

ABSTRACT

A study in the development of diplomatic relations between Chile and the United States is one of great significance. Many important events occurred during the early stages of these relations which helped to shape our future policy in this area of the world. General Hugh Judson Kilpatrick, who was the United States minister to Chile from 1866 to 1870, and in 1881, played an important role in helping to develop America's relations with Chile.

This paper attempted to provide information on Kilpatrick's career before he became minister to Chile; to show the political situation in Latin America and to give a brief history of United States relations with Chile prior to Kilpatrick's entrance in Chilean history.

Kilpatrick, this paper tried to show, was unable to prevent the bombardment of Valparaiso, but he increased the United States prestige in Chile by his efforts to end the war between the allied republics and Spain. After a

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GENERAL HUGH JUDSON KILPATRICK
UNITED STATES MINISTER
TO CHILE, 1866-1870, 1881

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PREFACE

Because of the events in Latin America over the past few years, there is a great need for scholarly research into the area of diplomatic relations between the United States and Latin America. More information is needed to develop an understanding of how the relations between the United States and Latin America developed and progressed to the present. This paper is only an attempt to fill in one area of relations between Chile and the United States.

I would like to acknowledge the invaluable aid and assistance given by the director of this thesis, Dr. Carl A. Ross, Jr., whose patience and advice made this thesis possible; and to Mrs. Charlotte T. Ross, who proof-read the manuscript.

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stormy political career, Kilpatrick was again appointed minister to Chile, where he became ill, and was unable to effectively protect the interests of the United States and Chile during the War of the Pacific.

The main source for this paper was the archives of the United States, specifically, the despatches from Kilpatrick and State Department instructions to Kilpatrick. Several diplomatic histories were consulted to develop ideals of America's Latin American policy.

Several primary sources were consulted along with the use of journal articles and the New York Times, which helped to give ideas on the social situation in Chile during this time.

Kilpatrick was very effective as a minister to Chile during his first term. He used all the available means of diplomacy to prevent the bombing of Valparaiso and to end the war that existed between the allied republics and Spain. He helped to increase America's prestige in Chile and in Latin America by these acts.

In his second time in Chile, Kilpatrick was unable defend the interests of the United States and Chile. Due to the pro-Peruvian policies of Secretary of State Blaine, and the fatal illness of Kilpatrick, he was unable to bring peace in the War of the Pacific. Had Blaine presented constructive plans for peace, then the relations between the United States and Chile would have been excellent at that time.

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Gerald P. Woodrum

CONTENTS

Chapter		Page
	ABSTRACT	ii
	PREFACE	iii
I	JUDSON KILPATRICK'S EARLY LIFE THROUGH THE CIVIL WAR	2
II	THE BOMBARDMENT OF VALPARAISO	18
III	THE MEDIATION ATTEMPT OF THE UNITED STATES	31
IV	KILPATRICK: DOMESTIC PROBLEMS	43
V	KILPATRICK: BACK IN THE UNITED STATES, 1870-1881	64
VI	KILPATRICK: WAR OF THE PACIFIC	68
	CONCLUSION	82
	BIBLIOGRAPHY	89

GENERAL HUGH JUDSON KILPATRICK

UNITED STATES MINISTER

TO CHILE, 1866-1870, 1881

CHAPTER I
JUDSON KILPATRICK'S EARLY LIFE
THROUGH THE CIVIL WAR

Hugh Judson Kilpatrick was born on January 14, 1836 near Deckertown, New Jersey. He entered West Point in 1856 and graduated on May 6, 1861 as a second lieutenant, 1st artillery. At West Point, in addition to his military training, Kilpatrick took courses in acting and political oratory. He also fought with Southern cadets who advocated secession.¹

On the day he graduated from West Point, he married Alice Nailer of New York, and, three days later, he secured an appointment as captain, 5th New York Volunteers.² This made him the first of the younger West Pointers to command either a brigade or a division. He hoped that after his

¹Dumas Malone, ed., Dictionary of American Biography (New York: Charles Scribner's Sons, 1933), X, 374.

²Ibid. Alice Nailer died before the conclusion of the Civil War, and Kilpatrick later married a Chilean woman.

military career ended he might become the governor of New Jersey and the president of the United States.³

Kilpatrick participated in the first major battle of the Civil War at Big Bethel, where he was severely wounded. His efforts earned him a promotion as lieutenant-colonel, 2nd New York Cavalry, and from late 1861 until the conclusion of the war, Kilpatrick participated in many important campaigns. He took part in cavalry operations of the Army of the Potomac; in the Department of the Rappahannock; in the Northern Virginia campaign; and in the ill-fated Stoneman's Raid. On June 13, 1863, Kilpatrick was promoted to brigadier-general. After gallant efforts at Aldie, Middleburg, and Upperville, Virginia, he was brevetted major in the regular army. He played a successful role at Gettysburg, and he initiated the Kilpatrick raid on Richmond early in 1864.⁴ In this raid, he was supposed to release Federal prisoners in Libby Prison, but he was not successful.⁵

Kilpatrick was transferred to the command of the 3rd cavalry division, Army of the Cumberland, assembling in northern Georgia for the Atlanta campaign. He was wounded at Resaca, whereupon he was brevetted colonel in the regular army. He joined Sherman's march to the

³Lloyd Lewis, Sherman, Fighting Prophet (New York: Harcourt, Brace & Co., 1958), pp. 404-405.

⁴Malone, American Biography, pp. 374-375.

⁵Mark Mayo Boatner III, The Civil War Dictionary (New York: David McKay Co., Inc., 1959), pp. 460-461.

sea, and in the Carolina campaign, his cavalry played a vital role. On March 13, 1865, Kilpatrick was brevetted brigadier-general and major-general respectively for his efforts in the capturing of Fayetteville, North Carolina, and in the invasion of the Carolinas.⁶

There are many legends that were told about Kilpatrick during the Civil War. His nickname, "Kil Cavalry," came as a result of some vigorous and admirable fighting by his men and some poor judgement in the field.⁷ Kilpatrick was admired by General William T. Sherman, who said, "I know that Kilpatrick is a hell of a damned fool, but I want just that sort of a man to command my cavalry on this expedition."⁸ This showed that Sherman appreciated Kilpatrick's desire to fight and not withdraw as many generals would.

It was said that Kilpatrick never drank, nor gambled, but when it came to women, he was known as the "Don Juan of the Cavalry."⁹ All the tales about Kilpatrick and the women he was involved with were not true, because he carried with him his fourteen year old nephew, Billy, whom Kilpatrick would give lessons to at night.

⁶Malone, American Biography, pp. 374-375.

⁷Boatner, Civil War, p. 460.

⁸Lewis, Sherman, p. 404.

⁹Ibid.

It was said that Kilpatrick would rather fight than work. This was illustrated when Sherman told Kilpatrick to tear up some Confederate track on the railroad that led to Atlanta. The hope was to keep Atlanta from getting supplies and thus avoid the necessity for a direct attack on Atlanta. In a few days, Kilpatrick came back from his expedition and reported that the tracks were useless for at least ten days, but, on the next day, Sherman saw supply trains going into Atlanta on the tracks that Kilpatrick had supposedly torn up. Kilpatrick later confessed that he had spent the time raiding.¹⁰

Kilpatrick and J. Owen Moore wrote a play entitled "Hold The Fort," which dealt with the Battle of Allatoona, one of the last battles near Atlanta.¹¹ The play exemplified the ideal of bravery in battle which Kilpatrick demonstrated.

On November 16, 1865, Kilpatrick was appointed as the minister to Chile by Secretary of State William H. Seward. This appointment resulted because of a joint resolution in Congress which allowed for the hiring of unemployed generals.¹²

¹⁰Ibid., p. 405.

¹¹Paul J. Scheips, Hold The Fort! The Story of a Song from the Sawdust Trail to the Picket Line (Washington: Smithsonian Institute Press, 1971), p. 9.

¹²U.S., Laws of the United States, Public Acts of the Thirty-Eighth Congress of the United States. Washington: Congressional Globe Office, 1865, Resol. no. 27, p. 160.

The situation in Latin America and in Chile was one of extreme importance. Before Kilpatrick arrived in Chile, Latin America was involved in a power struggle in which Chile played an important rôle. Some background information is needed to show how Latin America developed diplomatically with the world, and more specifically, how Chile's relations developed with the United States.

The Latin America Power Struggle

In the nineteenth century, there were two periods that dominated the foreign relations of Latin America. The period called regional power politics lasted from the independence of the Spanish republics to the late 1860's. The second period was called the age of continental power politics, which lasted from the late 1860's into the twentieth century. These two periods influenced Latin American relations with the Great Powers, such as Great Britain and the United States. Chile was an excellent example of a Latin American nation trying to enhance its position in the world within this power structure.

During the time the regional power politics system existed in Latin America, the South American nations were involved in numerous disputes. Because of their small population and the hostile environment, the significance of these disputes was dimmed. The regional

system was predominant in the early relations between South American nations because each nation was concerned about its financial and political crises. These newly developed nations were also weak in self-government, and, as a result, there was a slow change from the regional to the continental system.

Difficulties in regularization of relations with the Great Powers further impeded development of a continental system by diverting the attention of the new states from intra-South American matters. These young nations hoped to gain financial support and to import the highly developed technology from the United States and Europe. These nations quickly responded to the needs of the South American nations. Soon difficulties arose concerning the protection of the interests of the foreigners. Poverty, instability, and the attitudes of the parties to resultant disputes made solution difficult.

In the 1820's when the Latin American nations defaulted the funds invested in their nation the Great Powers responded with diplomatic pressure and threats. The Latin American leaders feared intervention by the Great Powers, but they were unsuccessful in establishing leagues or confederations because the basic competitive forces promptly reasserted themselves upon the withdrawal of the outside threat.

Before the 1860's, forces antagonistic to a continental system were dominant. Nevertheless, events were

occurring which would lead to the triumph of such a system. As internal stability was established, subsequent material progress and a stronger power position resulted. As a result, each nation secured an informal modus operandi with the Great Powers which permitted expanding economic and cultural relations without endangering independence.

South America began to be integrated into the economy of the world. This integration contributed to the formation of the continental system by combining with existing factors to differentiate the South American nations into major and minor powers. Predominant powers were the nations with good port facilities, or those whose natural resources were coveted, or those who offered more attractions to capital and immigration. These nations tended to expand their influence into previously neglected lands, and beyond into weaker nations. Confrontation with another advancing nation usually resulted in an area of conflict.

As Latin America began to participate in the world trade and as certain nations gained predominance upon the continent, the European powers started to relax their pressures. Europe in the nineteenth century was involved in a power struggle of its own, and these developments in Europe had aroused the mistrust of the United States. In the United States, there was a growing opposition to

European intervention in the affairs of the Western Hemisphere.¹³

This was the situation during the major part of the nineteenth century. Chile was rapidly maturing, especially after 1830 when its internal stability was established.¹⁴

The Chilean quest for power was exemplified by the following phrase: Por la razon o la fuerza, or "By Reason Or Force."

Chile behaved as if it were a nation-state operating within a system of power politics. Chilean leadership sought to maintain a favorable power structure. Chile competed with other nations for commercial dominance; for control of resources such as guano and nitrates; for possession of territory with strategic or agricultural potential; and for military and naval superiority. To maintain a favorable power structure, Chile was willing to use the full range of policies and techniques of power politics and armed force.¹⁵ Chile tried to maintain good relations with the Great Powers, but once a Great Power threatened the South American power structure, Chile assumed

¹³Robert N. Burr, By Reason Or Force, Chile and the Balancing of Power in South America, 1830-1905 (Berkeley: University of California Press, 1967), pp. 1-11.

¹⁴Chile's internal stability was established with the issuance of the Constitution of 1833. This constitution given to Chile by Diego Portales, was to last until 1925. The constitution embodied Portales' belief in the concentration of power in a highly centralized government. Because of this constitution, Chile became the most stable of the South American republics.

¹⁵Burr, By Reason Or Force, p. 260.

a position of open resistance.

Chile during the 1830's acted as the regulator of the balance of power. Whenever Chilean interests were endangered, Chile resorted to force as shown in the Peruvian-Bolivian Confederation.¹⁶ In the 1860's, when Latin America moved into the flow of the world's economy, Chile's interests were also endangered. As a result, Chile moved to maintain a balance of power which would be favorable to herself.¹⁷

United States-Chilean Relations

Prior to 1866

Commercial relations between the United States and Chile began prior to Chile's independence from Spain.¹⁸ The American traders brought many goods to Chile, and, more importantly, they brought the spirit of independence.

There were several attempts by American citizens to assist Chile in her independence movement, but it was not until the Adams-Onís Treaty was signed that the door was

¹⁶The Peruvian-Bolivian Confederation was formed in 1835 when the Bolivian leader, Andrés Santa Cruz marched into Peru and took over the country. Chile was concerned about the emergence of a confederated state, and in 1837, Chilean troops invaded southern Peru. A peace was agreed upon, but in 1838, Juan Manuel de Rosas, the dictator of Argentina, took up arms against Santa Cruz and invaded Bolivia. Chile resumed the struggle in 1839, and defeated Santa Cruz and the Confederation ended.

¹⁷Burr, By Reason Or Force, pp. 262-263.

¹⁸Arthur Preston Whitaker, The United States and the Independence of Latin America, 1800-1830 (New York: W. W. Norton and Co., Inc., 1964), pp. 5, 11-14.

opened to more positive American action.¹⁹ When Spain ratified this treaty in November 1821, the United States became more friendly toward the new American countries.²⁰

By December 1821, Monroe assumed an attitude which seemed to indicate early recognition, and on March 8, 1822, Chile was recognized by the United States. Monroe then appointed Heman Allen of Vermont as the first United States minister to Chile, opening formal diplomatic relations.²¹

The next important step in United States relations with Latin America was the Monroe Doctrine, which was announced on December 2, 1823. This was a statement of what official relations should be, made with the realization that England would be expected to support it in case of a showdown with Europe.²²

In Chile, there was considerable domestic unrest. The new constitution which was drawn up in 1828 failed to bring stability. As a result, the conservatives under Joaquín Prieto overthrew the president, Ramón Freire. Many Americans felt that their property would be in

¹⁹Three notable Americans, Joel R. Poinsett, Theodorik Bland, and John B. Provost, all were in Chile trying to gain support for Chile, but they were unsuccessful.

²⁰James D. Richardson, ed., A Compilation of the Messages and Papers of the Presidents (New York: Bureau of National Literature, Inc., 1897-1917), II, 608,667.

²¹Diego Barros Arana, Historia General De Chile (Santiago: Imprenta Cervantes, 1884-1902), XIV, 367.

²²William Roderick Sherman, The Diplomatic and Commercial

jeopardy, but their fears were groundless.²³

In 1834, the United States and Chile negotiated a commercial treaty. Andrés Bello, the Chilean negotiator was instrumental in obtaining a provision for the recognition of the most favored nations clause in commercial privileges, navigation rights, and conditions of residence for citizens of both countries, specifically exempting treaties between Chile and Mexico, Central America, Brazil, Peru, Colombia and Bolivia from the application of this provision to United States citizens.²⁴

The United States was not satisfied with the treaty although it seemed to have the advantage.²⁵ It was a small victory for Chile because up until that time, all the other Latin American nations had failed to gain the exemption to the most favored nation clause. The United States agreed to this clause because they wanted to clear

Relations of the United States and Chile, 1820-1914 (Boston: Richard G. Badger, Publ., 1926), p. 11.

²³Henry Clay Evans, Jr., Chile and Its Relations with the United States (Durham: Duke University Press, 1927), p. 47.

²⁴U.S., Congress, Senate, Executive Documents of the Senate of the United States for the Second Session of the Forty-Eighth Congress, and the Special Session of the Senate Convened March 4, 1885. Washington: Government Printing Office, 1889, Document no. 47, p. 131.

²⁵U.S. Government, Department of State, Diplomatic Instructions of the Department of State to United States Ministers to Chile, 1801-1906. Forsyth to Richard Pollard, Sept. 5, 1834.

the way for settlement of United States claims as the claimants were calling for action.²⁶

Between 1833 and 1861, the diplomatic relations of Chile and the United States were confined almost exclusively to the prosecution of claims resulting from the seizure by Admiral Thomas Cochrane of certain sums of money belonging to Americans.²⁷

Richard Pollard, who became minister to Chile on March 2, 1835, enjoyed success in bring about the settlement of some outstanding claims against Chile. The first claim settled by Pollard was the Warrior case, which resulted from a seizure of a cargo and the impressment of a part of the crew of Lord Cochrane. Chile agreed to pay the full amount of the claim totaling \$15,500 after much discussion and pressure from the United States government.²⁸

The second case was the first Macedonian claim. This claim involved the seizure in 1819 of a large sum of money from an American sea captain by Lord Cochrane. After much

²⁶J. Lloyd Meacham, A Survey of United States-Latin American Relations (New York: Houghton Mifflin Co., 1965), p. 409.

²⁷U.S. Government, Department of State, Despatches From United States Ministers to Chile, 1823-1906. Pollard to Forsyth, Oct. 28, 1841.

²⁸Graham H. Stuart, Latin America and the United States (New York: Appleton-Century-Crofts, Inc., 1956), p. 384.

discussion, Pollard agreed to the sum of \$104,000 with interest at five per cent from the date of the seizure. This was less than hoped for by the owners, but Pollard felt this was all they were due.²⁹ As soon as this claim was settled, the second Macedonian claim was presented. This claim was for the sum of money taken from Eliphalet Smith by Lord Cochrane after the first seizure. It was not until 1863 that this claim was settled.³⁰

Pollard was the most successful minister to Chile up to this time, but the next few years were to be different. Relations with Chile were slowly declining and they reached their low-point during the stay of Seth Barton. Barton had several problems while he was minister. The most important of these was the abrogation of the 1832 treaty between Chile and the United States.³¹

Barton also had several personal problems. First, he failed to raise the legation flag on a national holiday, the anniversary of the Battle of Maipú. Secondly, Barton's horses and carriage were stolen. The horses were returned,

²⁹Diplomatic Instructions, Forsyth to Pollard, Sept. 8, 1840, and John C. Calhoun to William Crump, May 18, 1844. The Chilean reluctance was due to the fact that the American captain of the ship, Eliphalet Smith, was a notorious smuggler.

³⁰Despatches From Ministers to Chile, Thomas Nelson to William H. Seward, Aug. 1, 1863.

³¹Barton was against giving all Spanish subjects the privileges of the most favored nation clause, therefore the treaty was abrogated.

but without the harness and the carriage.³² Thirdly, Barton married a Chilean lady of some social standing even though her friends opposed the marriage on religious and nationalistic grounds. Barton left Chile before he was asked to leave, and the legation was closed for a year.³³

Other events caused a deterioration in the United States relations with Chile. Chile was a supporter of Mexico in its war with the United States. Many Americans participated in a revolt led by General José María de la Cruz against the conservatives in power. The discovery of gold in California opened up new opportunities for Chilean flour producers, but Chile was unable to compete with the United States in trade with California.³⁴

There was much anti-United States sentiment in Chile at this time. This spirit was revealed in a number of incidents. Samuel Thompson, an American, was attacked by two highwaymen near Talcahuano. During the fight, he wounded both men and escaped. When one of the bandits died, Thompson was arrested, charged with murder, imprisoned, and mistreated. Minister Balie Peyton intervened and

³²U.S. Government, Department of State, Notes From the Chilean Legation in the United States to the Department of State, 1811- 1866. Carvallo to Webster, Aug. 5, 1850.

³³Stuart, Latin America and the United States, pp. 386-387.

³⁴Evans, Chile and Its Relations, pp. 72-75.

after eight months imprisonment, Thompson was released.³⁵
There were several other incidents like this.

According to Henry Clay Evans, Jr., "The decade of the fifties marked the most bitter period, save one, in Chilean-American relations."

Every claim produced strenuous argument; every diplomatic action of the United States in Latin America caused alarm in Santiago; every internal discord in Chile was marked by American enthusiasm for the losing cause. Anything like American ascendancy no longer existed. If only the usual diplomatic amenities could be observed, American ministers had reason to feel happy.³⁶

In 1861 Thomas Nelson was appointed minister to Chile. Due to the American Civil War, the attitude of Chileans changed towards the United States. They thought that since the United States was involved in a civil war, they could not be planning a war in South America. War with the United States was one fear that was common in Chile during this time.³⁷

At the same time, England, France, and Spain sent ships into Mexico to collect foreign debts that Mexico owed them. This action also gained the attention of the United States, who was more concerned with nations closer to them like Mexico than with Chile.³⁸

³⁵Despatches From Ministers to Chile, Peyton to Webster, Sept. 25, 1851.

³⁶Evans, Chile and Its Relations, p. 82.

³⁷Ibid., pp. 85-86.

³⁸Ibid., p. 84.

In 1864 Spain sent a small fleet into the Pacific area of Chile and Peru. On April 14, 1864, Spain seized the Chincha Islands of Peru.³⁹ These islands were valuable because of their guano deposits. During this event, Nelson led the Chilean people to think that the United States would protect their coast line from attack by the Spanish.⁴⁰ Nelson did try to negotiate with the Spanish commander José Manuel Pareja in October 1865 to leave Chile. When this was unsuccessful, Spain declared the whole coast of Chile under blockade. Chile's small navy scored a victory when the Esmeralda captured the Spanish ship, Covadonga, which was brought home to be a Chilean ship. When the other allies entered the war, the Spanish leader, Pareja, committed suicide.⁴¹

Pareja was replaced by Admiral Casto Méndez Núñez, who threatened to bombard Valparaiso. This action forced the United States to proclaim a neutrality concerning the bombardment. Chile was disappointed in this action because Nelson kept the Chilean hopes high that the United States would intervene.

³⁹William Columbus Davis, The Last Conquistadores, The Spanish Intervention in Peru and Chile, 1863-1866 (Athens, Ga.: University of Georgia Press, 1950), p. 16.

⁴⁰Evans, Chile and Its Relations, p. 91.

⁴¹Davis, The Last Conquistadores, p. 252.

CHAPTER II

THE BOMBARDMENT OF VALPARAISO

Kilpatrick arrived in Santiago, Chile on February 15, 1866, and was immediately faced with the situation that existed between the allied republics and Spain.¹ He attempted to seek a settlement to the war. Acting without instructions from the State Department, he began using all the available diplomatic means to get the involved parties to sit down and reason together.

After the Spanish fleet was damaged in the battle at Chiloé, then the base of Chilean operations, Núñez received new instructions from the Spanish government. He was authorized to capture the allied fleets or to sink them and afterwards to seek peace. If this was impossible to do, then he had no alternative but to

¹The allied republics were the countries of Chile and Peru, and they were later joined by Bolivia and Ecuador.

mutual salute and that he also agreed to hoist the Chilean and Spanish flags at his own masthead and salute both, with the Chilean and Spanish guns joining after the first shot had been fired from his ship. Covarrubias said these terms would have been acceptable at the beginning of the war, but Chile considered herself the offended party and therefore after suffering much from the Spanish actions, could not accept the offer.⁴ Covarrubias also mentioned that Peru must also be included in Spain's offers for peace.

When the talks at Santiago failed, Kilpatrick and Rodgers spoke again with Núñez on March 23. Judson Kilpatrick expressed the desire for some agreement to be reached by all parties concerned, which was repeated by Núñez. But Núñez mentioned that his instructions from Spain had changed and he could not deviate from them. He said that Chile must tell him that it had no wish to insult Spain, and that it wanted to maintain friendly relations with Spain. To prove this, Chile must return the Covadonga, its crew, guns, flag, and officers along with any other prizes she took during the war. In return, Spain would return all prizes she had taken from Chile. After this was agreed upon by both nations, there would be a twenty-one gun salute which would re-establish relations and Núñez, the Spanish minister to Chile, would then present his credentials, and the two parties would

⁴Despatches From Ministers to Chile, Kilpatrick to Seward, April 2, 1866.

bombard the ports of Chile.² After the unsuccessful expedition at Chiloé, Núñez let it be known that he would take such drastic measures.

On March 19, Kilpatrick heard of Núñez' threats and he immediately began seeking ways to perhaps prevent the bombing. From March 19 until March 29, Kilpatrick, Thomas Nelson, Kilpatrick's predecessor, Alvaro Covarrubias, the Chilean foreign minister, Commodore John Rodgers, the commander of a special United States fleet in Valparaiso, and Méndez Núñez, the Spanish commander, all met at different times to try to settle this crisis.

On March 19, Kilpatrick and Rodgers met with Núñez in an attempt to get him to agree to terms that Chile could accept with dignity. They also went to Santiago and proposed Núñez' terms to the Chilean government. Negotiations were going so well that the merchants in Valparaiso decided it would be best to wait for a definite decision before moving their goods from their warehouses.³

When Kilpatrick, Nelson, and Rodgers interviewed Covarrubias in Santiago on the evening of the 19th, the result was unsatisfactory. Rodgers told Covarrubias that Núñez had modified the terms that were first presented to the Chilean government. Núñez said he would accept a

²Davis, The Last Conquistadores, p. 291. Núñez was also made Spain's minister to Chile, therefore he was the one Chile would have to negotiate with.

³Ibid., p. 292.

begin negotiations for a settlement of the war.⁵

Núñez also said that he would wait until eight o'clock on the morning of the 27th of March, at which time, if the Chilean government has refused to agree to the propositions or if no answer was received, he would announce to the diplomatic corps the date for opening fire on Valparaiso.⁶

On the evening of March 24, Kilpatrick met with Covarrubias and presented Núñez' propositions to him. Covarrubias asked if the demands were considered to be an ultimatum. If so, he said he would not consider them. Kilpatrick said that they were not and asked Covarrubias to consider them. Covarrubias said that these terms must also be offered to the other allied republics, because Chile would not act without consulting them. Covarrubias mentioned that it would be impossible to talk to the Peruvian minister because he was away at that time. He hoped that there would be a postponement of the deadline mentioned by Núñez. Kilpatrick told Covarrubias that he thought Núñez would agree to some type of postponement, which would allow the allied republics to have a conference to talk about Núñez' offer.⁷

⁵Ibid.

⁶Ibid.

⁷Ibid., and Davis, The Last Conquistadores, p. 295.

It seems that neither party would agree to even similar terms. Historian Henry Clay Evans, Jr., best explained the reason for the failure of Spain and the allied republics to agree on a peaceful settlement of the war. He said, "So minor were the differences between the two nations that no agreement was reached; but the sensitive pride of each prevented any yielding."⁸

On the evening of March 25, Rodgers and Kilpatrick held an informal meeting of the diplomatic corps in Santiago. They decided that the representatives of the United States, France, England, Prussia, and Italy, who all had commercial interests in Chile, should go to Valparaiso and try to end the bombardment.⁹

Covarrubias believed that there would be no bombardment because he said that both the United States and Great Britain possessed considerable naval forces in Valparaiso, which were there to protect their citizens. Each of these nations had commercial interests in Chile, particularly Great Britain. These forces were there to protect the interests of their citizens and to prevent such an "act of useless barbarity."¹⁰

⁸Evans, Chile and Its Relations, p. 92.

⁹Despatches From Ministers to Chile, Kilpatrick to Seward, April 2, 1866.

¹⁰Notes From the Chilean Legation, Alvaro Covarrubias to F. S. Asta Buruaga, April 1, 1866. The following ships were at Valparaiso: United States--the monitor Monadnock and the steamers Vanderbilt, Powhatan, Tuscarora, Mahonga, and Adela; Great Britain--the frigates Sutlei, and Leander and the gunboat Nereus.

On the 26th of March, Kilpatrick met with Núñez and told him of his meeting with Covarrubias. Núñez said that he could not disobey his instructions, because they were so implicit. He then told Kilpatrick that he would bomb Valparaíso on Saturday, March 31, at eight o'clock in the morning. The bombardment would occur only on public property, but Núñez claimed that if private property was damaged, it would be Chile's fault because Chile did not try to avoid this event.¹¹

When Kilpatrick left Núñez, he received a letter from Núñez which explained why Spain had to bomb Valparaíso. Núñez claimed that their actions at the beginning of the war were moderate and that Chile considered the actions extreme. After the failure to win a decisive sea battle with the Chilean forces, especially at Chiloé, and because Chile refused to meet Spain's demands, Valparaíso, he claimed, must be bombed.¹²

Kilpatrick issued a circular to the diplomatic corps in Valparaíso asking them to meet with him and to discuss the upcoming events. The meeting was scheduled for March 27, but, due to the delaying tactics of the British diplomats in Valparaíso, the meeting was called off until

¹¹Despatches From Ministers to Chile, Kilpatrick to Seward, April 2, 1866.

¹²Ibid. (Casto Méndez Núñez to Kilpatrick, March 27, 1866.)

the next morning.

The aim of this meeting by Kilpatrick was to get British and French cooperation in assisting the United States forces in preventing the bombing. When the British and French diplomats refused to cooperate, Kilpatrick was very disappointed, and said,

It was my earnest desire that the diplomatic representatives of France and England should join with me, or at least should request that our forces should protect their respective peoples as well as our own.¹³

Without the cooperation of the British and French fleets in Valparaiso, any attempts to prevent the bombardment was doomed, for Kilpatrick felt it would be foolish for the United States to try to prevent the bombardment alone, since the commerce between Chile and Britain and France was far greater than the commerce between Chile and the United States.

One of the considerations in the negotiations was the fact that Valparaiso was an undefended town. There was a hill which once had a few guns, but they had been removed. The mayor of Valparaiso forbade the placing of guns on the hill, thereby insuring a complete lack of defense. Many foreign countries, specifically the French and the British criticized the Spanish for their efforts to bomb the undefended town.¹⁴

¹³Ibid.

¹⁴The British in 1844 attacked an undefended Peruvian town, Arica, when their minister there was insulted. The Spanish used this to quiet the British criticism.

When Kilpatrick heard that the British minister was leaving Valparaiso to return to Santiago, he asked him to cooperate with the United States to prevent the loss of British property. Thomson refused to answer. Kilpatrick would not have hesitated to stop the bombardment by force had he received the moral support of the British.¹⁵

Under the existing circumstances, Kilpatrick declared that the United States would not prevent the bombardment of Valparaiso. He stated that if the other neutrals had cooperated in protecting their citizens, the United States would have done likewise. William R. Sherman defended Kilpatrick's stand when he said,

Kilpatrick felt that the United States was not in a position at the time--so soon after the Civil War and while relations with France were so strained over the Mexican question--to undertake single handed a war with Spain.¹⁶

On the 29th of March, Kilpatrick and Rodgers made one last attempt to get Núñez to agree to the demands of Chile. Rodgers proposed to Núñez that he not bomb Valparaiso, and, in return, Chile would agree to accede to her demands. Núñez agreed to accept this proposal if a Chilean official would, in front of an American official, guarantee that such an act would be appreciated by the Chilean government.¹⁷

¹⁵Despatches From Ministers to Chile, Kilpatrick to Seward, April 2, 1866.

¹⁶Sherman, Relations of the United States and Chile, p. 107.

¹⁷Davis, The Last Conquistadores, p. 299.

This request was presented to Covarrubias, who rejected it and submitted one of his own. He felt that Núñez was forced to bomb Valparaíso because the Spanish fleet was unable to meet the allied fleet in the open sea. Covarrubias therefore called for a naval confrontation between the two fleets with an equal number of ships participating. Rodgers was asked to be the umpire, and this duel was to determine the outcome of the war. This offer was turned down by Núñez, who called it ridiculous and stated that the bombardment would occur as scheduled.¹⁸

At the last moment, the British tried in vain to stop the bombardment. William Taylour Thomson, the British minister to Chile, and Rear-Admiral J. G. Denman, the commander of the British forces in the Pacific, tried to reach an agreement with both Núñez and the Chilean government. Thomson could have ordered Denman to stop the bombing, but he refused to do so. These two men were condemned by the British residents in Valparaíso because of their failure to prevent the bombing.¹⁹

When the foreign merchants realized that the bombardment was to occur, they tried to get their goods out

¹⁸Despatches From Ministers to Chile, Kilpatrick to Seward, April 2, 1866.

¹⁹Davis, The Last Conquistadores, pp. 300-302. The British government had a policy of strict neutrality during the crisis and as a result, both Thomson and Denman were justified in their actions by the British government.

of the warehouses, but found they had waited too late. Núñez requested that white flags be placed on hospitals and churches so they would be spared from the fire. Many Chileans left the city, but a large number stayed to witness the event.²⁰

Finally, on March 31, despite the efforts of Kilpatrick to stop the bombing, the Spanish bombed Valparaiso. The bombardment began at 9 a.m. and lasted until noon. The Spanish frigates Villa de Madrid, Blanca, and Resolución, and the gunboat Vencedora, participated in the bombing. Most of the bombs hit the custom-house stores, the governor's residence, and the railroad station. Unfortunately, due to poor marksmanship, some bombs hit the hospitals and churches. Casualties were surprisingly light, even though over 2,000 shots were fired. Only two or three people were killed and a like number were wounded.²¹

The losses in property damage were great, with the losses greater in public warehouses than in private warehouses. Kilpatrick estimated the damages from \$15,000,000 to \$20,000,000, of which Chile lost only five per cent. The Chilean newspaper El Mercurio listed the losses as follows:

private buildings, \$633,000; government buildings, \$55,700; furniture, merchandise, etc. lost by individuals in their own buildings, \$1,500,000;

²⁰Ibid., p. 302.

²¹Despatches From Ministers to Chile, Kilpatrick to Seward, April 2, 1866.

merchandise in government warehouses, \$12,000,000; damage to other buildings, \$50,000; making a total of \$14,733,700.²²

Two American companies lost a considerable amount of property in the bombing. The A. P. Hemengway and Co. of Boston lost \$59,113.85, and Loring and Co. lost \$37,532.75. These two companies brought claims for damages to the State Department. Attorney General Henry Stanberry said there was no ground on which these companies could collect damages. He said that there was no ground to warrant intervention by the United States against either Chile or Spain. He called the bombardment a measure of extreme severity, but also mentioned that Chile was not negligent in any way and that Spain gave notice as to when the event would occur and the principal damage was to public property. He also said that,

the rule of international law is well established that foreigners who reside in the country of a belligerent can claim no indemnity for losses of property occasioned by acts of war like the one in question.²³

Another result of the war was the rise of anti-United States sentiment in Chile. This occurred because the Chileans had been led to believe that they would receive assistance from the United States. This

²²Ibid.

²³Sherman, Relations of the United States and Chile, p. 110.

belief was the result of assurances from Thomas Nelson, Kilpatrick's predecessor as minister to Chile, but, when Kilpatrick became the minister, he instituted a policy of neutrality. Kilpatrick said, "Chile looked upon the United States as her best friend and that friend has failed to assist her in her hour of trial."²⁴ Chile realized then that she would have to depend on her own human and natural resources to defend her country.

Secretary of State William H. Seward, supported the policy of Kilpatrick, who had worked with no instructions during the crisis. He expressed disappointment that Chile had misunderstood the Monroe Doctrine. Seward stated that the United States would not enter as an ally into every war in the hemisphere because peace was always the aim of the United States. These nations in Latin America, he claimed, act without the control or counsel of the United States, therefore, they should settle their own quarrels. Seward concluded by saying,

We have no armies for the purpose of an aggressive war; no ambition for the character of a regulator. . . . If there is any one characteristic of the United States which is more marked than any other it is . . . the principle of non-intervention.²⁵

The sentiment in Chile which was against the United

²⁴Despatches From Ministers to Chile, Kilpatrick to Seward, April 16, 1866.

²⁵Diplomatic Instructions, Seward to Kilpatrick, June 2, 1866.

States died down when the United States was able to expel the French from Mexico by the use of diplomacy. This combined with the actions of Kilpatrick in seeking to diplomatically prevent the bombing of Valparaiso, gave the United States prestige in Latin America and in Chile. The war between Spain and the allied republics moved into a stage of mediation in which the United States hoped to play a major role due to the efforts of General Hugh Judson Kilpatrick.

CHAPTER III
THE MEDIATION ATTEMPT OF THE
UNITED STATES

The bombardment of Valparaiso was the only serious incident in the war between Spain and the allied republics. The Spanish fleet left Valparaiso, and the blockade of Valparaiso ended on May 14 when the fleet proceeded to Callao, Peru. There the Spanish bombed the port, but the Peruvians were armed and they heavily damaged the Spanish fleet. By the end of 1866, the Spanish fleet returned to Spain defeated in the eyes of the allied republics. The period that followed was one of diplomatic attempts to bring about a just peace. This was a time when the contest shifted to the arena of diplomacy, and the interest to the rivalry between England and France on one side and the United States on the other.¹

In January 1867 the representatives of England and

¹Evans, Chile and Its Relations, p. 93.

France presented to the government of Chile a proposal that they thought would bring peace. This proposal was supported by Spain, and the allied republics were excited about it. Covarrubias, after two weeks of conferences with Mariano Prado, the Peruvian minister, refused to accept their offer. Kilpatrick learned that the proposal was not rejected because of the terms presented, but because of the offensive manner in which it was presented by France and England. Kilpatrick said,

I believe the opportunity has arrived when we, by our friendly interference, can peacefully end this long and useless war, and win for ourselves the gratitude of all the belligerents.²

Kilpatrick believed that if the United States offered to end the war through mediation, that both Chile and Peru would accept the offer. No doubt, Kilpatrick wanted to place the prestige of the United States above either England or France.

Chile and Peru were asking for no indemnifications for losses resulting from the bombardments of Valparaiso and Callao. All they demanded was security for the future; they wanted the world to understand, and Spain to acknowledge, that it unjustifiably bombed undefended towns, and that arrangements were being made which would prevent the event in the future. They also demanded that Spain give up all pretensions to conquest. If these

²Despatches From Ministers to Chile, Kilpatrick to Seward, Jan. 2, 1867.

terms were agreeable, then Spain could send diplomats to the republics.³

Kilpatrick asked Seward to allow him to offer the good offices of the United States to the allied republics in an effort to bring about a peace. What Kilpatrick did not know was that two weeks before he wrote this letter to Seward, the House of Representatives passed a resolution which recommended that the friendly offices of the United States be offered to end the war in Latin America.

The mediation offer which the United States extended to the allied republics of Bolivia, Chile, Ecuador, and Peru requested each nation to appoint representatives to a conference which was to be held in Washington. Spain was also to send a representative to the conference, which was to be presided over by the president of the United States. If the representatives could not agree on when to meet, the president could designate a third party who could decide as arbiter the differences that existed between the representatives.⁴

It was through Kilpatrick that Seward extended this offer and Kilpatrick was also active in getting the nations of Latin America ready to proceed to the conference.

Spain accepted the offer in January 1867 but they had a reservation which was unacceptable to the United

³Ibid.

⁴Ibid., Kilpatrick to Seward, May 1, 1867. (Letter from Covarrubias to Kilpatrick, April 17, 1867.)

States. Spain wanted to know what questions were to be settled by arbitration, if arbitration was necessary.

Chile did not agree to attend the conference until April 1867. The acceptance of Chile was based on several conditions which they wanted Spain to accept. Covarrubias said Chile wanted Spain to admit that the bombardment of Valparaíso was an inexcusable act that merited severe reprobation. Chile also wanted Spain to admit that it was the only aggressor, and that Chile, Peru, Bolivia, and Ecuador were the injured parties. Chile contended that whatever the complaints that Spain had against Chile and Peru, that Spain did not exhaust all motives of diplomacy, nor did she respect the laws of internal right. Chile maintained that the occupation of the Chincha Islands and the blockade of Valparaíso were unnecessary acts by the Spanish and also contended that the Covadonga, the captured Spanish ship, would not be considered in the arbitration. Chile also maintained that it would not renounce the reparations that Spain owed them.⁵ Kilpatrick was dismayed by the Chilean proposal because he felt that these conditions would end any hopes the United States had for ending the war.

In June 1867 Seward told Kilpatrick that the Chilean offer had been presented to the Spanish government. Seward commended Kilpatrick for submitting the propositions to

⁵Ibid.

the Chileans. Seward also said that the Chilean proposal was being submitted to the Spanish government without comment; it was up to the Spanish government alone to determine if they would accept Chile's offer; if Spain agreed to Chile's conditions, Chile would be promptly notified when the news reached Kilpatrick; if Spain did not accept the conditions, then the United States proposal would be withdrawn; and, in any event, Kilpatrick was to express the desire of the United States for peace in that area of the world.⁶

By July 1867 there was no answer to Chile's proposal by the Spanish government and as a result, a fear arose in Chile that the Spanish would return to bombard Chile's ports again. When the Spanish fleet left Callao in 1866, many felt the problems were over because Spain had domestic and financial problems. Because of the lack of a quick reply from Spain, many Chileans thought that another expedition would be forthcoming in order to get the minds of the Spanish people from the failure of Queen Isabella II's policies. Chileans accepted this rumor as a fact and many merchants moved their goods from the warehouses. The country was preparing for war by strengthening the navy and by building new fortifications, but Kilpatrick said these preparations would not be sufficient if an attack did occur. The Chilean government, however, felt

⁶Diplomatic Instructions, Seward to Kilpatrick, June 11, 1867.

that the Spanish would not return. As a result, the domestic scene in Chile was one of unrest. The people were upset because of the government's apathy and they lost confidence in their government. A change in the government was unavoidable because of the unrest that resulted.⁷

Kilpatrick did try to dispel the belief that the Spanish were returning, but he was unable to do so. By August 1867 the Spanish had not returned to Chile, nor had they accepted the Chilean proposal. The belief that the Spanish were returning was still prevalent and naval fortification continued. There was a strong belief that Chile must solve the conflict alone because there were rumors that the United States mediation attempts had failed.⁸

On September 26, 1867, an important change took place in the Chilean cabinet. Alvaro Covarrubias was replaced as foreign minister by F. Vargas Fontecilla. There was hope for a quicker settlement of the war because Fontecilla was considered by many, including Kilpatrick, to be more lenient and more liberal in his views toward Spain than was Covarrubias. But change in the Chilean policy was considered unlikely because even though the ministers were changed, all other members of

⁷Despatches From Ministers to Chile, Kilpatrick to Seward, July 8, 1867.

⁸Ibid., Aug. 1, 1867.

the cabinet retained their jobs.⁹ Also, by this time, the domestic problems of Chile were less acute. There was less fear of a Spanish attack and all war preparations were suspended except for the fortification of Valparaiso.¹⁰

Late in 1867, Seward tried to find out why the Spanish had not replied to the Chilean proposal. He found that Chile's answer had not been presented to Spain. When Seward finally gave the Chilean response to the mediation, the Spanish answered. They would not agree to the modifications that Chile proposed for they felt the modifications were antagonistic to the proposal made by the United States for the settlement of the war. The Spanish left it up to the United States to determine when their attempts at peace were to stop. Kilpatrick asked the allied republics whether they desired to communicate to the United States in promoting a concurrence of views. If the republics said no, then the good offices of the United States were to be withdrawn.¹¹

In Peru, some unexpected events occurred which caused much concern in Chile. In October 1867 General Pedro Díaz Canseco issued a decree which declared all the acts of dictator, Colonel Mariano Ignacio Prado, null and void.¹²

⁹Ibid., Oct. 1, 1867.

¹⁰Ibid., Oct. 31, 1867.

¹¹Ibid., Jan. 15, 1868.

¹²Clements Markham, A History of Peru (New York: Greenwood Press, 1968), p. 365.

By January 1868 this decree was declared the law in Peru and there was evidence that Peru would repudiate her obligations to other governments causing a disruption of the alliance with Chile, Bolivia, and Ecuador. Peru also owed Chile for the cost of maintaining the Peruvian squadron during the Spanish difficulties.¹³

Kilpatrick hoped that the overthrow of Prado would not hamper the mediations of the United States. In March 1868 he became more optimistic because the difficulties between Chile and Peru were solved through the efforts of the revolutionary authorities in Peru who wished to preserve friendly relations with Chile and maintain the alliance against Spain. Because of the unsettled state of affairs in Peru, there was much to fear until the government was stabilized.¹⁴

Canseco assumed the office of president in Peru and he convened the electoral college for the election of a constitutional president, whose term of office was to begin on the second of August 1868. When the election was held, Colonel José Balta was elected to serve the remainder of Prado's term.¹⁵ The government stabilized in Peru, and the friendly relations that existed before Prado's ouster were resumed.

¹³Despatches From Ministers to Chile, Kilpatrick to Seward, Feb. 1, 1868.

¹⁴Ibid., March 16, 1868.

¹⁵Markham, A History of Peru, p. 365.

Seward hoped that an armistice would be signed because of the inconvenience the war was causing neutral nations. It was essentially a war on paper; no actions of violence had occurred since the bombardment of Callao.

In June 1868 Kilpatrick asked Fontecilla, the new Chilean foreign minister, if Chile would accept the proposal of an armistice to officially end the fighting. Fontecilla replied that Chile was anxious to make peace by means of an armistice, but the allies were an obstacle to this because a mutual agreement would be needed. Kilpatrick was disappointed with this reply, so he met with Fontecilla again on June 21 along with Alvin Hovey, the United States minister to Peru. Fontecilla stated that Chile wanted peace but there were many factors involved that only those closely related to the government could understand. Kilpatrick asked what these reservations were and also asked what kind of peace Chile desired. Fontecilla stated that the reservations were the natural results of Spain's cruel and unprovoked insults; that Chile had not forgotten them; that the Chilean government would encounter strong opposition if it did not hold Spain responsible for her actions; and that Chile was willing to accept an indefinite armistice which would settle the question and at the same time take from the opponents of his government the same power to injure that a definite peace would give them.

In July 1869 the new Secretary of State, Hamilton

Fish informed Kilpatrick that he received a letter from the Peruvian minister who was at a conference held in Lima, Peru in September 1868. He was told that all the Latin American republics had agreed to attend the conference proposed by the United States and that the Spanish were also in agreement with this proposal. Kilpatrick notified the Chilean government to send a representative to Washington on the fifteenth of January 1870 for the purpose of an armistice if not a definite peace.¹⁶

The Spanish minister to the United States, Don Mauricio López Roberts, notified the United States on October 23, 1869, that Spain would attend the conference and he hoped no conditions would be made by the Chilean government.¹⁷ In December 1869 when Mr. Amunateque, the new Chilean foreign minister, heard of the Spanish acceptance, he was pleased with the news. He told Kilpatrick that his government was ready for the conference, but that Peru and Bolivia had reconsidered. Kilpatrick maintained that if Chile accepts the proposal, then Peru and Bolivia would also. This was because Chile was considered the leader of the allied republics.¹⁸ Finally on December 31, 1869, Chile notified Kilpatrick

¹⁶Diplomatic Instructions, Fish to Kilpatrick, July 16, 1869.

¹⁷Ibid., Oct. 23, 1869.

¹⁸Despatches From Ministers to Chile, Kilpatrick to Fish, Dec. 16, 1869.

that they would send a diplomat to Washington to participate in the conference.

The conference was at first scheduled for January 15, 1870, but due to a Bolivian revolution and the delayed arrival of some diplomats, the first session was not held until October 29, 1870. Those who were present were: Don Manuel López Roberts, Minister from Spain; Colonel Don Manuel Freyre, Minister from Peru; D. Joaquín Godoy, Minister from Chile; and D. Antonio Flores, Minister from Ecuador. Secretary of State Fish presided over the meetings. The nations were urged to reach a satisfactory settlement for all parties.¹⁹

Finally on April 11, 1871, an armistice was signed but this was not the final peace. Chile still asked for reparations, and, therefore, no treaty of peace could be agreed on. Upon the suggestion of the United States, a separate peace was to be made by each of the allied powers with Spain. Spain signed first with Peru on April 14, 1879, with Bolivia on August 21, 1879, with Chile on June 12, 1883, and with Ecuador on January 28, 1885.²⁰

The successful mediation of the war between Spain and the allied republics by the United States was, as historian Henry C. Evans, Jr. said, "a triumph for the diplomacy of the northern republic and showed that it held

¹⁹Sherman, Relations of the United States and Chile, pp. 112-113.

²⁰Davis, The Last Conquistadores, p. 332.

a prestige which its consistent neutrality had not destroyed."²¹ By the start of the 1870's, the United States was highly regarded in Latin America because of their efforts to bring about peace. In Chile, Judson Kilpatrick was the one man most responsible for the successful conclusion of the negotiations. This was the result of Kilpatrick's continued efforts to initiate new proposals and because of his manner in keeping the diplomatic road open between the nations involved. Kilpatrick played a vital role in getting the allied republics and Chile to agree to the conferences.

²¹Evans, Chile and Its Relations, pp. 94-95.

CHAPTER IV

KILPATRICK: DOMESTIC PROBLEMS

Kilpatrick's time in Chile was not spent on foreign affairs alone. There were several problems that he had to face before he could fully concentrate on the foreign scene.

In June of 1866, because of an article which appeared in the New York Citizen, Kilpatrick was accused of being involved with a woman. He was said to have introduced this woman through consular agencies into private American and foreign families, thus making a notorious mistress the recognized companion, until discovered, of virtuous women. The article demanded Kilpatrick's dismissal as minister to Chile.¹ The article also made a remark about Kilpatrick's military record, claiming that it was a farce to all military men.

Kilpatrick was upset at this slanderous article and

¹Despatches From Ministers to Chile, Kilpatrick to Seward, Aug. 16, 1866.

he refuted every charge that was made against him. He maintained that he brought no woman to Chile but his mother-in-law, Mrs. Shailer. He mentioned that Mrs. Shailer met a Mrs. Williams, the wife of a United States Navy lieutenant, when they were traveling from the United States to Chile via Panama. Mrs. Williams became a friend of Mrs. Shailer and they parted in Panama where Mrs. Williams met her husband. Lieutenant Williams had to leave for San Francisco and he did not want to take his wife with him, nor did he want to leave her in Panama. Mrs. Shailer invited Mrs. Williams to travel with them to Valparaiso and then transfer to a ship for San Francisco. Kilpatrick, however, heard from a friend that Mrs. Williams had an unenviable reputation. As a result, Mrs. Williams was told she could not go to Valparaiso and she stayed in Panama when Kilpatrick and Mrs. Shailer left.²

Kilpatrick claimed to know who wrote the article because of one line in it. The article said Kilpatrick "told several men particularly the man he succeeded of his illegal dealings."³ Kilpatrick said that the author was his predecessor, Thomas Nelson. Kilpatrick claimed that Nelson was the author of this slanderous article and stated that Nelson's character was that of a defamer, whom no man or woman in Chile would believe for one moment. He stated

²Ibid., July 31, 1866.

³Ibid., Aug. 16, 1866.

that the remarks were false, that they were being made by personal and political enemies, and that the people in Chile should know that he was not capable of committing such acts.⁴ Kilpatrick offered to submit to a complete investigation with the results to be made public if Seward felt this necessary.⁵ Kilpatrick was notified by Seward in October 1866 that the State Department was satisfied with his statements and they were gratified that the charges had been proved to be groundless.⁶

The Tucker Affair

In July 1866 Captain John R. Tucker, a former United States naval officer, became a Rear Admiral in the Peruvian fleet. The difficulty began when Captain Francis Stanley, the commander of the United States naval ship, Tuscarora, was called by Admiral Tucker aboard his ship. Stanley claimed that he approached Tucker in the usual manner of respect and, as an acquaintance, raised his cap, extended his hand, and introduced himself to Tucker. Tucker, he claimed, slowly extended his hand to shake with Stanley, but stood in the leaning position in which Stanley had first met him. Stanley told him that Commander Lizardo Montero, who headed the Peruvian Squadron, would not

⁴Ibid. Also Despatches From United States Consuls in Valparaiso, 1812-1906. A. W. Clark to Seward, July 30, 1866.

⁵Ibid.

⁶Diplomatic Instructions, Seward to Kilpatrick, Oct. 3, 1866.

approve of his conduct and asked to be allowed to place his gig at Tucker's service. Tucker told him that he had taken other measures, which angered Stanley who then left the ship.⁷

Kilpatrick, when he saw Stanley just after the incident, told Stanley that he was accidentally introduced to Tucker and that a friend of his told him that Admiral Tucker had treated him rudely because Stanley should have fought with the South in the Civil War. Commander Ridgely told Stanley when he returned after a visit with Tucker that the Admiral told him he had no intercourse with Stanley, because Stanley was from the South: Ridgely said he was from the South also, but Tucker said, "You are from Kentucky and that state did not secede, Captain Stanley is from North Carolina and ought to have gone with his state."⁸

When Admiral George F. Pearson heard of this incident, he suspended all courtesies to the Peruvian navy. This caused much dissension between the United States and the Republic of Peru for about six months. The efforts for peace were delayed because of the desire of the two governments to settle this disagreement. Rear Admiral John A. Dahlgren, who succeeded Pearson, was instrumental in bringing this incident into the open. Dahlgren visited

⁷Letters Received By Secretary of the Navy From Commanding Officers of Pacific Squadron, 1841-1886. Stanley to Pearson, Oct. 16, 1866.

⁸Ibid., Dahlgren to Welles, Dec. 27, 1866.

the United States minister in Lima, Peru on December 25, 1866, where he disclosed that he believed that the conduct of Tucker was unacceptable. He said,

An officer on duty can not be divested of his official character, his acts were public and official. Unless otherwise instructed, I can never consent that the uniform of the United States shall be exposed to the caprices of foreign officers to which it would be liable if ignored as a public insignia.⁹

By February 1867 Dahlgren wrote a letter to the minister to Peru in which he suggested that the question involving Tucker and Stanley should be left up to the two governments and should not be complicated, as it was, by the independent action of Peru. Dahlgren suggested that the offensive order be withdrawn and the original question as to the status and conduct of Admiral Tucker be preserved distinct from all others.¹⁰

The Peruvian government in the entire case maintained that the conduct of Tucker was entirely personal, and that he was to all intents and purposes a Peruvian officer, therefore in speaking of salutes withheld, the minister of foreign affairs will only treat it as a slight to the Peruvian flag.

The State Department disallowed the belief that this was a question of personal character. Seward in

⁹Ibid., Feb. 19, 1867.

¹⁰Ibid. The offensive order mentioned by Dahlgren was Tucker's order to suspend all courtesies with United States fleets.

November 28, 1866, told the Peruvian minister in Washington,

It is hoped that the bearing of Admiral Tucker towards Captain Stanley will be discountenanced by the government of Peru and that Tucker will be required to make the proper apologies for his conduct.¹¹

As of February 1867 there was no apology from Tucker, and Dahlgren concluded that Tucker thought that this was a personal affair and it was not to be treated as official.

On February 19, 1867, the Peruvian government in a letter from the minister of foreign affairs, acknowledged the conduct of Tucker. It was this letter that was suppose to supply the apology asked for by the State Department, but that was not the case. The apology was not given because the Peruvian government regarded Admiral Tucker's actions as unofficial.

J. C. D. Barrenchia, the Peruvian minister to the United States, condemned the actions of Pearson, who suspended the exchange of courtesies with the Peruvian fleet. He argued that the event took place on board a merchant vessel even before Tucker had assumed control over the Peruvian squadron. Barrenchia said that Prado, the Peruvian president, hoped that the affair was of a personal nature and would not harm the relations between the two nations.¹²

¹¹Ibid.

¹²Letters From Pacific Squadron, Dahlgren to Welles, Feb. 19, 1867.

Kilpatrick wrote a letter to Dahlgren urging him to stop the pressures he had put on the Peruvian government because Kilpatrick felt the disagreement would harm the United States mediation attempt in the war against Spain. Kilpatrick expressed the belief that the allies would accept the American offer, but this situation might prevent it from occurring.

Kilpatrick saw the situation differently than Dahlgren did. Kilpatrick spoke with Stanley, and, after their meeting, he wrote Dahlgren and told him his side of the story. Kilpatrick said that when Tucker arrived in the Bay of Valparaiso, Stanley had called upon him unofficially on board the English mail steamer. Tucker was on the boat in citizens dress, occupying no official character whatever, when Stanley spoke to him and compliments were exchanged between them. Admiral Tucker's manners were frigidly polite during their meeting. Stanley told Tucker that he was going to give him some information on how he was to be received by the Peruvian fleets. Tucker replied that he understood the whole matter and had taken his measures. Captain Stanley regarded Tucker's reply as a rebuff and he immediately left the ship. Kilpatrick observed that Tucker's behavior was somewhat foolish, but he said it was not of official nature because Tucker was at that time simply a passenger on an English vessel, not in uniform; and he did not assume command of the squadron until two months later. Kilpatrick also

said that although he despised an unpardoned rebel, he did not consider this the opportunity for the exercise of such feelings.¹³

Kilpatrick demanded that Dahlgren restore relations between the two nations as they were before the incident, and that all courtesies be extended to the Peruvian fleet. Dahlgren disagreed with Kilpatrick's conclusions and he assured the Peruvian government that the matter in question concerned Tucker alone and it would be kept as distinct as possible from the attentions due their flag.¹⁴

Dahlgren was criticized by Hovey for his stand against Tucker. Hovey said Tucker was called a criminal because he took up arms against the United States. Hovey disagreed with this because he said Tucker had never been tried or sentenced for his treason. Second, if Tucker were convicted, as long as he wore the uniform of a Peruvian Admiral, he would be entitled to all the rights and courtesies of his position. Third, the United States had no treaty with Peru. Fourth, Hovey said in giving salutes, you do not salute the man but the office which he holds. Tucker erred with Stanley on this point, he remembered the man and forgot the office.¹⁵

¹³Despatches From Ministers to Chile, Kilpatrick to Seward, Feb. 16, 1867. (Letter from Kilpatrick to Dahlgren, Feb. 15, 1867.)

¹⁴Letters From Pacific Squadron, Dahlgren to Welles, Feb. 26, 1867.

¹⁵Ibid., March 12, 1867.

Dahlgren responded to Hovey's comments by defending his views on the case. First, the government of Peru found it convenient to make use of the services of an American citizen, who had committed one of the greatest offenses known, treason to his country. He had left the United States without the permission of its authorities. Tucker was excluded from the general pardon of the United States president because of doing so. Second, Tucker who was clothed in high rank by the Peruvian government was visited by Stanley and rudely repelled the courtesies tendered by Stanley. Third, the government of the United States hoped that Tucker would make an apology for his conduct. Fourth, in the conduct of things, the usual courtesies which would have been paid for a bona fide Peruvian officer, who had not refused them, were withheld by a United States ship of war duly authorized to do so. Fifth, Admiral Tucker issued an order suspending all courtesies to the United States officers on the part of Peruvian officers, though he committed the first act of the kind. The question stood to be settled by the concurrence of both governments.¹⁶

This situation worsened among Americans involved when Dahlgren told Kilpatrick that he could not see why Chile was aggrieved at the course pursued by the United States in the Tucker-Stanley affair. He said it seemed

¹⁶Ibid.

possible that Chile would so far exceed in measure the sentiments of Peru as to decline the friendly offices of the United States in mediation with Spain.¹⁷

This situation came to an abrupt halt when Tucker gave his resignation to Prado on March 15, 1867.¹⁸ No reason was given concerning the resignation, but it must have been a combination of factors. The United States was putting pressure on Peru to offer apologies; the mediation for peace between Spain and the allied republics was endangered; and the government of Peru was dissatisfied with the efforts of Tucker, whose appointment caused much concern in Peru.

The Trumbull Affair

The so-called Trumbull affair was another case that Kilpatrick devoted much attention to when minister to Chile. Although this affair had nothing to do with the mediation offer, Kilpatrick had to put much time into this affair which prohibited him from concentrating on foreign affairs.

The first charges, during Kilpatrick's stay in Chile, against David S. Trumbull, the United States Consul at Talcahuano, were brought up by Captain Stanley. In a letter to Kilpatrick, Stanley mentioned that

¹⁷Ibid., Dahlgren to Kilpatrick, March 15, 1867.

¹⁸Ibid. (Tucker to Prado, March 15, 1867.)

several members of the crew of the American steamer Cherokee, which was sold to Chile and became the Chilean man of war, Anceid, complained that Trumbull boarded the Cherokee and said that the Tuscarora, which Stanley commanded, was in search of her to capture. When the Cherokee was captured, then it would be sold to Chile. The crew of the Cherokee was disbanded in the port of Coronel. Stanley saw no reason for such a false statement other than for Trumbull's own benefit or personal gain.¹⁹

When Kilpatrick learned of Stanley's complaint about Trumbull, he was at first undecided about what to do. But when other charges were brought against Trumbull, Kilpatrick began to investigate. First, Kilpatrick looked at the previous investigation which was conducted by Thomas Nelson, his predecessor. Nelson had the same complaints against Trumbull, but he cleared Trumbull in his investigation. Kilpatrick believed that Nelson's investigation was not an impartial one. The allegations referred to were similar in many cases to the ones investigated by Nelson. There was the fraudulent exaction of money from United States citizens for official services; the neglect and malpractice to which American seamen became exposed to in the hospital; the manner in which the hospital was managed for the benefit of the Consul; and

¹⁹Despatches From Ministers to Chile, Kilpatrick to Seward, Nov. 1, 1866. (Letter from Stanley to Kilpatrick, Oct. 13, 1866.)

the swindling and extortion practiced against American ship captains and their crews that visited Talcahuano. Kilpatrick believed that had Nelson conducted the investigation with disinterested persons, he would have judged differently, and that the same practices were also occurring now. Kilpatrick found out that Trumbull had recently detained an American vessel under false pretenses for the purpose of causing great expense for the owners. He discharged the crews of the ships without issuing discharge papers or trying to help these men seek passage to another American ship or port. The hospital irregularities were noticeable, although the testimony of the defense in the Nelson investigation refuted the charges on that subject. Kilpatrick maintained that the said testimony lost its value when one considered that the principle witnesses upon Trumbull's behalf were Dr. Burton, Hospital Surgeon, brother-in-law and partner of Mr. Trumbull in the ship chandelier business; the Hospital Steward, who was implicated in the dishonest practices; Mr. Crosby, the Consul's father-in-law; and a number of inmates of the hospital, who were suspected of being brainwashed by the managers of the hospital.²⁰

These charges by Kilpatrick seemed to be valid except for the last one. Who must be responsible for the brain-

²⁰Ibid., Nov. 1, 1866.

washing of these men? Kilpatrick must be criticized for listing a charge which he could not defend. Saying that these men were brainwashed is only a speculation, while all the other charges were proven.

Kilpatrick called the Consul at Talcahuano, the worst one of the Pacific coast, and said that a thorough investigation would result in evidence of fraud and injustice. The facts that were presented are well known by all the major merchants, commercial men in Chile, and shippers of New Bedford, New London, and other ports. Kilpatrick asked Seward for an investigation of such actions.²¹

Seward authorized Kilpatrick to investigate each consulate that complaints were registered against and to check each allegation. Mr. Trumbull was suspended, pending an investigation of his actions, but he was allowed the right of self defense.²²

On December 20, 1866, Trumbull wrote a letter to Seward in which he refuted Kilpatrick's statements. He said that Kilpatrick was talking like an accuser, not like a judge. He claimed that Kilpatrick had never been in Talcahuano before and he could not know what kind of consulate it was. Trumbull said that Kilpatrick's

²¹Ibid.

²²Diplomatic Instructions, Seward to Kilpatrick, Dec. 8, 1866.

statements were hasty and the statements were untrue.²³

Trumbull gave an example of Kilpatrick's hasty judgements. Trumbull said because a \$1,000 was taken from the Cherokee on the discharge of the crew, the hasty conclusion was made that the \$700 in additional drawn for the quarter ending October 1, 1866, must have been excess. Trumbull maintained that out of that \$1,000, one-third was insured to the benefit of the United States, and the remaining two-thirds belonged to the seamen. He asked if a hospital bill of (\$700 plus \$333) ten hundred and thirty-three dollars for a quarter was too excessive?

Trumbull also attacked Kilpatrick's attempts to invalidate the conclusions made by Mr. Nelson on the same charges which were repeated. Trumbull said Kilpatrick observed that Mr. Crosby was his father-in-law, and he was one of the principle witnesses in Nelson's investigation. Trumbull claimed that this was an inaccurate statement because his father-in-law was dead years before he became Consul at Talcahuano. He also said that Mr. Crosby was not his father-in-law and that he was not related to him in any way.²⁴

Thomas Nelson also wrote Seward that Trumbull was exonerated of all charges during his investigation. He

²³Despatches From United States Consuls in Talcahuano, Chile, 1836-1895. Trumbull to Seward, Dec. 20, 1866.

²⁴Ibid.

asked Seward to check the records of the investigation that he held in May 1864. Nelson said,

Mr. Trumbull is a well educated gentleman of unimpeachable integrity and the highest qualifications for the position he occupies. I do not believe that the government has a more faithful and competent consul in any part of the world. A thorough and impartial investigation of any charges of misconduct will, I am sure [find him innocent.]²⁵

In February 1867 Kilpatrick conducted his investigation of the consulate at Talcahuano. On February 15, after two weeks of investigating the affairs of Trumbull, Kilpatrick made some conclusions. First, in connection with the Cherokee, Dr. Trumbull did not circulate reports as Captain Stanley mentioned, but he did, in collusion with the captain of the Cherokee, induce by false statements the crew of the Cherokee to receive their wages and three months extra pay. He also refused to give them their proper discharge papers.

Second, there were more men carried upon the hospital books than had ever been in the hospital, and the United States government had been charged for their maintenance.

Third, after men were discharged from the hospital, their names continued to remain on the consulate books.

Fourth, Dr. Burton the hospital physician, had neglected the care of his patients. He never attended to the small pox patients, leaving all the men under

²⁵Ibid. (Letter from Nelson to Seward, Dec. 14, 1866.)

the eye of the hospital steward.

Last, the Consul had deteriorated so that it had become almost uninhabitable. Little effort was being made to see that the sick seamen got suitable accommodations.²⁶

Trumbull defended himself against the charges that Kilpatrick submitted to Seward. First, Trumbull claimed that William Wilson, an American, told him that he was the owner of the Cherokee and that the ship had been sold to Chile. Trumbull said he was protecting the rights of the seamen by telling them they could get their discharge there. He claimed that he never said the Tuscarora was after the Cherokee.

Second, Trumbull answered the second and third charges against him concerning the maintenance of the books of the Consul by saying that the men were in boarding houses when not in the hospital and they received medical attention there. He claimed that this practice still prevailed in Valparaiso.

Third, Trumbull defended Dr. Burton by saying that he did not visit the hospital daily, but his visits were in regular intervals and that the patients could not claim neglect. The small pox patients were under the able care of the hospital steward.

²⁶Despatches From Ministers to Chile, Kilpatrick to Seward, Feb. 15, 1867.

Finally, Trumbull admitted that the hospital was in bad shape, but he claimed that the city prevented them from moving into newer buildings inside the city. Trumbull concluded his defense by saying,

I can not feel that I have willfully or knowingly wronged the government I represent. Errors may have occurred, irregularities may have been committed, if they are not criminal, and I know they have not been intentionally so. I can only ask they may be overlooked and excused.²⁷

Trumbull claimed that the consulate at Valparaiso was also retaining names of patients on record after they left the hospital. When questioned about this allegation by Trumbull, A. W. Clark, the United States Consul there, said that it was not the policy of his consulate, especially since he took over, to keep names of hospital patients on records longer than the person was there.²⁸

Kilpatrick inspected the consulate at Valparaiso several times and each time he found it clear of complaints. The hospital was always clean and comfortable; there was plenty of food and clothing; and Dr. Page did all he could for his patients. Kilpatrick called this consulate one of the most economical on the Pacific coast and even in the world. He had high praise for the efforts of Clark because of his desire to cut down

²⁷Ibid. (Letter from Trumbull to Kilpatrick, Feb. 1, 1867.)

²⁸Ibid. (Letter from A. W. Clark to Kilpatrick, Feb. 15, 1867.)

expenses, and his manner in operating the consulate.²⁹

Kilpatrick concluded his investigation by recommending that Dr. Trumbull be dismissed because he has proved himself to be unworthy to hold such a high post. Kilpatrick recommended that a suitable person be appointed for the job and he disclosed that he had several recommendations for people to take the post. He also asked that the port of Tome, located across from Talcahuano, be made vice-consulate because of the large amount of American business there.

After the settlement of the diplomatic scandal, the Tucker affair, and the Trumbull affair, Kilpatrick concentrated on the mediation offer of the United States. There was one time when Kilpatrick had to ask for a leave of absence. In 1868 his sister died and since his sister stayed with his mother, who was seventy years old, Kilpatrick asked for a leave to go home and settle things there. Kilpatrick was absent from August 1868 until June 1869 where he helped campaign for the election of Ulysses S. Grant to the presidency of the United States.

Commercial Interests of United States in Chile

Kilpatrick expressed concern over the economic aspects of trade between the United States and Chile. Kilpatrick was always impressed by the resources of Chile and he

²⁹Ibid., Aug. 17, 1867.

imagined how vital these resources would be if used in developing Chile and also creating trade with the United States. American goods were not as well-known in Chile as those from Europe, particularly Great Britain. The American reaper, although not equal to the one made in England, was sought after by Chileans. The American agent in Chile who sold the reapers, told Kilpatrick that he had over \$200,000 worth of orders for the reaper. Many articles that Kilpatrick brought to Chile like furniture and carriages, were always being requested by Chileans. In order to get the United States involved economically with Chile, Kilpatrick repeatedly used his influence as a minister to encourage the importation of American goods into Chile.³⁰ Kilpatrick's efforts in promoting trade between the United States and Chile were acknowledged by the State Department. The State Department felt because of political and geographical similarities that the United States and Latin America should be closer connected by economics.

Settlement of Claims

In 1869 Fish asked Kilpatrick to prosecute the claims of the Good Return, which had not been settled for three decades. The Good Return was an American whaling vessel which on May 31, 1832, along with the Franklin,

³⁰Ibid., Kilpatrick to Fish, Oct. 10, 1869.

were seized by Chilean authorities in the port of Talcahuano on charges of smuggling. They were also charged of having tobacco and liquor on board with the intent to smuggle.³¹

While the Franklin case was settled in 1855, the Good Return was never settled. It was allowed to go unprocessed until 1869, when Fish told Kilpatrick to press the claim. Seward had asked Kilpatrick to press all the claims the United States had against Chile back in 1867, but due to the efforts of the United States to mediate the war that existed between Spain and the allied republics, Kilpatrick rightfully refused to do so. He feared that if the claims were pressed, that the peace efforts would fail.³² In 1869 Kilpatrick still feared that if the claims were pressed, that it would be harmful, but he did inform the Chilean government of the claims. The Chilean government told Kilpatrick to bring out all the claims that the United States had against Chile and they disclosed the desire to compromise on the Good Return case.

On December 10, 1869, Kilpatrick gave the Chilean government several claims that needed to be pressed. Along with the Good Return, there was the claim of Charles

³¹ Sherman, Relations of the United States and Chile, p. 29.

³² Despatches From Ministers to Chile, Kilpatrick to Seward, Feb. 16, 1867.

T. Rutan for \$2,000 resulting from destruction of property by officers of the Chilean government during the Revolution of 1859. Second, the case of Alexander Campbell, who commanded the Brig Nayene, for outrages committed against him in the Port of Tome in April, 1868.³³

It was not until after Kilpatrick left Chile that any of the above claims were settled. The Good Return claim was finally settled in 1874 when due to the efforts of Joseph R. Root and Cornelius A. Logan, Chile paid \$20,000 to settle the claim.³⁴

On May 9, 1870, Kilpatrick submitted his resignation as minister to Chile due to bad health. He had a disease of the neck which caused him to lose his voice.³⁵ When the attack got worse, Kilpatrick immediately left Valparaíso for New York City where in September 1870, he successfully underwent a serious operation.

³³Despatches From Ministers to Chile, Kilpatrick to Seward, Feb. 16, 1867.

³⁴Ibid., Kilpatrick to Fish, Dec. 10, 1869.

³⁵Sherman, Relations of the United States and Chile, p. 114.

CHAPTER V
KILPATRICK: BACK IN THE UNITED
STATES, 1870-1881

After the successful operation on his neck in December 1870 Judson Kilpatrick returned to politics in the United States. He joined the Democratic Party and supported the nomination of Horace Greeley, whom he considered to be the man who would do something for his country rather than gain personal aggrandisement.¹ Kilpatrick criticized Ulysses S. Grant, the Republican nominee, for claiming that he was the man most responsible for the ending of the Civil War, for he felt that many other generals had done more good for the country than Grant had.²

Many people came to hear Kilpatrick's speeches

¹"The Tammany Candidate, Gathering of Greeley's Friends at the Cooper Institute," New York Times, June 4, 1872, p. 8.

²Ibid.

which were merely attacks on General Grant. In one speech, Kilpatrick said that Grant was one who used "to peddle cord-wood, and it is still an open question whether he used to bring back the proceeds of his sales to his wife and family, or spend it all in drinking."³

Kilpatrick gave another speech in which he talked about the love and veneration he had for Greeley's white hat and coat. He promised that one day everyone would meet at the White House with Greeley, and on that day, Greeley would wear his white hat and coat and tell them all he knew about good government.⁴

When Kilpatrick became disillusioned with the Democratic Party, he rejoined the Republican Party in 1874. He was disturbed by the disorders occurring in the reconstructed South. The revival of the old secession spirit was criticized by Kilpatrick. At this time, Kilpatrick returned to the lecture circuit, and almost always after his speeches, Kilpatrick was applauded vigorously.⁵

Kilpatrick always admired General Sherman, and he wrote several articles in the New York Times in which

³"Kilpatrick, The Libel One," New York Times, Aug. 7, 1872, p. 5.

⁴"Judson Kilpatrick Makes Another Attack Upon Grant," New York Times, Aug. 15, 1872, p. 4.

⁵"General Kilpatrick's Return to the Republican Party," New York Times, Oct. 13, 1874, p. 5.

he supported Sherman's version of his march to the sea. Sherman was criticized by General J. H. Wilson and Mr. H. V. Boynton for mistakes he made during his march.⁶

In the presidential election of 1876, Kilpatrick supported the nomination of Rutherford B. Hayes and was critical of the Democratic nominee, Samuel J. Tilden, whom he considered a coward for his refusal to fight during the Civil War. Kilpatrick supported Hayes because he was a hard fighter and believed in the principles of democracy.⁷

When Hayes successfully won the election, Kilpatrick was curious as to why the state of North Carolina went for Tilden and made the accusation that the election was fraudulently conducted. As a result, he came to North Carolina to count the votes for Hayes.⁸ He accused the Democratic Party in North Carolina of refusing to allow

⁶"Sherman's Memoirs," New York Times, Dec. 28, 1875, p. 5, and Ibid., Dec. 29, 1875, p. 4. Sherman was criticized for the following errors: First, in conducting his army through the swamps of Chickasaw; Second, he failed to perform his duty at Missionary Ridge in Tennessee; Third, for the failure to capture Johnston's army at Dalton, Georgia; Fourth, for incapacity at the battle of Atlanta; Fifth, for carelessness in allowing Hardee to escape from Savannah, Georgia; and Sixth, for incapacity and carelessness at the battle of Bentonville, North Carolina. Both claimed that Sherman had nothing to do with the originating of the march to the sea. Kilpatrick, who was at all the places except Missionary Ridge, defended Sherman's actions.

⁷"Republican Rally-Mass Meeting at Cooper Union," New York Times, July 13, 1876, p. 2.

⁸J. G. De Roulhac Hamilton, Reconstruction in North Carolina (New York: Columbia Univ. Press, 1914), pp. 653-654.

Republican supporters, particularly the Negroes, to vote.⁹

After the election of 1876, Kilpatrick returned to his home in New Jersey where he concentrated on farming and local politics. He was credited with growing oversized crops on his farm. He had some stalks of Shouan oats six feet, ten inches high, and some Clauson white wheat at five feet, eleven inches. He claimed to have six acres of wheat and twenty acres of oats just like the ones mentioned above.¹⁰

In 1880 Kilpatrick was offered the post of Governor of the Washington territory because of his service to his country and to the Republican Party. He refused this post because he felt that he would be of more service to the Republican Party in New Jersey and the nation if he stayed.¹¹ Kilpatrick wanted to run for Governor of New Jersey, but he failed to gain the nomination of the Republican Party. In the presidential election of 1880, Kilpatrick supported the nomination of James A. Garfield.

Because of his efforts on behalf of Garfield, and his lack of employment, Kilpatrick was appointed as the United States minister to Chile in 1881.

⁹"Democratic Methods Exposed," New York Times, Nov. 13, 1876, p. 1.

¹⁰"Tall Grain From General Kilpatrick's Farm," New York Times, July 10, 1878, p. 5.

¹¹"A Compliment to Kilpatrick," New York Times, May 10, 1880, p. 5.

CHAPTER VI

KILPATRICK: WAR OF THE PACIFIC

General Hugh Judson Kilpatrick arrived in Santiago, Chile late in April 1881. He was immediately faced with the War of the Pacific, which had begun in 1878. Following the instructions of Secretary of State, James G. Blaine, Kilpatrick tried to bring a settlement in this war like he did in the war between Spain and the allied republics back in 1866.

Background History

When the Spanish left Latin America following the revolutions, the Latin American nations agreed that the colonial frontiers of 1810 should be the boundaries between them. This agreement led to future quarrels between nations, especially when the disputed land was found to have valuable minerals. This was the case with the province of Antofagasta which was claimed by both Chile and Bolivia.

Antofagasta touched the northern boundary of Chile at the 25th parallel and extended to the 23rd parallel. The province was important to Bolivia because it was her only outlet to the Pacific Ocean. North of Antofagasta was the Peruvian district of Tarapacá, which was rich in nitrate. North of Tarapacá were two other Peruvian provinces Tacna and Arica, which in 1870 were not considered important nitrate fields. No one knew of the minerals existing there. It was over these areas that the War of the Pacific was fought and the Tacna-Arica dispute evolved.

In 1866 when Bolivia joined Chile in the war against Spain, both nations agreed to jointly hold Antofagasta and they would split equally the export taxes of the province. Bolivia had the upper half and Chile the lower. When Chilean businessmen, backed by British funds, established themselves in the whole province, problems arose. As a result, in 1874, a treaty was signed between both nations which said that duties on the export of nitrates would never be raised.

At the same time, the Chileans pushed their influence into Tarapacá. After the revolutions in 1873, Tarapacá's nitrate fields were made into a Peruvian state monopoly. All mineral deposits in Tarapacá were then mortgaged to European purchasers of Peruvian stock. While trouble was foreseen, Peru made a military alliance with Bolivia in 1873, stating that if one country was attacked, the other

would provide military aid.

In 1878 the war broke out. The Bolivian Congress ratified a concession given four years before to a Chilean nitrate company. This ratification was based on the condition that the company would pay an additional tax to the Bolivian government. When it refused to do so, its property was confiscated, and Chile declared war on Bolivia. When Peru tried mediation and failed, Chile declared war on Peru also in April 1879.

The Chilean army, although smaller than the combined armies of Peru and Bolivia, was better organized, and therefore they attacked before the others were prepared. Within a year, Chile was victorious in all her engagements, and by July 1881 Chile had won the war and all fighting stopped. Chile had control of Antofagasta and Tarapacá.

There were attempts of mediation during this period. The European corporations had lost heavily in the conflict, especially those of Great Britain, France and Germany. These three nations began to seek a solution to the war, but without the efforts of the United States, it was useless. The Hayes administration was against European intervention, and it did not want to offer mediation along with Europe. As a result, the United States attempted to seek a solution alone.

There was one problem in the mediation: there was much hatred among Peru, Chile and Bolivia. This made any reasonable peace offers by the United States to be

desired. This was one of the hardest mediations ever attempted by the United States. Much depended on the ministers, their character, and, their desire to bring about peace.

The American mediation was hampered by the type of men who were ministers in Latin America. The first serious attempt of mediation by the United States was carried out by two Hayes appointees. Judge Newton Pettis, the minister to Bolivia, although unauthorized to do so, went to Chile. He found out that Chile would not give up any of its conquests.

The other was Judge Isaac Christiancy, the minister to Peru, who held the Arica Conference in 1880. Christiancy felt that Chile would not insist on taking over the nitrate fields, but when the conference began, he was proved wrong. Thomas Osborn, the minister to Chile, first disappointed the Latin American nations by claiming that the United States was to preside, but would not take part in the discussions. As a result, Chile demanded the cession of the conquered territory and repeatedly refused to consider other peace offers. The conference was a failure.

Chile never stopped military operations completely. Just before the conference was held, she took over Tacna and Arica and her navy successfully blockaded the Peruvian coastline. A Chilean force under Admiral Patricio Lynch captured, Lima, the capital of Peru in early 1881. The

Peruvian president Nicolás de Piérola left Peru, and Chile attempted to establish a government which would be more lenient to Chile and would concede Tarapacá to Chile. A new government under Francisco García Calderón was chosen, but there was doubt as to whether this government would be supported by the people of Peru.

Christiandy refused to recognize the Calderón government because he considered the Piérola government to be the legitimate government in Peru. When the United States changed administrations, a new Secretary of State, James G. Blaine came onto the scene. Just before Christiandy left Peru, he recognized the Calderón government, which was to cause problems for the United States.¹

Blaine's Latin American Policy

Blaine initiated a new policy for the War of the Pacific. It has been labeled pugilistic diplomacy by many observers because of its aggressiveness.² Blaine was very much interested in Latin America, but he was concerned with the lack of American trade there.³

¹Evans, Chile and Its Relations, pp. 97-105. For more information concerning the events leading up to the start of the War of the Pacific, see Don Ganzalo Bulnes, Chile and Peru, the Causes of the War of 1879 (Santiago: Imprenta Universitaria, 1920).

²Herbert Millington, American Diplomacy and the War of the Pacific (New York: Columbia University Press, 1948), p. 82.

³The Chilean economy had grown greatly since the

was determined to build up our trade with Latin America so it would rival that of the European nations, especially Great Britain. Blaine felt the only way to achieve this was to create a union of American republics, which was to be controlled by the United States. The aim of the union was to preserve peace in all of the Western Hemisphere.⁴ The only thing which prevented the establishment of this union was the War of the Pacific, on which Blaine concentrated most of his energies. Unfortunately for Chile, and also for Kilpatrick, Blaine adopted a policy which was anti-Chilean.

Blaine chose two men to become the ministers to Chile and Peru. Although these two appointments were political in nature, because of the pressures put on the new Republican administration resulting from the

period of the Spanish bombardment of Valparaiso. The national income had risen from \$9,000,000 in 1866 to \$32,500,000 in 1888. Its national debt was at \$84,000,000 by 1888. The foreign commerce had grown from \$40,000,000 in 1852 to \$100,000,000 in 1888. The United States trade in this time period was very small. In 1860 and in 1888, the total United States trade in Chile was \$4,000,000, which was a drop from ten per cent to four per cent of the total Chilean commerce during the period. Sherman, Relations of the United States and Chile, pp. 192-193.

⁴Evans, Chile and Its Relations, p. 106. For more information of Blaine's policy in Latin America, see Russell H. Bastert, "A New Approach to the Origins of Blaine's Pan American Policy," Hispanic American Historical Review, XXXIX (August, 1959), 376-380. Bastert was Blaine's Pan American policy in 1881 as one which was politically astute than diplomatically wise.

withdrawal of Union forces from the South, the two men had no experience in the diplomatic field. Both had experience in Latin America before this time, but later events were to show that they were poor choices for the ministerial positions.

Blaine selected Stephen A. Hurlbut, a former minister to Colombia, as his minister to Peru and sent General Judson Kilpatrick to Chile.

Kilpatrick vs. Hurlbut

Both men were given instructions by Blaine on the new policy of the United States. Kilpatrick was told to encourage Chile to give assistance to Peru in establishing a government to replace the Piérola government which collapsed; to urge Chile to begin peace negotiations which would not allow a cession of territory; and to discourage European intervention in the settlement. Kilpatrick was told to show that the United States recognized the right of indemnity, etc., but not the right of conquest.⁵

Hurlbut was given similar instructions by Blaine.

As far as the influence of the United States will go in Chile, it will be exerted to induce the Chilean government to consent that the question of the cession of territory should be the subject of negotiation and not the conditions

⁵Diplomatic Instructions, Blaine to Kilpatrick, June 15, 1881, and Sherman, Relations of the United States and Chile, p. 128.

precedent upon which alone negotiations shall commence.⁶

Hurlbut was to also give moral support to the new Peruvian government, which was the Calderón government, and he was notified that as Chile had disclaimed intent of conquest, Peru might reasonably offer an indemnity before submitting to the demands for territory cessions.⁷

When Kilpatrick arrived in Chile, he met with S. Aldunate, a close friend of the newly elected Chilean president, Santa María, and they discussed the existing problems. Aldunate told Kilpatrick that Chile would support the Calderón government, would not seek forcible annexation of territory unless all diplomatic negotiations failed, and would not allow European intervention.⁸ These statements by Aldunate were the exact same principles that were mentioned in Kilpatrick's instructions from Blaine.

It was at this time that Hurlbut began to violate his instructions from Blaine. First, he issued the Lynch Memorandum. In this memorandum, which was given to the head of the Chilean forces in Peru, Patricio Lynch, Hurlbut let it be known that the United States would not allow

⁶U.S., State Department, Foreign Relations of the United States, 1881 (New York: Kraus Reprint Corp., 1965), p. 500.

⁷Ibid.

⁸Despatches From Ministers to Chile, Kilpatrick to Blaine, Aug. 2, 1881.

Chile to permanently annex any Peruvian territory and he mentioned that the United States might intervene to prevent the annexation if necessary. Hurlbut said that the United States felt that Chile ought to allow Peru to offer indemnity for the land. He said that any Chilean takeover of land belonging to Peru would be considered an act of aggression.⁹

Why did Hurlbut overstep his instructions? Sherman claimed that Hurlbut was anxious to make Peru a protectorate of the United States in order to prevent the annexation and said that Hurlbut may have been involved either personally or financially with certain nitrate companies which had a large stake in Peru.¹⁰

When Hurlbut assured Calderón that the United States

⁹Foreign Relations, 1881, pp. 927-928. See also Bastert, "A New Approach to the Origins," pp. 400-401. Evans, Chile and Its Relations, pp. 108-110.

¹⁰Sherman, Relations of the United States and Chile, pp. 130-132. Sherman was referring to the belief that both Hurlbut and Blaine were involved with nitrate company claims. The claims were on land that Chile had taken from Peru, which caused much suspicion. The companies involved were the American Nitrate Company and the Crédit Industriel. The problem was that the United States could not collect profits from the companies unless Chile was forced to give up the captured land. Each of these companies were willing to put up money to pay a money indemnity in order to prevent Chile from annexing the land. Involvement with these companies could explain why Blaine and Hurlbut were pro-Peruvian in their policies. Other historians expressed this view. Millington, American Diplomacy, pp. 98-115, and Bastert, "A New Approach to the Origins," pp. 395-399.

would protect Peru, he made his second mistake. He urged Calderón to resist the Chilean demands. When this occurred, Lynch then seized the treasury of the Calderón government and asked Calderón to resign. When Calderón refused, Lynch arrested him and deported him to Chile. Lynch claimed that Calderón was conspiring with guerillas to continue the war and refusing to make peace on the basis of territorial cession.¹¹ This action dashed any hopes for a quick peace and created problems for Peru.

Lynch told Kilpatrick that

Hurlbut . . . notified Calderón that the United States will under no circumstances permit the annexation of territory to Chile; he also repeated this statement to outside parties. It . . . complicates and endangers our occupation.¹²

Hurlbut's actions angered both the Chilean people and General Kilpatrick. Kilpatrick who was embarrassed by Hurlbut's actions, spoke up against him saying that Hurlbut had violated his instructions. He claimed that Hurlbut's instructions contained none of the statements that he made except the hope that Chile might allow a money indemnity instead of territory. He said that the United States had no intention of arbitrarily interfering in the conflict.¹³

¹¹Ibid., p. 133.

¹²Despatches From Ministers to Chile, Kilpatrick to Blaine, August 15, 1881.

¹³Ibid.

This action by Kilpatrick was considered to be a blunder by the State Department, because when Kilpatrick said that Hurlbut violated his instructions, this alleviated any fears that Chile had of United States intervention in the war. Furthermore, it assured Chile that she could continue to press harsh demands on Peru.

Kilpatrick's actions were criticized severely by Blaine, who stated that if Hurlbut's conduct was objectionable, then Chile should have notified him through her minister in Washington. Kilpatrick, Blaine said, was not authorized to pass judgement on Hurlbut, nor was he authorized to make public his instructions.¹⁴

This seems to be a contradiction because Hurlbut had told Lynch that the United States would not allow annexation of territory. This memorandum was made public, and it was considered to be part of Hurlbut's instructions. Blaine should have criticized Hurlbut for his errors also. He obviously told his instructions to Lynch in public.

After Calderón's arrest in November, Hurlbut made a third mistake. He wired the government of Argentina to urge them to recognize the Calderón regime. This action was deplored by Kilpatrick because, at the same time, Chile was trying to bring about a settlement of

¹⁴Diplomatic Instructions, Blaine to Kilpatrick, Nov. 22, 1881.

the dispute over the boundary between the two nations. After Hurlbut's letter, much anti-Chilean sentiment developed in Argentina, and Kilpatrick felt this would prevent any exchange of treaties. Fortunately for all concerned, particularly Chile, the treaty was agreed upon.¹⁵

A short time after the Lynch Memorandum was presented, Kilpatrick was struck with a serious disease which handicapped his efforts in this conflict. He was usually bed-stricken and only very close friends kept him up to date on the affairs between Chile and Peru. This disease was later prove to be fatal for Kilpatrick.

In November 1881 Blaine was unhappy at the work of both Hurlbut and Kilpatrick. He therefore sent a special envoy to Peru and Chile. William H. Trescot and Walker Blaine, the Secretary of State's son, were sent to the troubled area. This mission occurred just after the death of President Garfield, who was replaced by Chester Arthur. Blaine saw that he might be replaced as the Secretary of State, so this was his last hope to bring about a peace.

Trescot was empowered by Blaine to see that the

¹⁵Despatches From Ministers to Chile, Kilpatrick to Blaine, Sept. 13, 1881. See Bastert, "A New Approach to the Origins," pp. 380-381, for information on how the settlement was made. See also Paul D. Dickens, "Argentine Arbitrations and Mediations with Reference to United States Participation Therein," Hispanic American Historical Review, XI (November, 1931), 464-484.

was false. He questioned the Chilean minister of foreign affairs, José Balmaceda on this and Balmaceda claimed that he made none of the statements that were in Kilpatrick's last despatch, and that none of the statements represented the position of Chile at that time. Balmaceda said that Kilpatrick must have been led into delusions by his physical condition.¹⁸

At any rate, the Trescot mission to Chile proved to be futile; nothing of importance resulted. Blaine was replaced by Frederick T. Frelinghuysen, who reversed Blaine's policies, and instituted an impartial policy, in the hope that he might temper Chile's demands on Peru by moral persuasion.¹⁹ The War of the Pacific ended when Peru was forced to sign the humiliating Treaty of Ancón in 1883. In this treaty, Chile annexed Tarapacá and exercised a ten-year sovereignty over Tacna and Arica. At the end of that ten-year period, final disposition was to be decided by a plebiscite. It was not until 1929 that the Tacna-Arica dispute was settled with Chile receiving Arica and Peru receiving Tacna.

¹⁸Foreign Relations, 1882, pp. 63-64. Also Evans, Chile and Its Relations, pp. 112-113.

¹⁹For more information on Frelinghuysen's policies in the War of the Pacific, see Millington, American Diplomacy, pp. 121-143. See also Russell H. Bastert, "Diplomatic Reversal: Freylinghuysen's Opposition to Blaine's Pan-American Policy in 1882," Mississippi Valley Historical Review, XLII (March, 1956), 653-671.

CONCLUSION

Judson Kilpatrick played an important role in improving relations between the United States and Chile. In his first stay in Chile from 1866 to 1870, he enhanced America's position in Latin America by his efforts to bring peace. During the Spanish bombardment of Valparaiso, Kilpatrick, acting without instructions from the State Department, instituted a policy of neutrality. Although the Chileans were disappointed at the United States refusal to defend the port, they soon realized that Kilpatrick used all the available means of diplomacy to stop the bombing. Kilpatrick's efforts, in addition to the French withdrawal from Mexico, helped to place the United States prestige above everyone else in Latin America.

When the British and French failed in their attempt to offer mediation to the allied republics in their war with Spain, Kilpatrick immediately offered the good offices of the United States. Although it took almost four years

before any meeting could be arranged between the allied republics and Spain, Kilpatrick was instrumental in keeping all avenues open for negotiations. The conference was held after Kilpatrick resigned as minister to Chile, but Kilpatrick was the man most responsible for its success. As a result of this conference, an armistice was signed and the war was over. The United States again assumed a position second to none in Chile at this time.

Kilpatrick successfully handled some domestic problems that he faced in Chile and he expressed interest in Chile's commerce. Kilpatrick knew that the United States was gaining influence diplomatically in Chile and he felt that the two countries should develop a better trade among themselves. Kilpatrick admired Chile's undeveloped wealth and he wanted the United States to help develop it.

Following a serious illness, Kilpatrick had to resign as minister to Chile. He started what was to become a distinguished career in politics. As a result of his efforts in supporting the Republican Party, Kilpatrick was again appointed minister to Chile.

When Kilpatrick returned to Chile, he sought to end the War of the Pacific. Following the pro-Peruvian policies of James G. Blaine, Kilpatrick at first was successful in achieving the desired goals. When he first arrived in Chile, Kilpatrick met with some prominent Chileans and they said Chile would not forcefully annex

the captured Peruvian lands and they would accept a just and proper indemnity. This was what Blaine had asked for in his instructions to Kilpatrick. But when Stephen S. Hurlbut, the United States minister to Peru, violated his instructions by writing the Lynch Memorandum, this angered the Chileans. As a result, the promises they made to Kilpatrick were unable to be carried out, and Chile was more determined to defend their interests in Peru.

Both Hurlbut and Kilpatrick were criticized by historians for their actions in Chile.¹ They were wrong for quarreling among themselves and for violating their instructions from Blaine. If there was one to blame for any failure of United States policies in Latin America at this time, it was James G. Blaine. His policies caused many problems, particularly with Chile. Chile was the stronger of the nations involved in the war, and her war spirit was high. Chile had control of Bolivia and Peru's nitrate fields, and her army was in control of Lima, Peru. The policy Blaine instituted came into conflict with the desires of Chile. Had Blaine's pro-Peruvian policy offered some constructive plans in which to build peace upon, the situation might have been different.

¹Stuart, Chile and the United States, pp. 388-389. Millington, American Diplomacy, pp. 82-141, is also critical of Hurlbut and Kilpatrick. Evans, Chile and Its Relations, p. 107. He takes into account Kilpatrick's illness.

Why did Blaine institute a policy that would tend to support Peru? Maybe Blaine and Hurlbut were financially involved in the nitrate corporations and their dealings. They must have been involved with those companies, because the companies could not bring any money into the United States unless the United States protected their claims in Peru. Surely had Blaine sided with Chile, our relations with Chile would have been excellent at this time. Had he done this perhaps the Baltimore and Itata affairs would not have occurred in the 1890's.²

²In 1891 a civil war broke out in Chile between the Congressionalists and the Balmaceda government which was attempting to assume dictatorial power. A rebel steamer the Itata, made its way to California for arms. When the United States authorities in San Diego feared possible complications, they detained the vessel. On May 6, 1891, the Itata escaped and headed back to Chile. A United States cruiser chased after the Itata, but the ship reached Chile. The ship was reluctantly surrendered to the United States and then freed by the American courts as improperly detained. The Congressionalists, who were successful in the revolution, did not easily forget this incident. This affair brought much anti-United States sentiment to Chile, which was ignited again by the Baltimore affair.

The Baltimore affair started when Captain Winfield S. Schley of the U.S.S. Baltimore, despite the presence of anti-United States sentiment in Chile, gave leave to about one hundred and twenty sailors in Valparaiso. On October 16, 1891, there was a riot which was started by drunken sailors and several sailors were injured and two died. Even the Chilean police helped the Chileans in the fight. Public sentiment in the United States was outraged by the incident. President Harrison demanded an apology from Chile or war would result. An apology came from the Chilean government along with \$75,000 for the injured men and the families of the deceased.

These two incidents caused much humiliation for Chile, and caused a strain in relations between the two countries. Even in 1958, Claude Bowers, the American ambassador to Chile, said that the memory of the Baltimore affair still

Also commercial relations with Chile could have been better established.

The only other factor which could have determined why Blaine supported Peru was that he was anti-British. Blaine despised the growing influence and dominance of British commercial trade in Chile. He feared that greater trade between Britain and Chile would hamper any hope for increased trade with the United States.

At this time, Great Britain was the leading investor in Chile with around \$125,000,000 invested there. Britain also was the main exporter and importer of goods to and from Chile.

Blaine believed that England was pressuring Chile into the War of the Pacific. He claimed that England wanted Chile to takeover the nitrate fields in Bolivia and Peru, which would help their investors. England even provided arms and cotton for the Chilean uniforms during the war which also angered Blaine.

One must remember that Blaine was involved in the Chilean revolution of 1891. He was the Secretary of State under Benjamin Harrison at that time. Blaine appointed Patrick Egan, an Irishman, to the post in Chile.

was present in Chile. See Claude G. Bowers, Chile Through Embassy Windows, 1939-1953 (New York: Simon and Schuster, 1958), p. 192.

For more information on these incidents, see Thomas A. Bailey, A Diplomatic History of the American People (New York: Appleton-Century-Crofts, Inc., 1964), pp. 452-455. See also Foreign Relations, 1891, pp. 122-132, and 194-312. The latter sources give more valuable information on the incidents, plus facts on the investigations that were conducted.

This appointment angered the British citizens in Chile and this anger carried over to the Baltimore and Itata affairs. No doubt that Blaine carried animosity toward the British in Latin America.

Blaine's dislike of the British seemed to be a poor reason for him to support Peru. If he cared about his union of American republics, how was he going to create one by going against Chile? Chile was probably the most powerful nation in Latin America at this time. You need all the nations working together to develop a union.

Again had Blaine instituted a policy of impartiality, using persuasion to somehow limit the demands of Chile against Peru, things might have been different. An even more flexible policy would have worked better.

Blaine's inefficiencies do not excuse the behavior of General Judson Kilpatrick. Although he was not a professional diplomat since his appointment was politically backed, he tried to defend the interests of the United States and Chile the best he could. Kilpatrick was not as active during the War of the Pacific as was Hurlbut, but this was due to his illness. Being unable to work, he had to depend on close friends and his wife Louisa Kilpatrick, who was from Chile, to do his secretarial work. Kilpatrick did err when he denounced the actions of Hurlbut, but the interests of Chile, which he strongly defended, were challenged. One can not denounce a man for defending the interests of a nation he closely

identified with.

Kilpatrick's last despatch was also a mistake, but there was the possibility that he told the truth. Balmeceada, when he realized that he told Kilpatrick the wrong position, could have told Trescot that he never made the statements to Kilpatrick. The chances are that this was slim, but one must consider the possibilities. At any rate, Kilpatrick was near death when he wrote the despatch and he should not be held accountable for any of his last actions.

Due to the efforts of Kilpatrick, who was admired and respected in Chile, the relations between the United States and Chile reached a peak. Since his death, our relations have been unsettled.

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