could never take possession of the Melilla valley through peaceful negotiations. From his information on the dispute between Morocco and Spain, he realized that in the end the Sultan would have to choose between going to war against Spain or facing a rebellion of his subjects in the Rif. With Del Valle in Madrid, Buchanan noted how insistent the Spanish Government was about its claim to the Melilla valley and did everything in his power to protest to Collantes, the Spanish Foreign Minister. J. D. Hay managed to obtain promises from the Spanish Government that the engineers who would be charged with demarcating the borders would not exceed the bounds of what was right and proper. He also continued to pressure the Spanish Government not to ask anything from Morocco,

which could lead to war between the two countries.

Diplomatic negotiations in Madrid, London, and Tangier on the borders of Melilla went on well until August. An agreement was concluded by the three parties concerned on August 24, 1859 (see below the text of the Agreement in Spanish, Arabic and French). Although little is known about all circumstances surrounding the conclusion of the Agreement, what is important is that Britain was successful in persuading Spain and Morocco to adopt the distance of a cannon-shot as the measurement to determine the borders of Melilla⁽⁸⁾. However, this agreement which gave the Spanish what they wanted, including the expansion of the borders of Melilla, only came into effect after the 1862 war between Morocco and Spain, as stipulated in Article V and VI of the Peace Treaty⁽⁹⁾.

By putting pressure on both Spain and Morocco, Britain achieved results which could be judged as positive for Britain and Spain, but for no other country. In agreeing to the Articles of the 24 of August settlement in Tetuan, Morocco was the loser. From the documents published below in this issue, it is clear that Great Britain had supervised the discussions and negotiation between Spain in Morocco during six months to avoid a war on the Mediterranean shores facing Gibraltar. However, this was done at the expense of concessions to Spain made by the *Makhzen* on the advice of the British. It is also clear that at times of tension between Spain and Morocco, whether over the captives detained by the Qal'iya or over the Melilla borders, Britain's primary concern was to protect its subjects in Morocco and its strategic interests in the region. This seems to be natural. But at the same time Britain decided to prevent Spain from making a reckless move that could have had serious consequences.

As a result, it is extremely difficult to know Britain's real position with regard to Morocco at these critical moments of its contemporary history: the discourse adopted by the Foreign Office gives the impression that Britain would be prepared to use force to prevent a Spanish invasion of Morocco, while J. D. Hay had repeatedly urged the *Makhzen* to agree to Spanish claims, even though he knew they were unjust. He had also tried hard, through Al-Khatib, to intimidate the *Makhzen*, by detailing the consequences of going to war against Spain, into making concessions to the Spanish.

Yet, at the same time, the *Makhzen* was expecting Britain to stand by it military in accordance with the promises that J. D. Hay had given personally on the name of Her Majesty's Government to the Sultan Moulay Abderrahman and his Ministers to the effect that Britain would support Morocco at times of crisis. These promises had been one of the many factors that led the same Sultan to agree, after long hesitation and despite serious misgivings, to the famous Treaty between Morocco and Britain in 1856. British diplomatic efforts in Madrid and Tangier on the expansion of the Melilla borders were successful in preventing war between Morocco and Spain. This success, however, was only temporary. One week after the 24th August agreement in Tetuan,

⁽⁸⁾ See the meticulous details concerning the establishment of this frontier in: Abderrahman, Ibn Zaidan, *Ithaf 'alam al-nas bi-jamal 'akhbar hadirati Maknas*, Rabat, 1930, vol .2, pp. 341-44, and in Mohamed Daoud, *Tarikh Tetuan*, Tetuan, 1956, vol. 4, pp 299-304.

⁽⁹⁾ Ibn Zaidan, *Ithaf*, vol. 3 pp. 449, 453.

Spanish ambitions in North Africa were again in evidence when war broke out, not over Melilla as Britain had always feared, but over Spain's desire to expand the borders of Ceuta. The second part of this article will contain further documentation devoted to the crisis between Spain and Morocco over Ceuta borders.

Document 1:⁽¹⁰⁾

I HAVE the honour to inclose, herewith, copies of the two despatches which I have addressed to Mr. Buchanan, transmitting to his Excellency translations of the correspondence which has taken place between Don Juan Blanco and Seid Mohamed Khateeb, as well as that between the latter functionary and myself, regarding the pending differences between Spain and Morocco, together with a copy and translation of Article XVI of the Treaty between Spain and Morocco, alluded to in the correspondence.

The tone and language adopted by Don Juan Blanco, regarding the claims now put forward by the Spanish Government, for vessels pillaged by the Reefians before the year 1855, appear to me to be totally at variance with the assurances given to Mr. Buchanan by the Spanish Minister at Madrid, that they were merely brought forward to facilitate the negotiation for a cession of territory at Melilla; for, as I have told Mr. Buchanan, in my secret despatch of yesterday's date, I do not see how the Spanish Government can, with dignity, withdraw the claims after its Representative has indulged in such Imperative declarations.

My humble opinion is, that either the Spanish Government has been wilfully misleading Mr. Buchanan as to its intentions and views on Morocco, or that the tidings lately received that their differences with Mexico were about to be settled, has caused them to alter their policy towards this Government; and that General O'Donnell, setting aside all other considerations of the consequences which might ensue from disturbing the *status quo* of this country, has determined to seek for popularity in Spain by entering upon a war with Morocco.

If the Spanish Government were sincere in their desire for a peaceful and satisfactory arrangement, they would have fulfilled their repeated promises to Mr. Buchanan of sending instructions to Don Juan Blanco to place himself in confidential relations with me, knowing the active part which I had already taken in obtaining a successful issue to their first demand, It almost appears to me that the Spanish Government is now dissatisfied that that claim was ever settled, and that, therefore, they have raked up, in a most irregular manner, claims long ago dropped, of which good proof appears to be given by the fact stated in Seid Mohamed Khateeb's letter to me, and which is perfectly correct, that in 1845, when the relations between Spain and Morocco were broken off, and several demands put forward which were finally adjusted, when peaceful relations were restored and a Convention concluded, no question was ever raised about the Reef piracies. As I happened to act as mediator, on the part of Her Majesty's Government, for the arrangement of those differences, I can certify the truth of Seid Mohamed Khateeb's statement. It appears to me, therefore, most strange that these claims should now be brought forward; whilst the special pleading of Don Juan in his letter, that a nation is justified in giving the precedence it thinks proper to any particular claim, and after its settlement bringing forward other and older claims, may, or may not, be correct according to international law, but, under any

⁽¹⁰⁾ **Confidential 819**, n°67- D. Hay to the Earl of Malmesbury (No.6, confidential) -Tangier, January 20, 1859.

circumstances, it is not dignified, and it does not appear just.

When discussing the matter over with Khateeb, whom I have warned repeatedly that hostilities may ensue if the indemnity claimed is refused by the Sultan, he replied, he was persuaded His Majesty will never pay such a claim, especially after the vain-glorious and offensive language of the Spanish Representative. Moreover, he asked me what security would they have, even if the Sultan were to consent to pay such an unjust demand; for others still more ancient and obsolete might be brought forward in succession. And then again he said: "You have told me the Spanish Government intends to bring on a still more difficult and delicate question, regarding the arrangement of the frontier in front of Melilla"; and added that he did not foresee how the Moorish Government could avoid a conflict with Spain, unless the Sultan is prepared to make concessions which the Reef people would never grant, and which, he said, might endanger the position of His Majesty. Khateeb assured me, on the other hand, that the Moorish Government was disposed to do all that is reasonable and just, and would gladly enter into any feasible arrangement which might check the conflicts between the Reef people and the Spanish African garrisons.

I will now venture to submit to your Lordship some suggestions with regard to the manner in which, perhaps, a settlement of the claims might be effected, if, as I apprehend, the Spaniards are not disposed to withdraw them, and also with regard to the arrangement of the frontier line in front of Melilla.

I wish to mention, beforehand, that I could not engage the Moorish Government would accede to the arrangements I have now to propose, though I think it probable that if some satisfactory and reliable assurances were given by the Spanish Government, they would be accepted; and, if I were instructed to urge their acceptance upon Khateeb, and, in case of obstacles being offered here, in consequence of the natural timidity and indecision of that Minister, to proceed at once to the Moorish Court, and arrange the question with the Sultan himself, I believe the results I have to propose would be finally attained.

The claim of the Spanish Government for the five vessels captured by the Reefians during the last twenty years is 30,000 dollars. The claim of the Moorish Government, now that the cargo of the "Maimon" has been delivered, is, according to the account of property seized by the Spaniards, fully worth 10,000 dollars. The Spanish claim for five vessels, most of them, I believe, not exceeding 50 tons in burthen, is greatly exaggerated, and, I dare say, 10,000 or 15,000 dollars would more than compensate the proprietors. I would suggest, therefore, that both Governments should agree to withdraw their claims as balancing one another, but that the boats of the Reefians should be restored. The principal sufferers by such an arrangement would be the Moorish merchants of Tetuan, and not the Reefians.

With regard to the actual cession of territory at Melilla, I fear it would be out of the question, even if the Sultan were to send the most peremptory orders; for the Reef people, barbarians and outlaws as they are, have a great love of their country, and, I do not believe, would ever cede voluntarily any territory to the Spanish nation, even though it were bought by weight of gold, and that a long and bloody war would alone

compel them to submit to the disgrace of making a grant of territory to the Christian.

The Spanish authorities at Melilla have, I believe, recommended their Government that they should demand from the Moors the old forts possessed by the Spaniards at the period they held Oran; some of these outworks, if I remember right, being upwards of two miles from the fortress. This could never be effected by peaceful negotiation; and Seid Mohamed Khateeb replied to me humorously, when I spoke of these old forts, that the Sultan would send orders for them to be restored to the Spaniards as soon as the French gave up Oran to the Spanish nation, and we English gave up Gibraltar to the Moors, the ancient possessors of that fortress.

I must avow, however, the present position of the Spaniards at Melilla is intolerable; and I am only surprised they have so long allowed such a state of things to continue, for some of the outworks of the Reefians are almost within stone-throw of the town; and any wild Reefian who wishes to amuse himself by shooting a Christian, even whilst the most peaceful relations are prevailing, crawls up to an eminence about a hundred yards from the walls of Melilla, whence he can peer into the town, and, after taking quiet aim, shoots down a soldier or citizen, as he may fancy to be the most convenient target for his long musket. The Spaniards have, on the other hand, from time to time retaliated such barbarities on the Reefians.

My idea of what would be feasible to arrange, without recourse to a long and disastrous war between the Reefians and Spaniards, would be the establishment of a reasonable neutral ground between the forts and the Reefian lines, the destruction of all the places of attack near the town, and their removal to beyond the range of cannon-shot. The Sultan should, at the same time, cause a guard-house or fort to be built on the Reefian lines, and have it tenanted by a Kaid or superior officer, who should be selected from the Kuids appointed by the Sultan, and be an inhabitant of Tangier, and on that account better disposed towards Christians than the officers at the Moorish Court generally are. He should also have under his command a few subalterns, and appoint the necessary guards on the lines, not allowing the Reef chieftains to interfere, as they have hitherto done, when each tribe, according to its turn, supplied a guard.

The Reefians could then be made to understand that there is no cession of territory, but that there is a neutral ground belonging to neither party, and that the Spanish Government engages henceforth to allow all Reef boats engaged in peaceful traffic to pass unmolested their African garrisons, and that they would continue to do so as long as the Reefians act in a peaceful manner towards the inhabitants of the said garrisons.

As the Reefians attach great importance to their coasting trade with Tetuan, the latter arrangement would be a great inducement to them to agree to all the others, especially if they were distinctly assured that their boats would be captured, without distinction, if the pact were broken. Thus, also, the peaceably-disposed tribes who have boats would be interested in compelling the more warlike not to enter upon hostilities which would be injurious to their interests.

The Spanish authorities of the garrisons have never carried out this method of

securing the goodwill of the Reefians, for I fear, from what I have heard of the proceedings of the Spanish officers appointed to the command of these fortresses, that they have been engaged with the Reefians in smuggling transactions, bribing, and receiving bribes from the Reefians, without regard to the interests or honour of their country.

With regard to the question of provisioning the Spanish garrisons from the mainland, I fear that would never be acceded to. Even at Ceuta, where the most friendly relations exist, not a loaf of bread, with the consent of the Moorish Government, is allowed to pass, and the Spanish African forts have been, as it were, from time immemorial in a state of blockade; but as it is the interest of the Moorish officers who command the guard to secure the goodwill of the Spanish Governors, and to receive every now and then a small present, it has always been the custom to allow tacitly that fresh provisions should pass the Moorish lines; and the Moorish Government, though cognizant of the fact, have taken no steps to prevent the provisioning of the garrison by land, as long as they are not called upon to declare, in a formal manner; that they authorize the provisioning of a fort held by a Christian Power on the land of the Mussulman.

These, my Lord, are the propositions I beg to submit for a peaceful solution of the differences between Spain and Morocco; but if, as I apprehend, the Spanish Government is bent upon having an opportunity of making a display of its power in Morocco, I would beg to observe, that it would be far more desirable, of the two evils, that the Spanish Government should send an expedition to Reef and confine the war to that portion of the Sultan's territory, than to break off relations with the Sultan, and bombard his ports, though, as I have said before, if hostilities were engaged in on a large scale in Reef; if the war were prolonged; if an attempt were made to retain, after conquest, any portion of the Reef territory, and success attended the Spanish arms, the Sultan would finally be compelled to take part in the war against the Spaniards, or he would become so unpopular amongst the fanatical portion of his subjects, that the security of his Throne and dynasty would be endangered, and a state of anarchy and revolution would follow throughout the whole country; but if the Spaniards confined themselves solely to a razzia in Akkalaya, and to taking possession of the ground within cannon-shot of the fortress, and this was effected in a prompt and successful manner, their Chargé d'Affaires might, possibly, continue to carry on his relations with the Moorish Government, after notifying to the Sultan that, as the Spanish Government had received an assurance from His Majesty that he could not be responsible for the past acts of violence of his subjects; as His Majesty could not enter into any arrangement regarding the cession of territory round Melilla; and as his rebellious subjects were not disposed to listen to the commands of their Sovereign on such a subject, Spain would take the matter into her own hands, but continue to remain on friendly terms with the Moorish Government, as long as it did not aid its rebellious subjects of Reef in resisting her arms.

Such a course would certainly place matters on the brink of a precipice, but this would be better than that Spain should take a headlong leap, and rush into a war with

Morocco; for I am persuaded that, even if every port were bombarded, the question of the Melilla frontier would not be altered thereby, but, on the contrary, the disposition of the Reefians to resist any concession, as well as the orders of their humiliated Sultan, would be greater than ever.

In conclusion, I may add, as connected with this subject, that though the Moorish Government has not, I believe, abandoned the scheme of building a town or port on the Reef coast, yet such is the backwardness of the Sultan to adopt any vigorous measures in Reef, from a fear, I suppose, it might possibly create further opposition to his will on the part of his lawless subjects of that district, that the undertaking has been put off from summer to summer, and now, again, as the Moorish expression goes, "till God pleases." I will not repeat here the arguments I submitted to Her Majesty's Government in my despatch No. 5 of the 28th January, 1857, when I recommended the building of the town should be urged on the attention of this Government; but I am convinced that if it could be effected, it will afford the best means of preventing questions like the present-one between Spain and Morocco, and, hereafter, perhaps, with France-being raised. As directed by your Lordship, I have repeatedly urged, both verbally and by letter, on Khateeb's attention, the advisability of building the town in Reef, but as yet, no result has been obtained. If, however, Her Majesty's Government should think it expedient that I should go, this spring, or sooner, to the Moorish Court, I might possibly be enabled, by a personal communication with the Sultan, to effect that which has not been attained by a written correspondence.

Document 2:⁽¹¹⁾

WITH reference to my despatch No. 61 of the 10th instant, on the subject of the refusal of the Reef Chiefs to give up their Spanish prisoners unconditionally, I have the honour to inform your Lordship that the Spanish Government have received a telegram, through Algeciras, from Don Juan Blanco, reporting that the prisoners were on their way to Tangier, and were daily expected there.

Document 3:⁽¹²⁾

YOUR Lordship will have learnt, from a private letter I had addressed Mr. Hammond on the 2nd instant, the steps I was about to take with the view of obtaining the liberation of the seven Spaniards in the hands of the people of Akkalaya, in Reef. I am happy to inform your Lordship that my messenger, Hadj Abdallah Lamarty, returned here, in Her Majesty's gun-boat "Quail," on the night of the 14th instant, having successfully accomplished the object of his mission.

I have the honour to inclose, herewith, a translation of the reply of the friendly Chief of the Beni Said tribe, Seid Mohamed Alhadary, to the letter I had addressed him, asking for his mediation with the Akkalayans.

Hadj Abdallah relates that on his arrival at Beni Said, in Her Majesty's gun-boat "Quail," he proceeded, by land, with Alhadary to Akkalaya, and held to the Reefian

⁽¹¹⁾ **Confidential 819**, n°80 – Mr Buchaman to the Earl of Malmesbury – Madrid, February 18, 1859.

⁽¹²⁾ **Confidential 819**, n°81 – D. Hay to the Earl of Malmesbury – Tangier, February 17, 1859.

Chiefs the language I had recommended. The Akkalayans offered to embark the prisoners on board Her Majesty's gun-boat "Quail," if Hadj Abdallah would engage, on my part, to recover for them the little cannon belonging to their tribe, which, they said, had been treacherously betrayed into the hands of the Spanish authorities at Melilla. Hadj Abdallah very properly replied, that the cannon was public property, and not that of any private individual, and that as the Sultan their Sovereign chose to demand that the Spanish prisoners be sent to Tangier without the previous restoration of the gun, it was their duty to obey, and that if they did not release the prisoners, he thought it his duty, as a fellow-countryman and a friend, to inform them a force would be sent against them by the Sultan, and that the other Reef tribes would loyally aid the Sultan in the execution of his orders. The discourse of the Hadj had a good effect, for the majority of the Chiefs declared they would give up the captives, and send them by the "Quail." Hadj Abdallah, however, said he had received orders not to embark the Spaniards on board the English steamer, but that they should be sent overland, as ordered by the Sultan.

On the second day after my messenger's arrival, an officer from the Sultan's Court, accompanied by five troopers, arrived with a further order from the Sultan for the delivery of the prisoners.

A question arose regarding the payment of the Chief, who had furnished food and clothes for the Spaniards during their detention in the Reef, and some of the Chiefs refused to liberate them until this claim was satisfied, whilst the Sultan's officer declared he had only received authority to pay for the hire of animals to conduct them to the Moorish Court and to Tangier.

A Chief of the Oolishky tribe then offered to Alhadary and to Hadj Abdallah to pay the money claimed, viz., 300 dollars, if the prisoners were delivered up; but he made a condition that Alhadary should obtain his pardon from the Governor of Reef; and in that case he would embark for Tangier in Her Majesty's ship "Quail," if a passage could be granted.

This was agreed to by Alhadary. The money was paid, and the prisoners were handed over to the Moorish officer, who was to have started for Meknas with a guard of twenty-five Reefians, and thence to Tangier, the day Hadj Abdallah returned here in the "Quail."

I mention all these circumstances to your Lordship, as it will best explain why Seid Mohamed Alhadary asks for my mediation to obtain the pardon of the Oolishky Chief.

I have made known to Don Juan Blanco and Seid Mohamed Khateeb the tidings I have received of the release of the captives; and both of these functionaries have expressed their satisfaction at the result which has been obtained.

I communicated also to Seid Mobamed Khateeb the petition of Alhadary for the pardon of Oolishky, the praiseworthy conduct of the latter in assisting Hadj Abdallah to carry into execution the Sultan's orders for the liberation of the Spaniards, and his intention to have proceeded to Tangier in Her Majesty's ship "Quail," had a passage been granted, to implore the forgiveness of the Governor of Reef, and to pay the debt

owed by his father for arrears of tithes to the Sultan.

Khateeb was good enough to authorise me to announce at once to Seid Mohamed Alhadary that Oolishky's pardon was granted, and that solely the payment of the money due to the Sultan from his late father would be required.

This Oolishky Chief is, after Alhadary, the most important man in Reef, and possesses great wealth. Lieutenant Osborne very properly objected to give a passage to the Reefian Chief and his friends on board the "Quail," as he had not been requested by me to bring any person from the Reef in that vessel. I am very happy to have had an opportunity of requiting the friendly offices of Alhadary.

I have made a present to the messenger, Hadj Abdallah, of 4*l.* sterling for his services, which sum I beg your Lordship may authorize me to charge in my contingent accounts.

I have further to inclose herewith the translation of a letter addressed by the Vizier to Seid Mohamed Khateeb on his receiving from the latter the tidings of the failure of the mission of the first officer sent by the Sultan to effect the release of the Spaniards. The success which has attended the mission of the last officer fortunately prevents the necessity of any coercion being now employed by the Sultan in the Reef.

Inclosure in document 3:⁽¹³⁾

WE have received your esteemed letter which was brought by your friend Hadj Abdallah Lamarty, who is the beloved of all who know him. We have perused and understood all you say.

Be it known to you that God Almighty has caused all your wishes to be fulfilled, inasmuch as you ever seek to promote the welfare and peace of God's creatures.

Hadj Abdallah presented himself to us in person, and also came in person to us an officer from the Sultan, the bearer of a letter to us, and to the people of Akkalaya. We went in person to Akkalaya, and we read to them the letter of His Majesty, and we exerted ourselves to the utmost. At first they wished to oppose us, so we then tried to tempt them with the things of this world, and we made them gifts of the value of about 300 dollars, which were divided amongst the chief men; and this was done in order that we might carry into execution the wishes of our Lord (the Sultan), who is God's Caliph.

The Akkalayans are now about to set out with the Sultan's officer to the Court and they take with them the Spanish captives.

I pray God that the result which has been obtained may be considered satisfactory, and that peaceful relations may now be restored both by sea and by land.

I have to repeat to you that which I have told you before, that the Spaniards have always been the cause why the Reefians have molested vessels at sea, for no confidence or faith can be placed in the Spaniards' promises or engagements. They have frequently promised to the Mussulmans to respect their vessels, and not to molest them, and when

⁽¹³⁾ **Confidential 819**, inclosure 1 in n°81- Seid Mohamed Alhadary to D. Hay, (translation) - 8 Rajeb, 1275. (February 12, 1859).

credence is given to their assurances, they break them or act deceitfully and capture our vessels.

Now, the tribes of Beni Said, of Beni Oolishk, and of Temsemam have never, from the most ancient times, committed the smallest outrage or depredation on the sea; nevertheless, the Spaniards have at various times captured many of our boats, have killed our people, and plundered our property, yet we have not found to whom we could appeal for justice, but to God Almighty, as we are opposed to use force, and thus do anything which might be contrary to the Sultan's wishes. The Spaniards, moreover, have alone been attacked by the Akkalayans; no one else has ever molested them by sea, except the Akkalayans, may God bring upon them the retribution they deserve!

Now, O my friend, I have a favour, a great favour to ask of you. There is a most worthy man, one of our best friends, who has taken refuge with us, and begged for our protection, and for that of your friend Hadj Abdallah. His name is Alarby Ben Al Hadj Mohamed Oolishky. He had a difference with the Governor of Reef, Abbas Emkished, so the latter arrested him, his father and brothers, and all were put into prison. His father (may God have mercy on his soul) died in prison. Now, this man has rendered considerable services in Reef, and has paid large contributions towards providing for the maintenance of the Sultan's troops whenever they visit Reef. He has always been ready, and no one is like unto him, to act up to the wishes of the Sultan. I implore of you to act as a mediator in bringing about a conciliation between him and Abbas Emkished, and that you will also ask Seid Mohamed Khateeb to regard him, with the eyes of kindness and goodwill, and weigh him in the balance of justice, and to allow him to return here happy and contented.

I send with him our nephew to represent us. He throws himself upon you for protection. I write by him another letter urging all this on your attention, God never overlooks an act of charity which may proceed from the goodness of the heart.

I will accept of no excuse from you in this our behest: may God aid you to accomplish it! We ever continue in friendship and peace towards you.

Inclosure in document 3:⁽¹⁴⁾

WE have received your letter, informing us of the return to Tangier of the Kaid Ali Ben Abd-el-kader, and the soldiers who accompanied him to Reef, in consequence of the people of Akkalaya having refused to deliver up to them the Christians in their hands.

The counsels you have given have been taken into consideration, and Our Lord the Sultan has written to Hadj Maimon, the Chief of Beni Snassel, to take steps to compel the people of Akkalaya to deliver up the Christians.

We have received, also, the reply of Seid Mohamed Alhadary, and we communicated it to the Sultan, and His Majesty has sent, this very morning, his Royal orders to the Chief Hadj Maimon, of the Beni Snassel province, to go to

⁽¹⁴⁾ **Confidential 819**, inclosure 2 in n°81- Seid Mohamed Sefar to Seid Mohamed Khateeb, (translation) -1 Rajeb, 1275 (February 4, 1859).

Akkalaya in person.

Document 4:⁽¹⁵⁾

SEID MOHAMED KHATEEB has communicated to me, confidentially, a letter which he has received from the Sultan, of which I have the honour to inclose herewith a translation.

The Sultan, as your Lordship will observe, appears to confirm the reply given by his Minister to the Spanish Chargé d'Affaires, regarding the claim the latter had put forward on account of piracies committed by the Reefians before the year 1856, and rejects with indignation the proposition of accepting a pecuniary compensation for the cession of territory in Reef, and the offer of the Spanish Government to withdraw their claims on that condition. His Majesty consents, however, to take into consideration the proposition for establishing a new boundary line in front of Melilla, in order to insure peace and tranquillity between the Reefians and Spaniards, and agrees that it should be established according to international usage in such matters.

In another letter which Seid Mohamed Khateeb has received from the Sultan, His Majesty authorizes him to inform the Spanish Chargé d'Affaires that he will agree to appoint Moorish officers to command the Reef guards in front of the Spanish African garrisons.

Khateeb has not yet communicated the Sultan's reply to Don Juan Blanco, and has therefore requested me to keep secret the contents of the Sultan's letter. Tomorrow he intends to address him a letter, and will couch the orders he has received from the Sultan in more conciliatory language than that of the Royal letter.

The view your Lordship had taken regarding the impolicy of the presentation by the Spanish Government of the obsolete claims for the furtherance of their views, with regard to a boundary at Melilla, has been verified, for such a Course has not had any beneficial effect on the mind of the Sultan, but the reverse. Your Lordship will, I believe learn with satisfaction the prudent course which has been taken by the Sultan in admitting the rightful pretensions of the Spaniards for the establishment of a neutral ground; and I trust the Spanish Government will now have the good sense to rest satisfied with this very important concession on the part of the Sultan, and that they will not put forward unjustifiable pretensions for the cession of territory which they held some two centuries ago, and which they abandoned, I believe, about the time Oran was retaken by the Moors. I am convinced the Sultan would never grant any such territory, and that, even if he did so, the Reefians would, doubtless, never submit to carry His Majesty's orders into execution. Nor would the Sultan find a Mohamedan in Morocco who would be disposed to serve under his banners, with the object of compelling the Reefians to make a cession of territory to a Christian nation. The Sultan will, I apprehend, meet with the greatest difficulty and obstacles on the part of the Reefians, even in carrying out his present intention of agreeing to the demarkation of a neutral ground; and unless the Spanish Government does all in its power to Strengthen the

⁽¹⁵⁾ **Confidential 819**, n°82- D. Hay to the Earl of Malmesbury (no. 16, confidential) - Tangier, February 17, 1859.

Sultan's position in the eyes of his unruly subjects of Reef, by affording proper reparation for the injury sustained by the owners and crews of the peacefully trading boats captured by the Spaniards, I fear it will be a very difficult matter for His Majesty to obtain the consent of the Reefians to the proposed arrangement.

Inclosure in document 4:⁽¹⁶⁾

WE have received your letter, and have made ourselves acquainted with the answer you gave to the letter of the Spanish Chargé d'Affaires, regarding the demand which he had made for the 30,000 dollars, and which you stated to him you considered they (the Spaniards) were not justified in putting forward against us. Know that all you said in reply was perfectly correct, and is exactly what our answer to them would have been, for they have no rightful claim against us on that account.

With regard to what he (the Spanish Chargé d'Affaires) says, viz., that he will abandon the demands on condition of obtaining alteration of the boundaries between us and them, we have to state that, respecting any boundary that may prove beneficial to our subjects and to our dominions, and that may be in accordance with what is proper and right for us to grant, in order to ensure the peace and tranquillity of the two nations, we will take the matter into consideration, and it shall be arranged satisfactorily, if God pleases; but with regard to the pretension that the boundary should be ceded on account of the 30,000 dollars, we have to say that, even if their demand for that amount were a just one, not so much of the territory which God has granted to the Moors as may be equivalent to the paring of a nail shall be yielded by us, whether for 30,000 dollars, or 30,000,000 dollars. We will not, on any account, yield one jot of our territory to any Power whatsoever, except it be to bring about an arrangement for such a boundary as it may be right and proper, according to the usage of nations, for us to cede.

Document 5:⁽¹⁷⁾

MY despatches Nos. 10 and 16 of this date, report the release of the Spanish captives, and that the Sultan has consented to the demarkation of a new boundary in front of Melilla.

You will learn, also, that the Sultan won't listen to any proposition for a sale of territory, and in this he follows the good example of the Spaniards, if we are to judge from the late language of O'Donnell in the Cortes, so I suppose he won't complain that the Sultan should also have, some sentiment about, national dignity.

Had it not been for the advice, given to the Sultan in the name _____ of the British Government, he would never have consented even to grant a neutral ground.

I wrote the day before yesterday a private letter to Mr. Buchanan, giving him the tidings about the release of the Spaniards, and that the Sultan agrees to a new boundary; but I had not time to give him further details. I told Mr. Buchanan that M. Collantes had misinformed him in stating that the Reef prisoners had been sent to Tangier, and also in

⁽¹⁶⁾ **Confidential** 819, inclosure in n°82- The Sultan of Morocco to Seid Mohamed Khateeb, (translation) - 1 Rejeb, 1275 (February 4, 1859).

⁽¹⁷⁾ **Confidential** 819, n°83- Mr D. Hay to Mr. Hammond, (Private) - Tangier, February 17, 1859.

having stated that the claims for vessels captured by the Reefians were all subsequent to 1845.

My Spanish colleague appears much pleased at the liberation of the Spaniards, and says he shall go to Madrid when they arrive, and, tell O'Donnell his mind about the claims, &c. Don Juan is, I fear, a weathercock, and shifts his position, as the wind blows from Madrid.

He let the cat out of the bag the other day in a conversation, I had with him, in which I happened to mention that I had heard the Governor of Ceuta had been appointed to command the expedition against the Reef had it taken place, by his saying very warmly, "No, O'Donnell would, in such a case, take, the command himself, for a successful General would become the most popular man in Spain." Don Juan is in constant private correspondence with O'Donnell.

P.S. - I have let the Admiral at Malta know the progress of the Mauro- Spanish negotiations.

Document 6:⁽¹⁸⁾

I HAVE this morning received a private letter from Mr. Drummond Hay, dated the 15th instant, confirming the telegraphic intelligence that I communicated to your Lordship in my despatch No. 72, of the 18th instant of the release of the Spanish prisoners in the Reef. They were to set out for the Court of the Sultan on the 12th instant, and to be forwarded from thence to Tangier. The reports received by the Spanish Government from the Governor of Melilla represent them to have been previously in some danger, the Chiefs having threatened to shoot them if the cannon captured by the garrison were not restored within a given time.

The Governor promised to write for instructions on the subject to the Captain-General of Granada; and the release of the prisoners, which may be attributed partly to fresh orders from the Sultan, and partly to the counsels of Mr. Drummond Hay, took place in the meanwhile.

Mr. Hay also informs me that the Minister of the Sultan had just received a letter from His Highness, consenting to the establishment of a neutral ground at Melilla "with a Moorish guard-house and Moorish officers to command on the frontier." The Sultan appears to have declared, with reference to the financial claims of the Spanish Government, that, even if they were good, he would never consent to sell an inch of Moorish territory "neither for 30,000 nor for 30,000,000 of dollars, though being ready to do what is right and proper" about the neutral ground, and "what may ensure the tranquillity of his own subjects and peace between the two nations, he is prepared to take the question into consideration, and to settle it in an amicable manner."

Khateeb had not yet communicated the Sultan's decision to the Spanish Chargé d'Affaires, as he was waiting for official information of the arrival of the Spanish prisoners at His Highness' Court.

⁽¹⁸⁾ **Confidential 819**, n°84 - Mr. Buchanan to the Earl of Malmesbury, (no. 78, confidential) - Madrid, February 23, 1859.

The issue of the question will now depend on the moderation and prudence of this Government; and if it can be shown that all that is necessary for the future tranquillity and freedom from insult of the African garrisons can be obtained by the concessions which the Sultan is prepared to make, it may be hoped that they will scarcely venture, in defiance of the counsels of their allies, to embark without any reasonable pretext, in a War of aggression and conquest, more especially as they cannot be blind to the fact that hostilities against the Empire of Morocco may prove more advantageous to France than to themselves.

Document 7:⁽¹⁹⁾

I INCLOSE, for your information, copies of two despatches from Mr. Hay, &c., reporting the steps taken by him to procure the release of the Spanish prisoners, and regarding the question as to the boundary at Melilla. Her Majesty's Government have approved Mr. Hay's proceedings, as reported in these despatches, and they consider that he deserves the praise of the Spanish Government for his judicious and intelligent conduct.

Document 8:⁽²⁰⁾

I HAVE received your despatch No. 78 of the 23rd ultimo, regarding the release of the Spanish prisoners in Reef, and the proposed arrangement for a neutral ground at Melilla; and I have to instruct you again to urge Upon the Spanish Government the policy of moderation in their mode of dealing with the Moorish question.

Document 9:⁽²¹⁾

A LETTER, just received from Her Majesty's Chargé d'Affaires in Morocco, states that the Reefians have again refused to give up the Spanish prisoners.

From the temper of the Spanish Government on this subject, serious consequences may be apprehended. I shall endeavour to obtain time for the Sultan to enforce his orders.

Document 10:⁽²²⁾

A DUPLICATE of a despatch to your Lordship from Her Majesty's Chargé d'Affaires at Tangier, dated 1st March, reports arrival of two Spanish vessels-of-war, and that Spanish Agent threatens to break off relations if prisoners are not immediately released. Mr. Hay believes, if cession of territory at Melilla is not made, a rupture will ensue, and has requested senior naval officer at Gibraltar to provide protection for British residents. I shall forward despatch, with explanations of this Government, by Spanish messenger on the 10th. Foreign Minister assures me, unless prisoners are killed, force will not be immediately employed to obtain Spanish demands. He says, to accept the neutral ground would be a renunciation of Spanish claim to the old lines.

⁽¹⁹⁾ **Confidential 819**, n°85 - The Earl of Malmesbury to Buchanan - Foreign Office, March 2, 1859.

⁽²⁰⁾ **Confidential 819**, n°86 - The Earl of Malmesbury to Buchanan - Foreign Office, March 3, 1859.

⁽²¹⁾ **Confidential 819**, n° 87 - Mr. Buchanan to the Earl of Malmesbury, (Telegraphic) - Madrid, March 6, 1859.

⁽²²⁾ **Confidential 819**, n° 88 - Buchanan to the Earl of Malmesbury, (Telegraphic)- Madrid, March 7, 1859.

Document 11:⁽²³⁾

WITH reference to my despatch No. 16 of the 17th ultimo, I have the honour to inclose, herewith, the translation of the draft of a letter addressed by Seid Mohamed Khateeb to M. Juan Blanco, and which was communicated to me by the former, on the 19th instant, making known to M. Blanco the reply of the Sultan to the communication he had made to His Majesty, regarding the claims put forward by the Spanish Government for vessels captured by the Reefians before the year 1855, and regarding the Spanish demand for a cession of territory at Melilla, and the demarkation of a neutral ground.

Khateeb informs me that the letter, of which the above-mentioned document is a translation of the draft, was sent by him to M. Blanco on the 20th instant; that on its receipt M. Blanco returned the letter, through his interpreter, to Khateeb, with a request that he should withdraw or alter the phrase which I have marked with asterisks*, as Don Juan, said he, wished that phrase to be worded in another form. Khateeb consented to make any slight alteration which might be agreeable to the Spanish Chargé d'Affaires.

Shortly afterwards, Khateeb informed me, Don Juan Blanco had sent again his interpreter to say that it would greatly facilitate the settlement of all questions if he would consent that the wording of the whole letter should be altered, but without affecting any important modification of the Sultan's instruction. Khateeb consented, on that condition, to take into consideration the draft that Don Juan might send for his perusal, and, consequently, on the 22nd instant, the latter sent, through his interpreter, a draft of a letter in the Spanish language, with directions to translate it, verbatim, into Arabic to Khateeb; and I have the honour to inclose, herewith, a translation from the Arabic draft of the original, which has been communicated to me by Khateeb.

When the Spanish interpreter brought the draft to Khateeb, he informed him he had been directed by Don Juan to warn Khateeb against communicating the draft to myself, and added, Don Juan had received information that a certain person had been writing to his Government, and to Madrid, to propose that he should act as umpire for the demarkation of the frontier lines; but that the Spanish Government would never accede to such a proposition. Khateeb replied that he had never heard a word from any person at Tangier about such a proposition, and that he ignored to whom he alluded; but that, with regard to the proposed draft, he could never accept it, for it was in direct contradiction to the instructions he had received from the Sultan, which authorized him alone to say, that the demarkation of the boundaries for a neutral ground at Melilla would be acceded to; but that no cession of territory to the Spaniards would be granted.

Don Juan, on receiving the reply of Khateeb, sent a peremptory message, demanding that a letter identic with the draft be addressed to him, or he would reply to his, Khateeb's, letter of the 15th ultimo, wherein he had rejected the claims for pecuniary compensation. To this Khateeb retorted, by saying that M. Blanco was at liberty to act as he pleased; but that he must adhere to the Sultan's instructions. Later in the day, M.

⁽²³⁾ Confidential 819, n° 89 - D. Hay to the Earl of Malmesbury - Tangier, February 26, 1859.

Blanco sent his interpreter to say he wished to see Khateeb before any further step was taken, and perhaps some understanding might be come to; but that as he did not wish anyone, more especially the English Chargé d'Affaires, should know of his visit, he would visit him at 10 o'clock at night. Khateeb replied he would see him next day at any time he pleased, as he was too much occupied that night to receive him.

I happened to be absent in the country during the two days these discussions were taking place; but on the 24th instant I had an interview with Khateeb, when he gave me the above relation of what had occurred; and put in my hands, the draft which Don Juan had required him to write, and asked my advice. I replied that if the Sultan would be disposed to concede a portion of territory at Melilla, as well as the neutral ground, as demanded by M. Blanco, the British Government, I felt persuaded, would be happy to learn that all matters had thus been finally adjusted, for we had not the slightest interest in opposing such a concession. Khateeb said the cession of territory was out of the question; that the Sultan had agreed to the demarkation of the limits of a neutral ground, because I had declared the Spaniards had just grounds for putting forward such a pretension, but that not an inch of such ground would be ceded or sold under any consideration whatever: moreover, that even if the Sultan had agreed to make such a concession, the Reefians would never obey His Majesty's orders to give up a portion of their territory to the Christians; that even in the arrangement of the neutral ground it was very possible the Sultan would have finally to send an army to enforce the execution of his orders. As M. Blanco had told Khateeb he would visit him that night, I recommended the latter to take into consideration any reasonable proposition he might have to put forward for an alteration of the letter Khateeb had addressed him. I told him, also, I thought it would be advisable he should no longer leave M. Blanco under the false impression that all that was passing, and had passed between them, was kept secret from me, especially as I reported officially to your Lordship and Mr. Buchanan all the communications he (Khateeb) had chosen to make me on this subject, as also the counsels I had proffered to the Moorish Government. Khateeb agreed with me in thinking it would be advisable no longer to let M. Blanco be led away by erroneous impressions in this respect, and said he would take an opportunity of telling him frankly that he had received orders from the Sultan to ask my advice, as the Agent of a Government which was the friendly ally of both parties, and that in doing so, the Moorish Government only followed the usages of other Governments who, in grave matters of dispute with other nations, sought for the counsels of a friendly and impartial ally; moreover, he said, he would tell M. Blanco that the principal concessions, hitherto made by the Sultan, had been made out of deference to the counsels he had received from the British Government through myself.

M. Blanco, on receipt of the letter, sent his interpreter to ask why Khateeb had not waited for its presentation till he could see him, as some alteration might have been made in the wording of the note, which would have facilitated the adjustment of all questions. Khateeb replied that as M. Blanco had again deferred his visit, he, Khateeb, could no longer delay putting into execution the instructions he had received from the Sultan regarding his answer about the claims and the demarkation of a neutral ground. The interpreter then told Khateeb that one of the chief objections of M. Blanco to the

letter was that the Sultan, had said, "he would take the matter into consideration;" and that M. Blanco feared this was done merely to gain time, and that, eventually, no arrangement about the frontier at Melilla would be come to. To this Khateeb informed me he replied that the Sultan was acting with perfect good faith; "that a neutral ground which was proper, according to the usages of other nations, would be granted at Melilla;" but that such a matter could not be arranged with precipitation, for it would be necessary, when once the Spanish Government had accepted the Sultan's offer, that Commissioners should be sent by the Sultan to report on the extent of territory requisite for the neutral ground, and on the feelings of the Reef population about such a concession; and also whether it would be necessary for the Sultan to send an army into Reef when the moment arrived that the new lines were to be marked, in order to secure obedience to his commands; that were the Sultan to act without great prudence and circumspection in the affair, the object both Governments had in view for securing a peaceful solution of all questions, would be thwarted.

Khateeb has informed me this morning that M. Blanco has not yet called on him, as he declared was his intention, nor has he received any further message from him.

Yesterday evening M. Blanco dispatched a Spanish steamer of war, stationed at the port, to Algeiras, and I profited by that opportunity to send to the Government Post-office, by a passenger, a hurried private letter to Mr. Buchanan, containing the information I have now given to your Lordship, together with copies of the two inclosures.

The Spanish prisoners are not expected till next week.

P.S. - I hear, to-day, that Don Juan Blanco went himself with the steamer to Algeiras.

Inclosure 1 in Document 11:⁽²⁴⁾

WE have to acquaint you that we had made known to our Lord the Sultan what you had written to us on the 31st December last, and what we had replied to your regarding the claims, as also that which you communicated verbally to us in the garden of the Government last month, and we sent a copy of the Memorandum you transmitted us, at that time, through your interpreter. Our Lord has replied that the answer we addressed you regarding the claims for the Vessels is in conformity with his Royal orders, and that our reply is his reply; that the sole claim which your Government had put forward three years ago, namely, for the vessel "San Joaquin," and upon which representations had been made by you on your arrival, had, as you are aware, been settled in a manner satisfactory to you, for we had delivered to you, at the time, 2,000 dollars, but our Lord never supposed, at the time, you would put forward claims which were prior to that which was then settled, whilst our Lord then agreed to settle the said demand, to give a proof of his friendship and goodwill to your Government; but as to the demands for vessels captured by the Reefians before that time, he cannot acknowledge them, and he has replied to that effect repeatedly to other nations. He

⁽²⁴⁾ **Confidential 819**, inclosure 1 in n° 89 - Draft of a Letter from Seid Mohamed Khateeb to Don Juan Blanco, (Translation) - February 19, 1859.

cannot separate himself from his first declaration, either towards your nation or towards other nations; but all that he has ever conceded in justice to others he has equally conceded to you, for our Lord's desire is to promote a good and friendly understanding between himself and your Government.

With regard to what you have proposed, that the demands should be withdrawn in consideration for the cession of a boundary at Melilla, our Lord has replied that even had those demands been acknowledged as proper, and we had agreed to pay them, our Lord would never concede any portion of the land which God has granted to the Mussulmans, neither for thirty thousand dollars nor for thirty millions of dollars. Your Government, from its well-known judgment, and you, also, from your discernment, will understand the propriety of this; for Kings cannot dispose, by sale, of the territory they rule over, nor grant their territory in any other way; but His Shereefian Majesty has directed me to say, that if your Government will bring to a close "all these discussions, as you had said to us in the garden of the Government, that a boundary, which may be proper at Melilla, tending to promote a good understanding and peace between the two parties, and which may be arranged according to the received usages amongst nations, so as to prevent conflicts between the Reef people and the inhabitants of your fortresses, our Lord has desired us to acquaint you, will be taken into consideration, and will be satisfactorily arranged, if it pleases God; for the Sultan desires to agree to that which may promote the welfare and honour of the two Governments, and which may cement their peace and friendship. With regard to the fortresses of Penon and Alhucemas, they are islands; God has, therefore, fixed their limits by the sea. With regard to the guards in the frontier, our side at Melilla, and in front of the islands, officers of the Sultan's army shall be appointed to superintend the guards of the frontier, who will be placed by those officers, and not by the people of Reef. All these matters, if it pleases God, will be amicably settled, if it be your desire, as it is ours, to do so. You, thank God, are a man of discernment, and are therefore acquainted with the state of the Reef people, and know that it will be necessary to conduct all these affairs with prudence and moderation, in order that they may be settled in a satisfactory manner.

Inclosure 2 in Document 11:⁽²⁵⁾

IN accordance with the promise made in our interview with you of the 22nd January last, we reported all that took place to our Lord, and said that you desired to promote peace, amity, and friendship, between the two Governments; and we also reported what you promised to us, namely, that you would use friendly persuasion with your Government in urging them to withdraw all the claims that were mentioned in your letters of the 31st December and 13th January, on the condition (as you said) that our Lord would grant to your Government a (new) frontier, as well as a space of land requisite for their fortresses, and such commanding positions as might prevent conflicts between the two parties. Our Lord has replied, in the satisfactory manner we supposed he would do, and this because he desires to promote friendship and goodwill between the two Governments, and to cement a lasting friendship between him and your nation.

⁽²⁵⁾ **Confidential 819**, inclosure 2 in n° 89 - Draft of a Letter which Don Juan Blanco requested Seid Mohamed Khateeb to address to him, (Translation).

Now, there is not anyone of the Sultans who would give either a large or small portion of his dominions, whether for 30,000 or 30,000,000 dollars, but our Lord wishes for an arrangement by which all conflicts and disorders may be checked between the Reef people and the authorities of your fortresses, for sometimes the injuries proceed from the Reef people, and sometimes from your authorities in your fortresses, in consequence of their insufficient knowledge of the established rules and the disorderly state of the Reefians, and thus conflicts have ensued between them, and the peace that ought to exist between them is interrupted. The desire of our Lord is, that your towns should not be molested, nor any injury done to them by the people of Reef; and he likewise desires that the vessels of the Reefians engaged in trade should sail in the sea without interruption or hindrance on the part of your vessels in our dominions, as no injury had been done to them till the year 1856; and our Lord has ordered us to write to you that you must not doubt that this our letter to you is, as it were, from his Shereefian hand.

1st. To cede to Spain the frontier requisite for their fortress of Melilla, and to widen the frontier to such a distance as to prevent any injury being caused to the inhabitants, and to fix the limits of the frontier by parties appointed by us and by you.

2^{ndly}. That a settlement be come to, also, regarding a neutral ground, and in order that the frontier be respected on our side, a Kaid will be appointed by our Lord, with soldiers who are not Reefians.

As to Penon and Alhucemas, they are islands, so God has fixed their boundaries by the sea; but on the coast opposite to them our Lord will appoint guards to be stationed. On these conditions our Lord requires that all the demands that you mentioned, or any others, be settled; and from your perfect judgment and experience, we are persuaded that you will seek to promote a friendly understanding, as we have done, and that no matter of discussion shall remain between the two Governments, as was agreed upon at the interview which took place between us. We have no doubt, also, that whenever you have an opportunity of communicating this verbally to your Government, you will, as in accordance with your promise, exert yourself to bring about the withdrawal of the demands which our Lord cannot accept, as he has already declared to other nations, when similar demands were made previously by them, and as we wrote to you before, in our letter dated the 1st of Joomad the second, 1275.

We have written this to you as a proof of our friendship, and hope you will regard it in that light.

Document 12:⁽²⁶⁾

I INCLOSE, for your information, copy of a despatch from Her Majesty's Chargé d'Affaires at Tangiers, inclosing correspondence respecting the demands of the Spanish Government upon Morocco.

⁽²⁶⁾ **Confidential 819**, n°90 - The Earl of Malmesbury to Buchanan - Foreign Office, March 9, 1859.

Document 13:⁽²⁷⁾

IN my despatch No. 86 of the 3rd instant, I transmitted to your Lordship some information which I had received from Her Majesty's Chargé d'Affaires at Tangier, relative to the position of the negotiations, up to the 25th ultimo, which have been for some time pending between the Spanish and Moroccan Governments respecting the wish of Spain to reoccupy certain old lines round the Spanish fortresses in Africa, and to have a neutral ground, garrisoned by Moorish troops, established between the Spanish and Reefian territory in the valley of Melilla; and I reported, at the same time, that orders had been issued by the Spanish Admiralty for a new demonstration by a squadron of steam-vessels on the coast of Morocco.

I have now further to add, with reference to this subject, that I have had, this morning, an interview with Marshal O'Donnell, in which his Excellency declared that though objections were, at present, made by the Government of Morocco to the views of Spain, assurances had been given some time ago to the Spanish Chargé d'Affaires by the Sultan that the zone marked around the fortresses, asked for by Spain, would be granted. He said, also, that the Spanish Government would undoubtedly consider such a concession a necessary condition of any arrangement which might be come to; and he intimated that if the Sultan could not be induced by negotiation, to accept "the reasonable proposals" which had been made to him, the Spanish Government would be obliged to have recourse to other means for causing them to be adopted.

I observed that Her Majesty's Government, whose only interest in the question was that the amicable relations of Spain and Morocco should not be interrupted, would learn with great regret that the Spanish Government might possibly seek to extend their territorial limits in Africa by conquest; but his Excellency maintained that the re-occupation of the old lines around the fortresses, which had never been ceded to Morocco by Treaty, even if force was necessary to effect it, could not be considered a conquest.

He spoke of the impossibility of continuing to permit the garrison of Melilla to be prisoners within the walls, and of the right of Spain to the territory under the guns of the fortress. I asked, therefore, whether the British lines extended over the country commanded by the guns of Gibraltar; and his Excellency, without being able or willing to answer this question, seemed to be of opinion that the territory now occupied by Great Britain exceeded what she had been originally intended to do.

The range of guns around a fortress has, indeed, lately become a very elastic limit of territorial jurisdiction, but, if no other base on which to treat can be found, it appears to me that the state of things established at Gibraltar might not be an unfair precedent on which to regulate the question which has been raised by the Spanish Government in Africa.

I shall forward a copy of this despatch to Mr. Drummond Hay.

P.S.-I inclose a copy of a letter which I have addressed to Mr. Hay, forwarding to

⁽²⁷⁾ **Confidential 819**, n°91 - Buchanan to the Earl of Malmesbury - Madrid, March 4, 1859.

him a copy of this despatch.

Inclosure in document 13:⁽²⁸⁾

I HAVE the honour to inclose herewith, for your information, the copy of a despatch which I have this day addressed to the Earl of Malmesbury, relative to the claim of the Spanish Government to reoccupy certain old lines around their fortresses in Africa.

I shall endeavour to hope that the Spanish Government will not have recourse to the extreme measure of employing force to obtain their object, if the Sultan of Morocco cannot be induced to renounce his sovereignty over territory which, though formerly occupied by Spain, appears to have been tacitly abandoned by her garrisons.

The language of Marshal O'Donnell, however, is very decided on this subject; and I cannot disguise from myself that his Excellency seems to consider that the old lines must be re-established, whatever measures may be requisite for the purpose.

Document 14:⁽²⁹⁾

M. BLANCO returned to Tangier yesterday evening from Algeciras in a Spanish war steamer, and was accompanied by another steamer.

At 9 P.M., I received a letter from Seid Mohamed Khateeb, of which the inclosed document is a translation. His letter to M. Blanco of the 20th ultimo, which had been returned, and which he inclosed for my perusal, I found to be identic with the draft he communicated to me on the 18th ultimo, except the passage in the first paragraph of that letter: "and what we replied to you regarding the claims, as also that which you communicated verbally to us in the garden of the Government last month," which had been omitted, in consequence, I believe, of M. Blanco's having requested, when first the letter was presented, that no mention should be made in it of the interview in the garden.

As Seid Mohamed Khateeb sent me also a verbal message, requesting me to come and see him, or to reply to his letter, I gave to my interpreter, Mr. David Sicsu, this morning, instructions in the Spanish language, of which the inclosed is a translation, and I trust they may not be disapproved of by your Lordship.

I have further the honour to inclose herewith a translation of Mr. Sicsu's report of Khateeb's reply.

From information I have received from the nephew of Seid Mohamed Al Hadary, who has accompanied the Chief of the Oolishky tribe, whose pardon I had obtained from this Government, it appears that the day after the departure of my messenger, Hadj Abdullah, the Spanish captives actually started with the Sultan's officers for the Moorish Court, accompanied by an escort of Reefians, when some of the Chiefs, who had no share in the 300 dollars which had been given for their release, stopped the party, and declared they should not be set at liberty until the little cannon,

⁽²⁸⁾ **Confidential 819**, inclosure in n°91 - Buchanan to D. Hay - Madrid, March 4, 1859.

⁽²⁹⁾ **Confidential 819**, n°92 - Mr. D. Hay to the Earl of Malmesbury - Tangier, March 1, 1859.

which had fallen treacherously into the hands of the Spaniards, were given back to them, and until their Reef brethren detained in captivity in Spain were released.

My informant said he had also heard that Kaid Maimon was expected in Akkalaya, and that he would demand the delivery of the captives. Your Lordship will observe, by Mr. Sicsu's report, that Khateeb entertains considerable apprehensions that the Spaniards would be murdered by the Reefians if force were employed, and that this had made the Sultan hesitate about resorting to such a measure.

I beg to call your Lordship's attention to the passage in the instructions I gave this morning to Mr. David Sicsu, where I say that, even if the prisoners had arrived, and had been delivered up, Don Juan Blanco would not have acted differently from what he has now done; for his arrival here with two vessels of war, after his visit to Algeciras, and his refusal to accept Khateeb's letter of the 20th ultimo, give grounds for believing that the Spanish Government has decided upon breaking off its relations with this Government, and resorting to hostilities, unless the new frontier-line coveted by the Spanish Government is ceded, and that, even if the claim for the 30,000 dollars were satisfied, other more obsolete demands of forty or fifty years' standing are to be raked up, as would appear from the language held of late by Don Juan to some of my colleagues, and that a demand be also made that the Tariff annexed to the Treaty between Spain and Morocco be put in force, even though it has never been acted upon since the stipulations were drawn up, and the money and weights alluded to in the said Tariff are no longer in use. The object the Spanish Government has in view, therefore, is evidently an accession of territory in Melilla, besides the grant already made of the neutral ground. All other demands would, I believe, be withdrawn if that object were attained.

Your Lordship will observe that I urge these matters on Khateeb's attention, and tell him that the British Government would learn with satisfaction that the Sultan could make such concessions; but Khateeb persists in saying that the Sultan will not-and, what is more, he tells me in confidence His Majesty dare not-make them, as the feelings of the Reefians would thus be roused still more against his rule and nominal sovereignty, and I am indeed afraid he would thus become very unpopular throughout his dominions.

If the Spanish Government was not led away by wrong impressions regarding this country, and regarding their position at Melilla, by the interested counsels of military men such as Brigadier-General Buceta, the Governor of Melilla, they ought to have accepted at once the offer of the Sultan of a neutral ground, to be established, as he says, "according to the Law of Nations" -a most important concession, which Spain has never hitherto been able to obtain- as also the establishment of guard-houses on the lines, with efficient Moorish officers to command them; and they might also have required, if they thought proper, that the Sultan should withdraw his demand for the 14,000 dollars for the cargoes of the Reef boats, and the duty of 5,000 dollars on the cargo of wheat, of which his Customs have lately been defrauded by the master of a Spanish vessel, and the latter's apparent accomplice, the late Spanish Charge d'affaires and Consul-General, and only agree to return the boats to the Reef prisoners,

When the neutral ground came to be marked a liberal space might be required, and hereafter, when better relations should be established between the Reefians and the Spaniards, or upon the death of the Sultan, or other like favourable occasion, the Moorish Government might consent to an advance on the neutral ground of the present Spanish lines, or a tacit acquiescence might then be given that the lines be so advanced, and afterwards accepted as a *fait accompli*.

But I confess I do not see the slightest prospect of a peaceful solution of the present affairs, if Don Juan Blanco is instructed to insist upon the immediate cession of territory, besides the neutral ground.

With regard to the non-arrival of the Spanish captives, I may mention to your Lordship confidentially, that I think it is fortunate they have not yet arrived and been delivered up, for it appears to me the object of Don Juan is merely to ensure their safety, and then break off relations with this Government, and that hostilities may be entered upon at once; though I must avow such a proceeding does not seem to me to be worthy of a civilized Government, especially after the strenuous efforts made by the Sultan to release the Spanish soldiers who had been captured in the act of invading the Moorish territory for the purpose of spiking a cannon, whilst the Spanish Government still refuses to deliver up the twenty-eight Reefians who were innocent of the infringement of any law, and who were peacefully engaged in a coasting traffic with the Moorish ports, at a moment when they supposed they would not be molested; no notice of the hostile intention of the Spanish Government, or that a blockade of the Reef coast was to be enforced, having been given to them .

It appears, however, both from the proceedings of the Spanish Chargé d'Affaires, and from the language held on several occasions by the Spanish Ministry to Mr. Buchanan, that all consideration for what is politic towards this government is to be set aside, because popular opinion in Spain is for war with Morocco, and because the position of the present Spanish Ministry would be weakened if something is not done by which the Sultan of Morocco is compelled to part with his territory by concession, by sale, or by force.

I shall write to-day to the senior naval officer at Gibraltar to send over here Her Majesty's ship "Argus," with orders to remain on this station until I feel assured her services are no longer required to ensure the safety of British subjects; and I shall further request that Her Majesty's ship "Quail," or a more efficient vessel, if there be any at his disposal, be held ready at any moment to come over here, or to visit the coast, to afford aid and protection to British subjects, in case the ports of this Empire are to be attacked, or in case Tangier be bombarded, as there is no foreseeing whether such hostilities might not produce a revolution in the interior and place the lives of Europeans in the greatest jeopardy, unless full time is given for them to embark.

I trust your Lordship will excuse me for taking the liberty of expressing a hope that the Spanish Government may again be warned of the danger of the course they are pursuing, and that, if hostilities are to be engaged in, they should limit their operations to the Reef. I need not point out on this occasion to your Lordship that the blockade of Tangier, or an attack on the town, will stop the supplies of fresh provisions to Her

Majesty's garrison of Gibraltar, whilst we have strong grounds for apprehending that the probability of any settlement of the question regarding the frontier line, or of the claims put forward, being come to, after the bombardment, will be still more remote than it was before, and that, finally, the gravest complications may be brought about if war is entered upon between Spain and Morocco.

As Don Juan Blanco chooses to continue to keep entirely aloof from me, and requests Khateeb not to communicate anything that is passing to me, and as he has been told repeatedly what my views and sentiments are, I fear any further representation from me to him would be of no avail, if a rupture is to take place; and I shall, therefore, abstain from any verbal or written communication with him on the subject, unless he seeks me, further than, if he announces that hostilities are to be entered upon without a reasonable delay, I shall address him a temperate letter pointing out the grave responsibility which the Spanish Government and he, their Representative, will incur, if adequate time and means are not afforded for every European, who may so desire, to leave the country; and I shall protest against any precipitate act that might involve the safety of their lives and property. Though I shall, probably, send my family to Gibraltar, if a bombardment is to take place at Tangier, my present intention is to remain, under such circumstances, at my post, even though I believe all my colleagues would embark, as I have some little hope that my presence in the town might assist in preventing a revolution in the province, and checking the wild tribes, who will flock to this neighbourhood to defend their country, from pillaging the houses and property of Europeans.

If your Lordship considers, after all the information I have now transmitted, that hostilities are likely to ensue. I beg that your Lordship may communicate to me without delay your instructions as to my conduct in such an emergency, either by sending a steamer direct to Tangier with despatches, or by telegraph through Mr. Buchanan.

P.S.-I send this despatch by an express boat which I have hired for the occasion.

Inclosure 1 in document 14:⁽³⁰⁾

I HAVE to inform you that the Spanish Vice-Consul came to us with his interpreter, Yahia Sicsu, about an hour ago, and delivered to us the letter with the seal broken that we had addressed him, giving the reply of our Lord the Sultan to the verbal communication he had made us before, and of which you are cognizant, and we had acquainted him with all our Lord had instructed us. When the Vice-Consul delivered to us our letter, I asked whether he refused to receive it: he replied that the Chargé d'Affaires had directed him to return it to us, as he could not accept it. After this he said that the Chargé d'Affaires had desired him to require we should give a reply about the claim of the 30,000 dollars, regarding which he had written to us before in his letter of the 13th January.

I replied that I would give our answer after reflecting on the instructions in the Sultan's letter. He then asked about the Spaniards who are captives in the hands of the

⁽³⁰⁾ **Confidential 819**, inclosure 1 in n°92 - Seid Mohamed Khateeb to Mr. D. Hay, (Translation) - 24 Rajeb, 1275. (February 28, 1859).

Reefians. I told him that our Lord had sent, on the first instance, a Kaid and six cavalry soldiers, supposing that the Reefians would have delivered over the captives, but the Reefians told the Kaid that the letter he had read to them was not the Sultan's, and the Kaid came away. Then the Sultan sent another Kaid from Faz, and the Marabout Seid Mohamed Alhadary accompanied him, and read to the Reefians the letter of our Lord, and they agreed to deliver up the captives; but when they were about to depart, several of the evildisposed Reefians declared the letter was not from the Sultan, but a trick from the Marabout Alhadary to release the Spaniards, and that this took place after the captives were delivered over to the Kaid; upon which that Kaid also departed, but in the evening of the same day arrived the Kaid Maimon, the Chief of Benisnassel, and this circumstance gave me hopes the captives might be expected in a very few days if it pleased God, for the Sultan had sent at first officers to obtain their release without using force; but as the Reefians had refused to give the captives up, the Sultan had sent Hadj Maimon, and, therefore, that I thought they would soon be released.

The Vice-Consul replied that the Chargé d'Affaires granted a term of four days, and if the captives did not then arrive, relations would be broken off between them, and vessels would be sent to attack all the ports. I replied if the Chargé d' Affaires desires peace that, with regard to the captives, they would ere long arrive, and would be delivered up to him; but that if he sought for a rupture of their relations, his words, granting a term of four days, were: equivalent to declaring a rupture was about to take place, for that even if the captives were at Tetuan, that term would hardly suffice to bring them to Tangier; that such language might, perhaps, have been used, if the Spanish Government had been told that the Sultan had refused to deliver the captives up, but that the Sultan had done all in his power to bring them to Tangier, and could not have done more even if they had been his own subjects, but that in dealing with the wild people of those districts much patience was required.

Now he (the Chargé d'Affaires) does not listen to what appears to us to be reasonable, but his aim and desire is to bring about dissension, and a rupture of the friendship which has existed between the two nations.

We write this to you secretly, that you may be cognizant of what is passing, and how we have replied.

We send you also the letter we had transmitted to him, and which he returned to us refusing to receive it.

This man's desire is evidently that the affairs should not be arranged amicably.

Inclosure 2 in document 14:⁽³¹⁾

YOU will inform Seid Mohamed Khateeb that I received, last night, at a late hour, his letter, informing me that the Spanish Chargé d'Affaires had returned on the 20th instant, and had demanded that a reply should be given to the claims he had put forward for 30,000 dollars for the vessels captured in Reef before the year 1855; and

⁽³¹⁾ **Confidential 819**, inclosure 2 in n°92 - (Translation) Instructions given by Mr. D. Hay to the Interpreter, Mr. Sicsu, on the. 1st March, 1859.

had further informed him that if the Spanish captives did not arrive in four days, he, Don Juan Blaneo, would break off relations between the two Governments, and that a squadron would be sent to bombard all the ports of this Empire.

You will say to Seid Mohamed Khateeb that I am not of opinion that the threat of an immediate rupture has been made, because the prisoners have not arrived, as I cannot suppose that Don Juan Blanco would be so unreasonable, after the facts that have been brought to his knowledge, not to be satisfied that the Sultan, in this matter, has acted with the greatest good faith. Moreover, the term of the four days, as he, Seid Mohamed Khateeb, had justly observed to the Spanish Vice-Consul, was not sufficient for a courier to reach the Akkalayan country, for twelve days or a fortnight were at least required to get a reply by a courier overland; that even if the captives had arrived I feared the Spanish Chargé d'Affaires would have acted as he now does; for it appeared to me, from his sudden departure to Algesiras on the 25th instant, and return here yesterday with two steamers of war, that he had communicated to his Government, by telegraph, the decision of the Sultan regarding the pecuniary claims, and his refusal to cede a portion of the Reef territory, except for a neutral ground, and that he had obtained a reply, which I conclude authorized him to use the present menacing language, and which I feared, from all appearances, would be carried out, whether the Spanish captives arrived or not; for Don Juan Blanco was ignorant of the fact that the captives had again been retained by the Reefians until he returned here. That, under all the peculiar circumstances of the case, it was a very delicate matter for me to offer my counsels to the Moorish Government, unless Seid Mohamed Khateeb had any further instructions from the Sultan than those he had communicated to myself, or that he considered he, Seid Mohamed Khateeb, could take upon himself, at this critical moment, to make further and important concessions regarding the cession of a new frontier, which I suspected, from the manner the negotiation had hitherto been conducted, was the chief and sole aim of the Spanish Government, and that I apprehended, even if the 30,000 dollars were paid, the question of the frontier would still be mooted, and have to be solved. That, as I have repeatedly told him *vivâ voce*, and written to him before, the British Government would learn with satisfaction that all matters were arranged amicably by the Sultan, even though His Majesty had resolved on making all the concessions which were demanded by the Spanish Government, for we had not the slightest interest or object to encourage opposition to them; and it remained for the Moorish Government to consider whether it was not preferable that the concession of a new frontier line, or even the payment of the claim for the 30,000 dollars (whatever might be thought of the regularity or the justice of such demands) should be made, rather than that relations should be broken off, and hostilities ensue, the final result of which might be most disastrous to both parties, and especially to Morocco. That there was not time for me to make a reference to Her Majesty's Government, and get their reply; and that in such an emergency, therefore, the Moorish Government ought to come to a prompt decision, after reflecting on the gravity of their position.

As a *résumé*, you will say:-

1. That if he, Seid Mohamed Khateeb, thought he could make any further concession, without a reference to the Sultan, let him do so at once, by letter, or in an interview.

2. That if he feel assured he has not the power to modify his letter of the 20th instant, he had then better request the Spanish Chargé d'Affaires to state, by letter, clearly what his demands and instructions are, and to grant him a term of a fortnight or three weeks to refer to the Sultan at Meknas for his decision.

You will tell Seid Mohamed Khateeb that, later in the day, I shall have the honour of calling on him to deliver a letter from Her Majesty the Queen to the Sultan.

Inclosure 3 in document 14:⁽³²⁾

IN reply to the message which I delivered to the Minister for Foreign Affairs, in the name of Her Majesty's Chargé d'Affaires, his Excellency informed me that it appeared to him the Spanish Chargé d'Affaires had withdrawn from the determination which he last night communicated to him regarding the ultimatum of four days, and was satisfied with the arrangement that the Minister should address him a letter touching all that has caused the protracted detention of the Spanish captives in Reef and the reason why they had been brought back to Reef after they had been set at liberty, in order that he might communicate it to his Government. The Minister further declared he had, consequently, written to the Spanish Chargé d'Affaires, to the following effect:- "That the Sultan had sent to Reef one of his principal Kaid and five soldiers, with a Royal Order to the Chiefs of Akkalaya, for the immediate release of the captive Spaniards; but that the Reefians would not believe that the letter containing the order came really from the Sultan, and so refused to give the Spaniards up; that the Sultan was very much irritated at this, and sent another Kaid and the Marabout, Seid Mohamed Alhadary, to cause, if possible, the liberation of the Spaniards. "(Seid Mohamed Khateeb said he did not think it convenient to mention the voyage of Hadji Abdallah to Reef, and what passed between the latter and the Reefians.)

The Minister said he concluded his letter to M. Blanco by stating, that the Reefian Chiefs had delivered the captives over to the second officer that was sent; but that on a report being spread by some bad people in Reef, that the Marabout had received money for liberating them (the captives), the latter were brought back; that the Sultan had directed the Sheikh Maimon of Benisnassel to go to Akkalaya and take away the Spaniards, but that His Majesty had hesitated until now having recourse to force, on purpose that the captive Spaniards should not suffer. (The Minister observed to me, in order that I might communicate the remark to Mr. D. Hay, "that if force were used against the Akkalayans, the latter would probably murder the Spaniards.")

I then called the Minister's attention to the message of Her Majesty's Chargé d'Affaires, that the object of the menacing attitude assumed towards his Excellency by

⁽³²⁾ **Confidential 819**, inclosure 3 in n°92 - (Translation) Report, by Mr. Sicsu, of Seid Mohamed Khateeb's Reply to Mr. D. Hay's communication on the 1st of March, 1859.

the Spanish Chargé d'Affaires appeared to him not to refer so much to the captives, for, while M. Blanco was ignorant of what had passed with regard to them, he came from Algeciras with two war-steamers. As to the question of the frontier-line, and that even if the prisoners had been given up, the consequent occurrences would have been the same.

The Minister replied, that whatever threats he might be subjected to, he could make no further concession than what he had already offered in his letter of the 20th, without a further reference to the Sultan, and that he had no further instructions from His Majesty than those he had already communicated to Mr. Drummond Hay.

His Excellency added, that, with reference to the letter which had been returned to him by the Spanish Chargé d'Affaires, the latter had declared to him, through his interpreter, that he had done so because all that had passed between them, at the interview they had had with each other, was private, and that he (the Minister) replied to this, that he could not consider as private what passed at the interview, as, on that occasion, he treated with the Chargé d'Affaires, who requested him to communicate to the Sultan the propositions put forward, and to beg His Majesty to reply to them. The Minister also remarked he was fully aware of the fact, that all that referred to the prisoners was not the principal object of Don Juan's proceedings; that the additional term fixed by the Spanish Chargé d'Affaires was only given in order to get the prisoners into his hands, and that as soon as that is effected the Spaniards would act in the same way as before; but, his Excellency added, that he did not oppose himself to the demand of M. Blanco, as he wished also to gain such time as would enable him to inform the Sultan of everything, and receive His Majesty's instructions before any rupture of the relations with Spain took place.

Document 15:⁽³³⁾

KHATEEB has sent me the inclosed draft of a letter which he informs me the Spanish interpreter has declared M. Blanco is disposed to accept and transmit to his Government, or convey himself, in person, to Madrid, when the prisoners arrive.

On returning the draft, I replied that I was very glad to hear M. Blanco had agreed to accept the letter and that I did not see the slightest objection to the modification he, Khateeb, had made in his letter of the 20th ultimo, which had been rejected.

The Spanish interpreter was, as Khateeb assures me, very profuse in his expressions of M. Blanco's desire to arrange matters in a peaceful manner, but, after the frequent changes, and, I may say, unreasonable conduct of M. Blanco or his Government in these discussions, I have no longer the slightest confidence in anything they say or do.

Her Majesty's ships "Argus" and "Quail" have arrived, and I send one of these vessels to-night to Gibraltar, with my despatches to your Lordship and to Mr. Buchanan.

⁽³³⁾ **Confidential 819**, n°93 - Mr. D. Hay to the Earl of Malmesbury - Tangier; March 5, 1859.

Inclosure 1 in document 15:⁽³⁴⁾

IN accordance with the promise made in our interview with you on the 22nd January last, we reported all that took place to our Lord, and said that you desired to promote peace, amity, and friendship between the two Governments; and we also reported what you promised to us, viz., that you would use friendly persuasion with your Government in urging them to withdraw all the claims regarding the five vessels that were mentioned in your letter of the 31st December and 13th January, on the condition (as you said) that our Lord would grant to your Government a (new) frontier, as well as a space of land requisite for your fortresses, and such commanding positions as might prevent conflicts between the two parties.

Our Lord has replied in the friendly manner we supposed he would do, and this, because he desires to promote friendship and goodwill between the two Governments, and to cement a lasting friendship between him and your nation.

Now, there is not anyone of the Sultans who would give either a large or a small portion of their dominions, whether for 30,000 or 30,000,000 dollars, but our Lord wishes for an arrangement by which all conflicts and disorders may be checked between the Reef people and the authorities of your fortresses, for sometimes the injuries proceed from the Reef people and sometimes from your authorities in your fortresses, in consequence of their insufficient knowledge of the established rules and the disorderly state of the Reefians, and thus conflicts have ensued between them, and the peace that ought to exist between them is interrupted.

The desire of our Lord is that your towns should not be molested, nor any injury done to them by the people of Reef, and he likewise desires that the vessels of the Reefians engaged in trade should sail in the sea without interruption or hindrance on the part of your vessels in our dominions; and (he added that) no injury had been done to your vessels by the people of Reef since the year 1856; and our Lord has ordered us, in his Shereefian letter, to write to you, and to say that he agrees to cede a neutral ground, upon which guards will be placed on our part and yours at the lines. All this our Lord has directed us to say shall be taken into his consideration and shall be satisfactorily arranged; for Our Lord desires that which may promote a good understanding, and be in accordance with the honour of both parties, and that may cement the peace and amity.

As to Peñon and Alhucemas, they are islands, so God has fixed their boundaries by the sea; but, on the coast opposite to them, our Lord will appoint guards to be stationed, as also guards, who are troops of the Sultan, will be stationed on the lines in front of Melilla.

On these conditions, all the demands that you mentioned, or any others which you might have to bring forward, are to be settled, if your desire is for peace, as is ours; and from your judgment and experience all these questions will be settled, as you had engaged, and that then no other differences or claims should be brought forward

⁽³⁴⁾ **Confidential 819**, inclosure 1 in n°93 - (Translation) Draft of a Letter from Seid Mohamed Khateeb to Don Juan Blanco.

hereafter.

We feel persuaded you will do all in your power to bring about a peaceful understanding between the two Governments, and a withdrawal of the claims (for the vessels) which Our Lord can never acknowledge, in the same manner as he had already refused to accept similar claims when they were put forward by other Governments, and we then replied to those Governments in the same manner as we had replied to you in our letter of the beginning of Joomad the 2nd, of this year.

This our letter (we are persuaded you can make your Government understand) is dictated by the most friendly feelings, and that in dealing with the Reef people it is requisite that we proceed with circumspection and prudence, so that all affairs may be arranged peaceably and satisfactorily.

Inclosure 2 in document 15:⁽³⁵⁾

We have received your letter acquainting us with the arrival, at Tetuan, of Aly Ben Abd-el-Kader, and the soldiers whom we sent to Reef, to bring the Christians, and that they have not brought them, in consequence of the Reefians having refused to deliver them up until the Spaniards restore to them a cannon; and I am also informed that should those Christians (may God confound them!) not be delivered up, much dissension may result there from. You recommend, therefore, that we -if it be our will- should write to the Sheik Maimon, of Benisnassel, and that we order him to act in this matter with the Akkalayans, until the latter be compelled to restore the Christians.

At the moment we received your letter we wrote to the Sheik, and we ordered him to give his earnest attention to this matter, and even to go in person to the Akkalayans, and compel them to deliver over the Christians to the Kaid Mohamed Ben Khaddats, being the second officer we have sent to bring the Spaniards. I pray God that he may facilitate the affair. We have also perused the letter of the Marabout Seid Mahomed Alhadary, which you sent to us, and we learn from it how he had exerted himself, until he found his endeavours to effect their liberation were of no further avail.

Peace.

Document 16:⁽³⁶⁾

MY despatch No. 21 of this date will tell you that Don Juan again raises the cry of "Wolf!" and tells Khateeb that all the ports of Morocco are to be bombarded if the 30,000 dollars are not paid, or the new frontier lines at Melilla granted, besides the neutral ground; whilst he declares that as the propositions he made to Khateeb, for communication to the Sultan, were private, he cannot accept his letter of the 20th instant. I cannot make head or tail of Don Juan's proceedings, and it is no use my talking frankly to the man any longer; for either his Government, or some one, appears to have convinced him I am the perfidious agent of "perfid Albion," and, therefore, alas! not to be trusted.

⁽³⁵⁾ **Confidential 819**, inclosure 1 in n°93 - (Translation) The Sultan of Morocco to Seid Mohamed Khateeb – 1 Rajeb, 1275. (February 4, 1859).

⁽³⁶⁾ **Confidential 819**, n°94 - Mr. D. Hay to Mr. Hammond - Tangier, March 1, 1859.

If it was not for the results that might ensue, I should really almost like to see the Spaniards burn their fingers, by engaging in war with the Reef. Hostilities, however at the Morocco ports will be a graver matter. Tangier is almost in a defenceless state, the 100 cannon mounted on the batteries being honey-combed, and carriages rotten. Attao has bought, in England, the new guns and carriages, &c., but the vessels to bring them are not expected till the end of this month.

Suppose the Spaniards attempt to take Tangier by a *coup de main*, and garrison it; what am I to say or do? There is an old instruction from, I think, Lord Aberdeen, which would cause me to protest against the occupation of any portion of the Moorish territory by a foreign force. Blanco has not spoken of the occupation of Tangier to anyone, but it appears he has spoken to one of my colleagues about the occupation of the Island of Mogador. I shall await anxiously Lord Malmesbury's instructions. In 1845, if my memory does not fail me, the British Government protested against the occupation of that island by the French, or at any rate gave them a clear hint they must turn out, and they did turn out, even before peace was concluded. I fear Lord Malmesbury will not be able to stop the Spaniards from playing pranks, but there might be a limit placed upon their proceedings. If what the Spaniards are doing is according to international law, it appears to me they can hardly complain if the Americans ask them to pay their old claims, &c., or accept a further amount and cede Cuba.

My French colleague has never opened his mouth to Khateeb, to offer a word of advice to arrange matters; all the contrary, he appears, from what I hear of his language to others, to chuckle over the prospect of a row in this country, and Bell writes to me, from Algiers, that the military folks did not conceal their dissatisfaction at the prospect of Spanish grievances being arranged. Nevertheless, if a rupture takes place, I shall ask my French colleague to unite with me in urging moderation on the Spanish Representative, and that, under any circumstances, due time be given to secure the safety of Europeans. If M. de Castellon refuses to act with me, I shall do so alone,

As I have said in my despatch, I do not think I shall take my departure from Tangier, unless I have reason to fear my throat may be cut by the Kabail, for I may do good by staying, and I hope the shells will be civil enough to respect a non-combatant.

After all, Don Juan may be only crying "Wolf!" but the vagaries of his Government, and of himself, are so strange that we may expect anything.

I sent a duplicate of my despatch to Mr. Buchanan, and I send the original, under flying seal; to Captain Warden, upon whose discretion I can rely, but to whom I had no time to write at length, in order that he may communicate what is passing to the Admiral at Malta. I have also let the Governor know that the contractor will get in a good supply of beef and other fresh provisions.

Khateeb wrote to me the other day, to ask me to request the Governor of Gibraltar to lend the Morocco Government a barge, or to allow him to pay its cost, as it was immediately required, and they did not know where to purchase such an article, and there was not time to get one made. Though Khateeb did, not say so, I know the barge is required for unloading the cannon, which are daily expected, for the other

machinery requisite for that purpose has already arrived: but as I received this request when matters looked as if they were to be arranged quietly, some days ago, and as I was not called upon to know what the barge is wanted for, I made the request to the Governor, but have not yet received his reply. I told him, if it was granted, to send the pay over by the merchant-steamer that plies between this place and Gibraltar.

I go to Khateeb now to give the Queen's letter.

Believe me, &c.

P.S.-5 P.M. I have just returned from Khateeb, He says, the Sultan will never agree to pay the 30,000 dollars, nor to cede territory, except the neutral ground, even if all the ports were bombarded. He intends to ask, to-morrow, Don Juan to state, in writing, what his demands are; and he will transmit them to the Sultan. Don Juan has asked him to send a Moroccan officer, with a Spanish steamer, to Melilla, to learn what has been done about the prisoners.

The boat is going to start, so I must close.

Document 17:⁽³⁷⁾

TWO heavy ships will be sent immediately to Tangier, though your telegram of 7th modifies the alarm created by Mr. Hay's despatch of 1st. A blockade of Tangier would not be permitted long by us on account of provisioning Gibraltar. Hay should urge the Sultan to grant the zone, according to the law of nations, if Spaniards will declare themselves satisfied with that and the surrender of prisoners.

By raising obsolete claims, Collantes gives a precedent to America against himself and Cuba. Tell him this.

Document 18:⁽³⁸⁾

I AM directed by the Earl of Malmesbury to request that you will acquaint the Lords Commissioners of the Admiralty that it appears, by a despatch dated the 1st of March, received this morning, from Her Majesty's Chargé d'Affaires in Morocco, that considerable uneasiness prevails at Tangier in consequence of the threatening language of the Spanish Chargé d'Affaires, who declares the determination of his Court to bombard that and other Moorish ports in the event of the Moorish Government declining to comply with certain demands which the Cabinet of Madrid is pressing upon it.

It would seem, indeed, from a telegram dated the 7th instant, from Her Majesty's Minister at Madrid, that the Spanish Government do not contemplate having recourse to force unless certain Spanish prisoners in the hands of the Reef people are put to death, and that forcible measures will not be resorted to on account of the after-demands which it has made on Morocco.

The conduct of the Spanish Government, however, in regard to its differences with Morocco, has been so wayward and unreasonable, that it appears to Lord

⁽³⁷⁾ **Confidential 819**, n°95 - The Earl of Malmesbury to Mr. Buchanan (Telegraphic) - Foreign Office, March 11, 1859.

⁽³⁸⁾ **Confidential 819**, n°96 - Hammond to the Secretary to the Admiralty - Foreign Office, March 11, 1859.

Malmesbury that it would not be wise to rely implicitly on assurances given to Mr. Buchanan, when, if those assurances should not be acted up to, British subjects, and Christians in general, in Morocco would be exposed to most serious risks; and Lord Malmesbury begs, therefore, to suggest to the Lords Commissioners of the Admiralty that one or two ships, of considerable force, should, as soon as possible, be sent to Gibraltar to watch events, and to be in readiness, in the event of an attack by the Spanish naval forces on the Moorish ports, to repair to such ports and receive all board the subjects of Her Majesty and their property, as well as the subjects of any other Powers, and Christians and Jews in general, who may be anxious to place themselves and their property in safety at a time when the fanaticism of the Moorish population may be aroused by acts of violence on the part of Spanish ships of war.

Document 19:⁽³⁹⁾

I AM directed by the Earl of Malmesbury to request that you will acquaint Secretary Major-General Peel that Her Majesty's Chargé d'Affaires and Consul General in Morocco, in a despatch dated March 1, and received this morning, calls attention to the embarrassment which may be felt by the garrison of Gibraltar, in the event of the threatened blockade of Tangier by the Spanish naval forces being carried into execution, and, as a consequence thereof, the exportation of cattle for the use of the garrison impeded.

If reliance could be placed on the assurances given by the Spanish Government to Her Majesty's Minister at Madrid, there would be reason to hope that the apprehensions felt at Tangier of an attack on the part of the Spaniards will not be realized; but Lord Malmesbury, after the course taken by the Spanish Government in regard to its differences with Morocco is not prepared to say that the threatened blockade of Tangier, if not its bombardment, may not, after all, take place.

Document 20:⁽⁴⁰⁾

I RECEIVED, this morning, your despatch No. 21 of the 1st instant; respecting the apprehension felt at Tangier in consequence of the threats of the Spanish Chargé d'Affaires.

You will probably have heard from Mr. Buchanan that, on speaking to M. Collantes on the subject of your despatch, of which a duplicate had reached him, he was assured by the Spanish Minister that unless the prisoners are killed, force will not be employed to obtain the Spanish demands; and that M. Collantes had added, that to accept the neutral ground would be equivalent to renouncing the claim of Spain to the old lines.

Notwithstanding these assurances, however, Her Majesty's Government have not thought it right to leave British subjects and property in Morocco without adequate protection in case of hostilities being commenced by Spain, and leading, as they probably would do, to an outbreak of Moorish fanaticism.

⁽³⁹⁾ Confidential 819, n°97 - Mr. Hammond to sir B. Hawes - Foreign Office, March 11, 1859.

⁽⁴⁰⁾ Confidential 819, n°98 - The Earl of Malmesbury to D. Hay - Foreign Office, March 11, 1859.

An additional naval force will accordingly be at once dispatched to Gibraltar to watch events, and to be ready, in case of need, to interfere for the protection of Her Majesty's subjects, and the subjects of other foreign Powers, and generally of Christians and Jews in the Moorish ports.

I inclose a copy of a letter to that effect which I have caused to be addressed to the Board of Admiralty, and also a copy of a telegram which I have sent this afternoon to Her Majesty's Minister at Madrid.

Document 21:⁽⁴¹⁾

HER Majesty's Government having received information which leads them to apprehend that the Spanish Government meditate occupying Tangier, I am to signify to your Lordship the Queen's commands that a squadron, consisting in part of line-of-battle ships, should be immediately appointed to cruize between Gibraltar and Tangier, and to prevent any landing of a Spanish force on the Moorish territory.

If the operations of the Spanish naval force should be limited to a bombardment of Tangier, the officer in command of Her Majesty's squadron will not be justified in interfering with that operation, except so far as, by amicable representation to the Spanish commanding officer, he may endeavour to mitigate the horrors of such an attack on an almost defenceless town. But the active interference of Her Majesty's squadron must be restricted, in that case, to the preservation of the lives and property of Her Majesty's subjects in the first place, and then of the lives and property of the subjects of foreign Powers, and of Christians and Jews indiscriminately, and also of any subjects of the Sultan of Morocco who may seek to escape from the effects of the Spanish attack.

Her Majesty's Minister at Madrid has been instructed to declare, frankly and openly, to the Spanish Minister, that any occupation of the coast of Morocco on the part of Spain, could not be viewed otherwise than in a very serious light by Great Britain, and could scarcely fail to lead to evils of great magnitude; and he will not conceal from the Spanish Government that an attempt to land a Spanish force at Tangier, or on the coast adjacent, will be resisted by Her Majesty's squadron.

Document 22:⁽⁴²⁾

A GOVERNMENT newspaper reported yesterday that orders had been given by the Admiralty that a squadron of steamers should be again organized to cruize on the coast of Morocco, and to support the representations of the Spanish Chargé d'Affaires, who had not yet been able to obtain the release of Lieutenant Alvarez and the other prisoners made by the Reefians last autumn, and who had also found the Moroccan Government indisposed to grant other demands which he had addressed to them on the part of his Government.

Such a measure appears to be entirely uncalled for as far as the prisoners are

⁽⁴¹⁾ **Confidential 819**, n°99 - The Earl of Malmesbury to the Lords Commissioners of the Admiralty - Foreign Office, March 12, 1859.

⁽⁴²⁾ **Confidential 819**, n°100 - Mr. Buchanan to the Earl of Malmesbury (n°86, confidential) - Madrid, March 3, 1859.

concerned, as Mr. Drummond Hay informs me in a private letter received yesterday, and of which I inclose an extract for your Lordship's information, that he expected them to arrive at Tangier about the 1st instant.

His account of the state of Don Juan Blanco's negotiations on other points is not, however, entirely satisfactory. While the Spanish Chargé d'Affaires is represented to be dissatisfied with such concessions as the Sultan is willing to make in the valley of Melilla, with a view to prevent collisions between the Reefians and the garrison of the fortress, his Highness appears determined not to cede the territory asked for by the Spanish Government, and which Mr. Drummond Hay has, I believe, already expressed an opinion to your Lordship he is unable to do, as he would, in the first place, have to send a force against his own subjects to drive them out of the territory to be ceded.

Under these circumstances, I shall continue to avail myself of every proper opportunity to deprecate the use of force to obtain the concessions wished for, though it may possibly be intended to resort to it on the clumsy pretext of seeking redress for acts of piracy committed against Spanish shipping during nine years previously to 1856; and I should be unwilling to doubt that a renewed friendly, though frank expression, of the opinion of Her Majesty's Government on the subject, would have a favourable influence on the policy of Marshal O'Donnell and his colleagues. At all events, I feel convinced that the interest which Her Majesty's Government have hitherto taken in the discussions which have been pending during the last six months between Spain and Morocco, have merely contributed to temper the arrogance with which the Spanish Government were disposed at one time to act towards the Sovereign of Morocco; and the counsels of Her Majesty's Government may perhaps, also, have in some measure shown that circumstances are for the present unfavourable for the accomplishment of the schemes which they apparently entertain of seeking territorial aggrandizement in that country.

I had some conversation, yesterday, with M. Comyn, on the proposed dispatch of a squadron to the coast of Morocco, and he said the orders had been given in consequence of the delay which had taken place in the release of the prisoners.

I told him that this cause for a demonstration on the Moroccan coast had, I believed, already ceased to exist; and I observed that I was Sorry to learn that, whilst the Sultan is prepared to do everything he can for the preservation of tranquillity between the Reefians and the Spanish garrisons compatible with the integrity of his dominions, the Spanish Chargé d'Affaires still insists on the cession of territory to Spain. M. Comyn said he believed, however, the Sultan might be brought to comply with the wishes of the Spanish Government on this subject, and that Mr. Hay might do much to induce His Highness to do so. But I replied that it was out of the question that we should recommend the Sultan to cede territory to Spain, without there being any good reason why he should do so, and that it appeared to me, after the sensitiveness which the Spanish Government had shown with regard to Cuba, they ought to be able to understand the feeling, entertained by the Moroccan Government on a question of this kind. I said that Her Majesty's Government, in any advice which they had tendered in this subject, were actuated by the most friendly feelings towards the Government of

Her Catholic Majesty, but they could not change the feelings of the Sultan, and could not approve of Spain seeking her objects by force of arms.

M. Comyn then observed that if the prisoners were released, he hoped other matters might be arranged without difficulty; and though I cannot attach as much importance to an assurance of that kind coming from, his Excellency as if I had received it from M. Calderon Collantes, results have hitherto generally proved that his statements to me, as to the views of Government, have been correct.

Mr. Hay observe in his letter above referred to, that the Reef prisoners had not arrived at Tangier, but this may be accounted for by their having been sent direct to Melilla.

Inclosure 1 in document 22:⁽⁴³⁾

I WROTE to you on the 15th instant, reporting the liberation of the Spanish captives, and that the Sultan had written to Khateeb to say he consented to the cession of a neutral ground in front of Melilla. On the 19th Khateeb communicated to me, confidentially, the inclosed draft of a letter he was about to address to Don Juan Blanco, making known to him the tenour of the instructions he had received from His Majesty. On the following day, I believe, he sent the letter. Khateeb informs me that a few hours afterwards the Spanish interpreter, brought a message from Don Juan Blanco, requesting Khateeb, to alter or omit the phrase which I have marked in the inclosed translation with an asterisk, and he left the letter with Khateeb, who said if that was the only objection, he would take it into consideration. The interpreter told Khateeb also he was especially directed by Don Juan to warn Khateeb against communicating with me on any matter connected with the negotiations. Before Khateeb made the required alteration, the interpreter returned with a further message from Don Juan, to say that he was desirous that Khateeb should write him another letter to the same purpose as that which he had sent him, but couched in different language, as it would greatly facilitate the settlement of all their differences. Khateeb replied he would be happy to take into consideration any proposition of Don Juan's, as long as it did not militate against the Sultan's late instructions to himself. The interpreter then brought a draft of a letter, in the Spanish language, of which he made a verbal translation to Khateeb, who committed it to paper, and I send herewith, for your Excellency's information, a translation into English of the Arabic version, which was communicated to me by Khateeb. The interpreter took the opportunity also of renewing the warning to Khateeb not to communicate to me this draft; and he added that Don Juan had received information that a certain person (alluding to me, Khateeb thinks) had written to Madrid to propose that he should mark the boundary, as mediator, but that such a proposition would never be accepted. Khateeb replied, he had never heard of such a proposition (and I need not add, in parenthesis, nor have I).

Khateeb, after perusal of the draft, told the interpreter to inform Don Juan that he would not, and could not, write such a letter as he proposed, as a cession of territory was spoken of, as well as neutral ground, and that the Sultan had only consented to the

⁽⁴³⁾ **Confidential 819**, inclosure 1 in n°100 - Mr. D. Hay to Mr. Buchanan - Tangier, February 25, 1859.

cession of a neutral ground,

Don Juan Blanco, on receiving this message, sent back in a peremptory manner to say that Khateeb must write the letter, or he would send him a reply to his letter of the 15th January, in which he had refused to liquidate the claims of the Spanish Government for the vessels plundered by the Reefians. To this Khateeb retorted that he was at liberty to act as he thought proper, but that he, Khateeb, could not separate himself from the instructions he had received from the Sultan.

Don Juan then altered his tone, and said he wished to see Khateeb, but as he desired that no one should hear of his visit, he would call upon him at 10 at night. Khateeb replied he was a little unwell that day (the 23rd instant), but would be happy to see him the following day.

I happened to be absent during the two days in which this bantering took place between Khateeb and Don Juan, so the latter cannot accuse me, as usual, of having advised Khateeb to resist his demands.

On my return, yesterday, I had an interview with Khateeb regarding other matters, when he related all that had taken place, and asked my advice. I replied that as far as our Government was concerned, we should not have the slightest objection if the Sultan would cede the additional territory as well as the neutral ground, and also the 30,000 dollars, for we should be delighted to learn matters were arranged amicably. Khateeb replied that the Sultan would never cede an inch of territory, except a neutral ground; and that he had solely consented to make the latter concession out of deference to the advice I had given in name of my Government, and he showed me a letter from the Sultan to prove this assertion, and, moreover, that the Sultan would never consent to pay the 30,000 dollars *coute qui coute* a refusal.

As Khateeb said he was to have an interview with Don Juan, I recommended him to wait till then, and to hear with patience what the latter had to propose, and I added that I trusted he would treat in a friendly manner any reasonable proposition of the Spanish Chargé d'Affaires.

Khateeb said he should take that opportunity also of telling Don Juan he was greatly mistaken if he supposed that I had advised the Moorish Government to resist the Spanish demands, but that, on the contrary, the principal concessions made by the Sultan had been made out of deference to the counsels given His Majesty by me, in the name of the British Government, and that he, Khateeb, was ordered to consult with me by the Sultan, and must continue to do so; for that, in grave matters like these between two Governments, the Sultan desired to have the opinion of an impartial friend, and in seeking for such counsels he only followed the example of other nations when a Government was involved in a grave question with another Government. I told Khateeb I perfectly approved of his intention of speaking plainly to Don Juan on this subject, as the constant recommendation made to him by the latter not to let me know what was passing, whilst he, Khateeb, did report everything an hour afterwards to me, was a farce that ought to cease.

This morning Khateeb informed me Don Juan did not visit him last night on plea

of indisposition, so Khateeb sent him again the letter, of which inclosure No. 2 is a translation.

Don Juan upon receiving the document sent a message to ask why he, Khateeb, had not awaited the interview. He replied that he could no longer delay executing the Sultan's orders; that when the interview took place, if any other reasonable proposition was made for an alteration in the letter, it would be taken into consideration. Don Juan then sent to say he objected to the letter in consequence of the phrase which I have marked with a line on the 5th page, and that he feared the Sultan only intended to draw on the negotiation, and never come to a settlement of the neutral ground. To this Khateeb replied that the Sultan was acting with perfect faith, but that orders could not be sent to mark the neutral ground until Commissioners had reported what extent that ground should be, and until His Majesty had ascertained also, after the Spanish Government had accepted the arrangement, whether the Reefians would be disposed to obey his orders quietly on this subject, or whether he would have to send a force to Reef to impress on the Abahalegners (?) [Akkalayans] an obedience to his wishes; therefore, Khateeb added, the Sultan says he will take the matter into consideration.

To-day or to-morrow the interview is to place, and I will let your Excellency know the result.

Khateeb intends to tell Don Juan (as I have said before) that I am cognizant of all that has passed, and, therefore, it is natural for them to suppose I have duly reported all to your Excellency and to Her Majesty's Government.

Khateeb has further authorized me to assure Her Majesty's Government and your Excellency that the Sultan is disposed to act with perfect good faith about the demarkations of a neutral ground, and that the extent of it will be according to the usual extent of such territories as generally arranged amongst the nations of Europe.

I learn from the Governor of Gibraltar that the extent of the neutral ground between Gibraltar and the Spanish territory is 710 yards.

I think the Spanish prisoners arrive here in about five or six days. The twenty-nine Reefians have never appeared.

Inclosure 2 in document 22:⁽⁴⁴⁾

Draft of a Letter from Seid Mohamed Khateeh to Don Juan Blanco:

Inclosure 3 in document 22:⁽⁴⁵⁾

Letter which Don Juan Blanco requested Seid Mohamed Khateeb to address to him.

Document 23:⁽⁴⁶⁾

My dear Hammond,

⁽⁴⁴⁾ Confidential 819, inclosure 2 in n°100.

⁽⁴⁵⁾ Confidential 819, inclosure 3 in n°100.

⁽⁴⁶⁾ Confidential 819, n°101-Mr.D. Hay to Mr.Hammond (Private and Confidential)-Tangier, March.4, 1859.

READE told me the other evening of a conversation he had with my Swedish colleague M. d'Ehrenhoff, who is at present on very intimate terms with Don Juan Blanco, and as M. d'Ehrenhoff said he had seen Blanco's instructions, I directed Reade to make a memorandum of what passed between them, which I herewith inclose, and beg to call your attention more especially to the last paragraph regarding the supposed intentions of the Spaniards to occupy Tangier if a rupture of relations takes place between Spain and Morocco. M. d'Ehrenhoff is a man of little or no judgment, but is, I think, an honourable man, incapable of stating an untruth, and I suspect merely retails Blanco's language and views. I confess I had not supposed till within the last few days that the Spaniards would take such a bold step as the occupation of Tangier; but in addition to what M. d'Ehrenhoff has asserted, curious information has oozed out from some of the ladies at the Spanish Mission, which would tend to encourage my belief that something of the kind is on the *tapis*.

The bombardment of Tangier would not, I believe, bring the Sultan to better terms than those he now offers; whilst, if Tangier was occupied till the Sultan of Morocco cedes territory in the Reef, or even consents to pay the 30,000 dollars demanded, the town might have to remain for many years in the hands of the Spaniards; for the fact of a Moorish post being taken by force by the Spaniards would probably bring about the downfall of the dynasty of Mulai Abderrachman and a revolution in the country, and the Spanish Government would not know even with whom to treat for terms. Moreover, after what has Occurred at Algiers, and the promises previously to its occupation made by the French to our Government, I should have little faith about the restoration of Tangier if once the place was occupied by a foreign Power, and if a hundred good cannon were mounted in the batteries manned by European artillerymen, it would require a strong fleet to retake it. Moreover, the Spanish Government knows right well it would thus cut the chief artery of supplies to Gibraltar; and that if Tangier was retained, Sooner or later we should have to give up Gibraltar, especially if, at some future time, Spain and France were allied against us. The port of Tetuan is too bad and too unsafe for shipping to be depended upon for regular supplies of Her Majesty's garrison, and the west ports are too far off, and some even more dangerous for shipping than Tetuan. You remember what I wrote to you on the 7th of April of last year, asking for instructions in case of a *coup de main* on the part of the French. Lord Malmesbury's reply of the 6th May would authorize me to protest against any attempt of a foreign Power to occupy Tangier; but unless there was a British squadron ready to support that protest, I suppose Blanco or the Spanish Admiral would put the protest in the fire.

I have written to the Governor of Gibraltar, and to our Consul at Cadiz, requesting them to keep me informed, even by express, of any land or sea forces being collected at the neighbouring Spanish ports; and especially to let me know, and also Her Majesty's Government, without delay, if any land forces were about to be embarked on board ships of war or transports. I may be thought an alarmist, but I am so thoroughly convinced of the injury that would result to the interests of Great Britain, as a Naval Power in the Mediterranean and as the possessor of Gibraltar, if Tangier was taken, that I should not sleep a wink, neither would my conscience forgive me, if I did

not raise my weak voice to warn Government against our being taken by surprise. I will even go so far as to say, subject to correction from wiser heads, that if Tangier is seized upon by a foreign Power, it will be far more injurious to British interests I ultimately than if the Dardanelles were occupied by Russia.

Two of my colleagues have told me gravely that, from all they have heard and can collect, they believe that Tangier is not to be bombarded, but to be seized by a *coup de main*, and held till all Spanish demands be settled. I responded, of course, I do not believe the Spaniards would be so rash as to occupy a Moorish port, for it would be a *casus belli* with Great Britain. In saying as much, I think I am not rash, for it is well that it should reach the ears of Blanco.

Of course, if the attempt to take possession of the town was made before I could hear from Lord Malmesbury, I should never take upon myself to do more than protest; neither should I venture to ask the commander of any British naval force, without instructions, to make any demonstration of opposition.

I have told you before of the dead silence Castellon keeps; not a word of advice to Khateeb to arrange matters, and I hear he says he has no instructions from his Government. Does not this look strange, and as if France would gladly see Morocco embroiled in a war with another Power, the result of which cannot be unfavourable to France? Has not the Emperor, perhaps, even let O'Donnell (for whom we know he has the greatest esteem) secretly know that France would not interfere, and that she does not disapprove of their ambitious schemes? Blanco, I am assured, has said on one or two occasions that he knew the French would not be displeased if Spain attacked Morocco.

One of the officers of the French Mission has expressed privately to friends his belief and satisfaction that Tangier would be taken by the Spaniards. Do not the French feel that it would be the severest blow British interests at Gibraltar could receive?

I dare not say all this in a public despatch, but if you think it will not be thought by Lord Malmesbury that I have formed wrong conceptions regarding the importance of Tangier, I beg you will let him know what I have had now to submit, and perhaps a diplomatic step taken with the Madrid Government in good time, may prevent even the possibility of such freaks as these I think the Spanish Government may possibly play.

If Lord Malmesbury considered there is the slightest danger of Tangier being occupied before proper assurances can be obtained from the Spanish Government, and if his Lordship agrees with me in thinking that such an occupation might be injurious to British interests, I would then beg to submit whether it would not be advisable, to prevent the possibility of such a contingency, to have a small squadron sent to Gibraltar or to Tangier without delay, with sealed orders to the commanding officer to support, if necessary, the protest I might have to make against an occupation of Tangier, or other Moorish port, even though the bombardment was admitted.

If the British squadron was directed to anchor in front of Tangier, and I was authorized to say that Her Majesty's Government would never consent to the capture of Tangier, I don't suppose the Spaniards would think further of their rash project. I suggest this step, if reliable and satisfactory assurances are not given by

the Spanish Government.

Don Juan and his Government have so frequently shifted their position during the negotiations, that, after all, they may withdraw from the menacing attitude which has been assumed; but I think it is my duty not to hesitate a moment in submitting to Lord Malmesbury the danger I apprehend of injury to British interests, even though it may be considered that danger is most remote, as the possibility of such a contingency as the occupation of Tangier ought to be guarded against.

A boat is starting, so I write in greatest haste, and have not time even to read my hurried lines; so I trust if I have said too much, or spoken too freely my opinion, it may only be attributed to my zeal in the public service, and not to presumption.

P.S., 4 P.M. -Another Spanish steamer has just arrived. No further news overland of the captives. The family of Don Juan have just told my brother-in-law (whom I have granted a month's leave to purchase furniture, &c., for his house at Taffee), that they are packing to depart. This I think is a little bit of diplomacy, for I think we have yet to await another reference to Madrid before a rupture takes place, especially as Khateeb tells me Blanco has asked him to modify his letter of the 20th ultimo, and he will then see whether he can forward it to Madrid. Khateeb is going to make the attempt, though he says he cannot alter the Sultan's instructions regarding the concessions to be made, but may, perhaps, alter the wording.

Inclosure in document 23:⁽⁴⁷⁾

M. D'EHRENHOFF asked me what I thought about the report that was being circulated in the town, that the Spanish prisoners had been set at liberty, and had already arrived at Mequinez. I replied that the report had appeared to come too soon after the announcement of the second capture of the Spaniards to be worthy of credit. He then alluded to the probable bombardment of Tangier, and, on my remarking upon the impolicy of such a proceeding, and venturing an opinion that hostilities will not be entered upon until the Spaniards are released, added, that he could assure me, most positively, the Spanish Government were prepared to bombard Tangier even before their countrymen are given up to them.

He went on to say that, from what he had been able to gather from the language of his intimate friend, Don Juan Blanco (who, he declared, had not only expressed to him his own views, but had shown to him a good deal of the correspondence he had had with his Government on the subject), the prospect of any peaceful solution of the existing differences between Spain and Morocco seemed hopeless. He remarked, that although Don Juan was exerting himself to the utmost in the interest of peace, the Spanish Government was bent upon war, adding that he (D'Ehrenhoff) had himself seen instructions which Don Juan had received from his Government, within the last day or two, and which give to the former (Blanco) power to act, with regard to the

⁽⁴⁷⁾ **Confidential 819**, inclosure in n°101 – Memorandum of observations with regard to the existing differences between Spain and Morocco, which the Swedish Consul-General, M. d'Ehrenhoff, made, in the course of conversation with the Undersigned, at the latter's house, on the night of the 2nd of March, 1859, and which are committed to paper, at the special request, and for the information of Mr. Drummond Hay. By Vice-Consul Thomas Fellowes Reade, - Tangier, March, 3, 1859.

pending questions, upon his own discretion and according to circumstances, and to assume a menacing or hostile attitude towards the Moorish Government, in case the latter do not afford ample and immediate satisfaction to the Spanish demands.

He also stated, that Don Juan had informed him that a large squadron is being collected at Cadiz, to operate in these waters, of which squadron one of the ships is the "Francisco de Assisa," a magnificent frigate of fifty guns; that it must not be supposed that the ill feeling which the Spanish Government had latterly evinced towards the Government of Morocco had originated simply on account of the Spaniards who are detained captive in Reef, or on account of any other recent grievance, but declared they had one great object in view, and that was—the vindication of a thousand acts of humiliation which they have suffered at the hands of the Reefians during the last fifty years. M. d'Ehrenhoff further expressed his conviction that no war would be so popular in Spain, and, indeed, throughout the greater part of Europe, as a war with Morocco; and that if France, in such a war, was not prepared to support Spain physically, she would certainly afford her assistance morally, and, under no circumstances, interfere between the contending parties.

Upon my asking how Spain would benefit herself by bombarding Tangier, M. d'Ehrenhoff said she would certainly do very little good if she confined her operations to a simple bombardment of the place; but, he added, he believed her troops would land and occupy Tangier until the Moorish Government complied with her demands.

Document 24:⁽⁴⁸⁾

IT appears by a report dated the 5th instant, which I have this morning received from Her Majesty's Chargé d'Affaires and Consul-General in Morocco, that the release of the Spanish prisoners had been effected, and that they were on their way to the Moorish Court.

Her Majesty's Government greatly rejoice to hear that this cause of dissension between Spain and Morocco is removed; and they would gladly contribute by their good offices to persuade the Moorish Government to yield to any other reasonable claims which may be made by the Spanish Government, and to facilitate, as far as possible, the defence of the Spanish fortresses from attack on the part of the Reefians, by assigning a district of territory between the walls of the fortresses and the surrounding country which shall be declared neutral.

But Her Majesty's Government have also heard from Tangier that threats and intimations have been made by the Spanish Chargé d'Affaires, implying an intention, on the part of his Court, either to bombard Moorish forts, or to occupy Tangier itself by a Spanish force.

Her Majesty's Government trust that the Cabinet of Madrid has no intention to resort to either extremity. The bombardment of the Moorish forts, for which you will not disguise from Senor Collantes that Her Majesty's Government conceive no provocation whatever has been afforded by the Moorish Government, would not only

⁽⁴⁸⁾ **Confidential 819**, n°102 -The Earl of Malmesbury to Buchanan - Foreign Office, March 12, 1859.

be productive of an amount of misery to an unoffending population at which humanity shudders, but would, in all probability, arouse and direct against Christians and Jews in general the fanaticism of the Moorish population.

But the occupation of Tangier would be attended with still more serious consequences, inasmuch as the material interests of England would not admit of Her Majesty's Government remaining passive under such circumstances. Her Majesty's Government are convinced that such a step is not contemplated by the Spanish Government; but as Her Majesty's Government would be deeply concerned at any interruption of the good understanding which now exists between this country and Spain, they think it right to declare frankly and openly to M. Collantes that any occupation of the coast of Morocco, on the part of Spain, could not be viewed otherwise than in a very serious light by Great Britain, and could scarcely fail to lead to evils of great magnitude.

Should the Spanish Government appear to be bent on this scheme, and you should have reason to believe its accomplishment to be probable, you will not conceal from the Spanish Government that any attempted landing of Spanish troops at Tangier, or the coast adjacent, would be resisted by Her Majesty's squadron.

Document 25:⁽⁴⁹⁾

HAY reports that Spanish prisoners are now on their way to Tangier. According to a letter from Melilla in newspapers, the garrison will attack the lines held by Reefians, having prepared gabions for their subsequent defence.

Document 26:⁽⁵⁰⁾

I HAVE acquainted Foreign Minister with substance of your Lordship's telegram of yesterday. He expects every day to learn that Spanish Chargé d'Affaires has concluded an arrangement with Moroccan Minister, and says if war becomes necessary contrary to his belief, some time will be requisite for preparation, and it is not against Tangier he will act.

Document 27:⁽⁵¹⁾

I INCLOSE, for your information, a copy of a despatch which I have addressed to Mr. D. Hay, and copies of two letters which I have caused to be addressed to the Admiralty, regarding, the differences between Spain and Morocco.

Document 28:⁽⁵²⁾

I COMMUNICATED yesterday to Hay the substance of your Lordship's telegram of the 11th, and will write again to-day.

I saw Foreign Minister after arrival of your Lordship's two telegrams of yesterday. He accepts with pleasure support of Spanish claims, of which zone and

⁽⁴⁹⁾ **Confidential 819**, n°103 - Buchanan to the Earl of Malmesbury (Telegraphic) - Madrid, March 12, 1859.

⁽⁵⁰⁾ **Confidential 819**, n°104 - Buchanan to the Earl of Malmesbury (Telegraphic) - Madrid, March 12, 1859.

⁽⁵¹⁾ **Confidential 819**, n° 105 - The Earl of Malmesbury to Mr. Buchanan -Foreign Office, March 12, 1859.

⁽⁵²⁾ **Confidential 819**, n°106 - Mr. Buchanan to the Earl of Malmesbury (Telegraphic) - Madrid, March 13, 1859.

neutral camp are alone important.

Line of wire to Algeciras not open to public, but my telegram has been forwarded to stop ships. Governor of Gibraltar is requested to acknowledge it. Spanish Government will believe ships are stopped on their way to Morocco.

Document 29:⁽⁵³⁾

My dear Hammond,

KHATEEB informs me that Blanco has accepted his note, of which I sent a translation in No. 23, and says that when the prisoners arrive he will go to Madrid, and endeavour to persuade his Government to accept the offer of the Sultan, and to withdraw the claims for the vessel; but he asks Khateeb not to communicate the draft of the letter to anyone (meaning me, of course), as his Government might be disposed to reject it, if he has not had an opportunity of explaining matters in the first place *vivâ voce*. He has also asked Khateeb to write him another letter, announcing the liberation of the prisoners, to mention the various steps taken by the Sultan before he effected their liberation, and to attribute the backwardness of the Reefians to obey his orders to the proceedings of the Governor of Melilla, who had made far more advantageous offers to the Reefians regarding money, cannon, &c., than the Sultan could.

Blanco has urged Khateeb confidentially to make this hit against the Governor of Melilla, as it appears Blanco is much vexed with that officer's interference with the negotiations, and with the general conduct of the Spanish authorities at the African garrisons.

Though all this looks very well, I have little or no faith in the stability of Blanco's intentions; and as he takes care never to make any of his promises except through the Jew interpreter, I suppose, like all good Spaniards, he would feel himself authorized to break faith when his Government found it convenient to do so.

To all appearances we have a lull just now, though I hear Blanco's family have all their traps and furniture packed, ready for a start at any moment.

Khateeb tells me the Viceroy, Seid Mohamed, is expected with a large army to attack the Azamor tribe, and therefore, if the Spaniards again threaten hostilities, they would move towards Tangier. I have recommended that no large body of troops should approach, for the present, within a day's journey of Tangier.

Yesterday Castellon called on me. He asked me what I thought of the state of affairs here.

I replied that I hoped matters would be arranged amicably, as Spain must understand it is her interest to abstain from a war against Morocco.

Castellon observed that a bombardment was probable.

I replied I did not understand what beneficial result the Spanish Government expected to obtain by hostilities, as, after the bombardment, I feared the Sultan would

⁽⁵³⁾ **Confidential 819**, n°107 - Mr. D. Hay to Mr. Hammond (Private) - Tangier, March 7, 1859.

and could not do more than before it; and moreover, there could be no glory gained in attacking a defenceless town like Tangier.

Castellon said that he thought there was no reason why the Moors should not be chastened because they were weak, when they refused to satisfy just claims; and he cited the late question between France and Portugal, as a proof of the justice of such proceedings.

Document 30:⁽⁵⁴⁾

WITH reference to my despatch No. 97 of the 9th instant, I have the honour to transmit, herewith, a despatch which I have received this morning, for your Lordship, from Mr. Drummond Hay, under flying seal, reporting that the Spanish prisoners left Akkalaya on the 2nd instant, for the Court of the Sultan. They cannot, however, I understand, be expected at Tangier before the 16th instant.

From what Mr. Hay says in a private letter received at the same time, the Spanish Chargé d'Affaires appears to have promised to accept a modified copy, of which a draft had been communicated to him, of the note which he had formerly returned (as reported in Mr. Hay's despatch No. 21) to Seid Mohamed Khateeb, although it still limited the concession offered by the Sultan, to the establishment of a neutral camp in the valley of Melilla, garrisoned by Moorish troops.

With reference to this part of the question at issue between Spain and Morocco, the inclosed translation of a letter from Melilla, published in the "Epoca" of last night, is not altogether without interest.

Inclosure in document 30:⁽⁵⁵⁾

A LETTER from Melilla says that since the 14th of January last, the aysd may be counted on which have not been heard there the whistling of the Reefian bullets, and the continued war cries of the savages, who, under cover of their entrenchments, named the Lena, Tarara, San Lorenzo, the Higuera, Rojo, and Seco, harass and fire upon the Spaniards whenever they get an opportunity. This circumstance keeps them continually on the alert, and checks curiosity, which often costs persons their lives.

In Melilla a stock of gabions and sand-bags was being prepared, and it was stated that the Governor intended to take possession of the Seco attack, which is the attack which most dominates and annoys the fortress. In the event of that point being taken, it would be necessary to fortify and keep it; in which case the convicts and soldiers would serve as sappers and miners, under the orders of a Lieutenant of Engineers, who is at present on the spot.

Document 31:⁽⁵⁶⁾

TELEGRAM from Vice-Consul Glynn reports Spanish prisoners were delivered to Spanish Consul at Tangier yesterday.

⁽⁵⁴⁾ **Confidential 819**, n°108 - Buchanan to the Earl of Malmesbury - Madrid, March 11, 1859.

⁽⁵⁵⁾ **Confidential 819**, inclosure in n°108- Extract from the "Epoca" of March 10, 1859.

⁽⁵⁶⁾ **Confidential 819**, n°109 - Buchanan to the Earl of Malmesbury (Telegraphic) - Madrid, March 17, 1859

Document 32:⁽⁵⁷⁾

AFTER the receipt of your Lordship's telegram of the 11th instant, on the subject of the differences between Spain and Morocco, I called at the Foreign Office, and had some conversation with M. Comyn on its contents; and I had, subsequently, an interview with M. Calderon Collantes in the afternoon.

From what M. Comyn told me in the morning, I expected to have found his Excellency somewhat excited at the nature of the communications which I had to make to him, but he received me in the most friendly manner; and having renewed his former assurances as to the desire of the Government to avoid hostilities with Morocco, he said that he could say no more on the subject at present, except that the prisoners were on their way to the Sultan's Court; and that he expected every day the arrival of the Spanish Chargé d'Affaires from Tangier, with acceptable proposals on the part of the Government of Morocco, with respect to the Spanish lines at Melilla. He observed, however, he was convinced the question would have been settled long ago, if Mr. Hay had not encouraged the Sultan's Minister to resist the proposals of Spain; and he was not disposed to change this opinion, although I assured him that, without positively urging the Moorish Government to accept the Spanish proposals, because many of them were of a nature which Her Majesty's Government could not approve, Mr. Hay had always told Seid Mohamed Khateeb that Her Majesty's Government had no interest in the matter, beyond the speedy re-establishment of amicable relations between Spain and Morocco; and they would, therefore, learn with satisfaction that every concession necessary to ensure that object had been made by the Sultan; and I was now authorized by your Lordship to direct Mr. Hay to recommend the concession of a reasonable zone round the fortresses, if the other objectionable claims were withdrawn.

This observation led M. Collantes to defend the pecuniary claims of Spain; and he expressed his belief that Her Majesty's Government had presented some of a similar character to the Government of Morocco. I replied that I felt assured he was mistaken; and, as I said Her Majesty's Government considered it was unjustifiable to rake up claims for acts which had occurred previously to the arrangements of 1856, he repeated that he had already given me to understand that the zone and the neutral camp were the principal objects for which he contended, and that the pecuniary claims were of an entirely secondary importance. With reference to any coercive measures which it might be necessary to adopt, he said Her Majesty's Government need be under no apprehension for the communication of Tangier with Gibraltar, as the plans of the Spanish Government were already made, and it would not be against that point of the Morocco coast they would act.

I replied that it was, therefore, probably intended to send an expedition into the Reef; and as I observed that, in that case, they were not likely to meet an enemy to conquer, as I believed the Reefian system of defence was for the whole population to abandon the plains and to retire to the mountains, his Excellency apparently confirmed my supposition by replying that the Spanish soldiers would

⁽⁵⁷⁾ **Confidential 819**, n°110 - Buchanan to the Earl of Malmesbury - Madrid, March 17, 1859.

have no difficulty in following them.

After my interview with M. Collantes, I received your Lordship's telegrams of the 12th instant, and as I met his Excellency in the course of the evening, I repeated to him that if Her Catholic Majesty's Government desired it, Her Majesty's Government would recommend their wishes with respect to the zone around Melilla to the favourable consideration of the Sultan; and his Excellency replied that, in the interest of peace, the Spanish Government would receive with gratitude any assistance which Her Majesty's Government might be disposed to afford them for the attainment of the objects which they had in view.

His Excellency spoke, during these conversations, as decidedly as on former occasions, of the intention of the Spanish Government eventually to employ force, if necessary, to secure a better frontier at Melilla; but he said, on my referring to preparations spoken of in the newspapers for occupying the lines, now held by the Reefians, that nothing would be done until negotiations were entirely broken off; and he made no objection whatever to the determination of Her Majesty's Government with regard to Tangier. He seemed, however, to be under an impression that Don Juan Blanco's negotiation would prove successful, notwithstanding the unfavourable opinion, I told him, Mr. Hay had expressed as to its result.

With reference to this subject, I have the honour to inclose copies of three letters which I addressed to Mr. Hay on the 12th and 13th instant: acquainting him with the opinion of Her Majesty's Government as to the course which he ought to pursue, and I trust that their determination to prevent a blockade of Tangier will increase his influence in the question.

I also lost no time in taking measures to secure the detention of Her Majesty's ships "Victor Emanuel" and "Orion" at Gibraltar, until they receive further orders from the Admiralty.

Inclosure 1 in document 32:⁽⁵⁸⁾

HER Majesty's Government are of opinion that you should strongly recommend to the Government of the Sultan the expediency of granting the zone around the fortress of Melilla, which Spain is entitled to, according to the Law of Nations, if the Spanish Government will withdraw all the other claims which they have recently put forward.

Your despatch of the 1st instant has been received by the Earl of Malmesbury; and Her Majesty's Government have felt it to be their duty to provide for the serious eventualities which the late proceedings of your Spanish colleague have led you to apprehend.

Therefore, although I have been able, from the explanations which I have received from M. Calderon Collantes, to allay in some degree the alarm caused by the language of Don Juan Blanco to the Sultan's Minister lest hostile measures against Tangier should be contemplated by the Spanish Government, two large ships of war have been ordered to proceed thither without delay, for the protection

⁽⁵⁸⁾ **Confidential 819**, inclosure 1 in n°110 - Mr. Buchanan to Mr. D. Hay – Madrid, March 12, 1859.

of British interests.

You are already aware of the importance which Her Majesty's Government attach to the commercial relations of Tangier with Gibraltar, and I may state that they would not see with indifference measures adopted of a nature to disturb them.

Inclosure 2 in document 32:⁽⁵⁹⁾

I HAVE been instructed to inform Her Catholic Majesty's Government that Her Majesty's Government will be happy to forward an arrangement of the questions pending between Spain and Morocco, and that they will, if it should be desired by Her Catholic Majesty's Government, recommend the Sultan to accept the claims which they have recently put forward, as far as they may be reasonable, and more particularly to grant the zone which the Spanish Government wish to occupy around the fortress of Melilla.

I have already mentioned to you that the Spanish Government maintain that they have a legal right to the territory claimed, as they formerly held it, and never ceded it by Treaty to Morocco, though the Reefians have long occupied it by sufferance. You have expressed an opinion that the Sultan's unwillingness to relinquish his sovereignty over any territory which he considers to belong to his Empire, will not be easily overcome; but the abandonment of a disputed right of sovereignty over a narrow strip of land lying immediately under the guns of a Spanish fortress, would be a trifling price to pay for the establishment of permanent relations of amity with a neighbour whose power and resources are daily increasing, and who some years hence, if the question is left open, which it is now hoped may be satisfactorily arranged, would find in it a pretext, of which they might be ready to avail themselves, for seeking aggrandizement in Africa. It is quite certain that if Spain were to relinquish for the present the prosecution of her claim to the valley of Melilla, it would only be until she was fully prepared to enforce it; and as I have already informed you, from all I learn here, it may be presumed she now believes that she can do so, and has decided, if her negotiations fail, to try the chances of war; and although the interests of Great Britain may give Her Majesty's Government a right to protest against measures being adopted which would interrupt the commercial relations of Tangier with Gibraltar, there are many other vulnerable points upon the coast, and a plan is, I have reason to believe, already prepared for occupying, and doubtless endeavouring to hold permanently, a portion of His Moroccan Majesty's dominions.

A letter from Melilla, published in the Madrid newspapers, reports that the garrison are preparing fascines and gabions, with a view to the capture and occupation of the lines held by the Reefians; but I am assured no offensive measures will be adopted until negotiations are broken off with Seid Mohamed Khateeb, and that if the Government eventually act, it will be with ample means to ensure the success of any operations which they may undertake.

⁽⁵⁹⁾ **Confidential 819**, inclosure 2 in n°110 - Mr. Buchanan to Mr. D. Hay – Madrid, March 13, 1859.

Inclosure 3 in document 32:⁽⁶⁰⁾

THE ships of war which I mentioned in my despatch of yesterday would be sent to Tangier for the protection of British interests are instructed to remain at Gibraltar until further orders.

Document 33:⁽⁶¹⁾

HER Majesty's Minister at Madrid has transmitted for my information a copy of a despatch, marked No. 90, he addressed your Lordship on the 4th instant, reporting the language held to his Excellency by Marshal O'Donnell regarding his intention of re-occupying certain old lines in front of Melilla, which he declares had never been ceded to Morocco, but had been tacitly abandoned by the Spanish garrison.

With reference to that passage of Mr. Buchanan's despatch where his Excellency says, "Marshal O'Donnell declares that though the Government of Morocco made at present objections to the views of Spain, assurances had been given some time ago to the Spanish Chargé d'Affairs, by the Sultan, that the zone marked around the fortresses asked for by Spain would be granted," I sent a verbal message this morning to Seid Mohamed Khateeb to inquire whether the Sultan or his Minister had ever engaged to cede the territory which the Spaniards say they formerly possessed, and I received in reply a letter, of which I have the honour to transmit herewith a translation, and which would lead me to believe that Marshal O'Donnell has been entirely misled by the information which has been transmitted to him by M. Blanco or his predecessors; for Khateeb stated also verbally to the interpreter when I made known to him, as, in compliance with his request, my reasons for having sent the message, that "he challenged the Spanish Government to produce any proof of his having held language which authorized such a construction to be put upon any language he had employed regarding the question of the frontier lines."

Up to the present time, as far as I am aware, the Moorish Government has not received from M. Blanco a demand for the restoration of any line they may have possessed at Melilla in ancient times; but, on the contrary, M. Blanco, in his notes to the Moroccan Government, of which I have transmitted copies to your Lordship in former despatches, asks alone for an extension of the present lines, and the concession of a neutral ground.

When I was at Melilla a few years ago General Buceta pointed out to me, some old ruins on the side of a mountain which, he said, had formerly belonged to Spain, and, as far as I could judge, they appeared to be two or three miles distant from the town; but I do not believe that point had ever been held by the Spaniards during the last hundred years. If I remember rightly there were other detached ruins within fifty or a hundred yards of the walls of the town, which perhaps are those the Spaniards desire to re-occupy, and from which it is possible they may have retired or have been driven out by the Reefians at a later period.

⁽⁶⁰⁾ Confidential 819, inclosure 3 in n°110 - Buchanan to D. Hay - Madrid, March 13, 1859.

⁽⁶¹⁾ Confidential 819, n°111 - D. Hay to the Earl of Malmesbury - Tangier, March 10, 1859.

It appears to me it would have been politic and proper for the Spanish Government, in putting forward its demands about the restoration of old lines, to have clearly defined what and where these limits are, and to have stated when they last occupied them, and how they were abandoned, captured, or ceded; but the vague demand for "the concession of a new frontier at Melilla" may mean much or little, and I am not surprised that the Sultan has rejected such a demand; in fact, as I have said before, the Sultan has not sufficient authority or control over the Reefians to compel them to cede territory to the Spaniards; and, if he employed force against the Reefians for such a purpose, it might lead not only to successful resistance on their part, but even to rebellion against his authority throughout Morocco.

If, however, in addition to the neutral ground, the restoration of some contingent outworks at Melilla (proved to be Spanish), and which were within 100 yards or so of that fortress, was alone required, it might possibly be obtained by negotiation, though I could not form any decided opinion regarding the disposition of the Sultan on this point; neither do I think it would be convenient for me to moot the question until the intentions of the Spanish Government were clearly explained.

The suggestion made by Her Majesty's Minister at Madrid, that the Spanish Government should accept the same space of neutral territory as actually exists at Gibraltar, viz., 710 yards, appears to me to be very reasonable; for the Spanish Government can hardly be justified in demanding from Morocco (because that Power is weak) a concession of territory greater than Spain has been prepared to admit the right of Great Britain to possess on the Spanish Peninsula.

The range of guns around a fortress has indeed, as Mr. Buchanan observed, become a very undefined limit, for it may be one mile, or six miles, or, in a few years, guns may be manufactured which may range double that distance.

Two Spanish steamers of war arrived this morning from the East, and one was previously anchored in the bay.

The Spanish prisoners are expected in the beginning of next week, from the Mixed Court at Meknas.

M. Blanco has not again altered the language he had held to Khateeb regarding his intentions of going to Madrid, and endeavouring to bring about a peaceful solution of the present differences, as reported in my despatch No. 23; but I have little or no confidence in his promises, or even those of the Spanish Government, after the experience I have had of their conduct of affairs.

P.S.-I have sent a duplicate of this despatch, under flying-seal, to Mr. Buchanan.

Inclosure in document 33:⁽⁶²⁾

IN reply to the query you put us this morning, through your interpreter, whether our Lord the Sultan, or we his Agent, had ever engaged to restore the boundaries of Melilla, to the old ruins of forts which the Spaniards say that they formerly possessed,

⁽⁶²⁾ **Confidential 819**, inclosure in n°111- Seid Mohamed Khateeb to D. Hay (Translation) - 5 Shieben, 1275 (March 10 1859).

we declare we never have used any language like unto this, neither to the present Spanish Chargé d'Affaires, nor to any other person.

Reefians have informed us that there exist some ruins (which had fallen to the ground), and are situated about a league from Melilla; but the oldest inhabitants in Reef never remember that those sites were occupied by the Spaniards. If other nations had a right to demand the possession of all the old fortresses now in ruins, but which were built by them, when the Christians occupied a portion of this country, all the ports of this Empire, except two, would have to be ceded to the Portuguese and to the English; and we then, on our part, might demand the restoration of Gibraltar, and the greater part of Spain.

We have been much astonished at the query which you put us, after what we have repeatedly told the Spanish Chargé d'Affaires and yourself, and that we now should be asked why we have not acted up to a promise that had been made, or be asked whether such a promise had been given, and we had withdrawn from our engagements. We beg of you, therefore, to let us know what has caused such a supposition regarding language we have never held.

Document 34:⁽⁶³⁾

MY despatches Nos. 29 and 30, and the previous despatches sent through Mr. Buchanan, will, when they reach the Foreign Office, explain what I have been about, and whence comes the sudden transition from menace to the most friendly assurances.

The few words sent by telegraph through Spain to Gibraltar, "Stop 'Orlon' and 'Emanuel Victor,'" has done more than all other arguments with the Spanish Government.

I inclose for your information the copy of a private letter I have addressed Mr. Buchanan.

If Blanco and his Government put forward reasonable demands about the neutral ground, all will be satisfactorily settled; if not, I don't see how a conflict, at any rate in Reef, is to be prevented.

Khateeb tells me that he received through a third party very lately, all intimation that if he would refer all their differences with the Spanish Government to M. de Castellon, they would promptly be brought to a satisfactory conclusion. One of the French native interpreters told this to Khateeb's right-hand man, but did not say that Castellon had sent him with the message. Khateeb says he replied, "I have never received, since the commencement of the present difference, a word from the French Chargé d'Affaires on this subject. I won't leave my hold of a stout stick to grasp at a reed. When I have a sheep's head on my shoulders instead of a man's, I shall listen to such insinuations."

As matters have taken now a very favourable turn, I hope Lord Malmesbury will not think I have been, or I am, an alarmist. A timely step, as taken by Lord

⁽⁶³⁾ **Confidential 819**, n°112- D. Hay to. Hammond (Private.) - Tangier, March 18, 1859.

Malmesbury, may have saved us much trouble, and it is a strong hint to others, and which may be a warning to them in any future dissension with this Government.

I am sorry to say that Khateeb has shown me a letter he has lately received from the Vizier at the Court, saying, that he had made known to the Sultan my advice about the exportation of wool, now that the "clip" has begun, but that the Sultan says he fears prices would rise again immediately, and, therefore, does not consent.

Khateeb, by my advice, returns to the charge, for it will please the French if we can get our testy Sultan to export wool again. In the same letter, however, the Vizier says the Sultan tells Khateeb to thank me for the barge, and repeats that he must follow my counsels in the question with the Spanish Agent. He also says that he has ordered his Governor of Mogador to settle an old claim of Mr. Grace, who was formerly, as you remember, British Vice-Consul at that port, and was engaged in commerce.

I am worn out with all the worry and work I have had these days, but now hope to have a little holiday until Blanco returns.

Inclosure in document 34:⁽⁶⁴⁾

YOU will learn from my despatches to Lord Malmesbury up to this date, that there is now a very fair prospect of all questions being brought to an amicable settlement, if the Spanish Government, or rather M. Blanco, puts forward reasonable demands regarding the extension of the frontier lines and the neutral ground, but, under any circumstances, we shall have a lull for three weeks or a month, and if a conflict finally takes place, it will be confined to the Reef, I hope, and not at the Sultan's ports.

Blanco has altered his tone greatly, and I cannot help thinking that a Spanish steamer which arrived here as an express on the 15th, and departed three hours afterwards, brought him some instructions by telegraph from his Government to modify his language and his demands. That steamer arrived a few hours after Her Majesty's steamer "Redpole" brought me the tidings sent to Gibraltar by your Excellency, that "Orion" and "Victor-Emmanuel" were to be stopped at Gibraltar. I suppose the telegraph folk at Madrid must have reported this message to the Spanish Ministry, and, though they may have made a wry face at such a prescription, I am sure it will have had a very salutary effect, and has tended to moderate the fiery passions of Don Juan and his masters, whilst it shows the world England cannot for a moment allow her interests at Gibraltar to be trifled with, or exposed to the slightest risk. I had certainly submitted my views to Her Majesty's Government, regarding the great injury which would result if a *coup de main* was attempted, and suggested that unless "reliable assurances" were obtained from the Madrid Government through your Excellency, some precautionary step should be taken by us to guard against eventualities.

Your Excellency appears to think Don Juan exceeds his instructions; I thought so also at one time, but from all I can collect, the private correspondence he carries on with General O'Donnell, and the orders he receives from that Minister, guide his conduct. One of my colleagues who is an honourable though not a very brilliant man, and who

⁽⁶⁴⁾ **Confidential 819**, inclosure in n°112- Mr. D. Hay to Mr. Buchanan - Tangier, March 18, 1859.

stated he had seen some of the instructions to Don Juan, declares that he has acted far more moderately than the tenour of his instructions might have permitted him to do; and though Blanco told me, as you will have seen in my despatches, that the Spanish Government did not "intend to bombard, but to blockade Tangier," if the Sultan did not accede to their demands, his menaces and language to Khateeb, both written and verbal, as well as his language to some of my colleagues, were totally at variance with that assertion. My French colleague went so far as to tell all his dependants to be ready to embark at a moment's notice, and the general belief at Tangier was, from the language of Don Juan, and what oozed out from the ladies of his house, that Tangier was to be taken.

Notwithstanding the lame explanations offered to me about the protection and passports given to the Jews, I think all that tended to show that the Spanish Government was about to take some rash step, but have veered about in consequence of your Excellency's language and that of Her Majesty's Government.

I am sorry to learn what you tell me of M. Collantes' opinion of my proceedings, and that he supposes I am prejudiced against the Spanish claims. He is greatly mistaken, and I fear he has been misled both by Blanco's predecessor, and also Blanco *ipse*. I can most conscientiously declare that, from the very outset, I have taken a most unbiased view of all the questions, but had I plumped down upon the Moorish Government the advice to yield all the demands, reasonable and unreasonable, without demur, the Sultan would have turned a deaf ear to my counsels, and probably Moors and Spaniards would now hammering away one at another. The Sultan is an obstinate man, but has some glimmerings about the policy and necessity of acceding to the just demands of foreign Powers. If it is supposed that he will yield like wax wherever he is pressed, the Spaniards are much mistaken. The archives at the Foreign Office, in Downing Street, can tell how difficult it has been to obtain the slightest concessions, even when he has been threatened by the might of France or by ourselves. On the present occasion he has been far more yielding, and I, perhaps foolishly, flatter myself I have led the old gentleman, by allowing him to believe I am (if anything) his partisan.

With regard to the remarks of M. Collantes to your Excellency that the British Government had at one time made claims for vessels plundered by the Reefians prior to 1856, it is very true; for when the claim was put forward for the last-captured British vessel, there were claims also made for three other vessels that had been plundered prior to that (I think since 1848): but the British Government, taking into consideration that the Sultan had, until the expeditions Her Majesty had sent against the Reefians in the years 1855 and 1856, always declared his want of power to chastise the Reefians, and had, until then, tacitly consented that we should seek redress with our own hands, withdrew all claims for vessels captured by the Reefians plundered before that time, *i.e.* 1856. Now the Spaniards have retaliated on the Reefians over and over again, and without regard to whether they belonged to the piratical tribes or not; and they have, during the last fifteen years, captured boats, seized the property, slaughtered and imprisoned the Reefians; so a long bill could be made out by the Moorish Government. Moreover, as I had told your Excellency, in 1845 all accounts and claims were settled

between Spain and Morocco when I was the mediator, and yet the former has now chosen to hark back to claims prior to 1845. I am happy to say, however, Blanco has assured Khateeb that all their pecuniary claims will be withdrawn, and the boats, &c., restored when the frontier question is settled.

Your Excellency will be tired of my terrible long stories, but I think it right to let your Excellency, as well as Her Majesty's Government, know all I think, and then you or they will better be enabled to correct me when I am thought to be in error.

P.S.-I am glad the liners did not come over here; I should have sent them back to Gibraltar if they had come under existing circumstances. If there was anything very urgent and of a secret character, I would communicate it by cypher, as your Excellency suggests, through the Postmaster at Gibraltar.

Document 35:⁽⁶⁵⁾

WITH reference to my despatch No. 25 of yesterday's date, and the Memorandum I inclosed reporting the conversation I had yesterday with the Spanish Chargé d'Affaires, I have the honour to make known to your Lordship the language held by Don Juan Blanco, regarding the question of the boundaries of the Spanish territory at Melilla and the neutral ground.

M. Blanco informed me that, as soon as the prisoners arrived, it was his intention to go to Melilla before proceeding to Madrid, and that he would then determine on the extent of territory and neutral ground which his Government ought to require should be ceded by the Sultan; and that he expected, after the assurances he had received from Khateeb in his last letter, all matters would be arranged satisfactorily.

I replied that as I had every confidence in his, Don Juan Blanco's, desire to arrange matters in an amicable manner, and as the Spanish Government would depend upon his report in coming to a decision regarding the extent of neutral ground, that I trusted he would suggest that which, whilst it could be satisfactorily accepted by his Government, would not be of a nature which he thought the Sultan might have reason to refuse; for he, M. Blanco, should bear in mind that in the peculiar position of the Sultan as Sovereign of the semi-independent tribes of Reef, if His Majesty attempted to require their acceptance of unreasonable conditions regarding the cession of a territory for neutral ground, they might refuse to obey; neither could the Sultan ever expect to be supported by his Mussulman troops or subjects if he attempted to inflict a chastisement on his rebellious subjects, for refusing to deliver up territory to the Christians; therefore, I said, the Sultan would be in the dilemma, if unreasonable demands were put forward, either of going to war with Spain, or of risking a rebellion on the part of his Reef subjects, and the general discontent, and perhaps disobedience of his own troops to execute his orders.

M. Blanco replied that the Spanish Government would not take into consideration any such excuse on the part of the Sultan, for that he knew he had the power to grant the territory they required, and, if he did not grant it, they had the means and the

⁽⁶⁵⁾ **Confidential 819**, n°113 - Mr. D. Hay to the Earl of Malmesbury (no. 27, Confidential) - Tangier, March 14, 1859.

intention to take it by force.

I said, "Then it is your intention to make conquests in the Reef territory."

M. Blanco replied in the negative; and added that they merely required the cession of the limits they formerly possessed.

I asked, where those limits extended to, and at what period they (the Spaniards) possessed them; and remarked, that if every nation were to demand the concession of what it formerly possessed, many countries and lands would have to change hands; that it appeared to me they should clearly define the limits they demanded; that if they sought to acquire the cession of the old ruins, which are said to have been held by the Spaniards at the time they occupied Oran, and which, if I remembered rightly, were situated on the side of a mountain at some distance from the garrison of Melilla, I feared it would not be obtained by peaceful negotiation, nor could I believe that, commanded as those ruins were by the high ground on their flank, they could be considered as a military position; but, I went on to say that if the demarkation of a neutral ground were arranged, and the Spanish Government chose, in course of time, to advance their lines to some distance from their present position, I hoped the Moorish Government would not offer any obstacle, but tacitly allow of the encroachment; that, as far as British interests were concerned, I believed my Government would not have the slightest objection or wish to oppose the cession of one, or even six, miles of territory in Reef, but that it would have been a very different matter if there had been any question about the cession of a port, or territory bordering the Straits of Gibraltar or on the western coast of this Empire, or if any attempt were made to obtain such territory by conquest, in which case, he would understand, the British Government would never admit such pretensions, whether on the part of Spain or of any other Government, though, I added in parenthesis, such ideas of conquest have never, of course, been for a moment entertained by your Government."

M. Blanco replied that he had demanded the cession of the "vega" of Melilla, and that the Sultan had declared he was prepared to yield such frontier lines and neutral ground as might be established according to the usages of civilized nations. I remarked, "Neutral ground, you mean," M. Blanco contradicted me, saying, If no new frontier lines are to be ceded, what means the last letter of Khateeb which he had accepted? and added that, if my supposition that only a neutral ground was to be granted was correct, he would at once give up the idea of visiting either Melilla or Madrid, break off relations, and hostilities would commence. I replied that, of course he should rely upon the wording of the Moorish Minister's letter, and not on my reflections: and that I was very happy to hear I was labouring under an erroneous impression on this point, and now only hoped that when the matter is to be decided, on his return from Madrid, there would be no difference of opinion about the extent of the lines or neutral ground. I must avow, my Lord, when I made this remark I was satisfied, in my own mind, that I was in the right, and that M. Blanco has received an imperfect or incorrect translation of Khateeb's letter; but I did not think I was called upon, neither would it have been politic, to persist in maintaining my opinion, as I was not the responsible party, but I beg to refer to my despatch No. 24 of the 10th instant, in confirmation of my views; and

I have, this day, obtained from Khateeb the original draft of his letter of the 5th March to Don Juan Blanco, and I do not find, as far as my knowledge of the Arabic enables me to form an opinion, there is any phrase in it which would authorize M. Blanco to suppose that a cession of territory as well as neutral ground is granted. I inclose, however, a copy of the Arabic version in case a question is hereafter raised on this point, and the Moorish Government is accused of bad faith; as it is apparent, from the language held by General O'Donnell to Mr. Buchanan, as reported in the despatches of his Excellency to your Lordship, that he is under the impression the Sultan has acceded to the demand for the extension of the Spanish lines, as well as the cession of the neutral ground. My belief is that the expression "boundaries, that is to say, of the neutral ground," has been interpreted by the translator into "boundaries and neutral ground."

M. Blanco went on to say that no further delay could be admitted in the negotiation on his return from Madrid, for the spring was fast advancing, which would be the best season for operations; that they could not allow the negotiation to draw on, and that the Sultan should forthwith appoint Khateeb his Plenipotentiary to mark out the boundary, and send him to Melilla for that purpose when he (Blanco) returns from Madrid. I replied that as Khateeb, was naturally a timid man, I feared he would not like to make a visit amongst the lawless people of Reef on such an errand, but that I should be very glad to hear that either Khateeb or any other prudent and judicious person were selected by the Sultan for that duty; and that I had only to assure him (M. Blanco) that it would afford me much pleasure if the demands of the Spanish Government, regarding the cession to be made, were of such a reasonable nature as to enable me not only to say to the Moorish Government that the British Government would be glad to learn that the Sultan should give his consent to grant them, but to add that we considered the demands to be just and reasonable, and such as the Government of Morocco ought to grant without demur; and that we entertained a very favourable opinion of the moderation and forbearance shown by the Spanish Government in the conclusion of these questions.

In my interview with Khateeb, yesterday evening, I thought it advisable to make known to him what had taken place between M. Blanco and myself, and put him on his guard, especially as M. Blanco has informed me it is his intention, before taking his departure for Madrid, to have an interview with Khateeb, and to obtain from him categorical explanations on the subject of the concession, and added that, if he discovered no arrangement about the extension of the frontier lines would be agreed to, he would break off relations at once, and suspend all further negotiation. Khateeb expressed to me his great surprise at the erroneous inference which had been deduced by M. Blanco from his letter of the 5th March, and appealed to me for my opinion thereupon. I replied that, whatever might be the real or equivocal interpretation of the words, the evil was done, and that he had better reflect well before he contradicted M. Blanco, and declared there was to be no concession of new frontier lines.

I added that M. Blanco had not yet stated, and could not, till he had visited Melilla and proceeded to Madrid, state where those lines should extend to; that there would be time enough for the Moorish Government to object (which I hoped they

would not have to do) when the exact sites were pointed out, if they were considered unreasonable; and that, in the meantime, I hoped he would write to the Sultan, and request that His Majesty would not oppose the Spaniards advancing their lines to such positions as were necessary for their security, nor make difficulties about the cession of a spacious neutral ground; and that the question of 100 yards, more or less, of uncultivated and worthless ground was of little importance when contrasted with the danger of Morocco going to war, the result of which step no one could foresee.

Khateeb said he was deeply impressed with the prudence of my counsels, and that, in his interview with M. Blanco, he would say as little as possible to compromise himself with the Sultan, after his late instructions, or, on the other hand, by any ill-advised opposition to M. Blanco's demands, produce a suspension of the negotiation, and perhaps, a rupture, and that he would lose no time in making known to the Sultan what had occurred, and urge His Majesty to be prepared to make all the concessions which he considered could be granted without bringing about rebellion and discontent on the part of his own subjects.

Inclosure in document 35:⁽⁶⁶⁾

Draft of an Arabic Letter from Seid Mohamed Khateeb to Don Juan Blanco.

Document 36:⁽⁶⁷⁾

WITH reference to my despatch No. 27 of the 14th March, and the counsels I stated I had given to Seid Mohamed Khateeb regarding the boundary question of Melilla, in consequence of the language which had been held to me by the Spanish Chargé d'Affaires, I have the honour to inclose herewith the translation of a letter I have received this day from Khateeb, in which he assents to follow my advice, if further explanations are demanded of him by M. Blanco regarding the construction to be put on the wording of the letter which was addressed to him on the 5th instant. Khateeb further requested the interpreter to state to me, that though he was disposed to make the fresh concession mentioned in his letter, out of deference to my counsels, yet that he hoped I would understand there was no tergiversation on his part, or that he had received any secret instruction from the Court, which authorized him to take upon himself the responsibility of the present step; but that he coincided with me in thinking it was prudent and politic for the Moorish Government not to offer any further obstacles to the progress of the negotiation until the Spanish Government clearly defined what was the extent of the territory they expected the Sultan would concede, either for advancing their lines or for a neutral ground.

Khateeb further said, if he was pressed by M. Blanco for a categorical reply as to whether, in his letter, he had conceded new boundaries for the Spanish lines, and also a neutral ground, he should not commit himself by assent or dissent, but would repeat the precise tenour of the Sultan's instructions; adding, that he would engage His Majesty would concede all that was reasonable, and according to the laws and usages amongst other nations; and that if it was hereafter satisfactorily proved to the Moorish

⁽⁶⁶⁾ Confidential 819, inclosure in n°113.

⁽⁶⁷⁾ Confidential 819, n°114 - Mr. D. Hay to the Earl of Malmesbury - Tangier, March 15, 1859.

Government, that the Spaniards had ever held any lines or frontier more advanced than the positions they now occupy, during the reign of the present Sultan (thirty-seven years), he had no doubt they would be restored, as he knew of no Treaty which had been entered upon either by which the Spaniards were deprived of, or had acquired territory, during the last forty years; but that if, on the other hand, M. Blanco claimed the restoration of positions or frontiers which he might choose to declare the Spaniards held a century or two ago, that he would then acquaint him he could not accede to such a demand; and that, under any circumstance, it would be necessary that both M. Blanco and the Moorish Government should have a precise knowledge where those positions were situated before any definitive reply could be given. Khateeb further told the interpreter that the question now entirely rested upon the demands which might be put forward by M. Blanco for territory after his visit to Melilla and to Madrid.

It is a matter of regret that when I visited Melilla in 1855, and on the occasion of Mr. Reade's visits to that place in 1856, 1857, and 1858, neither of us attempted to make, at the time when it was fresh in our memories, a rough sketch of the country and the vicinity of that fortress; but we had not then the grounds for supposing the Spanish Government would raise a question about the lines. Mr. Reade has now made a very rough sketch, herewith inclosed, of his recollection of the country, and which corresponds with my own, as it may enable your Lordship, as also Her Majesty's Minister at Madrid to form some conjecture, however vague, regarding the demand of the Spaniards. The outline given of the form of the town is, no doubt, incorrect, but that is not of importance.

The red line is intended to mark the position which was occupied by the Reefian guards about the time of Mr. Reade's visit to Melilla.

From the northern side of Melilla, marked on the sketch "Reefian outpost," which is situated about 150 yards from the town-walls, the Reefians can easily shoot any sentry who shows himself on the opposite walls of the town. I believe an old Spanish outwork was formerly erected somewhere near that site, of which, I think, the Spaniards have good grounds to claim the restoration.

The natural boundary on the south-east side of the town would appear to me to be, the north-west bank of the stream Oro, and, on the western side, a line extending from the deep ravine, in a southerly direction, to the stream, and beyond that line the neutral ground might be extended about 700 yards.

Now the claim of the Spaniards is, I believe, for the whole "vega," which, I suppose, means the Valley of Melilla, and then, a neutral ground; but how they will be enabled to substantiate such a claim I cannot comprehend. It is said, in ancient times (perhaps a century or more ago) they possessed some outwork, or castle, at the site dotted in the sketch "Spanish ruins," about two or three miles from the town. [It remains to be proved whether these ruins are not of an old Moorish castle, and not of a Spanish fort; for it does not appear to be a position which would be selected in a military point of view by the occupants of Melilla (*note in the margin by J. H. D. H*)]. This site appeared to me to be surrounded by very high grounds to the east of it, and, though I confess the most complete ignorance on military matters. I cannot comprehend how it

would be advantageous for the garrison to possess the Valley of Melilla [It remains to be proved whether the word 'Vega' used by M. Blanco, means all the valley. The question at issue will almost turn upon this (*note in the margin by J. H. D. H.*)], surrounded, as it is, on both sides, by high ground; or how a neutral ground could be marked on the hills that surround the valley.

When I was at Melilla in 1855, the Governor talked much about the possession of the "vega" for a pasturage of cows, and the difficulty of getting fresh provisions from Spain, and the necessity, therefore, of their having ground upon which they could raise a sufficient quantity of vegetables, and have pasturage for their herds of cattle and sheep; but he appeared to me to speak more with an eye to agriculture, and personal profit, than with regard to military necessities for the security of the garrison; and I have strong grounds to suppose that the Spanish Government has hitherto been misled by the reports of the Melilla authorities, who, I think, are the last persons to take an impartial and unprejudiced view of this question. My conviction is, that, even if the Spanish Government should be guided solely by a sense of justice, and by the requirements of the garrison in a military point of view, and that they finally state to the Moorish Government what are the precise limits they desire should be granted, and that the Sultan then accedes to all they demand as being moderate and reasonable, His Majesty will still experience the greatest difficulty and opposition from the Reefians when he requires their submission to the performance of the requisite conditions; and I have considerable doubts whether those wild and warlike people would ever submit to his mandates on such a subject; but, be that as it may, I have no hesitation in declaring that it is out of the question to expect that the cession of all the Valley of Melilla, could ever be obtained by peaceful negotiation; or, at any rate, if the Sultan finally consents to put on paper that he acceded to such a demand (of which I do not foresee the remotest prospect), that the Reefians would obey the Sultan's orders; but, on the contrary, I am convinced all the Reefian tribes would be prepared to unite in resisting, to the last, the arms of the Sultan, or of the Spaniards, to compel them to submit to such conditions; whilst I do not hesitate to say, that not a hundred men would be found in Morocco who would fire a shot against the Reefians for disobedience to the Sultan regarding a cession of Moorish territory.

If my views are not very erroneous, the Sultan will have finally to select between a war with Spain, or the rebellion of his own subjects, and I am convinced he would naturally prefer the former to the latter evil. There is, perhaps, a middle course which he might be counselled to pursue, though it would, no doubt, be very repulsive to his feelings, namely, to tell the Spaniards that in Article XV of the existing Stipulations between Spain and Morocco, it is declared, that the Spanish garrisons on the African coast are justified in repelling, by force, the aggressions of the Reefians, and that such conflicts are not to disturb the peace and amity between Spain and Morocco, that as the Spanish Government has declared it formerly held certain advanced lines at Melilla, which they had tacitly abandoned, but now require their restoration to ensure their security, and as he, the Sultan, feels he has not the power to compel his rebellious and warlike subjects of Reef to cede the territory which they now occupy, without risking a revolution in other parts of his dominions, that the question had better be settled

between the Spaniards and the Reefians, without interrupting the friendly relations with Spain, and that he engages to remain neutral as long as the Spaniards confine themselves to the recovery of their old lines, and that no further attempts of conquest be made when once they are obtained.

If I am not very much mistaken, the present question -if all the Valley of Melilla be claimed- is only to be solved by the Sultan pursuing such a course, or by a war between Spain and Morocco. I have told M. Blanco, repeatedly, that the Sultan had not the power to concede the territory they have demanded, and that his own subjects would not support him in enforcing such a demand. M. Blanco has always replied, he is convinced the Sultan has sufficient authority in Reef to impose any condition he pleases. M. Blanco, therefore, seems to me to have formed very erroneous opinions, or, that he is misled by the foolish language of some persons here, who desire to see a conflict between Spain and Morocco. It is therefore to be apprehended that as M. Blanco entertains those sentiments, he will mislead also his Government; and though I had no *arrière pensée* in giving my opinion to M. Blanco, yet he will, doubtless, when reporting my language to his Government, say, that I had put forward those opinions in the hope that I should persuade him to moderate his demands. Three weeks or a month of peace will, I hope, be gained, if M. Blanco goes to Melilla, and then to Madrid, before final demands about the territory are put forward, but I fear little more, unless the Spanish Government greatly modifies its demands, or the Sultan can be persuaded to follow the course I have now suggested, and that the Spanish Government assent to the existence of such a state of things. A war between Spain and Reef certainly is far preferable to a war between Spain and Morocco, though the former contingency may lead, finally, to the latter, unless the greatest success attended the operations of the Spaniards, and that what is to be accomplished in Reef was quickly and successfully executed.

If I could venture any opinion on military matters, I should say that during the summer months, in the flat country, the disciplined forces of the Spaniards would repulse any number of Reefians, and that the Spaniards would be enabled to advance their lines; but that before the month of January of next year, if the contest in Reef was continued, the Spaniards would have to retreat again to the lines they now possess in Melilla, unless they are prepared to sacrifice the lives of 20,000 men, and nearly as many millions of dollars, for attaining the object they have on view.

Inclosure 1 in document 36:⁽⁶⁸⁾

HAVING taken into consideration the friendly and prudent counsels you gave me two days ago, with regard to the statement made to you by the Spanish Chargé d'Affaires at the interview you had with him on that day, that is to say, the remarks, viz., that he had demanded of us the valley of Melilla, in addition to the demarkation of the frontier line of a neutral ground, that I had stated in my letter to him of the 5th instant, that we would cede new boundaries as well as a neutral ground, which should be laid down in accordance with the established laws of nations, and that, if he found this was

⁽⁶⁸⁾ **Confidential 819**, inclosure 1 in n°114 - Seid Mohamed Khateeb to D. Hay (Translation) - 10 Shaban, 1275, (March 15, 1859).

not the correct interpretation of my letter, he would immediately break off relations, and hostilities would be entered upon at once, we beg to repeat to you that we do not withdraw from that we have told you before, in conformity with the instructions of our Lord, which we have shown to you; and that in our letter we do not say more than that we would "grant the boundaries of a piece of ground which should belong neither to them nor to us ;" [This is translated literally from the Arabic, but signifies a "neutral ground." (*Note in the margin by T. F. Reade*)] but we will now add that, if the said Chargé d'Affaires requests an explanation of our words, we purpose, out of consideration for your prudent counsels, and as they have not yet alluded to the extent of the neutral ground they intend to demand, nor even specified their wishes about the boundaries, to reply to him (the Spanish Chargé d'Affaires) that we do not withdraw from the promises we made in our letter, that now all must depend upon the extent of ground they may ask for, and that, when the precise nature of their demands shall have been stated, and the Commissioner whom we may send to the spot shall have been able to form an opinion as to their justness, the question will be decided, either by the immediate admission of the demands, or, in case the said Commissioner is unable himself to cede what may be asked for, by a reference to the Sultan.

We will also add that, until then, it would entail a loss of time to discuss the matter further, as neither party know exactly the extent of ground that may be demanded. We promise you, likewise, that we will write to the Sultan, and inform His Majesty of all that has passed, and also submit that, in the event of their asking for a neutral ground of ordinary extent, and only demanding, besides, that they may advance the limits of their guard-stations to certain contiguous points which, they may say, were, not many years ago, in their possession, and which they require for their security, it would be better not to offer any opposition to their pretensions, although it may not be possible to admit them in a formal way, and that, if difficulty or opposition arise, as we fear there will probably be, on the part of the Reefians, in coming to a settlement of this matter, the Spanish Government will be persuaded that the Sultan has shown good faith throughout the negotiation, that he was prepared to do all that was just and reasonable, and that all opposition and difficulty comes from the Reefians, and not from him, but, of course, on our suggestions the Sultan must alone decide.

Inclosure 2 in document 36:⁽⁶⁹⁾

Map of Melilla and its neighbourhood, sketched from memory, by Vice-Consul Reade.

Document 37:⁽⁷⁰⁾

I HAVE the honour to inclose the copies of three despatches which I have received from Her Majesty's Minister at Madrid, and of my reply. When my despatches Nos. 25 and 27 of the 13th and 14th instant, and No. 28 of the 15th instant reach your Lordship, as they have been sent under flying seal through Mr. Buchanan, your Lordship will be better able to form an opinion of my conduct, and I humbly trust it will

⁽⁶⁹⁾ **Confidential 819**, inclosure 2 in n°114. Map of Melilla and its neighbourhood, sketched from memory, by Vice-Consul Reade.

⁽⁷⁰⁾ **Confidential 819**, n°115 - D. Hay to the Earl of Malmesbury – Tangier, March 18, 1859.

not be disapproved.

I have the honour to submit a further letter which I have received this morning from Seid Mohamed Khateeb, acquainting me with the substance of his conference with M. Blanco last night, and which appears to have been very satisfactory.

The Reef prisoners are expected to be sent to Tangier in a day or two by the Spanish authorities of Malaga, and M. Blanco will then set out for Algeciras, Melilla, and Madrid. Until he returns and defines what are the exact pretensions of the Spanish Government regarding the new limits, it would be difficult to form any conclusion as to the final results of the question, but if the demands are reasonable, I trust all matters will be satisfactorily and amicably settled.

Inclosure in document 37:⁽⁷¹⁾

See Inclosure 1 in No. 110.

Inclosure 2 in document 37:⁽⁷²⁾

See Inclosure 3 in No. 110.

Inclosure 3 in document 37:⁽⁷³⁾

I HAVE been instructed to inform Her Catholic Majesty's Government that Her Majesty's Government will be happy to forward an arrangement of the questions pending between Spain and Morocco, and that they will, if it should be desired by Her Catholic Majesty's Government, recommend the Sultan to accept the claims which they have recently put forward, as far as they may be reasonable, and more particularly to grant the zone which the Spanish Government wish to occupy around the fortress of Melilla.

I have already mentioned to you that the Spanish Government maintain that they have a legal right to the territory claimed, as they formally held it, and never ceded it by treaty to Morocco, though the Reefians have long occupied it by sufferance.

You have expressed an opinion that the Sultan's unwillingness to relinquish his sovereignty over any territory which he considers to belong to his empire will not be easily overcome; but the abandonment of a disputed right of sovereignty over a narrow strip of land, lying immediately under the guns of a Spanish fortress, would be trifling price to pay for the establishment of permanent relations of amity with a neighbour, whose power and resources are daily increasing, and who some years hence, if the question is left open, which it is now hoped may be satisfactorily arranged, would find in it a pretext of which they might be ready to avail themselves for seeking aggrandisement in Africa.

It is quite certain that if Spain were to relinquish for the present the prosecution of her claim to the Valley of Melilla, it would only be until she was fully prepared to enforce it; but, as I have already informed you, from all I learn here, it may be

⁽⁷¹⁾ **Confidential 819**, inclosure 1 in n°115 - Buchanan to D. Hay, March 12, 1859.

⁽⁷²⁾ **Confidential 819**, inclosure 2 in n°115 - Mr. Buchanan to Mr. D. Hay, March 13, 1859.

⁽⁷³⁾ **Confidential 819**, inclosure 3 in n°115 - Mr. Buchanan to Mr. D. Hay - Madrid, March 13, 1859.

presumed she now believes that she can do so, and has decided if her negotiations fail, to try the chances of war. And although the interests of Great Britain may give Her Majesty's Government a right to protest against any measures being adopted which would interrupt the commercial relations of Tangier with Gibraltar, there are many other valuable points upon the coast; and a plan is, I have reason to believe, already prepared for occupying, and doubtless endeavouring to hold permanently, a portion of his Morocco Majesty's dominions.

A letter from Melilla, published in the Spanish newspapers, reports that the garrison are preparing fascines and gabions, with a view to the capture and occupation of the lines held by the Reefians, but I am assured no offensive measures will be adopted until negotiations are broken off with Seid Mohamed Khateeb; and that if the Government eventually act, it will be with ample means to ensure the success of any operations which they may undertake.

Inclosure 4 in document 37:⁽⁷⁴⁾

I HAVE the honour to acknowledge the receipt of your Excellency's despatch of the 12th instant, and two despatches of the 13th instant.

The despatches severally marked Nos. 25 and 27 of the 13th and 14th instant, and No. 28 of the 15th, addressed to the Earl of Malmesbury, and sent, under flying-seal, for your Excellency's information, will have acquainted your Excellency that I had forestalled, in great measure, the wishes of Her Majesty's Government, and the very excellent advice which Your Excellency has recommended I should urge upon the attention of the Moorish Government. And your Excellency will have also learnt the success which has attended my good offices in urging the Moorish Minister to withdraw from opposing in any I conference he might have with M. Blanco, the concession of new frontier lines, as well as the neutral ground, even though he has no instructions from the Sultan to that effect.

I have been further enabled to convince Khateeb that the whole question will now turn upon the demands which may be put forward by the Spanish Government, after the visit of M. Blanco to Melilla and to Madrid; and, therefore, opposition at the present time, before the extent of territory is defined, would be most uncalled for. It has been a great satisfaction for me to find that, in giving this advice to the Moorish Government, I have been acting in accordance with the wishes of Her Majesty's Government, whilst I flatter myself that the impartial and disinterested counsels which have hitherto been offered by me, in the name of Her Majesty's Government, have led the Sultan and his Minister to show such readiness in acceding to all we require; but I may take the liberty of adding, that the Spanish Government would be wrong to imply, on that account, that the same success would have attended our good offices if I had shown myself a warm supporter from the first of all the Spanish demands, without making a distinction between what is reasonable and just, and what appeared to be grasping and irregular.

⁽⁷⁴⁾ **Confidential 819**, inclosure 4 in n°115 - Mr. D. Hay to Mr. Buchanan - Tangier, March 17, 1859.

Though I trust the Sultan can now gradually be led by the counsels of the British Government, even to concede on paper more perhaps than he will find it in his power to grant in reality (that is to say, what his subjects of the Reef will be disposed to accede to without resistance); yet a great obstacle will have been removed in bringing about a peaceful adjustment of the present differences between Spain and Morocco, by the fact that the Sovereign of the latter country should have signified his consent to the reasonable demands of Spain; but I must beg to refer to the opinions I have given in my despatch No. 28 of the 45th instant, which are founded upon a long experience of this country, and the character of its inhabitants, and from that opinion, I regret to say, I cannot recede.

With all deference to the opinion of the Spanish Government, I think time will show my predictions will be verified, unless the Spanish Government should confine themselves to the moderate pretensions I have recommended M. Blanco, and, probably, the Spanish Ministry, will, no doubt, believe that I am prejudiced in favour of the Moors, and therefore have opposed, and do oppose, Spanish pretensions. If such be their belief, they are mistaken, and your Excellency can assure them that every step I have taken, every counsel or opinion I have given, have been solely dictated by the desire to bring about a satisfactory and peaceful settlement of all questions between Spain and Morocco, and that, had I not assumed, from the first, the part of a disinterested and impartial counsellor of the Moorish Government, we should not have been enabled, step by step, to have led the Sultan and his Ministers to make the various concessions they have made during the negotiation.

All now depends, as I have expressed my opinion in my despatch No. 28, upon what the words "Valley of Melilla" mean to imply, and what may be the decision of M. Blanco upon that point, if, as he has told me, he goes to Melilla.

P.S.-I have reported to the Earl of Malmesbury that the Spanish prisoners arrived here on the 16th instant, and were delivered over to the Spanish Chargé d'Affaires. A Spanish steamer of war saluted the town on that occasion with twenty-one guns, which was returned by the Moorish batteries.

The agitation and alarm which had prevailed amongst the population at Tangier has been calmed, and troops which were marching from the capital and other parts towards Tangier and the northern coast, have been arrested, for the present, in their progress.

I have the honour to inclose, herewith, a letter which I have received from Khateeb, reporting the result of his conference with M. Blanco, last night, which appears to have been very satisfactory.

Inclosure 5 in document 37:⁽⁷⁵⁾

WE have to inform you that, at 8 o'clock last night, the Spanish Chargé d'Affaires paid us a visit. He was very civil and courteous, and spoke to us in just and reasonable

⁽⁷⁵⁾ **Confidential 819**, inclosure 5 in n°115 - Seid Mohamed Khateeb to Mr. D. Hay (Translation) - 13 Shaban, 1275 (March 18, 1859).

terms. He told us that it was his intention to proceed to Madrid, in order to confer with his Government, and that, therefore, he had decided upon speaking with us on the subject of the boundary question of Melilla; and he asked if the assurances given in the letter we had addressed him on the 5th of March were to be completely relied on.

To this we replied, that what had been promised in that letter would be faithfully carried into execution; that, with regard to the question of the Melilla boundaries, four of his predecessors had made representations on the subject, but without success; but that, since the Spanish Government had again brought forward the matter, and that the negotiation had been entrusted to the hands of one like him (M. Blanco), a person who was peaceably disposed, a wise man, not like his predecessor (we said this to flatter and please the Spanish Chargé d'Affaires), we had again urged upon our Lord the Sultan to agree to a territorial arrangement, and to place Moorish guards, selected from the Sultan's troops, who shall put a stop to the conflicts which have hitherto been wont to occur between the Reef people and the Spaniards; and His Majesty has replied, that what would be proper, and for the interests of both parties, he would agree to, but that the boundary question must be settled according to the established usage and laws of nations, and, that neither an addition nor reduction should be required by either party. This, we said, is the construction to be put on the letter we wrote to him (M. Blanco).

M. Blanco replied, that he would only demand what was right and proper, according to the usages of other nations, and that he would not seek to obtain a palm's breadth of our land, except what would be just to grant according to the laws of nations.

Upon this we observed that, provided this arrangement is agreed to on our part, the Spanish Government would withdraw all her other demands; that all other questions or claims would be considered settled and dropped, and that no discussion would be raised on the past.

To this he (M. Blanco) replied, that all demands, claims, or questions, which had been put forward or raised up to that day would be dropped, and never, on any account, be repeated. He said, also, they would restore the Reef boats, and also the little Reefian cannon which they had in their possession, and thus put an end to all discussions or questions. M. Blanco observed, also, that he desired all that passed between him and us should be kept secret, so that no one might write to Madrid, before he could report to his Government what had taken place.

We replied, we never speak to anyone upon these matters, nor take counsels of anyone, except the English Chargé d'Affaires; that to him we speak, and we take his counsels, as he has ever sought to promote a good understanding, and to adjust these differences; that moreover, we were ordered by the Sultan to ask his advice whenever we were in doubt as to how we ought to act, and that, by asking his advice, we might avoid doing that which might be unfriendly or irregular; that the English Chargé d'Affaires had no ill-feeling against anyone, but was guided by what was just and kind to all, and sought to promote peace, and give satisfaction to both parties; and that, moreover, in these affairs, he had acted as if he were the Agent of the Spanish Government, in urging all just demands. Then we said to M. Blanco, "You are a just man; and, therefore, tell us, whether you have ever found, from the day these discus-

sions began, that we ever replied to your communications in an unfriendly tone, or in an irregular manner, or did otherwise than keep in the straight path. From this, also, "we added," you may know that the English Chargé d'Affaires has always counselled us in the cause of peace, and in a manner friendly to both parties."

M. Blanco replied, he was certain you were desirous of promoting an amicable arrangement between both parties.

We have further to inform you, in conclusion, that, with God's help, questions of the Melilla territory shall be settled according to what is right and proper, according to the usages of nations, as you have urged upon us, in the name of your Government.

Document 38:⁽⁷⁶⁾

I HAVE the honour to transmit herewith, for your Lordship's information, the copy of a despatch which I have received from Mr. Drummond Hay, on the question of the Melilla boundary, and in closing the copy of a letter, dated the 18th instant, which he had received from the said Mohamed Khateeb, reporting what passed at an interview which his Excellency had granted to the Spanish Chargé d'Affaires, before his departure for Melilla and Madrid.

As Mr. Hay's despatch vindicates his own conduct in the transactions which have lately taken place at Tangier, from the charge of hostility to the views of the Spanish Government, which M. Calderon Collantes has made against him, and expresses opinions which may possibly have some influence on the future course of Her Catholic Majesty's Government, I have placed a copy of it confidentially in the hands of M. Comyn for communication to them; and I at the same time communicated to him a Memorandum which I drew up from, Mr. Hay's despatch No. 28 to your Lordship, of the 17th instant, and of which a copy is inclosed for your Lordship's information, stating his views as to the extent of territory around Melilla which it might be fair for Spain to ask, and which it may, perhaps, be possible for her to obtain without the necessity of using force to induce the Reefians to withdraw from it.

I am sorry to say that M. Comyn spoke incredulously of Mr. Hay's apprehensions, and confidently as to the prospect of the whole valley of Melilla being eventually ceded to Spain. If Mr. Hay, therefore, has formed correct opinions on the subject, it may be presumed that his Spanish colleague entertains others, and will probably induce his Government to persevere in claiming territory, the occupation of which, even if it can be effected without a war with Morocco, is likely to require serious military operations against the people of the Reef.

Don Juan Blanco is now at Melilla, and is expected at Madrid in about a week.

Inclosure 1 in document 38:⁽⁷⁷⁾

See Inclosure 4 in No. 115.

⁽⁷⁶⁾ **Confidential 819**, n°116 - Buchanan to the Earl of Malmesbury - Madrid, March 25, 1859.

⁽⁷⁷⁾ **Confidential 819**, inclosure 1 in n°116 - D. Hay to Mr. Buchanan - March 17, 1859.

Inclosure 2 in document 38:⁽⁷⁸⁾

See Inclosure 5 in No. 115.

Inclosure 3 in document 38:⁽⁷⁹⁾

A MISUNDERSTANDING seems to have arisen as to the interpretation of Seid Mohamed Khateeb's letter, stating the readiness of the Sultan of Morocco to grant new lines between the Reefian and Spanish outposts; and it appears that the Moorish Minister intended to say, "to grant boundaries of a piece of ground which should belong neither to them nor to us." He has consented, however, not to raise a difficulty on this point; and if the Spanish requirements are moderate and reasonable, it is hoped that the Government of Morocco will be disposed to grant them.

Everything therefore will depend on the extent of these demands.

A natural boundary on the east side of the fortress it is believed might be found in the north-west bank of the stream Ora, and on the western side in a line drawn from a deep ravine beyond the present nearest Reefian outpost in a southerly direction to the same stream; and beyond that line a neutral ground of the same extent as that at Gibraltar might be established.

The Spanish Government, however claims, it is said, the whole valley of Melilla, as having occupied upwards of a century ago a fort or castle two or three miles from the town; but it will not be easy for them to establish this claim; and it may be questioned, from their position, whether the ruins are not Moorish. The site of the ruined fort also is said to be surrounded by high ground, which would render it incapable of defence; and, were it included in the Spanish territory, together with the whole valley of Melilla, would it be possible to mark out a neutral ground on the hills that surround the valley?

The valley therefore, it is supposed, though useful to the fortress as affording pasturage and garden grounds, would not improve its means of defence.

It should also be considered, that even if the Spanish Government limit their demands to what may be required for their garrison in a military point of view, and if the Sultan therefore agrees to them, His Majesty will find it difficult to impose the arrangement upon the Reefians; and if he were induced, to consent to the whole valley of Melilla being included in the Spanish lines, there is little doubt that the Reefians would resist its occupation by the Spaniards, and that he would not find a hundred men in Morocco who would fire a shot against them for refusing what the whole nation would look upon as a cession of Moorish territory. The Sultan may therefore finally have to choose between a war with Spain, and rebellion among his own subjects, unless he leaves Spain, under the 15th Article of the Treaty between Spain and Morocco, to establish herself by her own means in the territory which it may be agreed she is to occupy.

⁽⁷⁸⁾ **Confidential 819**, inclosure 2 in n°116 - Seid Mohamed Khateeb to D. Hay, March 18, 1859.

⁽⁷⁹⁾ **Confidential 819**, inclosure 3 in n°116 - Memorandum.

Document 39:⁽⁸⁰⁾

I HAVE received your despatch No. 125 of the 25th instant, reporting your late communications with the Spanish Government regarding the boundary at Melilla; and I have to instruct you to repeat to M. Calderon Collantes, in the name of Her Majesty's Government, the apprehensions which you have already expressed as to the results which must ensue unless the Spanish Government confine themselves to the proposals which have been recommended by Mr. Hay.

The advice which has been treated by Her Majesty's Government, and which has been conveyed in the despatches addressed to you on this subject, is of deep interest, not only to Spain and Morocco, but also to Great Britain, and you will continue to press it earnestly on the consideration of the Government of Her Catholic Majesty.

You will, at the same time, and on all proper occasions, impress upon the Spanish Government the determination of Her Majesty's Government not to permit the landing of Spanish troops at or near: Tangier, nor any attack on that place.

Document 40:⁽⁸¹⁾

THE crews of the Reefian trading-boats who had been taken prisoners by the Spaniards last year, arrived here yesterday in a Spanish steamer of war, and were delivered over to the Moorish authorities, who have set them at liberty. Three of the prisoners were left in hospital at Malaga, and one had been sent direct to Melilla.

Seid Mohamed Khateeb informs me the boats and cargoes, valuing between 3,000*l.* and 4,000*l.*, have not been delivered, but that he has thought it prudent not to put forward any pecuniary claim against the Spanish Government on this account, until the boundary question has been brought to a final settlement.

Seid Mohamed Khateeb has further informed me that he has requested the Spanish Vice-Consul, with whom he had an interview the day before yesterday to write to Don Juan Blanco, or to the Government at Madrid, to request that when the limits for the new lines at Melilla are defined, an exact account of the distance in yards from the town walls to the required lines be presented for the consideration of the Moorish Government, and that also a statement be made of the number of yards which the Spanish Government desires to propose as the space to be allotted for a neutral ground.

Seid Mohamed Khateeb observed to the Spanish Vice-Consul, the mere-names of the sites in the vicinity of Melilla would not be sufficient to enable the Moorish Government to come to any decision regarding the pretensions of the Spanish Government.

Document 41:⁽⁸²⁾

DON JUAN BLANCO, the Spanish Chargé d'Affaires at Tangier, arrived here three days ago from Melilla; but I have not yet been able to ascertain what opinion he

⁽⁸⁰⁾ Confidential 819, n°117 - The Earl of Malmesbury to Mr. Buchanan - Foreign Office, March 30, 1859.

⁽⁸¹⁾ Confidential 819, n°118 - D. Hay to the Earl of Malmesbury - Tangier, March 28, 1859.

⁽⁸²⁾ Confidential 819, n°119 - Mr Buchanan to the Earl of Malmesbury - Madrid, March 31, 1859.

has expressed as to the amount of territory which it will be expedient to claim from Morocco.

M. Comyn has shown me confidentially an old map found in the archives of the War Department, in which the whole "vega" of Melilla is included within the Spanish lines. From what he says, however, although he speaks confidently of the new boundary being fixed in conformity with the views of Spain, it does not appear that the Government have yet formed a decided opinion on the subject.

Document 42:⁽⁸³⁾

IN conformity with the instructions conveyed to me in your Lordship's despatch No. 72 of the 30th ultimo, I yesterday reminded M. Calderon Collantes of the opinions expressed by Mr. Drummond Hay, on the subject of the proposed rectification of the boundary of Melilla, referred to in your Lordship's despatch, and in the inclosed extract from a private letter from that gentleman to myself, dated the 26th ultimo, which I had communicated to his Excellency a few days previously, and I said that I had been instructed by your Lordship to repeat to him in the name of Her Majesty's Government the apprehensions entertained by Mr. Hay as to the results which must ensue, unless Her Catholic Majesty's Government confine themselves to the proposals which he has recommended.

M. Calderon Collantes replied that the valley of Melilla and the environs of the fortress would be surveyed by competent engineers, and that the Government would certainly not claim more territory than they were justly entitled to; in reply to which I observed that the question was not only one of how much might be justly claimed, but also as to what could, under the circumstances, be obtained without war, which, in the opinion of Her Majesty's Government, was the more important consideration.

M. Calderon Collantes then repeated his former protestations of being as averse to war as Her Majesty's Government could be, and of his being most anxious and hopeful, now that the prisoners were released, that all other questions between Spain and Morocco would be amicably arranged. I said I entirely confided in his assurances, but that it was not to be denied that the desire was becoming general in Spain to seek aggrandizement in Morocco; that the Opposition newspapers excited public opinion on this subject with a view to embarrass the Government; and that Statesmen of all shades of politics, some even holding important offices under the Crown, when they wished to make a popular speech, flattered the country with visions of future conquests in Africa. It therefore, I said, appeared to me expedient that the views of Her Majesty's Government with respect to such conquests, should be fully known to the Spanish Government, and I would tell him frankly that Her Majesty's Government would never permit the landing of Spanish troops at or near Tangier, nor any attack on that place. I was, myself, I said, so convinced that there was no immediate danger of war between Spain and Morocco, that, though I had received a despatch on the subject from your Lordship soon after the receipt of your telegrams, announcing the departure of ships of War from England to protect British interests at Tangier, I had not thought it necessary

⁽⁸³⁾ **Confidential 819**, n°120 - Mr Buchanan to the Earl of Malmesbury - Madrid, April 7, 1859.

to recur to the question in my late conversations with his Excellency; but, as your Lordship had again mentioned the determination of Her Majesty's Government to prevent any invasion of the coast near Tangier, and appeared anxious that there should be no misunderstanding on the subject between Great Britain and Spain, I felt bound to call his attention to it.

His Excellency then, while assuring me that there was now no probability of a conflict, asked by what right Great Britain could interfere in any military operations which might be undertaken by Spain against Morocco in prosecution of just claims against that country, and how I could reconcile such a pretension with the Law of Nations? I replied that if the interests of Great Britain required that she should protect a part of the coast of Morocco from the attack of a foreign Power, she would of course be justified in doing so, and that she would be ready to accept the consequences of her act, even if it should cause a hostile collision with the invading Power; adding that Morocco appeared to me to be somewhat in the position of Turkey, and might thus eventually give rise to a Western question in which Great Britain might have to act the same part as she had already done in the Eastern one, as I had reason to believe that her traditional policy would never permit her to allow an European Power to occupy Tangier and the neighbouring coast.

M. Calderon Collantes requested me to make this communication to him in writing, in order that he might refute the pretension of England to exercise what he called a Protectorate over Morocco, or to do more in the event of a war between Spain and that country than to require diplomatic explanations as to its objects, and such guarantees as to its results as she might deem necessary for her interests. This I declined, saying that I had no instructions to make so formal a communication to him, and that, for the present, it was sufficient, with a view to prevent future difficulties between the two Governments, that he should be aware of the decision come to in England; and I added that I knew your Lordship's language on the subject to be no vain menace, as I was in possession of the correspondence between your Lordship and the Lords Commissioners of the Admiralty with reference to the instructions which were given, when your Lordship believed war was imminent, to the commanding officers of the line-of-battle ships dispatched from England.

M. Calderon Collantes is, I have no doubt, somewhat annoyed at the language which Don Juan Blanco's proceedings have induced your Lordship to instruct me to hold on this subject; but our conversation was carried on in the most friendly terms, and from the assurances which I received from his Excellency, I am bound to believe that he will take care that the question of the Melilla boundary does not lead to the hostilities which your Lordship so justly deprecates.

M. Collantes requested me to read the Treaty of 1799 between Spain and Morocco, observing that if the Spanish Government insisted upon the strict fulfilment of its stipulations, as they were entitled to do, they might be supposed to entertain aggressive designs against the country; and he appealed to their forbearance in not claiming all that was due to them, as a proof of their desire to seek advantages in Morocco through commercial enterprizes alone. In compliance with his Excellency's

wishes, I have looked over the Treaty, without however, being able to discover the proofs of Spanish magnanimity and self-denial which it is alleged indirectly to exhibit. I have not, however, had leisure to study it carefully.

Convention between Morocco and Spain extending the Limits of Melilla etc., signed at Tetuan, August 24, 1859

The Arabic text:

وفق بين المغرب وإسبانيا⁽⁸⁴⁾

24 محرم عام 1276 / 24 غشت سنة 1859 م

بسم الله القادر على كل شيء.

شروط الوفق في توسيع الحدود لمدينة مليلية وغيرها من مدن الإصنيول التي بسواحل إفريقية مع حفظها، المجمولين بين عاليين المقامين عظيمة المقام ضونية إسبل الثانية سلطنة إصبانيا، والمقام الشريف الهمام مولانا عبد الرحمن سلطان مراكش. فسلطنة إصبانيا ضونية إسبل عينت الكبليرون ضون خوان بلن دي البليي نائباً مفوضاً في أمورها وقنصل خنرال بطنجة حرسها الله، وسلطان مراكش عين نائبه وزير أمور البرانية الفقيه السيد محمد الخطيب. وبعد ظهور ما بأيديهم من ظواهر التفويض لبعضهم بعضاً، اتفقا وتفاصيلاً في الشروط الآتية:

الشرط الأول

المقام العظيم سلطان مراكش يريد أن يبين للمقام العظيم الكتولكية أحد العلامة من حسن ما تمناه ويحبه من جانبه من الحفظ والأمن لمدن الإصنيولية بسواحل إفريقية، فأنعم للمقام العظيم الكاتولكية بالتسليم التام في الأرض القريبة لمدينة مليلية الإصنيولية إلى المواضع المناسبة لاحتياج حفظهم والمهدنة للمدينة المذكورة.

الشرط الثاني

الحدود من هذه الإنعام يمتازوا ويتبينوا بأهل هندسة اصبانية وبأهل هندسة إيالة مراكشة، فهؤلاء جميعاً يعينوها ليتم مادة النزاع في الحدود المذكورة، بحيث تكون قدر رماية مدفع الأربعة والعشرين من المدافع القدام المعروفين.

⁽⁸⁴⁾ The Arabic text of this convention was published by Mohammed Daoud in *Tarikh Tetuan*, vol. 4, p. 299.

الشرط الثالث

أن في الزمن القريب بعد نزول خط اليد على الوفق الحاضر كما ذكر في الشرط الثاني يجعلوا وفقاً مهماً لرشم الحدادة التي من جانب ساحل الشمال إلى الجانب القبلي من مدينة مليلية، بحيث تكون في المستقبل تعد كحد من أرض ولاية مليلية. والشهادة تكون على الرشم مشهودة كما ينبغي من الولاية الاصبنيولية والمركوشية الموافقين على ذلك، مع وضع خط يد المفوضين المذكورين. وتكون هذه الشهادة بإبدال الجهد والقوة كما ينبغي.

الشرط الرابع

تجعل بين الأرض المذكورة أعلاه ولاية الاصبنيولية والمركوشية فسحة من الأرض ليس هي للجانبين. حدود هذه الأرض المذكورة يكونوا من جهة مليلية، وتكون الحدادة المناسبة لها الموضوعة في الشهادة المرسومة المذكورة في الشرط الثالث، ومن جهة الريف الحدادة التي يجعلوها بالوفق بينهما بين الإيالة من ولاية العظيم سلطان مراکش الفسحة المذكورة.

الشرط الخامس

العظيم سلطان مراکش يلتزم أن يجعل في حدادة أرضه المقابلة لامليلية أحد قواد أو حاكم ومعه عسة من جيشه، لتكف جميع أسباب من جهة أهل الريف الذي يمكن منهم فساد المهادنة بين الدولتين.

الشرط السادس

بقصد أن يتجنبوا جميع الخصومات التي بعض الأوقات كانوا سبباً للمدينتين بادس والنكور، العظيم سلطان مراکش حيث تمنيه وما هو معول عليه أن يجعل في إصلاح هذا الغرب المدينتين المذكورتين يجعلوا قواداً أيضاً مع ما يكفيه من الجيش بساحل البحر المقابل لهما، بقصد جعل الوقار في حقوق إصبانية، ويحسن بخاطره حرية الدخول في المدن المذكورين المؤنة والفرشك الذي يحتاجون إليه سكانهم من العسكر الآتي من عندهم. العسة التي تحتاج أن تكون في مقابلة مليلية وقرب بادس والنكور لابد أن تكون من جيش السلطان لا من أناس الريف ولا من جيشهم على كل حال.

يتعرفوا ويختموا هؤلاء الشروط ويتوكدوا في القرب الممكن ويطلبوا. أربعة نقول منه بلسانين اصبنيول وعربي أحدهم لعظمة المقام الكتولكي سلطانة إصبانية والآخر لعظيم المقام سلطان مراکش، والآخر يبقى بيد المفوض له وقنصل خنزال ضون خوان بلنك دي

البليبي مؤقتة بمراكش، والرابع يبقى بيد وزير أمور البرانية الفقيه السيد محمد الخطيب. ويحذر كل واحد من الجانبين العالين وفاؤهم على حسن الكمال في جميع ما احتوت عليه الفصول من هذه الشروط. وعلى هذا المنوال نحن المفوضين الموضوعين أسفله أثبتناهم وختمناهم في أربعة وعشرين من المحرم فاتح عام ستة وسبعين ومائتين وألف الموافق أربعة وعشرين من غشت سنة تسعة وخمسين وثمانمائة وألف.

من جانب المقام العظيم الكتولكي ضون خوان بلنك دي البليبي ومن جانب المقام الشريف الفقيه السيد محمد الخطيب أعزه الله. وبعده بخط يد وضعهما خديم المقام العالي بالله محمد الخطيب وفقه الله خوان بلنك.

Another Arabic version of the same convention⁽⁸⁵⁾:

اتفاق بين صاحبة الجلالة ضونيا إيزابيل الثانية ملكة إسبانيا، وصاحب الجلالة مولاي عبد الرحمن ملك المغرب، على توسيع منطقة مليلية، واتخاذ التدابير اللازمة لحماية المراكز الإسبانية في الشاطئ الإفريقي، وقد وقع بالنيابة عن ملكة إسبانيا، قنصل هذه الدولة العام في طنجة ضون خوان ديل بابي، وبالنيابة عن ملك المغرب، وزير خارجيته، السيد محمد الخطيب، فبعد أن تبادل المندوبان أوراق اعتمادهما، اتفقا طبقاً للتعليمات المعطاة لهما، على المواد الآتية:

المادة الأولى

إن جلالة ملك المغرب، رغبة منه في أن يقدم لملكة إسبانيا دليلاً على حسن نواياه، وكذلك في أن يساهم فيما يتعلق به في حماية المراكز الإسبانية في الشاطئ الإفريقي، قرر أن يتنازل لملكة إسبانيا عن ملك وسيادة الأراضي المجاورة لقاعدة مليلية الإسبانية حتى الحدود التي تعتبر مناسبة لحماية القاعدة وأمانها.

المادة الثانية

إن حدود هذه الأراضي المتنازل عنها، تعيينها لجنة مؤلفة من مهندسين إسبان ومغاربة، وعلى اللجنة أن تتخذ أساساً لعملها بقصد تعيين الحدود، مرمى مدفع عيار 24 من المدافع المعروفة قديماً.

⁽⁸⁵⁾ Mohammed Daoud published also this Arabic version of the same convention translated from Spanish by Moussa Aboud.

المادة الثالثة

بعد توقيع هذا الاتفاق، يشرع في أقرب وقت ممكن حسبما جاء في المادة الثانية وباتفاق الطرفين، وبالصورة الرسمية المناسبة، بتعيين الخط الذي يجب أن يعتبر منذ الآن فصاعداً، حداً لمنطقة مليلية من الشاطئ الشمالي للقاعدة المذكورة حتى الشاطئ الجنوبي لها. هذا وإن محضر التحديد، يجب أن تشهد به السلطات الإسبانية والمغربية التي شاركت بالعملية، ثم يوقعه مفوضا البلدين، وتكون له نفس القيمة كما لو كان مدرجاً في هذا الاتفاق نفسه.

المادة الرابعة

تقام بين المنطقتين، الإسبانية والمغربية، منطقة حيادية، وإن حدود المنطقة الحيادية تكون هي الآتية:
من جهة مليلية، الخط المذكور كحد للمنطقة الإسبانية في محضر التحديد المشار إليه في المادة الثالثة.
ومن جهة الريف، الخط الذي يعين بالاتفاق كحد فاصل بين المنطقة الواقعة تحت سلطة ملك المغرب، والمنطقة الحيادية المشار إليها.

المادة الخامسة

يلتزم ملك المغرب، بأن يقيم على حدود ممتلكاته المتاخمة للمليلية، قائداً على رأس كتبية من الجنود لقمع كل اعتداء من جانب الريفيين من شأنه أن يعكر صفو العلاقات بين الحكومتين.

المادة السادسة

منعاً لتجدد الاعتداءات التي وقعت في بعض العهود على قاعدة البنيون والحسيمة، يتخذ ملك المغرب التدابير اللازمة لإقامة قائد مع القوات الكافية على مقربة من القاعدتين لتبقى حقوق إسبانيا محترمة، ولتدخل بكل حرية إلى القاعدتين المذكورتين المؤونة والمساعدة اللازمة لحمايتهما.

إن الحاميات التي ستقام على الحدود من جهة مليلية، وعلى مقربة من البنيون والحسيمة، يجب أن تتألف حتماً من قوات منتمية إلى الجيش المغربي، ولا يجوز إسناد هذه المهمة إلى قواد أو جنود من الريف.

يجب أن يصادق على هذا الاتفاق في أقرب وقت ممكن، وأن توقع وتختتم أربع نسخ منه باللغتين الإسبانية والعربية، واحدة لصاحبة الجلالة الكاثوليكية، والأخرى لجلالة ملك

المغرب، والثالثة تبقى بين يدي قنصل إسبانيا العام في المغرب، والرابعة بين يدي وزير الخارجية المغربية.

ويلتزم الطرفان العاليان بالمحافظة بكل دقة على جميع ما جاء في مواد هذه المعاهدة. حررت هذه المعاهدة في تطوان في 24 أغسطس سنة 1859 الموافق 24 محرم عام 1276.

The Spanish text⁽⁸⁶⁾

EN EL NOMBRE DE DIOS TODOPODEROSO

Convenio ampliando los términos jurisdiccionales de Melilla y pactando la adopción de las medidas necesarias para la seguridad de los presidios españoles en la costa de Africa, establecido entre los muy altos y poderosos Príncipes, Su Majestad Doña Isabel II, Reina de España, y Su Majestad Muley Abd-Errahman, Rey de Marruecos, siendo la parte contratante por Su Majestad Católica Don Juan Blanco del Valle, Caballero Gran Cruz de la Real orden de Isabel la Católica, Comendador de la Real y distinguida de Carlos III, Caballero de la Imperial de la Legion de Honor de Francia, Diputado a Cortes, Encargado de Negocios y Cónsul general de España en Tánger, y por Su Majestad Marroquí, Seid-Mohamed-El-Jetib, Su Ministro de Negocios extranjeros, quienes, despues de haber canjeado sus plenos y respectivos poderes, han estipulado, conforme a las instrucciones que cada uno tena, los articulos siguientes:

Articulo I. Su Majestad el Rey de Marruecos, deseando dar á Su Majestad Católica una señalada muestra de los buenos deseos que le animan, y queriendo contribuir en lo que de el dependa al resguardo y seguridad de las plazas españolas de la costa de Africa, conviene en ceder á Su Majestad Católica en pleno dominio y soberana el territorio próximo a la Plaza Española de Melilla hasta los puntos más adecuados para la defensa y tranquilidad de aquel Presidio.

Art. II. Los lmites de esta Concesion se trazarán por Ingenieros españoles y marroques. Tomarán éstos por base de sus operaciones para determinar la extension de dichos lmites el alcance del tiro de cañon de veinte y cuatro de los antiguamente conocidos.

Art. III. En el mas breve plazo posible, despues del da de la firma del presente Convenio, segun lo indicado en el articulo segundo, se procederá de comun concierto y con la solemnidad conveniente á señalar la linea que desde la costa del Norte a la costa del Sur de la Plaza ha de considerarse en adelante como lmite del territorio jurisdiccional de Melilla.

El acta de deslinde, debidamente certificada por las Autoridades españolas y marroques que intervengan en la operacion, será firmada por los Plenipotenciarios

⁽⁸⁶⁾ <http://historicaltextarchive.com>.

respectivos, y se considerará con la misma fuerza y valor que si se insertase textualmente en el presente Convenio.

Art. IV. Se establecerá entre la jurisdicción Española y Marroquí un Campo neutral.

Los límites de este Campo neutral serán: por la parte de Melilla la línea de jurisdicción Española consignada en el acta de deslinde á que se refiere el artículo tercero, y por la parte del Riff la línea que se determine de común acuerdo como divisoria entre el territorio jurisdiccional del Rey de Marruecos y el mencionado Campo neutral.

Art. V. Su Majestad el Rey de Marruecos se compromete a colocar en el límite de su territorio fronterizo á Melilla un Caíd ó Gobernador con un destacamento de tropas para reprimir todo acto de agresión de parte de los Rifeños, capaz de comprometer la buena armonía entre ambos Gobiernos.

Art. VI. Con el fin de evitar las hostilidades de que en algunas épocas han sido objeto las Plazas del Peñón y de Alhucemas, Su Majestad el Rey de Marruecos, llevado del justo deseo que le anima, dispondrá lo conveniente para que en la proximidad de aquellas Plazas se establezca también un Caíd con las tropas suficientes á fin de hacer respetar los derechos de la España favorecer eficazmente la libre entrada en dichas Plazas de los víveres y refrescos necesarios para sus guarniciones.

Los destacamentos que hayan de colocarse, tanto en la frontera por la parte de Melilla, como en las cercanas del Peñón y Alhucemas, se compondrán precisamente de tropas del Ejército Marroquí, sin que pueda encomendarse este encargo ni á jefes ni á tropas del Riff.

Se ratificará el presente Tratado con la brevedad posible; se firmarán y sellaran cuatro originales de él en los idiomas español y árabe; uno para Su Majestad Católica, otro para Su Majestad Cherifiana, otro que ha de quedar en poder del Encargado de Negocios y Cónsul general de España en Marruecos, y otro en manos del Ministro de Negocios extranjeros marroquí cuidando cada una de las dos Altas Partes se observe con la mayor puntualidad cuanto contienen los artículos de que se compone este Tratado.

En fe de lo cual, nosotros los infrascritos Plenipotenciarios por parte de Su Majestad Católica Don Juan Blanco del Valle, y por la de Su Majestad Marroquí Seid-Mohammed-El-Jetib, los hemos autorizado con nuestros sellos y firmado de nuestras manos en Tetuán a veinte y cuatro de Agosto de mil ochocientos cincuenta y nueve, que corresponde á veinte y cuatro de la luna de Mujarram de mil doscientos setenta y seis.

(L. S.) JUAN BLANCO DEL VALLE

(L. S.) El siervo de la Majestad que Dios realza,
MOHAMMED -EL-JETIB, á quien Dios sea propicio

The French text⁽⁸⁷⁾

Convention étendant les limites de la juridiction de Melilla et consacrant l'adoption des mesures nécessaires à la sécurité des Présides espagnols sur la côte d'Afrique signée à Tétouan le 24 août 1859

AU NOM DE DIEU TOUT PUISSANT

Une convention, étendant les limites de la juridiction de Melilla et adoptant des mesures nécessaires à la sécurité des présides espagnols sur la côte d'Afrique, est passée entre les deux Hauts et Puissants princes, S.M. Isabelle II, Reine d'Espagne, et S.M. Muley Abderrahman, Roi du Maroc.

Etant parties contractantes pour S.M. Catholique, Don Juan Blanco del Valle. Grand croix de l'ordre de Charles III, chevalier de l'ordre impérial de la Légion d'honneur de France, député aux Cortès, chargé d'affaires et Consul général d'Espagne à Tanger :

Et pour S.M. Marocaine, Sid-Mohammed et Jetib. Son ministre des affaires étrangères :

Lesquels, après avoir respectivement échangé leurs pouvoirs, sont convenus des articles suivants :

Article 1^{er}

S.M. le Roi du Maroc désirant donner à S.M. Catholique une marque signalée des bons sentiments qui l'animent, et voulant contribuer en tant qu'il dépend d'elle à la sauvegarde et à la sécurité des places espagnoles de la côte d'Afrique, convient de céder à S.M. Catholique la possession et la pleine souveraineté du territoire rapproché de la place espagnole de Melilla jusqu'aux points les plus propres à la défense et à la tranquillité de ce Préside.

Article 2

Les limites de cette concession seront fixées par des ingénieurs espagnols et marocains, lesquels prendront pour base de leurs opérations, afin de fixer l'extension des dites limites, la portée d'un coup de canon d'une pièce de 24 ancien modèle.

Article 3

Dans le plus bref temps possible, depuis le jour de la signature de la présente convention et selon qu'il est indiqué à l'article 2, il sera procédé d'un commun accord et avec la solennité convenable au tracé de la ligne qui va de la côte Sud de la place et qui servira désormais de limite au territoire et à la juridiction de Melilla.

L'acte de délimitation, dûment certifié par les autorités espagnoles et marocaines qui seront intervenues dans l'opération, sera signé par les plénipotentiaires respectifs et

⁽⁸⁷⁾ Rouard de Card, *Les traités entre la France et le Maroc*, Etude historique et juridique, Paris. A. Pedone, 1898, p. 192.

sera considéré comme ayant la même force et valeur que s'il était inséré textuellement dans la présente convention.

Article 4

Entre les territoires soumis aux juridictions espagnoles et marocaines, il sera fixé un terrain neutre. Les limites de ce terrain seront, du côté de Melilla, la ligne de juridiction espagnole consignée dans l'acte de délimitation auquel se réfère l'article 3, et du côté du Riff, la ligne qui sera déterminée d'un commun accord comme ligne de séparation entre le territoire de juridiction du Roi du Maroc et le terrain neutre sus-mentionné.

Article 5

S.M. le Roi du Maroc s'engage à placer sur la limite du territoire frontière de Melilla un caïd ou gouverneur, avec un détachement de troupes, afin de réprimer tout acte d'agression de la part des habitants du Riff de nature à compromettre les bonnes relations entre les deux Gouvernements.

Article 6

Afin d'empêcher les hostilités qui, à plusieurs époques, ont eu pour objet les places de Peñon et d'Alhucemas, S.M. le Roi du Maroc, mû par le juste désir qui l'anime, donnera les ordres convenables pour que, dans le voisinage de ces places, il s'établisse un caïd avec les troupes suffisantes pour faire respecter les droits de l'Espagne et favoriser efficacement la libre entrée dans ces villes des vivres et ravitaillements nécessaires à leurs garnisons.

Les détachements qui devront être placés soit sur la frontière de Melilla, soit dans les environs de Peñon et d'Alhucemas, se composeront uniquement de troupes de l'armée marocaine, sans qu'il soit permis d'y placer ou de charger de ce service des chefs ou des troupes du Riff.

Le présent traité sera ratifié le plus tôt possible, signé et scellé en quatre originaux en espagnol et en arabe, à savoir un pour S.M. Catholique, un autre pour S.M. Chérifienne, un autre restera dans les mains du chargé d'affaires et Consul général d'Espagne au Maroc, un autre qui sera dans les mains du ministre des affaires étrangères du Maroc, et chacune des parties contractantes avisera aux moyens les plus propices à faire respecter en tous points les articles dont se compose ce traité.

En foi de quoi, nous, plénipotentiaires soussignés, pour S.M. Catholique, Don Juan Blanco del Valle, et pour S.M. Marocaine, Sid-Mohammed et Jetib, l'avons scellé de nos sceaux et signé de nos mains, à Tétouan, le 21 août 1859, qui correspond au 24 de la lune de Muharram de 1276.

(L.S.) Juan Blanco Del Valle.

(L.S) Le serviteur de Sa Majesté que Dieu rehausse.

Mohammed El Jetib, à qui Dieu soit propice.

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