**NLI 13087/3**

**Louis Mallet, Foreign Office, memorandum re Peruvian Amazon Company letter (and others) with Casement notes.**

**13 January 1910**

**[embossed FO seal]**

Copy.

This letter must be carefully analysed, point by point, in order that it may be clearly seen how far the Company meet our charges.

Were we not justified in referring to the “present condition” of affairs? Captain Whiffen's journey was quite recent, I think. As to the charge of blackmail against Captain Whiffen, I am not clear how we should proceed. The correspondence will probably have to be published. We cannot leave out of it the charge of blackmail, so that I suppose we must communicate this reply to Captain Whiffen. If Arana is the scoundrel he is painted which is very probable, he would not stick at forging a letter from Whiffen. I am not disposed to give up Whiffen so hastily. There is not much to be done, even if the Company admitted thief guilt, but a reply must eventually be sent to this letter and we must bluff them into doing something.

We must also consider, when we have the United States Government's answer, whether we are to make representations at Lima or not.

Please let Mr. Sargent make a careful analysis of this letter, as if he were going to reply to it.

Mr. Hurst.

See Minute after Mr. Sargent's analysis.

C.J.B.H.

Analysis of the Peruvian Amazon Company's letter of December 30th 1909.

The Board complain of our statement as to the present disgraceful state of affairs.

Captain Whiffen's journey, according to himself took place in the summer of 1908 and the early summer of 1909. He dates one act of atrocity as early as 1909. Hardenburg's and Perkins's journeys were in 1907-8 and the Colombian evidence sent by Mr. Huckin is April and May 1908. Captain Whiffen's is therefore the most recent information that we have and the Company do not in any way suggest that a change either in the personnel or the administration of the Company's territory has taken place since the time that he was there. We may accordingly assume that the state of affairs described by him (if we accept his evidence) continues to prevail at the presen**t** time.

2. The Board state that up to the appearance of the “Truth” articles they were ignorant of the allegations made against their employes and that Senor Arana, even if he knew of the allegations, had not communicated them to the Board.

This may probably be true, but why if Arana was sure that the conditions in the Putumayo district were perfect, should he have kept his colleagues in ignorance of the groundless allegations that were being made? **[Casement margin note:** and had been made nearly two years before in Iquitos?**]**

3. The Board says that they were not in office “at that time” meaning presumably at the time when the atrocities mentioned in “Truth” of 22nd Sept were alleged to have been committed. That would be the Spring of 1908.

It is possible that the Board as at present constituted was not then in existence but the Company itself was formed in October 1907 and is therefore responsible for all acts committed since that date. **[Casement marginal note:** & legally I think for all things done since 30 June 1907 - see Prospectus. R.C.**]**

4. The Board state that they have no reason to believe that such occurrences as alleged took place, but they do not deal *seriatim* with the charges brought forward by Whiffen, Hardenburg and the other individuals and newspapers quoted by “Truth”.

5. They decline to discuss Whiffen's and Hardenburg's statements, on the ground that their authors being blackmailers they are valueless. But even if they are proved to be blackmailers this fact need not necessarily invalidate their evidence which is largely corroborated by the reports of the Colombian officials.

6. As regards the accusation of blackmail, Arana (who relates his interview with Whiffen in great detail in his letter to the shareholders) asserts that he has in his possession a letter of Whiffen's proving his attempt at blackmail.

- We have not however seen this letter nor has Whiffen had an opportunity of denying his authorship of it or of explaining his conduct, while on the other hand Hardenburg has already denied in “Truth” that he ever tried to blackmail the Company through Ego-Aguirre as stated (see “Truth” page 720).

7. They ignore the statements made by the “Felpa” and the “Sancion” on the ground that these papers were brought into existence with a dishonest object”.

- They produce no evidence in support of this assertion. **[Casement note:** Quite true, it is an allegation.**]**

8. No allusion is made in the letter to the accusations made by the “Jornal do Commercio”, a Brazilian organ of good standing, nor to the numerous instances of cruelty collected from various sources and quoted in “Truth” of September 29th.

9. The Peruvian Sub-Prefect's account of the “incident of the
launches” maintains that the Colombians (with whom Hardenburg was) were the aggressors. **[Casement note:** Tizon**]**

Whiffen also heard that this was the case but the Colombian reports take the opposite view as of course does Hardenburg.

The Sub-Prefect ignores Hardenburg's ill-treatment and imprisonment while in the Putumayo and implies that he was carried as a passenger and not as a prisoner on board the “Liberal” to Iquitos and that all he had to complain of was the loss of his baggage.

The fact that Hardenburg has been paid £500 compensation by the Peruvian Government is sufficient proof that he was ill-treated. He makes no mention of the loss of his luggage.

10. The Board confesses that atrocities may have been committed “in the neighbourhood of the Company's estates” but deny that the Company have any control over such proceedings. - It is evident however that in the absence of any other white population in the district any such atrocities must necessarily be committed by the Company's employes or by the Peruvian troops and officials who we understand to be in their pay (see infra.)

11. The Board quote in their support a statement by Mr. Gielgud and a letter from the Captain of His Majesty's Ship “Pelorus”

(2) Gielgud is a member of the firm of Messrs. Deloith Plender Griffiths and Company and according to Consul Cazes writing in November he had “recently” returned from the Putumayo wither he had gone to examine the Company's books. He stayed at Chorrera and Encanto and visited the other sections but does not mention having met any of the chiefs of sections accused of atrocities by Whiffen and Hardenburg.

He denies absolutely having seen any cruelties and expresses the belief that the Company's employes would be incapable of committing them

- It is quite probable that he may have seen nothing, for, if we were to believe Whiffen, the Company's employes would probably hide all traces of them from him. In any case his evidence owing to his relations with the Company cannot be considered as impartial.

(b) The Captain of the “Pelorus” never went to the Putumayo district and cannot therefore form an opinion of what goes on there. He has already furnished us with a report (41651) which contained no information.

12. The Board deny that the Peruvian authorities exercise no control in the Putumayo

- Whiffen maintains that the Peruvian Commissario only makes an occasional visit to the district which is otherwise administered by the Company itself.

13. They deny that the Peruvian officials are in the pay of the Company.

- Both Whiffen and the Colombian reports however assert that the Peruvian Commissario and the “urban police” are in the pay of the company.

14. They deny that the Indians are made to work under a system of forced labour.

- Our authority for maintaining that they are is based on Whiffen's and Hardenburg's statements and the extract from the “Sancion” (“Truth” page 664).

15. They deny that Arana ever promised to dismiss Macedo.

- Whiffen stated it at the beginning of his report.

16. The Company's recapitulation.

(a) No reliable evidence of atrocities having been committed by the Company's employes.

- Our evidence is based on Whiffen's statements, the “Truth” articles and the Colombian reports (the company have not seen the latter.)

(b) The Board was not in office “at the time”- This has already been answered in 3.

(c) That the Peruvian Government is responsible.

Technically I suppose this is the case but only in the last resort if the Company refuse their assistance.

17. The Company have sent a letter to Iquitos impressing on their Manager the necessity of treating the natives with kindness.

This is not likely to have any effect but if in view of the probable uselessness of any further representations we may make it is thought desirable to pursue the matter no further, this action of the Company might furnish a good excuse for dropping the question without abandoning our contention that abuses do exist.

The Company are very free with their accusations of blackmail and dishonesty. I suppose that is due to the fact that the majority of the Directors are of Spanish origin, and that abuse of one's opponent is to such people the natural mode of argument; and that the simplest mode of abuse is to accuse him of dishonesty, blackmail, bribery, etc.

The “Morning Leader” episode must not be forgotten; when an employe of the Company attempted to bribe one of the newspaper men to refrain from publishing anything about the Company, and, when the bank note was indignantly refused, the Secretary rushed hastily round to explain that it was a mistake of his. Ten days later, “the Board” had no knowledge of these occurrences “until they read them in the newspapers”. Mr. Smith is still the Secretary.

I think one may safely deduce two consequences (a) that the Company do not want public attention directed to any of these charges, but wish to be left in peace, and (b) that “the Board” do not share, either with individual directors or with employes either in this country or in South America, knowledge of any inconvenient facts within the cognizance of the individuals.

If the stories told as to the atrocities in the Putumayo are
believed to be true, and it is desired to put a stop to them, it will probably be desirable to see that they are not allowed to go to sleep, and that the Board are told that they are regarded as responsible for everything done by any of the directors or employes, and everything known to them.

 **[Margin note]** I use Mr. Sargent's numbering.

(1) As to the Board's complaint of the use of the words “present disgraceful” etc., Not a suggestion is made by the Board that any change has taken place in the condition of the district, or the 'personnel' of the employes, and if the facts described were true at the time, we have every right to assume that it is also the present condition.

(2) I think the Board should be told bluntly that they will be regarded as responsible for everything known to Senor Arana and everything done by him. It is noteworthy that when these attacks in “Truth” came out it was Senor Arana, and not the Board, who endeavoured to calm the shareholders.

In replying to the Board I think it will be important to lay stress upon the fact what is much more important than the moment when these allegations came to the knowledge of the present Directors is the steps they have taken to investigate their accuracy. The instructions to the Manager (paragraph 15 of the letter) ignore this duty altogether and suggest in the first paragraph that it is not the business of the company to repress crimes and atrocities by its employes in the Putumayo region because there are “constituted authorities” of the Peruvian Government there. We know that in fact there are none to speak of and that those there are are in the pay of the Company.

5. The allegation of blackmail against Hardenburg is from our point of view immaterial: all we are concerned with is the truth of his story.

6. The same applies to Captain Whiffen, but I think a copy of the Company's letter and enclosure should go to Captain Whiffen in order that he may take steps to protect himself. I think it would be wise to let the Company know beforehand that we intend to do this in order to give them an opportunity of saying that they have no objection.

It is almost incredible that if the story about Captain Whiffen were true, he should not have objected to the communication of his name to the Company.

On the remaining paragraphs of Mr. Sargent's analysis I need not touch.

It seems to me that what is most needed in this case is further investigation into the facts in order to ascertain whether the stories are true, and that this should be done in such a way that the Company will be bound by the result. **[Casement underscore]** The articles in “Truth” are full of libellous statements against some of the Company's employes, but unfortunately I cannot find any libels against the Directors. If there were, we could tell the Board that unless they took steps to show that these statements were untrue, we should be bound to regard them as allegations which the Directors felt they could not disprove, but when the employes libelled are aliens in the heart of South America I am afraid that
the Board would say it was not incumbent on them to do anything.

Would it be possible to suggest to the Board that a Consular Officer should be sent up there to make an exhaustive investigation, and that the Company should bear half the expense?

In any case I think it would be well to obtain from the Board of Trade particulars of the Company, its shareholders and their holdings.

C.J.B.H.

Mr. Hurst.

I think we have already got this information. Sir J. Lister Kaye is one of the Directors. All that we can aim at is to get the Company to make some more or less satisfactory proposal in the way of sending a Commission, to which a Consul might be attached thoroughly to investigate the charges, but the time is not come for that. We must make the Company realize that we do not mean to drop the charges and write an answer to this letter, which perhaps Mr. Sargent will draw up for consideration. We can say that we are sending a copy of their letter to Captain Whiffen and wait a few days before actually doing so, so as to allow of their objecting. We might propose a sort of commission. If they are still obdurate, I would ask Sir J. Lister Kaye to call and explain to him that the Company must take steps to satisfy public opinion, otherwise we shall have to announce in the House that they decline to do so and that if asked to publish papers we shall do so. Do you approve?

L.M.

I quite agree.

C.J.B.H.

I have not read all the Company's letter but it is clear that the question of representation to the Peruvian Government must depend upon the willingness of the United States Government to join: it will be of no use for us to do so alone.

All we can do as regards the Company is to publish the correspondence, if they are obdurate and refuse to take any steps to investigate.

Proceed as proposed in Mr. Mallet's minute.

E.G.