

The undersigned Proican Legation Secretary of the Treasury and National Credit of the Government of the U. States of Columbia duly authorized by the Executive Power and W. C. McKenna have agreed to enter into a Contract contained in the following Articles

Art 1<sup>o</sup> - McKenna undertakes to lend to the Government of the U. States of Columbia the sum of twenty thousand pounds (20,000 or 100,000 hard dollars in cash or bills drawn by McKenna in favor or to the Order of the Gran General P. C. de Atiquera. These Bills shall be received by the Government of Columbia at the present rate of exchange in this City. -

Art 2 - This said sum is lent by W. C. McKenna solely and exclusively in consideration of the Contract for the sale of the reserves of the Panama Railway effected with him as Attorney of William Henry Cottrell & signed in this City on the 16<sup>th</sup> instant & as a Proof of which W. C. McKenna offers of the good faith with which he W. H. Cottrell intends to carry into effect on his part the said Contract. Therefore the said loan will be without any interest should the Congress approve the Contract for the sale of the Reserves of the Panama Railway.

Art 3 - After the Congress will have approved the Contract for the sale of the Reserves the Government shall apply the said sum of 20,000 object of the present Contract in amount of the 200,000 which W. H. Cottrell or his apiguos lend to the Colombian Government according to Article of the said mentioned Contract for the sale of the Reserves of the Panama Railway. Thus Cottrell or his apiguos shall deliver to the Government at the proper fixed date only 180,000 and will receive Bonds for 200,000 the Government by this means repaying the loan which W.



Kenna makes by this Contract

Art 4

Should the Federal Congress not approve in its next Session the said Contract for the sale of the Reserves of the Panama Railway Company signed in this City as aforesaid the Government of the United States of Colombia undertake solemnly to repay to W. C. McKenna as the fixed dates the said sum of 20000 or 100,000 hard dollars in the following terms -

\$ 5000 or \$ 25000 on the 1<sup>st</sup> April of the present year an equal amount on the 1<sup>st</sup> of May following an equal amount on the 1<sup>st</sup> of June next and an equal sum on the 1<sup>st</sup> July next till the employment of the said 20000 such payments will be made to McKenna or his Attorney or representative in the City of Santa Marta in Colombian large Coin of Gold or Silver or in bill on London which W. C. McKenna or his Attorney will be willing to accept Should the payment be made in Cash the Government will also pay any difference of Exchange on London at the current rate in San Martha

5 In Case the Congress do not approve the sale of the reserves of the Panama Railway in its next Session the Government will pay to McKenna Interest of 9% on the said sum of 20000. The payment of interest will be made on the same dates fixed for the repayment of the Capital & on the same terms and in accordance with the stipulation of the aforesaid Article -

6 As a Security for the payment of the said Capital & Interest in case of the Congress not approving the Contract for the sale of the reserves, the Government of Colombia shall apply to it the 35% of the gross amount of the Import Duties levied on the Santa Marta Custom House from 1<sup>st</sup> of March next and therefore this 35% which is at present free shall be treated as and is hereby made a special hypothecation for the repayment of the said loan of 20000 and interest thereon & on Government Guarantees and insures the payment of the said 20000 and interest with the proceeds of the said 35%. Besides and as a collateral security the Gran General T. C. de Mosquera acting as the founder & Superintendent of the Undertaking of the Buenaventura Road transfers to W. C. McKenna all rights which

this Undertaking proper on the Custom Houses of the  
Union so that McKenna will make use if necessary  
of the said Right to pay himself of the mentioned  
Loan -

7 The present Contract will be submitted to the  
approval of the Gran General President of the Union

Dated in Bogota the 17<sup>th</sup> January 1867  
(signed by P. Lagarcha)

Approved D. C. de Mosquera



of the said paper to pay himself of the amount  
of the said paper to pay himself of the amount  
of the said paper to pay himself of the amount

The present contract will be submitted to the  
approval of the Board of Directors of the  
University of California in the month of January 1867

Respectfully,  
A. H. ...



To His Excellency

Señor Sr Sr Mosquera

Envoy Extraordinary & Minister Plenipotentiary  
from the United States of Colombia, <sup>40, Old Broad Street, E.C.</sup> London 27 July 1867

Your Excellency

Having learnt from the Bank of England that you hold two Bills for £300 each drawn by me from Bogota upon Mr William Henry Cotterill of this City due on 1<sup>st</sup> August & received by you from the Government at Bogota. I beg to acquaint you that these Bills were given to the Government of the United States of Colombia in consideration of certain conditions which the Government have not acceded out.

These Bills formed part of a loan of £20000 made by me to the Government upon the express condition that the Government were to remit me specially by 4 instalments of £5000 each on 1<sup>st</sup> April 1<sup>st</sup> May 1<sup>st</sup> June and 1<sup>st</sup> July in time to provide for the bills before maturity but up to this time no remittance whatever has been received.

Under these circumstances the Government have completely failed to meet the engagements undertaken by them upon the faith of which the Bills were given. I beg to inform you that I have requested Mr Cotterill not to pay the acceptances in question and you will therefore see the propriety of not presenting those Bills for payment but return them to the Government from whom you received them with the notice declaring the reason why the Bills are not honored,

I have the honor to be

Your very obedient Servant  
W. G. McKenna



1885  
The Hon. Secy of the Interior  
Washington, D.C.

Dear Sir,  
I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the proposed purchase of the land in the State of California, and in reply to inform you that the same has been referred to the proper authorities for their consideration. I am, Sir, very respectfully,  
Yours very truly,  
Wm. M. McKim









5  
Paris 29 July 1867.

W. C. McKenna Esq<sup>r</sup>  
40. Old Broad St<sup>h</sup> E.C. - London

Sir

I beg to acknowledge the receipt of your letter of the 27<sup>th</sup> inst. informing me that you have requested Mr. Cotterill not to pay the acceptances of two Bills for £500 each drawn by you from Boyotú upon him, due on 1<sup>st</sup> August next, and now hold by me in the Bank of England as an item of my official account there. You <sup>further</sup> inform me of certain conditions upon which these and other Bills to the amount of £20,000 were drawn by you on behalf of the government of the United States of Colombia.

These <sup>two</sup> Bills having been sent to me by the Secretary of the Treasury and National credit ~~for an special~~ ~~employment of its p.~~ for a special employment, without any reference whatever to the matter to which you allude, I am not at liberty to deal with them but in the regular course of business.

I have the honor to be  
your most obed<sup>t</sup> serv<sup>t</sup>  
The Minister of the U.S.  
S. of Colombia in \_\_\_\_\_ M. M. M.



Paris 29 July 1867

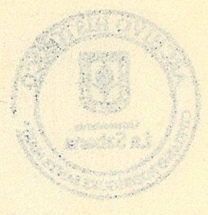
Mr. J. M. Kemmer Esq.  
No. 10, Old Broad St. E.C. - London

Sir

I beg to acknowledge the receipt of your letter of the 24th inst. informing me that you have requested the Bank not to pay the acceptance of two bills for £200 each, drawn by you from Legation upon Paris, due on 1st August next, and cover held by me in the name of Legation as an item of my official account there. You inform me of certain conditions upon which these and other bills to the amount of £200 are now drawn by you on behalf of the government of the United States of America.

The bills having been sent to me by the Secretary of the Treasury and National Credit for an special assignment of the Treasury for special assignment, without any reference whatever to the matter to which your address I am not at liberty to deal with them but in the regular course of business.

I have the honor to be  
Yours most obedt. Servt.  
The Treasurer of the U.S.  
W. A. R. M.



Legation of the U. S. of Columbia  
Paris the 29<sup>th</sup> July 1864-

To the Chief Cashier of the  
Banks of England

Sir

Having received from Mr.  
W. C. M'Kenna a letter dated <sup>on</sup> the 27<sup>th</sup>  
inst informing me that on the ground of  
certain allegations which he has set up  
against the government of the U. S. of  
Columbia, he had requested Mr  
Cotterell not to pay the acceptances  
of the two bills for \$500 each, to  
be due on the 1<sup>st</sup> of August next, ~~and~~  
~~that I will therefore see the propriety of~~  
~~not presenting these bills for payment,~~  
I have thought it proper to send you  
here enclosed a full copy of the  
answer that I have given to  
Mr M'Kenna, so that you may  
proceed in conformity with the  
ordinary rules of course for the collec-  
tion of the said bills—

I have the honor to be  
Sir,  
Your obedient servant  
The Minister of the U. S. of Columbia  
L. M. M.





Copy

40 Old Broad Street  
London 29 July 1867

7

W. H. Cottrell Esq<sup>r</sup>

My dear Sir,

With reference to the 2 Bills drawn by me from Bogota on you for £500 each maturing the 2nd prox<sup>o</sup> you are aware that by the arrangements made with the Government of the United States of Colombia the Bills were given by way of loan to that Government upon the express agreement that funds were to be provided by the Government for the Bill before their maturity.

The Government having failed to comply with its engagement I have to request that you will not pay the bill but let it go back protested

Yours very truly

W. C. W. Kemna





40. Old Broad Street, E.C.

London July 31<sup>st</sup> 1867

Your Excellency

I beg to acknowledge the receipt of your letter of 29 Instant in which you acquaint me that the Bills about which I wrote to your Excellency on the 27<sup>th</sup> Instant having been sent to you by the Secretary to the Treasury & National Credit for a special employment and without any reference whatever to the matter to which I alluded, you are not at liberty to deal with them except in the regular course of business.

I beg to state that I deemed it right upon the receipt of your letter to forward to your Excellency a telegram of which the following is a copy:—

M. Keena

London

To his Excellency

A. C. M. Mosquera, Legation United States of Colombia, Paris



"If Bills are presented I will hold you responsible for all consequences to me, and the credit of your Government— You hold them for Government and under the circumstances have no right to deal

1850  
No. 1000

I have the honor to acknowledge the receipt of your letter of the 27th inst. in relation to the Bill about which you are inquiring. I have the honor to inform you that the Bill is now in the hands of the Secretary of the Treasury and that it will be presented to the President in due season. I have the honor to inform you that the Bill is now in the hands of the Secretary of the Treasury and that it will be presented to the President in due season.

I am, Sir, very respectfully,  
Your obedient servant,  
Wm. M. McKim





I must now beg to part  
 to your Excellency that as this Bill is  
 the Government of the Government in  
 the County they are in fact held by the  
 Government, as you have been duly notified  
 that the Government have not provided for  
 this Bill under the terms of the contract  
 in all the circumstances in connection with  
 the transaction are within your Excellency  
 cognizance, and you are in every respect  
 authorized, and required, there can be no  
 doubt that dealing with this Bill as with  
 ordinary bills of exchange is not consistent  
 with the known facts of the case  
 I trust that your Excellency will  
 in the interests of settling the case  
 recommended course of withdrawing the Bill  
 and returning them to the Government of  
 Scotland, as the Bill will certainly not be  
 passed by the assembly.

I have the honor to be

Your very Obedient Servant

The Duke

His Excellency  
 The Duke of Argyll & Sutherland



"with them"

I must now beg to point out to your Excellency that as these Bills are held by you the representative of the Government in this country they are in fact held by the Government, as you have been duly notified that the Government have not provided for these Bills under the terms of the Contract, as all the circumstances in connection with the transaction are within your official cognisance, and can be in every respect investigated, and verified, there can be no doubt that dealing with these Bills as with ordinary Bills of Exchange is not consistent with the known facts of the case.

I trust therefore your Excellency will see the propriety of adopting the course I have recommended namely of withdrawing the Bills and returning them to the Government of Colombia, as the Bills will certainly not be paid by the acceptor.

I have the honour to be

Your very Obedient Servant

W. C. McKenna

To His Excellency  
M<sup>r</sup> Mosquera etc etc