

# ERSTE ABTEILUNG

## VÖLKERRECHT

### BERICHTE, VERTRÄGE, DIPLOMATISCHE NOTEN

#### 8. Die Vereinigten Staaten von Amerika und Nicaragua: Aktenstücke betreffend die Landung und Unterhaltung amerikanischer Truppen, die Wahlen und die Organisation der Nationalgarde in Nicaragua \*)

#### I. Telegramm des amerikanischen Geschäftsträgers in Ma- nagua an das Département of State vom 21. Dezember 1911 <sup>1)</sup>

MANAGUA, December 21, 1911.

President Diaz has written me a letter, which I received this morning, with the request that I transmit a translation of it to the Department. The following is a translation of the letter:

MY DEAR SIR AND FRIEND: Since you have been here during such an eventful period, occupying a position permitting you fully to appreciate the situation, you have perceived what almost insuperable obstacles confront every attempt to put into effect a truly reconstructive program. One of them is found in our foreign relations, where the inevitable contact of our policy with that of other Central American States produces uneasiness in the country because of the uncertainty it inspires in the men of the Government and because of the encouragement it gives to those who expect assistance from some other Central American Government that is interested in creating difficulties for us in our relations with the United States.

Another is the internal situation. The party leaders, filled with hatred by years of bloody struggle, will never confide the triumph of their cause to republican propaganda, but expect always to assert by force of arms the right to exercise power in the Republic. An irreconcilable division therefore separates the political parties, and the Government consequently has to maintain itself, as in a campaign, against the constant conspiring of its opponents; in short, the result may be called a state of war. It has lasted for years, and, of course, the economic consequences are

\*) Zusammengestellt von Dr. Wilhelm Friede.

<sup>1)</sup> Foreign Relations of the United States 1911, p. 670.

profound; and this same violent politics is also the reason for the prevalence of sanguinary crimes, which can not be successfully dealt with by courts and juries, since in the juries passion defeats justice almost always.

On these two problems I have seriously meditated and disconsolately conclude that lasting and stable peace, order, economy, moderation, and liberty can not come through our own means; and that the grave evils affecting us can be destroyed only by means of more direct and efficient assistance from the United States, like that which resulted so well in Cuba.

It is therefore my intention by means of a treaty with the American Government to so amend or add to the constitution as to assure that assistance, permitting the United States to intervene in our internal affairs in order to maintain peace and the existence of a lawful government, thus giving the people a guaranty of proper administration.

Before opening official negotiations I wish first to learn privately through you the opinion of the Department of State, and if you can do me this favor you will also render thereby a great service to this country.

I am, etc.

ADOLFO DIAZ.  
GUNTHER.

2. Telegramm des Staatssekretärs Knox an den amerikanischen Geschäftsträger in Managua vom 23. Dezember 1911 <sup>2)</sup>)

WASHINGTON, December 23.

In response to your telegram of December 21 you are instructed to express to President Diaz the department's intense gratification upon noting the spirit of confidence in the good faith of the United States which he displays in his proposal, which implicates recognition by President Diaz of this Government's benevolent and sympathetic attitude toward Nicaragua and the other Central American Republics. The suggestions made by President Diaz involve, however, matters of such great importance that the Department will not be able to make any expression whatever in relation to them until after deep and careful consideration.

KNOX.

3. Schreiben des Staatssekretärs Knox an den Präsidenten Taft vom 5. August 1912 <sup>3)</sup>)

DEPARTMENT OF STATE,  
Washington, August 5, 1912.

DEAR MR. PRESIDENT: From advices that have reached this Department it appears that one day last week President Adolfo Diaz of Nicaragua demanded the resignation of General Luis Mena, his Secretary of War, whereupon Mena, accompanied by his brother, the Chief of Police of Managua, the entire police force and a number of followers cut the electric light wires in Managua and left in the direction

<sup>2)</sup> <sup>3)</sup> Foreign Relations of the United States 1911, p. 671.  
Foreign Relations of the United States 1912 p. 1032—1033.

of Masaya, since which time he has openly defied the constituted authorities and is now leading an open rebellion against the Government.

Minister Weitzel now reports from Managua that the American corporation owning the railway which runs from Corinto to Granada and certain steamships on the inland waters of Nicaragua has complained to the Legation that Mena and his followers have seized its property and have used certain of the vessels of the company in bombarding the unfortified town of San Jorge. Minister Weitzel thereupon addressed a communication to the Government of Nicaragua requesting that it give satisfactory assurances that it was willing and able to afford adequate protection to all private property of American citizens in Nicaragua. To this communication the Government of Nicaragua replied to the effect that it was employing every available means to give such protection but that it regretted that, because of the necessity of using forces to put down armed disorders, it was unable for the present to comply with the Legation's request. The note of the Foreign Office closed by saying that,

in consequence, my Government desires that the Government of the United States guarantee with its forces security for the property of American citizens in Nicaragua and that it extend its protection to all the inhabitants of the Republic.

Minister Weitzel then addressed a communication to the Commanding Office of the U. S. S. *Annapolis* requesting him to take such measures as might be necessary to protect the railroad and to afford security to American citizens and their property.

Minister Weitzel now reports to the Department that a detachment of one hundred men was sent from the *Annapolis* to Managua, where they arrived on August 4th at 3.30 a. m., and that they are now quartered at the Legation. He concludes by recommending the advisability of sending marines from Panama to Corinto by a Pacific Mail steamer, saying that Managua was quiet.

Under date of August 4, 8 p. m., the Minister reports to the Department that quiet continues at Managua and that the effect of the arrival of the bluejackets, according to the unanimous opinion of the Americans, in which he concurs, is thus far favorable. The Minister states that foreigners with whom he has talked are of the same opinion and that the Salvadoran Minister, in his personal capacity and in strict confidence, has informed him that this was the only move that could have prevented complete anarchy and the spread of disorder throughout Central America.

From a telegram received at the Navy Department from the Commander of the *Annapolis*, it appears that the men were sent from Corinto to the capital in order to protect the lives of American citizens reported to be in imminent danger of attack.

I learn from inquiry at the Navy Department that there are on the Isthmus of Panama three hundred and fifty marines available for this service, and in view of the specific request of the Nicaraguan Government and of the seemingly possible danger of resultant anarchy, I have

the honor to request that I be authorized to ask that the Navy Department comply with Minister Weitzel's recommendation.

I have [etc.]

P. C. KNOX.

Note. The President returned the foregoing letter with the following notation written by him thereon:

The authority requested herein is hereby given.  
August 5, 1912.

WM. H. TAFT.

4. Telegramm des Stellvertretenden Staatssekretärs Huntington Wilson an den amerikanischen Gesandten in Managua vom 4. September 1912 4)

DEPARTMENT OF STATE,  
Washington, September 4, 1912 — 7 p. m.

Unless a different course appears to you preferable — in which case you will telegraph your suggestions — you may communicate to the Government of Nicaragua the text of the following as the authorized declaration of the policy of the United States in the present disturbances. You may also communicate it unofficially to the rebel leaders, and make it public:

The policy of the Government of the United States in the present Nicaraguan disturbances is to take the necessary measures for an adequate legation guard at Managua, to keep open communications, and to protect American life and property.

In discountenancing Zelaya, whose régime of barbarity and corruption was ended by the Nicaraguan nation after a bloody war, the Government of the United States opposed not only the individual but the system, and this Government could not countenance any movement to restore the same destructive régime. The Government of the United States will, therefore, discountenance any revival of Zelayaism and will lend its strong moral support to the cause of legally constituted good government for the benefit of the people of Nicaragua, whom it has long sought to aid in their just aspiration toward peace and prosperity under constitutional and orderly government.

A group of some 125 American planters residing in one region in Nicaragua have applied for protection. Some two dozen American firms doing business in that country have applied for protection. The American bankers who have made investments in relation to railroads and steamships in Nicaragua, in connection with a plan for the relief of the financial distress of that country, have applied for protection. The American citizens now in the service of the Government of Nicaragua and the Legation itself have been placed in actual jeopardy under fire. Two wounded American citizens are reported to have been ruthlessly slaughtered. Besides the Emery claim due American citizens and the indemnity for the killing of Groce and Cannon in the Zelaya war, there are various American claims and concessionary interests. Under the Washington conventions, the United States has a moral mandate to exert its influence for the preservation of the general peace of Central America, which is seriously menaced by the present uprising, and to this end in the strict enforcement of the Washington conventions and loyal support of

4) Foreign Relations of the United States 1912, p. 1043—1044.

their aims and purposes all the Central American Republics will find means of valuable cooperation. These are among the important moral, political, and material interests to be protected.

When the American Minister called upon the Government of Nicaragua to protect American life and property, the Minister for Foreign Affairs replied that the Government troops must be used to put down the rebellion, adding: "In consequence, my Government desires that the Government of the United States guarantee with its forces security for the property of American citizens in Nicaragua, and that they extend this protection to all the inhabitants of the Republic."

In this situation the policy of the Government of the United States will be to protect the life and property of its citizens in the manner indicated and, meanwhile, to contribute its influence in all appropriate ways to the restoration of lawful and orderly government in order that Nicaragua may resume its program of reforms unhampered by the vicious elements who would restore the methods of Zelaya.

The revolt of General Mena in flagrant violation of his solemn promises to his own Government and to the American Minister, and of the Dawson agreement by which he was solemnly bound, and his attempt to overturn the Government of his country for purely selfish purposes and without even the pretense of contending for a principle, make the present rebellion in origin the most inexcusable in the annals of Central America. The nature and methods of the present disturbances, indeed, place them in the category of anarchy rather than ordinary revolution. The reported character of those who promptly joined Mena, together with his uncivilized and savage action in breaking armistices, maltreating messengers, violating his word of honor, torturing peaceable citizens to exact contributions, and, above all, in the ruthless bombardment of the city of Managua, with the deliberate destruction of innocent life and property and the killing of women and children and the sick in hospitals, and the cruel and barbarous slaughter of hundreds reported at Leon, give to the Mena revolt the attributes of the abhorrent and intolerable Zelaya régime.

HUNTINGTON WILSON.

5. Note des amerikanischen Gesandten in Managua an die Nicaraguanische Regierung vom 14. November 1923 5)

I have the honor to inform Your Excellency that my Government desires that the Legation guard, which has remained in Nicaragua since Your Excellency's Government requested the assistance of the Government of the United States in 1912, in the maintenance of constitutional order, should be withdrawn as soon as practicable. My Government, however, does not desire to make any sudden radical change which would inject a new element into the situation in Central America that might perhaps be a cause for unrest and disturbance.

In this connection I am instructed to state that my Government has noted with gratification and with sympathetic appreciation the steps which have already been taken by the Nicaraguan Government to assure freedom and fairness in the approaching elections. The enactment of the electoral law, drafted by an expert employed by the Nicaraguan Government for this purpose, may be regarded as the first step toward assuring the people of Nicaragua that complete freedom will

5) Department of State, A Brief History of the Relations Between the United States and Nicaragua 1909—1928, Washington 1928, p. 24—25.

exist during the electoral period, and my Government is confident that this step will be followed by such effective measures during the electoral period as will assure a free expression of the will of the people and convince all parties that the Government which may result from the elections will have the support of the majority of the people of Nicaragua. Therefore, my Government instructs me to inform Your Excellency that upon the installation in January 1925 of the Government coming into office as the result of the elections to be held in October 1924 it will feel that there is no further reason to maintain a Legation guard at Managua and the American Marines will accordingly be withdrawn at that time.

I am further instructed by my Government to state that the American Marines will be retained in Managua during the approaching electoral period only if the Nicaraguan Government considers that their presence will assist the constituted authorities in assuring complete freedom in the presidential elections, and that they remain specifically for the purpose of helping to maintain tranquillity and order during the electoral period.

The electoral law recently voted is as yet unfamiliar alike to the officials charged with its carrying out and enforcement, as to the Nicaraguan electorate which will exercise its rights according to its provisions. Therefore, in order to assist the Nicaraguan Government in the installation of this new electoral system with the least possible amount of confusion, my Government will be glad, should the Nicaraguan Government so desire, to ask Mr. Dodds, the author of the law, or some other qualified technical expert, to come to Nicaragua a few months in advance of the next election in order that he may, by his counsel and advice, assist the Nicaraguan authorities in putting the law into effect. My Government will also be glad to assist the Nicaraguan Government to obtain the services of such additional assistants as may be required to travel throughout Nicaragua to help the local authorities in the installation of the new system and in its proper enforcement, and to report to the authorities at Managua any difficulties that may be encountered throughout the country in the proper enforcement of the law in order that those difficulties may be promptly overcome.

As another evidence of its desire to assist Nicaragua in the orderly and undisturbed conduct of its normal existence, my Government would be glad to assist the Nicaraguan Government in the organization and training of an efficient constabulary which would assure the maintenance of order after the Marines are withdrawn. In establishing a force of this nature the Nicaraguan Government would be carrying out the terms of Article 2 of the convention for the limitation of armaments, signed at the recent conference on Central American Affairs. If the Nicaraguan Government desires, my Government will be glad to suggest the names of persons suitable to act as instructors in the new constabulary, in order that their experience may be made available to Nicaragua.

My Government feels that with the aid of Mr. Dodds and the other assistants in the efficient installation of the new electoral system, free and fair suffrage should be possible in the coming elections so that the government resulting therefrom should have the support of the majority of the Nicaraguan people and would, therefore, need no other assistance in maintaining order than that of the Nicaraguan constabulary, which my Government is ready to assist in training, and that, therefore, upon the installation of that government the Marines may be withdrawn without any noticeable effect upon the normal course of affairs in Nicaragua.

The new government should be in a very strong position indeed, and it is hoped that long before its entry into office the general treaty of peace and amity, signed at Washington on February 7, 1923, by the representatives of the five Central American powers, will have been ratified and put into effect so that any individual or group of individuals who might endeavor to overthrow the constituted authorities will know full well in advance that the other four Central American Governments will not, on account of Article 2 of that treaty, recognize any government coming into power contrary to the provisions of that treaty. In any case, the position and policy of the United States Government with regard to such recognition is and will continue to be that announced by the American Minister to Honduras under instructions from the Department of State of June 30, 1923, which is in complete consonance and accord with the stipulations of Article 2 of the general treaty of peace and amity, as signed by the delegates of the five Central American Republics at Washington on February 7, last.

6. Mitteilung des Staatssekretärs an den Marinesekretär der Vereinigten Staaten vom 24. August 1926 <sup>6)</sup>

I have the honor to suggest that war vessels of the Special Service Squadron proceed as soon as possible to the Nicaraguan ports of Corinto and Bluefields for the protection of American and foreign lives and property in case that threatened emergencies materialize. The American Chargé d'Affaires at Managua has informed the Department that he considers the presence of war vessels at these ports desirable, and the American Consul at Bluefields has reported that a warship is urgently needed to protect life and property at that port. An attack on The Bluff and Bluefields is expected momentarily.

7. Note des Präsidenten Diaz an den amerikanischen Geschäftsträger in Managua vom 15. November 1926 <sup>7)</sup>

Upon assuming the presidency I found the Republic in a very difficult situation because of the attitude, assumed without motive

<sup>6)</sup> H. Doc. No. 633, 69th Cong. 2nd sess. p. 4; Department of State, A Brief History etc. p. 31—32.

<sup>7)</sup> H. Doc. No. 633, 69th Cong. 2nd sess. p. 5—6; Department of State, A Brief History etc. p. 37.

by the Government of Mexico in open hostility to Nicaragua. It must be clear to you that, given the forces which that Government disposes of, its elements of attack are irresistible for this feeble and small Nation. This condition places in imminent risk the sovereignty and independence of Nicaragua, and consequently, the continental equilibrium on which the Pan-Americanism is founded which the United States has fostered with such lofty spirit.

Naturally the emergency resulting from these conditions places in peril the interests of American citizens and other foreigners residing in our territory and renders it impossible for a Government so rudely attacked, to protect them as is its duty and as it desires.

For these reasons and appreciating the friendly disposition of the United States toward weak Republics and the intentions which your Government has always manifested for the protection of the sovereignty and independence of all the countries of America by morally supporting legitimate Governments in order to enable them afford a tranquil field of labor for foreigners which is needed for the stimulation of the growth of the prosperity of these countries, I address myself to you in order that, with the same good will with which you have aided in Nicaraguan reconciliation, you may solicit for my Government and in my name the support of the Department of State in order to reach a solution in the present crisis and avoid further hostilities and invasions on the part of the Government of Mexico.

I desire to manifest to you at the same time that whatever may be the means chosen by the Department of State, they will meet with the approval of my absolute confidence in the high spirit of justice of the Government of the United States.

8. Botschaft des Präsidenten Coolidge an den Kongreß vom 10. Januar 1927<sup>8)</sup>

.....

During the last two months the Government of the United States has received repeated requests from various American citizens, both directly and through our consuls and legation, for the protection of their lives and property. The Government of the United States has also received requests from the British chargé at Managua and from the Italian ambassador at Washington for the protection of their respective nationals. Pursuant to such requests, Admiral Latimer, in charge of the special service squadron, has not only maintained the neutral zone at Bluefields under the agreement of both parties but has landed forces at Puerto Cabezas and Rio Grande, and established neutral zones at these points where considerable numbers of Americans live and are engaged in carrying on various industries. He has also been authorized to establish such other neutral zones as are necessary for the purposes above mentioned.

<sup>8)</sup> H. Doc. No. 633, 69th Cong. 2nd sess. p. 6—7, 9; Department of State, A Brief History etc. p. 42, 43.



For many years numerous Americans have been living in Nicaragua developing its industries and carrying on business. At the present time there are large investments in lumbering, mining, coffee growing, banana culture, shipping, and also in general mercantile and other collateral business. All these people and these industries have been encouraged by the Nicaraguan Government. That Government has at all times owed them protection, but the United States has occasionally been obliged to send naval forces for their proper protection. In the present crisis such forces are requested by the Nicaraguan Government, which protests to the United States its inability to protect these interests and states that any measures which the United States deems appropriate for their protection will be satisfactory to the Nicaraguan Government.

In addition to these industries now in existence, the Government of Nicaragua, by a treaty entered into on the 5th day of August, 1914, granted in perpetuity to the United States the exclusive proprietary rights necessary and convenient for the construction, operation, and maintenance of an oceanic canal.

.....  
Manifestly the relation of this Government to the Nicaraguan situation, and its policy in the existing emergency, are determined by the facts which I have described. The proprietary rights of the United States in the Nicaraguan canal route, with the necessary implications growing out of it affecting the Panama Canal, together with the obligations flowing from the investments of all classes of our citizens in Nicaragua, place us in a position of peculiar responsibility. I am sure it is not the desire of the United States to intervene in the internal affairs of Nicaragua or of any other Central American Republic. Nevertheless it must be said that we have a very definite and special interest in the maintenance of order and good government in Nicaragua at the present time, and that the stability, prosperity, and independence of all Central American countries can never be a matter of indifference to us. The United States can not, therefore, fail to view with deep concern any serious threat to stability and constitutional government in Nicaragua tending toward anarchy and jeopardizing American interests, especially if such state of affairs is contributed to or brought about by outside influences or by any foreign power. It has always been and remains the policy of the United States in such circumstances to take the steps that may be necessary for the preservation and protection of the lives, the property, and the interests of its citizens and of this Government itself. In this respect I propose to follow the path of my predecessors.

Consequently, I have deemed it my duty to use the powers committed to me to insure the adequate protection of all American interests in Nicaragua, whether they be endangered by internal strife or by outside interference in the affairs of that Republic.

9. Schreiben des Generals Stimson an General Moncada vom 4. Mai 1927<sup>9)</sup>

TIPITAPA, May 4, 1927.

GENERAL JOSÉ MARIA MONCADA,  
Tipitapa.

DEAR GENERAL MONCADA:

Confirming our conversation of this morning I have the honor to inform you that I am authorized to say that the President of the United States intends to accept the request of the Nicaraguan Government to supervise the election of 1928; that the retention of President Diaz during the remainder of his term is regarded as essential to that plan and will be insisted upon; that a general disarmament of the country is also regarded as necessary for the proper and successful conduct of such election; and that the forces of the United States will be authorized to accept the custody of the arms of those willing to lay them down, including the Government, and to disarm forcibly those who will not do so.

Very respectfully yours,

HENRY L. STIMSON.

10. Telegramm des amerikanischen Gesandten in Managua an den Staatssekretär der Vereinigten Staaten vom 8. Mai 1927<sup>10)</sup>

President Diaz, acting upon authority conferred upon him by the laws which provide for the formation of a Nicaraguan constabulary, has to-day addressed a note to me, requesting that an American officer be designated to instruct and command that organization and that such officer be authorized to name the additional American and Nicaraguan officers considered necessary to form the larger nonpartisan constabulary frequently mentioned in Legation telegrams.

Admiral Latimer states that he is ready, if authorized, to detail such an officer and assistants from among Marines now stationed in Nicaragua. It is believed that such authority should be granted as the best means of bringing early tranquillity to Nicaragua under peace terms now being considered and also to reduce to a minimum the number of Marines necessary for such results. Stimson and Admiral concur.

11. Schreiben des Generals Stimson an General Moncada vom 11. Mai 1927<sup>11)</sup>

TIPITAPA, NICARAGUA, May 11, 1927.

GENERAL JOSÉ MARIA MONCADA,  
Tipitapa.

GENERAL JOSÉ MARIA MONCADA,

I am glad to learn of the authority that has been placed in you by your army to arrange for a general disarmament. I am also glad

<sup>9)</sup> Department of State Press Releases, Febr. 21, 1931, p. 119.

<sup>10)</sup> Department of State Press Releases, Febr. 21, 1931, p. 130—131.

<sup>11)</sup> Department of State Press Releases, Febr. 21, 1931, p. 119—120.

to make clear to you and to your army the attitude of the President of the United States as to this matter. In seeking to terminate this war, President Coolidge is actuated only by a desire to benefit the people of Nicaragua and to secure for them a free, fair, and impartial election. He believes that only by such free and fair elections can permanent peace be secured for Nicaragua. To insure this in 1928, he has consented to the request that American representatives selected by him shall supervise the election. He has also consented to assign American officers to train and command a nonpartisan national constabulary for Nicaragua which will have the duty of securing such a fair election and of preventing any fraud or intimidation of voters. He is willing to leave in Nicaragua, until after the election, a sufficient force of Marines to support the work of the constabulary and insure peace and freedom at the election.

As further evidence of good faith of the American Government and of the present Nicaraguan Government in this matter, I am glad to tell you what has already been done. It will answer the questions contained in the letter of your soldiers which you have shown me. General amnesty has already been granted by the President of Nicaragua. I have recommended to President Diaz that the Supreme Court be reconstituted by the elimination of the illegal judges placed in that court under Señor Chamorro. President Diaz has already called upon those judges for their resignations, and I believe that those resignations will be obtained. I have already advised that the Congress be reconstructed by the holding of special elections in those Liberal districts where elections were not held in 1926, under conditions which will insure that the Liberal voters will be amply protected in their rights. I have also recommended that members of the Congress illegally expelled by Señor Chamorro whose terms have not yet expired be reinstated. I have been assured that this will be done.

I have recommended that Liberal *jejes políticos* be appointed in the six Liberal districts of Bluefields, Jinotega, Nueva Segovia, Esteli, Chinandega, and León. I have been assured that this will be done.

In short, I have recommended that steps be taken so far as possible to restore the political condition as it existed in Nicaragua before the Chamorro *coup d'état*, and I believe that so far as possible it will be done.

I hope that these steps will assure you and your army of the fairness of the United States Government and its desire to see peace, justice, and freedom reestablished in Nicaragua without any unfairness or favoritism towards any party but being regardful of the rights of Liberals and Conservatives alike.

Very respectfully yours,

HENRY L. STIMSON.

12. Schreiben des Generals Moncada an General Stimson vom 11. Mai 1927<sup>12)</sup>

TIPITAPA, May 11, 1927.

GEN. HENRY L. STIMSON,  
Tipitapa.

MY DEAR GENERAL STIMSON:

It has been my expressed opinion since 1912 that free and fair elections were the one thing most needed in Nicaragua to free it from revolution and to permit its peaceful development. I have further expressed my opinion that free and fair elections could not be obtained except under supervision and with the aid of the United States. I so expressed myself to Admiral Latimer, on the U. S. S. *Rochester* on October, 1926.

It is because of this often-expressed belief and the confidence that I now feel that we will get such fair election in 1928, that I shall be able to persuade my army to disarm.

Very respectfully,

J. M. MONCADA.

13. Telegramm des Staatssekretärs der Vereinigten Staaten an den amerikanischen Gesandten in Managua vom 11. Mai 1927<sup>13)</sup>

Your 128, May 8, 4 p. m.

The President approves President Diaz' request, and Admiral Latimer will be instructed accordingly by the Navy Department.

14. Telegramm des Gesandten Eberhardt an den Staatssekretär der Vereinigten Staaten vom 12. Mai 1927<sup>14)</sup>

Following from Stimson:

At 4.30 this afternoon I received the following telegram from Boaco: "The military chiefs of the Constitutionalist army assembled in session to-day have agreed to accept the terms of the declaration made by Gen. Henry L. Stimson, personal representative of President Coolidge of the United States, and consequently have resolved to lay down their arms. They hope that there will be immediately sent to receive these arms sufficient forces to guarantee order, liberty, and property." Signed by Moncada and 11 generals, including all his prominent chiefs except Sandino. I am informed that latter agreed to sign but broke his word and with small band of men left Moncada. I believe this marks definitely the end of the insurrection. Trucks with escort of Marines left this morning to receive the arms.

<sup>12)</sup> Department of State Press Releases, Febr. 21, 1931, p. 120—121.

<sup>13)</sup> Department of State Press Releases, Febr. 21, 1931, p. 132.

<sup>14)</sup> Department of State Press Releases, Febr. 21, 1931, p. 121.

Col. Robert Rhea of Marine Corps was appointed to-day chief of the constabulary and has begun work of organization. After visiting Moncada's army Saturday and arranging as far as possible with Diaz Government the immediate program of conciliation and reconstruction, I hope to sail for home Monday via Key West.

15. Note des Präsidenten Diaz an Präsident Coolidge vom  
15. Mai 1927 <sup>15)</sup>

May 15, 1927.

EXCELLENCY:

In order that the elections which under the constitution of Nicaragua are to be held in October, 1928, for the purpose of electing a President of the Republic and members of its National Congress, shall be free, fair, and impartial and not open to fraud or intimidation practiced by any of the parties contending at such election upon each other, the Government of Nicaragua requests the President of the United States to lend to it its assistance and good offices in insuring such an election. To this end, the Government of Nicaragua requests the friendly assistance of the President of the United States in preparing a proper election law in Nicaragua, in securing supervision by impartial Americans over the actual conduct of the elections, in securing American assistance to train and direct an impartial and nonpartisan force of constabulary to secure law and order and prevent intimidation of voters, and to in other ways secure American assistance in tranquilizing the sorely disturbed condition of the country so that such election can be fairly held.

I have the honor to submit a memorandum showing the steps which my Government suggests may be desirable or appropriate to be taken in order that the President of the United States may be able adequately to perform this great service to the Republic of Nicaragua, should he be willing to do so. The Government of Nicaragua will gladly consider the taking of any other steps on its part which may be suggested by the President of the United States as essential or desirable for the accomplishment of that purpose.

Believe me with great respect,  
Yours very truly,

ADOLFO DIAZ,  
President.

HIS EXCELLENCY THE PRESIDENT  
OF THE UNITED STATES OF AMERICA,  
The White House, Washington, D. C.

[Enclosure—Memorandum]

Memorandum as to suggested steps to be taken looking towards the holding of a free, fair, and impartial election in Nicaragua in October,

<sup>15)</sup> Department of State Press Releases, Febr. 21, 1931, p. 121—124; Department of State, A Brief History etc. p. 51—53.

1928, with the assistance of the President of the United States and under the supervision of American officials suggested by him.

I.

*Enactment of an adequate election law*

(1) The President of the United States may select an expert in matters of election law to advise him as well as the Nicaraguan Congress as to a proper electoral law to be enacted by said Congress in order to provide the means and method by which the assistance of impartial American advice and supervision can be rendered for holding Nicaraguan elections. The salary and expenses of this expert shall be borne by the Nicaraguan Government.

(2) While reserving to the President of the United States, through this expert or otherwise, to suggest modifications and changes in the electoral plan to be prescribed by this law, the following outline of the electoral system is suggested as appropriate:

(a) Under the electoral law there shall be created a national electoral commission which shall have full and general power to supervise the election and to prescribe regulations having the force of law for the registration of voters, the casting of their ballots, and all other matters pertaining to the election that are not covered by the electoral law. Among other powers, the national electoral commission shall have the exclusive right to canvass the number of votes cast at the election and to determine all questions and contests as to the regularity and legality of such votes, and their determination as to the number and legality of the votes cast shall be final and shall be reported directly to Congress for its certification and declaration of the result of the election.

(b) This commission shall consist of three members to be suggested by the President of the United States, one such member being a Conservative, one a Liberal, recommended by the respective party organizations to which they belong, and the third, the chairman, being an American. A majority of the commission shall be (sufficient) to constitute a quorum and to take action on any matter, but no such action or resolution of the commission shall be valid or effective unless concurred in by the American chairman.

(c) There shall be in each Department a departmental election commission composed of three members, one Conservative, one Liberal, and the chairman, the latter being an American. These members shall be appointed by the national electoral commission, the Liberal and Conservative members being appointed after consultation with the local organizations of the respective parties.

(d) In each polling place, there shall be a local election board composed of three members, one Conservative, one Liberal, and the chairman, the latter being an American. These members shall be appointed by the national electoral commission, the Liberal and Conservative members

being appointed after consultation with the local organizations of the respective parties.

(e) In the departmental commissions and local boards, a majority of the members shall be sufficient to constitute a quorum and to take action by resolution or otherwise, but no such action or resolution shall be valid or effective unless concurred in by the American chairman.

## II.

### *Preservation of law and order for the purpose of the conduct of the election*

(1) The National Army shall be disbanded and mustered out of service contemporaneously with the disbandment of the opposing forces, and the function of preserving law and order throughout the country shall be assumed by a national constabulary to be organized under the instruction and, so far as possible, the direction and command of American officers now in action service and detailed to this duty by the President of the United States.

(2) The national electoral commission, through its chairman, shall have the right to command the services of the national constabulary and to issue orders thereto for the purpose of preventing intimidation and fraud in the election and of preserving law and order during the various acts of registration and voting. It shall also have the right by regulation to prescribe the method under which the departmental election commission and the local election boards shall each have the right to command the services of members of the national constabulary located within their jurisdiction for the similar purpose of preventing intimidation and fraud and preserving law and order for the election.

(3) In view of the disturbed condition of the country after the recent civil war and of the fact that a very considerable time will be required for the organization, instruction, and discipline of the national constabulary, the Government of Nicaragua requests that the President of the United States will permit a sufficient force of American Marines to remain in the country, pending the organization and instruction of the constabulary and during the election, to reinforce the work of the constabulary in securing an absolutely impartial election between both parties.

A. D.

16. Note des Präsidenten Coolidge an Präsident Diaz vom  
10. Juni 1927 <sup>16)</sup>

THE WHITE HOUSE,  
Washington, June 10, 1927.

EXCELLENCY:

I have received Your Excellency's letter dated May 15, 1927 requesting the friendly assistance of the President of the United States

<sup>16)</sup> Department of State Press Releases, Febr. 21, 1931, p. 124—125; Department of State, A Brief History etc. p. 52—53.

in preparing a proper election law in Nicaragua, in securing supervision by impartial Americans of the actual conduct of the elections, in securing American assistance to train and direct an impartial and nonpartisan force of constabulary to secure law and order and prevent intimidation of voters, and in other ways to secure American assistance in tranquilizing the sorely disturbed condition of the country so that elections can be fairly held. Your Excellency submitted with this letter a memorandum showing the steps which your Government suggests may be desirable or appropriate to be taken in order that the President of the United States may be able adequately to perform this great service to the Republic of Nicaragua. Your Excellency adds that the Government of Nicaragua will gladly consider the taking of any other steps on its part which may be suggested by the President of the United States as essential or desirable for the accomplishment of that purpose.

In reply I am pleased to inform Your Excellency that I shall welcome the opportunity to assist the Government of Nicaragua to hold free and fair elections at the time appointed by the Constitution. I have been much gratified at the recent settlement of the difficulties in Nicaragua brought about through the good offices of my personal representative, Colonel Stimson, and the wisdom and patriotism shown by the Nicaraguan Government and the Nicaraguan people of all factions. It is my earnest desire that the peace which has now been arranged may be a permanent one, and to this end it is my desire to be of all possible assistance in the future. I am instructing the American Minister at Managua to discuss with Your Excellency the manner in which the aid and assistance of the United States can be best extended both for supervising the elections in Nicaragua and for maintaining order in the country until that time. Mr. Eberhardt has my entire confidence and will, I know, welcome this opportunity to be of service to the Nicaraguan people.

Accept, Excellency, the assurances of my most distinguished consideration.

CALVIN COOLIDGE.

HIS EXCELLENCY ADOLFO DIAZ,  
*President of Nicaragua.*

#### 17. Erklärung des Weißen Hauses vom 2. Juli 1927 17)

In order to carry out the promise made to the Nicaraguan Government and to the Liberal Party in Nicaragua, that the United States would supervise the Nicaraguan presidential elections in 1928, to insure that all Nicaraguans may freely express their preference at the polls, it will be necessary to establish a commission to supervise the elections. It has been agreed that the chairman of this commission should be an American nominated by the President of the United States and

17) Department of State, A Brief History etc. p. 58—59.



appointed by the President of Nicaragua. The President will nominate for this position Gen. Frank R. McCoy.

It will be necessary for General McCoy to visit Nicaragua before the presidential elections in order to study conditions and to make recommendations, and he will probably leave for Nicaragua in August as the President's representative for this preliminary work.

18. Note des Staatssekretärs der Vereinigten Staaten an den Gesandten Nicaraguas in Washington vom 8. November 1927<sup>18)</sup>

On October 26, 1927, in answer to an inquiry by press correspondents, I stated that this Government is not going to select any candidate for President of Nicaragua, either Conservative or Liberal, nor is the United States going to back or use its influence for the election of any particular person. This country is going to do its best to see that there is a fair, open, and free election where everybody who is entitled to vote has an opportunity to do so. Of course, following the Constitution of Nicaragua and the Central American treaty of 1923, the United States will not recognize anybody who is not qualified under the Constitution to hold the office....

In the above statement you will find an exact expression of the attitude of the United States Government toward individual candidates for the Nicaraguan Presidency, whoever they may be and with whatever party they may be affiliated. It would be a source of deep regret if the policy of this Government should be considered in any other light, whether as a result of interpretations placed upon the unofficial acts or utterances of private individuals in the United States, or perchance through articles appearing in the press, over which, as I have already said, this Government exercises no control. It would be unfortunate indeed if a misunderstanding of the true motives of the United States should result in disadvantage to any particular candidate in the forthcoming election; whether this disadvantage arose through unconscious forces of public opinion, or from the conscious dissemination of unwarranted propaganda in favor of any one candidate. This could not occur if the stated policy of this Government, which has been so clearly expressed, were constantly kept in mind.

19. Abkommen zwischen den Vereinigten Staaten und der Republik Nicaragua vom 22. Dezember 1927<sup>19)</sup>

WHEREAS the Republic of Nicaragua is desirous of preserving internal peace and order and the security of individual rights, and is desirous of carrying out plans for the maintenance of domestic tran-

<sup>18)</sup> Department of State, A Brief History etc. p. 57.

<sup>19)</sup> Department of State Press Releases, Febr. 21, 1931, p. 133—137.

Z. ausl. öff. Recht u. Völkerr. Bd. 3, T. 2: Urk.

quillity and the promotion of the prosperity of the Republic and its people;

AND WHEREAS the assistance and cooperation of the Government of the United States is deemed essential to an early realization of the measures to be adopted;

AND WHEREAS the United States is in full sympathy with these aims and objects of the Republic and is desirous of contributing in all proper ways to their attainment, the undersigned duly authorized thereto by their respective Governments have agreed as follows:

#### I.

The Republic of Nicaragua undertakes to create without delay an efficient constabulary to be known as the Guardia Nacional de Nicaragua, urban and rural, composed of native Nicaraguans, the strength of which and the amounts to be expended for pay, rations, and expenses of operation, etc., shall be as set forth in the following table:

The foregoing provisions shall be regarded as the minimum requirements for the Guardia Nacional de Nicaragua. If the condition of the Nicaraguan Government's finances shall so warrant, the strength of the Guardia Nacional, commissioned and enlisted, and the expenses thereof, may be increased upon the recommendation of the chief of the Guardia Nacional and upon the consent in writing of the President of Nicaragua.

If the condition of the Nicaraguan Government's finances shall so warrant, a suitable coast guard and a suitable aviation unit may, upon the recommendation of the chief of the Guardia Nacional de Nicaragua and upon the consent in writing of the President of Nicaragua, be made a part of the Guardia Nacional de Nicaragua, similarly officered and manned with appropriate ranks and subject in the same manner to regulations and discipline as provided herein for the personnel of the Guardia Nacional de Nicaragua.

#### II.

The Guardia Nacional de Nicaragua shall be considered the sole military and police force of the Republic, clothed with full power to preserve domestic peace and the security of individual rights. It shall have control of arms and ammuniton, military supplies, and supervision of the traffic therein throughout the Republic. It shall have control of all fortifications, barracks, buildings, grounds, prisons, penitentiaries, vessels, and other Government property which were formerly assigned to or under the control of the Army, Navy, and police forces of the Republic. It shall be subject only to the direction of the President of Nicaragua; all other officials desiring the services of the Guardia Nacional de Nicaragua shall be required to submit requests through the nearest official of that organization. The Guard of Honor for the Palace of the President shall be a company of selected men and officers from the

personnel of the Guardia Nacional, and will wear distinctive insignia while employed on this service.

### III.

All matters of recruiting, appointment, instruction, training, promotion, examination, discipline, operation of troops, clothing, rations, arms and equipment, quarters, and administration, shall be under the jurisdiction of the chief of the Guardia Nacional.

### IV.

Rules and regulations for the administration and discipline of the Guardia Nacional de Nicaragua, prisons and penitentiaries, shall be issued by the chief of the Guardia Nacional, after being approved by the President of Nicaragua. Infraction of these rules and regulations by members of the Guardia Nacional may be punished by arrest and imprisonment, suspension from duty without pay, forfeiture of pay, or dismissal, under regulations promulgated by the chief of the Guardia Nacional and approved by the President of Nicaragua.

### V.

Other offenses committed by members of the Guardia Nacional de Nicaragua shall be investigated by officers of the Guardia Nacional as directed by the chief of the Guardia Nacional. If it should appear upon investigation that an offense has been committed, the offender will be turned over to the civil authorities.

### VI.

Courts-martial constituted under the rules and regulations of the chief of the Guardia Nacional may try native Nicaraguan officers and enlisted men of the Guardia for infraction of the rules and regulations. The findings of the courts-martial of the Guardia Nacional, after approval of the chief, are final and not subject to appeal or review except by the Supreme Court of Nicaragua, and then only in questions of excess of power or questions of jurisdiction.

### VII.

Persons violating the regulations (if there is no civil law) or the laws (if there is a civil law) governing traffic in arms, ammunition, and military stores, shall be punished by a fine of from fifty to one thousand *cordobas* or imprisonment of from ninety days to five years, or both; for which purpose the Government of Nicaragua will present to Congress a project of law to amend the criminal laws in the sense indicated.

### VIII.

The Guardia Nacional de Nicaragua shall be under the control of the President of Nicaragua and all orders from him pertaining to the

Guardia Nacional shall be delivered to the chief thereof. All other civil officials desiring protection or the services of the Guardia Nacional will make application to the senior officer of the Guardia Nacional in that locality.

#### IX.

An adequate amount as provided in Article I of this Agreement shall be appropriated annually to defray the expenses for pay, allowances, equipment, uniforms, transportation, administration, and other current expenses of the Guardia Nacional de Nicaragua. Allotments for the various needs of the Guardia Nacional shall be made from this sum by the chief of the Guardia Nacional.

#### X.

Reports of expenditures shall be made by the chief of the Guardia Nacional as directed by the President of Nicaragua and audited in accordance with the law.

Savings effected under any title may be expended under any other title upon written approval of the chief of the Guardia Nacional.

#### XI.

The laws necessary to make effective the above provisions shall be submitted to the legislative body of Nicaragua.

#### XII.

In consideration of the foregoing, the Government of the United States, in virtue of authority conferred on the President by the act of Congress approved May 19, 1926, entitled "An Act to authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the Governments of the Latin American Republics in military and naval matters" undertakes to detail officers and enlisted men of the United States Navy and Marine Corps to assist the Government of Nicaragua in the organizing and training of a constabulary as herein provided.

All American officers serving with the Guardia Nacional de Nicaragua shall be appointed from personnel of the United States Navy and Marine Corps by the President of Nicaragua upon nomination of the President of the United States. They will be replaced by Nicaraguans when the latter have successfully completed the course of instructions prescribed by the chief of the Guardia Nacional de Nicaragua and have shown by their conduct and examination that they are fit for command.

Officers and enlisted men of the United States Navy and Marine Corps serving with the Guardia Nacional will not be tried by Nicaraguan civil courts or courts-martial, but will be subject to trial by courts-martial under the laws of the United States for the government of the Navy.

In witness whereof, the undersigned have hereunto signed their names and affixed their seals in duplicate, in the city of Managua, this twenty-second day of December, 1927.

[SEAL] DANA G. MUNRO

[SEAL] CARLOS CUAR DA PASOS.

20. Nicaraguanische Note an den amerikanischen Gesandten in Managua vom 12. Februar 1929<sup>20)</sup>

Republic of Nicaragua  
Diplomatic Section  
No. 64.

NATIONAL PALACE,  
Managua, February 12, 1929.

EXCELLENCY:

Under special instructions from His Excellency the President, I have pleasure in informing Your Excellency that my Government, being desirous of laying the foundation for peace in the Republic in a firm and stable manner, by the practice of free institutions, has arrived at an agreement with the Honorable Supreme Court of Justice, by which this high tribunal, in the exercise of the powers which are conferred on it by the electoral law of March 20, 1923, will appoint a citizen of the United States of America, previously designated by His Excellency the President of the United States, as president of the national board of elections, in order to assure complete impartiality of this official, and as the primary part of a general plan aiming at the attainment of truly free elections in the future.

The President desires to obtain in a permanent way the valuable cooperation of the United States in the stability of the Republic in Nicaragua; and to this end, I venture to request that Your Excellency be so kind as to bring to the knowledge of the enlightened Government at Washington the aims above mentioned and to opportunely urge the designation of the American citizen to preside over the national board of elections.

I am also authorized to advise Your Excellency that the Government of the Republic will pay to the said president a salary of \$ 8,000 a year.

With confidence that Your Excellency's enlightened Government will agree to continue lending us its assistance for such noble ends, I am pleased to convey to Your Excellency, in advance, the deep appreciation of my Government.

I avail myself of this opportunity to express to Your Excellency the renewed assurance of my highest consideration.

M. CORDERO REYES.

HIS EXCELLENCY CHARLES C. EBERHARDT,

*Envoy Extraordinary and Minister Plenipotentiary  
of the United States of America.*

<sup>20)</sup> Department of State Press Releases, Febr. 21, 1931, p. 128.

21. Telegramm des amerikanischen Gesandten in Managua an den Staatssekretär der Vereinigten Staaten vom 8. April 1929<sup>21)</sup>

The Legation has been informed that the United Press on April 6 misquoted President Moncada as requesting withdrawal of Marines and stating that his Government had not requested American assistance.

In this connection, President Moncada has to-day issued the following statement to the press:

"I have been informed that, following an interview on April 6 with American newspaper men, I was quoted as having asked for the withdrawal of the American Marines from Nicaragua with the exception of a few officers needed to train the Guardia, and that I was further quoted as having said that my Government had never requested aid from the United States.

The above quotations are not strictly accurate. During the interview referred to, I spoke of the excellent work being done by Gen. Douglas C. McDougal as chief of the Guardia Nacional and expressed my hope, in that connection, that the Guardia with American officers would be before very long strong enough to permit the withdrawal of the main body of Marines. That, I understand, is the hope of the American Government as well as of my own.

I did not say that the Nicaraguan Government had not requested the assistance of the United States. In reply to a question, I stated that it was not the present Liberal Government but the Conservative Government, which went out of office in December of last year, which requested American assistance; nevertheless, I added, the present Government is dedicated to the reestablishment of order and to the correction of evils of government. I wish to add at this time that my Government sincerely appreciated the assistance which the United States has been able to render in that connection."

22. Telegramm des amerikanischen Gesandten in Managua an den Staatssekretär der Vereinigten Staaten vom 19. April 1929<sup>22)</sup>

Admiral Sellers following conference in Corinto with General Williams, Colonel Dunsal, and Colonel McDougal sent me a memorandum expressing his intention to recommend to the Navy Department a further reduction in the Marine forces in Nicaragua of approximately 800 men and a corresponding number of officers.

I called upon the President this morning accompanied by General Williams, Colonel Dunlap, Colonel McDougal, and Mr. Beaulac and left President Moncada a copy of the Admiral's memorandum, expressing at the same time my concurrence. President Moncada stated that the

<sup>21)</sup> Department of State Press Releases, Febr. 21, 1931, p. 107.

<sup>22)</sup> Department of State Press Releases, Febr. 21, 1931, p. 108.

memorandum also met with his approval. I explained to him that the reduction would probably be gradual and would be effected by July 1, stressing the fact that this would depend, of course, upon the military situation and the development of the Guardia. He concurred in this. Admiral Sellers is being advised through the brigade commander.

23. Telegramm des amerikanischen Gesandten in Managua an den Staatssekretär der Vereinigten Staaten vom 29. April 1929<sup>23)</sup>

Orders issued for discontinuance of all Marine posts on the Coco River from the Poteca River eastward. Several other posts in the eastern area also being abandoned. Fifteen officers and 250 men being withdrawn to-morrow on the transport *Bridge*. It is anticipated that by July 1 Marine forces will be reduced to 2,500 regular forces and 300 aviation.

24. Telegramm des Staatssekretärs der Vereinigten Staaten an den amerikanischen Gesandten in Managua vom 13. Mai 1929<sup>24)</sup>

Before reaching a definite decision regarding the designation of an American citizen to act as president of the national board of elections, I should like to have more complete information regarding the facilities which would be accorded to this official in performing his duties. It would be desirable, in order to assure full impartiality in the conduct of the elections, to have Americans also as chairmen of the departmental electoral boards; and it is believed that each of these Americans, to assure efficient administration, would require two American assistants. With the necessary office force in the central board, a total force of approximately forty-five Americans would be needed. The expense of an election conducted with such an organization would, of course, be materially less than the expense of the 1928 election, when a very much more elaborate organization was required.

If an American nominated by this Government is to assume responsibility in connection with the elections, it would be necessary that the existing law should be so amended as to give the departmental and national boards the same authority to regulate the electoral machinery and to decide electoral appeals and contests and other disputes which the electoral boards enjoyed in 1928; and also so as to give the chairman of the national board authority to call upon the chief of the National Guard for assistance in electoral matters if he should find it necessary to do so.

I do not think that it would be either necessary or desirable for the American officials to reside permanently in Managua, as their services

<sup>23)</sup> Department of State Press Releases, Febr. 21, 1931, p. 111.

<sup>24)</sup> Department of State Press Releases, Febr. 21, 1931, p. 129.

would be needed only for a few months before and immediately after each biennial election. It would obviously be more economical for the Nicaraguan Government not to employ them on a full time basis.

If President Moncada concurs in the views above set forth, you will be authorized to discuss in more detail with the President the necessary changes in the electoral law. Further instructions will be sent to you for this purpose.

25. Telegramm des amerikanischen Gesandten in Managua an den Staatssekretär der Vereinigten Staaten vom 16. Mai 1929<sup>25)</sup>

President Moncada concurs in the views set forth in the Department's 71, May 13, 6 p. m., and is ready to discuss the necessary changes in the electoral law. He said the president of the national board of elections should reside permanently in Managua and that he would like to have him designated in ample time to assist in the municipal elections in November of this year.

The President said he is convinced that American supervision of elections in Nicaragua will be essential for many years. He desires, therefore, to establish the supervision on an enduring basis and is considering the advisability of making changes in the Constitution to insure greater certainty in this respect, although he believes the situation at present can be adequately met with changes in the electoral law. He said the Constitution does not preclude the appointment of foreigners as presidents of electoral boards, but that it might be desirable to make specific provision in the Constitution for such appointments. He assured me that the Supreme Court will appoint the president of the national board as soon as his name is submitted.

26. Telegramm des amerikanischen Chargé d'Affaires ad interim in Managua an den Staatssekretär der Vereinigten Staaten vom 17. Juli 1929<sup>26)</sup>

Admiral Campbell arrived here July 13 and will leave to-morrow. Under his orders from the Navy Department, he has conferred with Generals Williams and McDougal and the Legation and has recommended by telegram to the Navy Department the withdrawal of 1,200 enlisted Marines and a proportionate number of officers. He recommended no reduction in aviation at this time. His recommendation is based on the assumption that the Guardia will be kept at present strength of 2,000 enlisted [men]. General Williams concurs.

I regret that I cannot concur in the foregoing. The proposed withdrawal is a 50 per cent reduction in Marine forces now in Nicaragua, exclusive of aviation, and the percentage of reduction in Marines avail-

<sup>25)</sup> Department of State Press Releases, Febr. 21, 1931, p. 129—130.

<sup>26)</sup> Department of State Press Releases, Febr. 21, 1931, p. 114.



able for active field work in the disturbed regions is still greater. There are now approximately 700 Guardia in those regions, and General McDougal says he can increase only to approximately 800 and that only about one half of this force can be on active field work at one time. The consensus of opinion in Nicaragua appears to be that there is but little if any improvement in the military situation as compared with a year ago. The political situation is becoming increasingly acute with the probability of increased disturbance as a natural result. I believe there is grave danger that any reduction of Marines at this time, however small, would stimulate discontented elements and be followed by increased disturbance involving outrages on Americans and other foreigners and their interests in Nicaragua. I therefore recommend that no reduction be made in the existing Marine forces until the situation has materially improved.

The Legation is making every effort to prevent the nature of the conferences with Admiral Campbell from becoming public here because I think that the mere knowledge that a reduction is being discussed would have unfortunate consequences.

I have given a copy of this telegram to Admiral Campbell and General Williams.

27. Depesche des amerikanischen Chargé d'Affaires ad interim in Managua an den Staatssekretär der Vereinigten Staaten vom 22. August 1929 <sup>27)</sup>

In accordance with orders from the Navy Department received by the brigade commander on July 24, 1929, calling for the withdrawal from Nicaragua of 1,200 enlisted Marines and a proportionate number of officers, I have the honor to inform the Department that the United States Navy Transport *Henderson* sailed from Corinto on August 21, 1929, for New York with 732 enlisted Marines and 18 officers. It is stated that the remainder of the allotted 1,200 men and corresponding number of officers will sail for the west coast of the United States shortly.

The departure of this considerable contingent of Marines was effected quietly. Most of them left in a special train from Managua. Among the officers leaving was Col. Robert Dunlap, until his departure commander of the northern area of Nicaragua, who has rendered exceptional and notable service to Nicaragua in suppressing banditry. The Sub-Secretary of Gobernación and his wife, who are personal friends of Colonel Dunlap, went to the station to see the Marines leave; otherwise no official notice of their departure by the Government of Nicaragua was observed. The newspapers, likewise, failed to comment.

Brigade Headquarters advises that, of the 1,300 enlisted Marines who will remain for the present in Nicaragua, one battalion of about 400 is in Ocotol, a second battalion of about 400 is in Matagalpa, and a

<sup>27)</sup> Department of State Press Releases, Febr. 21, 1931, p. 115—116.

third battalion of about the same number is in Managua. The entire aviation command, which has not been reduced so far, is concentrated in Managua.

The Guardia distribution outside of Managua is as follows: eastern area comprising the Department of Bluefields, 257 men and officers; western area comprising the Departments of León and Chinandega, 218 men and officers; southern area comprising the Departments of Granada, Carazo, Chontales, Masaya, and Rivas, 311 men and officers; northern area comprising the Departments of Nueva Segovia and Esteli, 609 men and officers; central area comprising the Departments of Jinotega and Matagalpa, 414 men and officers.

28. Telegramm des Stellvertretenden Staatssekretärs der Vereinigten Staaten an den amerikanischen Gesandten in Managua vom 5. März 1930<sup>28)</sup>

President desires a further reduction in the Marines now in Nicaragua. Navy Department is sending radio to Admiral Campbell, due shortly Managua, to expedite investigation of the situation and report regarding the number of Marines to be taken out at this time. Please cooperate with him and the brigade commander to expedite a report so that statement may be made promptly of the further reduction of the Marine forces.

29. Telegramm des amerikanischen Chargé d'Affaires ad interim in Managua an den Staatssekretär der Vereinigten Staaten vom 19. März 1930<sup>29)</sup>

Admiral Campbell has recommended to the Navy Department a reduction of Marine forces ashore to a battalion of 44 officers and 701 enlisted men plus attached medical unit of 8 officers and 50 enlisted men, one chaplain, and the present aviation force of 23 officers and 183 enlisted men. Total naval force remaining will be 75 commissioned and 934 enlisted. Total reduction will amount to 69 officers and 647 enlisted, the reduction to be made gradually as opportunities are presented during the next three months. I concur in this recommendation.

30. Telegramm des Stellvertretenden Staatssekretärs der Vereinigten Staaten an den amerikanischen Gesandten in Nicaragua vom 31. März 1930<sup>30)</sup>

The Department has informally requested the Navy Department to endeavor to leave in Nicaragua, so far as possible, Marines who speak Spanish, so that their services may be available should it be decided

<sup>28)</sup> Department of State Press Releases, Febr. 21, 1931, p. 116.

<sup>29)</sup> Department of State Press Releases, Febr. 21, 1931, p. 117.

<sup>30)</sup> Department of State Press Releases, Febr. 21, 1931, p. 118.

to supervise the next elections. It is understood that the Navy Department is communicating this request to the brigade commander, and the Department desires that you should discuss the matter informally with him, with a view to obtaining his cooperation. It is estimated that the assistance of four or five hundred Marines will be required as precinct chairmen, etc.

31. Telegramm des Staatssekretärs der Vereinigten Staaten an den amerikanischen Gesandten in Managua vom 8. Mai 1930 <sup>31)</sup>

Please inform President Moncada that the President has designated Capt. Alfred Wilkinson Johnson, U. S. Navy, for appointment as chairman of the national board of elections of Nicaragua, and suggest that his appointment to that position by the Supreme Court of Justice be effected as soon as practicable. It is contemplated that Captain Johnson will arrive at Managua in the early part of July.

As Captain Johnson is an official of the U. S. Navy, he will not, of course, receive a salary from the Government of Nicaragua for his services, but it is expected that he will be given his necessary traveling expenses and a suitable per diem while on this mission. The necessary arrangements to this end can be made after Captain Johnson reaches Nicaragua.

You may also inform President Moncada that the Department is considering necessary changes in the 1923 electoral law along the lines mentioned in its telegram 71 of May 13, 1929, 6 p. m., which revision the Department understands is concurred in by President Moncada, as reported in the Legation's telegram No. 138, dated May 16, 1929, 11 a. m.

32. Schreiben des Staatssekretärs an den Marinesekretär der Vereinigten Staaten vom 22. Januar 1931 <sup>32)</sup>

I feel that we should be in a position, after the Presidential elections in Nicaragua in 1932, to withdraw all our Marines from the country, should this Government at that time decide that that is the wise thing to do. It is my understanding that the Navy Department feels that Marines should be maintained in Nicaragua while American officers are serving in the Guardia Nacional of Nicaragua. Therefore, in order that there may be no obstacle to the complete withdrawal of our Marines from Nicaragua after the 1932 elections, I want to ask you to issue instructions to the commander of the Guardia Nacional to devote special attention to the training up of Nicaraguan officers so that we may be in a position, should that then be the decision of this Government, to turn over the whole Guardia force to Nicaragua upon the installation of the new Government on January 1, 1933. I think it should be im-

<sup>31)</sup> Department of State Press Releases, Febr. 21, 1931, p. 130.

<sup>32)</sup> Department of State Press Releases, Febr. 21, 1931, p. 118.

pressed upon the commander of the Guardia that that is the objective to which he should work and should devote his energies.

33. Bekanntmachung des Staatsdepartements der Vereinigten Staaten vom 13. Februar 1931 <sup>33)</sup>

At the recent conferences held by the Secretary of State with Minister Hanna, the American Minister to Nicaragua, Colonel McDougal of the Marine Corps, who has been commanding the Nicaraguan National Guard, and Major General McCoy, who supervised the Nicaraguan elections in 1928, a definite plan for the future has been arrived at, which has been accepted by President Moncada of Nicaragua. Under this plan the Nicaraguan National Guard is to be increased by approximately 500 men to be used exclusively in the bandit area, and the necessary financial arrangements for this increase of force have been made by the Nicaraguan Government.

By this increase of the Nicaraguan National Guard, it will be possible to withdraw from Nicaragua, probably by June next, all of the marine brigade who are now on combatant duty, leaving in Nicaragua only the marines who are still engaged in instruction in the Nicaraguan National Guard, an instruction battalion to support such instruction, and an aviation section which is being used for the present to carry supplies in the bandit provinces which are entirely without roads. This means that by June next the total force of marines in Nicaragua will have been reduced from over 5,000 men, which was the size of the force in January, 1929, to probably not over 500 men. The Nicaraguan Government, by this arrangement, has also secured funds to increase the school in which Nicaraguan officers are being trained to completely replace the marines now officering the National Guard.

In addition to this, the Nicaraguan Government has obtained further funds which it has agreed to spend in the construction of long-needed roads and trails in the bandit provinces. These roads will greatly facilitate the future work of its National Guard in that area and make it much more effective and protective to the surrounding country. The Department feels that the foregoing steps will greatly expedite the completion of the task of this Government in instructing the National Guard of Nicaragua, and that they have paved the way for the ultimate removal of all of the marine forces from Nicaragua immediately after the election of 1932.

34. Telegramm des Staatssekretärs der Vereinigten Staaten an den amerikanischen Gesandten in Managua und den Vizekonsul in Bluefields vom 16. April 1931 <sup>34)</sup>

In view of outbreak of banditry in portions of Nicaragua hitherto free from such violence, you will advise American citizens that this Gov-

<sup>33)</sup> Department of State Press Releases, Febr. 14, 1931, p. 78—79.

<sup>34)</sup> Department of State Press Releases, April 18, 1931, p. 284.

ernment can not undertake general protection of Americans throughout that country with American forces. To do so would lead to difficulties and commitments which this Government does not propose to undertake. Therefore, the Department recommends to all Americans who do not feel secure under the protection afforded them by the Nicaraguan Government through the Nicaraguan National Guard to withdraw from the country, or at least to the coast towns whence they can be protected or evacuated in case of necessity. Those who remain do so at their own risk and must not expect American forces to be sent inland to their aid.

35) Erklärung des Staatssekretärs der Vereinigten Staaten vom 18. April 1931<sup>35)</sup>

The problem before the Government to-day is not a problem of the protection of its citizens in Nicaragua from a war, but from murder and assassination. In that respect it is totally different from the problem which existed in 1926.

In 1926, two armies, consisting of two or three thousand men each, were fighting in Nicaragua on the east coast. Both armies professed to be carrying out the rules of warfare and to be protecting neutrals and neutral property. So the problem of this Government was solved by establishing neutral zones in which, by agreement with both armies at that time, hostilities did not enter. These neutral zones, as I recall it, were established with the consent of both the Liberal and Conservative commanders of the contending armies. There was no organized attempt to murder private citizens of any country. The problem was only to protect them from the inevitable catastrophes of war.

Now we have a situation where small groups of confessed outlaws — treated as outlaws by the Nicaraguan Government — are making their way through the jungle to the east coast, with the avowed intention of murdering and pillaging the civilian inhabitants of the country. The terrain where this is taking place is one of the thickest jungles in the world. The rainfall on the east coast of Nicaragua is something more than double the rainfall on the west coast and, as a result, this is very thick jungle country, a region where it would be almost impossible for regular troops to operate effectively even if it were attempted.

Another point of difference which is vital is that in 1926 there was no Nicaraguan constabulary. Since that time, for nearly four years, our officers have been helping the Nicaraguan Government train a force of constabulary especially for fighting in this kind of terrain, the very object being to produce the most appropriate kind of force to meet tropical and jungle conditions of warfare. That force has been recently raised from 1,850 to over 2,100 and is reported by its officers as being highly efficient. Purely from the standpoint of protection, the most

35) Department of State Press Releases, April 18, 1931, p. 284—286.

effective way to protect the American and foreign civilians who have been suddenly exposed to this danger in the forests of eastern Nicaragua is to give them warning of the danger and an opportunity to escape to the protection of the coast towns; and then for this specially trained constabulary to operate in the jungle against the bandits. If the number of constabulary now on the east coast is not sufficient for that purpose, there are certainly enough elsewhere to reinforce them against these comparatively small bands of outlaws. American naval vessels are standing by at all the threatened east coast ports with orders to protect life and property at these ports. These ships will remain until the danger is over.

By assisting the Government of Nicaragua in organizing and training a competent Guardia, we are not only furnishing the most practical and effective method of meeting the bandit problem and the protection of Americans and foreigners in Nicaragua from its attendant perils, but we are at the same time recognizing that it is a problem with which the sovereign Government of Nicaragua is primarily concerned and a problem which it is primarily the right and duty of that Government to solve. There has been no change in the determination of the American Government not to send American troops into the interior.

The events of this last week have pretty thoroughly torn the mask off the character of the mythical patriot Sandino. Two of his lieutenants have been recognized as leaders of these outlaw bands, and, both from their work and from the evidence of captured papers, they are shown to have been engaged in a deliberate plan of assassination and pillage against helpless civilians of various nationalities, including Nicaraguans, working in mines and logging camps. The movements of these outlaws from the northwestern provinces to the eastern coast of Nicaragua came just after the terrific earthquake which prostrated the center of that country, when every humane impulse was to assist those who were suffering from the catastrophe and when all forces, including marines and constabulary, were engaged in the alleviation of distress. It was in the hour of his country's desolation that Sandino chose to send his outlaws across the country to attack the region which he believed to be left unguarded.

36. Bekanntmachung des Staatsdepartements der Vereinigten Staaten vom 11. Juli 1931 <sup>36)</sup>

The next elections in Nicaragua are the municipal elections, to be held in October, 1931. The two recent American electoral missions to Nicaragua have not supervised municipal elections, and it is not desirable that there should be American supervision of the municipal elections this coming October. It is, nevertheless, desirable that an American electoral official should be present in Nicaragua at this time. Captain

<sup>36)</sup> Department of State Press Releases, July 11, 1931, p. 51/52.

Johnson has gone to sea and is unable to return to Nicaragua, in view of which the Department has designated Maj. Charles F. B. Price, U. S. Marine Corps, as electoral observer. He will observe how these elections are conducted in order to report thereon and to make recommendations and plans for the supervision of the presidential elections in 1932.

This has the advantage that it leaves to the Nicaraguans responsibility for the conduct of these elections before American supervision of their national elections is finally withdrawn. It is hoped that by this preparation Nicaragua will be in a position to conduct free and fair elections without assistance after 1932.

The problem of the municipal authorities was injected into the 1930 national elections, which made it appear advisable, in preparing for the 1932 elections, to have a representative of the electoral mission in Nicaragua during the coming municipal elections in order, as above stated, that he may observe their conduct and results with respect to their bearing on the national elections in 1932.

It is, therefore, contemplated that Major Price will go to Nicaragua in the month of July to remain until after the municipal elections.

Major Price was a member of the electoral mission of 1928 and also of the electoral mission of 1930. He is fully familiar with the situation and with all phases of the electoral work and is, therefore, well qualified for this position. He has the complete confidence of this Government.

37. Botschaft des Präsidenten Hoover an den Kongreß über auswärtige Angelegenheiten vom 10. Dezember 1931 <sup>37)</sup>

In compliance with the agreement made in May, 1927, the Nicaraguan Government requested supervision by an electoral commission from the United States of the congressional elections held in 1930. This year a member of the commissions of 1928 and 1930 was sent to Nicaragua as an observer during the election of municipal authorities in order that, on the basis of his observations, it might be possible to arrange the many necessary details of the supervision of the 1932 presidential election in Nicaragua.

Armed forces of the United States maintained in Nicaragua have been reduced to the minimum deemed necessary to the training of the Nicaraguan constabulary and the rendering of appropriate support for such instruction. It is proposed to withdraw completely American armed forces from Nicaragua after their presidential election in 1932.

38. Bekanntmachung des Staatsdepartements der Vereinigten Staaten vom 4. Januar 1932 <sup>38)</sup>

In a letter to the American Minister in Managua, dated June 18, 1931, President Moncada reiterated his request made prior to the 1928

<sup>37)</sup> Department of State Press Releases, Dec. 26, 1931, p. 606.

<sup>38)</sup> Department of State Press Releases, Jan. 9, 1932, p. 38—39.

elections for the cooperation of the United States in the 1932 presidential elections. The President of the United States has therefore designated Rear Admiral Clark Howell Woodward, U. S. Navy, as his personal representative in Nicaragua, to be appointed by the Supreme Court of Nicaragua as chairman of the National Board of Elections . . . .

Admiral Woodward is familiar with local conditions in Nicaragua, where he was detailed for a few months in 1927. For his services in Nicaragua he was awarded by the Navy Department the Distinguished Service Medal and by the Nicaraguan Government its Medal of Merit with silver star and diploma.

President Hoover yesterday received Admiral Woodward and discussed with him the mission to Nicaragua in connection with the forthcoming presidential elections.

The sole interest of the United States as regards these elections is that by means of fair and open elections, at which everybody who is entitled to vote has an opportunity of doing so, the preference of the Nicaraguan people may freely be expressed. The United States Government of course will not support nor will it oppose the candidacy of any person for the nomination or for election to the Presidency.

39. Bekanntmachung des Staatsdepartements der Vereinigten Staaten vom 23. März 1932 <sup>39)</sup>

President Moncada of Nicaragua recently sent to Washington as his personal representatives, Dr. Carlos A. Morales and Dr. Horacio Arguello Bolaños, appointed by the Governing Boards of the Liberal and Conservative Parties, respectively, of that country to discuss with the Department of State the question of constitutional reform in Nicaragua. The advice of the State Department was presumably sought in this matter because the United States had already consented, at the request of the Government and political parties of Nicaragua, to supervise the elections to be held in November, 1932, for President, Vice President, and part of the regular Congress. The proposal now submitted by Doctor Morales and Doctor Arguello is that these scheduled elections should be altered and that elections should be held under United States supervision for only a President and a Constituent Assembly, the latter to reform completely the Nicaraguan constitution.

The Secretary of State has informed Doctor Morales and Doctor Arguello that the amendment of the Nicaraguan constitution is of course a question for determination by Nicaragua alone. It has been pointed out to them that the present Nicaraguan constitution contains provisions for partial amendment which make it possible to amend the constitution without resorting to the extraordinary procedure of electing a Constituent Assembly and effecting a complete reform of the constitution. It was further pointed out that a situation might be

<sup>39)</sup> Department of State Press Releases, March 26, 1932, p. 310—311.



created through the election of a Constituent Assembly and the dissolution of the regular Congress which would jeopardize the induction into office on January 1, 1933, and the constitutional authority of the President elected at the same time. No way has been indicated as to how this difficulty — which frankly appears insurmountable — can be overcome. Moreover, it appears to be somewhat doubtful whether, in view of the pertinent provisions of the Nicaraguan constitution, a Constituent Assembly legally could be chosen during the present year. The Secretary of State is therefore confirmed in his view of the unwisdom of considering such action at this time. Nicaragua has made admirable progress through the holding of free and fair elections in 1928 and 1930, and the Secretary of State believes that the course of wisdom would be to consolidate this progress and to add another step to it through holding the regular and normal elections as scheduled in 1932 for President, Vice President, one-half the membership of the Chamber of Deputies, and one-third of the Senate of the regular Congress. The United States is prepared to superwise such elections, but it is not prepared to supervise the election of a Constituent Assembly.

The Secretary of State expressed his pleasure at the assurances given by Doctor Morales and Doctor Arguello of the desire for peace and the aspiration for constitutional life in Nicaragua. These are sentiments which the Secretary of State heartily reciprocates and in which he extends his best wishes to Nicaraguans of all parties. Mr. Stimson's associations in Nicaragua have been so intimate in the past, and his interest is so enduring, that he sincerely hopes that the regular elections in November, if held as scheduled, will advance the Republic one more step toward the goal which all Nicaraguans and all friends of Nicaragua desire, namely, toward peace, order, and stability; the development of a tradition of holding free and fair elections; and the maintenance of order through the existence of a nonpartisan constabulary. Nicaragua is well embarked on this program and carries the sincere and cordial good wishes of the United States for its complete realization.