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# An Historical Outline of Portuguese-American Relations

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American historians usually emphasize the fact that France and Holland were the only countries to recognise the independence of the United States of America prior to the signing of the Treaty of Paris that ended the American Revolution. However, this should be corrected. In fact, Portugal must also be included with these two countries since she recognised American independence on 15 February 1783, six months before the Treaty of Paris was signed on 3 September 1783 in which Great Britain formally recognised the independence of her North American colonies.

This fact is even more significant bearing in mind that Portugal was linked to Great Britain through an old alliance and her foreign policy was generally influenced by the London cabinet. Although the initial attitude taken by the Lisbon government, still under the control of the Marquis of Pombal, was to show hostility to the British colonies in revolt, evident on 4 July 1776 when the entry of American ships to Portuguese ports was banned, soon after the death of King D. José the following year and the fall of the Marquis from power, the Portuguese attitude became increasingly friendly towards the United States until full recognition was given whenever military operations ceased.

Benjamin Franklin, who was in Paris as Commissioner of the Continental Congress, accompanied by his colleague Silas Dean, sent a letter to the Portuguese foreign minister on 16 July 1777 (D. José had died in February of the same year) in which he asked that the ban laid down by Pombal be lifted. Although not revoking the decree passed by Pombal in order not to disturb relations with the British ally, the Lisbon government did manage, however,

to get recognition of its neutrality in the dispute between the British and their American colonies, which allowed Portugal, although not imposing a total ban, to at least limit the use of Portuguese ports to British warships. After some measures to impose her neutrality in Portuguese waters and to reinforce her naval power, Portugal finally joined the "armed neutrality" on 13 July 1782, first created by Catherine II of Russia to protect the rights of neutral countries against the abuse of the British navy.

After the decisive battle of Yorktown, in which British forces were defeated by Franco-American forces, talks were begun to reestablish peace, and on 30 November 1782 a preliminary Anglo-American peace treaty was signed in Paris, the effects of which were only to be finalised after signing the general treaty between all those involved in the conflict. Three and a half months after the signing of the preliminary treaty the Portuguese Government published a royal decree on 15 February 1783 revoking the decree passed by Pombal on 4 July 1776 and recognising the independence of the United States of America.

Both Benjamin Franklin in Paris and John Adams in the Hague wasted no time in contacting Portuguese diplomatic representatives in these capitals, proposing an opening to negotiations for establishing an agreement of friendship and trade between Portugal and the United States of America. Portugal was at the time important to American export trade, being a large importer of American cereals. The contacts first made in 1783 went on until mid-1785 but only attained positive results when Luís Pinto de Sousa Coutinho (later Viscount Balsemão) returned to London to take up his office as Minister in September 1785. Luís Pinto de Sousa received instructions to negotiate with John Adams, who in the meantime had been transferred to London and who, on the instructions of Congress, was joined by Thomas Jefferson, who was then Minister in Paris. These negotiations resulted in a document agreed among the three negotiators at the end of April 1786 but which was signed only by Adams and Jefferson. Luís Pinto de Sousa's signature was to be added as soon as he had the required authority.

The draft agreement, however, was never signed by the Portuguese due to a problem that had arisen during the course of negotiations and which since the Continental Congress failed to understand it could not resolve in time. Both parties recognised the need to exchange diplomatic representatives between the two nations but an agreement on the level of this representation could not be reached. Portugal considered that the category of the respective representatives could not be lower than that of Resident Minister, but the Continental Congress, citing financial reasons, considered that the category of the American diplomatic representative in Lisbon should be a *Chargé d'Affaires*, the lowest possible for the head of an American diplomatic mission. This was a petty attitude that did not take into consideration the importance that Portugal then represented in American trade and the fact that the Lisbon Government in a unilateral, gratuitous act, had ordered in

May 1786 that her "fleet of the straits" protect American merchant vessels against North African privateers who frequently attacked them, taking many prisoners for whose freedom they asked enormous ransoms.

While this difference on the respective category of diplomatic representatives lasted, the Portuguese government was not disposed to sign the draft agreement that had been negotiated by Luís Pinto de Sousa, Adams and Jefferson. The problem was only solved after George Washington had been elected President of the United States on 30 April 1789, and even then it was due to Luís Pinto de Sousa, who in the meantime had been appointed Minister of Foreign Affairs, having forced the hand of the American government. In mid-1780, when war seemed imminent between Great Britain and Spain, the American government decided to send a special envoy to Madrid to report on the situation, also visiting Lisbon to convince the Portuguese government to accept an exchange of diplomatic representatives at the level of Chargé d'Affaires. Colonel David Humphries, a personal friend of George Washington, was appointed to this mission. Having arrived in London in September 1790, Humphries learnt that the Portuguese Government had already appointed a Resident Minister to the United States who was no other than the temporary Chargé d'Affaires in London, Cipriano Ribeiro Freire. Humphries's mission consequently became highly compromised and Humphries himself recommended that President Washington cede to Portuguese wishes as the only way of resolving the stalemate that had been created. On 18 February 1791 George Washington informed the Senate that he had decided to appoint Colonel David Humphries as Resident Minister in Portugal.

The outbreak of the French Revolution and the political complications this event provoked in Europe created a delicate situation for the Lisbon government concerned with not displeasing the French Revolution nor Great Britain and totally forgetting the draft agreement with the United States despite the insistence of American diplomatic representatives. The niggardly attitude of the Continental Congress, missing the opportunity to conclude the agreement, prevented the Portuguese from signing one of the first trade agreements between the United States and a European power that might have positively influenced the development of relations between both countries.

**D**ue to the confusion of the political situation in Europe, resulting from the Napoleonic campaigns, and the financial restrictions imposed by Jefferson, President of the United States since March 1801, the American diplomatic mission in Lisbon was reduced in the same year to a simple, temporary Chargé d'Affaires' office. But on 5 May 1808, two months after the Prince Regent and the Portuguese court were installed in Rio de Janeiro, after fleeing from the Napoleonic forces that had invaded Portugal, Thomas Jefferson sent a message of welcome to the American continent through the Consul Henry Hill, appointed for these duties, and prepared to appoint a minister to Rio de Janeiro who was to be appointed by his successor,

President Madison, on 3 May 1809, although he only presented his credentials in June 1810. In 1811, the Prince Regent appointed a plenipotentiary minister for the United States who, however, never took up office and in June 1816 a notable man was appointed who had been in the United States since 1812 where he had acquired the reputation as a knowledgeable man and had won the friendship of men such as Thomas Jefferson, James Madison and other personalities of the cultural and political life of the United States. This was the famous Abbot José Correia da Serra, who represented Portugal in Washington until 1820 during a particularly difficult period in relations between Portugal and the United States.

Portugal was always trying to extend the southern frontier of Brazil to the River de la Plata, which led to a number of disputes with Spain. With the transfer of the Portuguese Court to Brazil attempts to expand Brazilian territory acquired new drive, particularly after the movement for autonomy that broke out in Buenos Aires in 1810 which gave the government of Rio de Janeiro the chance to try and remove the influence of the Buenos Aires authorities from the provinces of Uruguay, Entrerios, Corrientes and Montevideo. The latter was controlled by the Uruguayan José Artigas whose aim was to win independence for the region of Uruguay. From 1811 to 1812 Portuguese forces invaded the *Banda Oriental* but they did not manage to conquer Montevideo. In January 1817, however, Portuguese forces under the command of General Carlos Frederico Lecor (later Baron of Laguna) conquered Montevideo. Artigas fled to the interior, continuing the fight against the Portuguese and granting "privateer charters" to several American captains who then began to attack Portuguese merchant shipping.

Correia da Serra strongly urged the American Government to prevent the United States from being used to arm and equip ships setting out to attack Portuguese vessels, to ban the sale of the booty taken and encourage imprisonment and trial of American privateers. As if the problems caused by Artigas's privateers were not enough, on 6 March 1817 a revolt broke out in Pernambuco and the revolutionary council that had been formed sent emissaries to the United States to seek help where they were welcomed by the public in general and by some important American personalities.

The American press of the time and several political figures were openly in favour of independent movements in Spanish and Portuguese provinces in America, so despite measures taken by the Government in Washington, which tried scrupulously to retain its neutrality, both the revolutionary envoys and the actual privateers always found a large degree of protection in different American circles, including the actual courts, who were almost always influenced by the popular climate backing the privateers. It should also not be forgotten that since the United States did not have a true war fleet, in times of hostilities privateers always carried out important, patriotic acts, as had happened in the recent 1812 war with Great Britain. At the end of the war in 1815 many American privateers found themselves out of work, which led them into slave trafficking and other adventures. The economy of

many an American Atlantic port depended to a considerable extent on privateer activities.

This situation greatly angered the Abbot Correia da Serra, ill prepared for diplomatic struggles and thinking mistakenly that his reputation as a wise man, friend of the United States and of distinguished men such as Jefferson and Madison, would be a decisive factor in totally frustrating American privateer activities at the service of Artigas and the revolutionary envoys from Pernambuco. Faced with the ineffectiveness of these efforts, Correia da Serra left the United States deeply disillusioned with American democracy, recommending that the Portuguese Government should take action against the country that he had admired so much. And not even a personal appeal made at the last minute by Thomas Jefferson, trying to convince him of the good faith of the Government of the United States, managed to change the state of mind of the impetuous Abbot.

The liberal revolution that broke out in Oporto in 1820 was to have important consequences within the framework of relations between Portugal and the United States. On 1 January 1821 a liberal movement also arose in Brazil which led D. João VI to promise to ratify the Constitution which was being drawn up in the Cortes meeting in Lisbon, to set up a new government with members in favour of the liberal cause and to prepare for his return to Portugal. The post of Foreign Minister was given to Silvestre Pinheiro Ferreira, who appointed Francisco Solano Constâncio Chargé d'Affaires in Washington, an enthusiastic liberal defender of independence for the South American nations who took up his duties on 12 November 1822.

With the return of D. João VI to Portugal the American government appointed a minister in Lisbon the choice being General Henry Dearborn, who had been Secretary of Defence during the eight years of Jefferson's presidency and who took up his post in August 1822.

Silvestre Pinheiro Ferreira in taking up office in Rio de Janeiro as Foreign Minister took immediate measures to resolve the existing difficulties with neighbouring countries, particularly with the governments of Buenos Aires and Washington. On 16 April 1821, the Portuguese government recognised the independence of the United Provinces of Buenos Aires (the first country to do so) and gave instructions to General Lecor, Commander-in-Chief of the Portuguese forces in the Eastern Province, to begin electoral consultation to democratically define the destiny of that province. This policy, which led to the independence of Uruguay, put an end to the activities of Artigas's privateers, removing the reason for the differences that for years had kept the governments of Lisbon and Washington in opposition.

Furthermore, instructions given to Dearborn gave him full authority to sign a trade agreement with Portugal, an objective that the American Government had not abandoned. The Portuguese political situation, however, did not help the mission of the American representative. Negotiations began in early 1823,

the Portuguese side being led by the Count of Lapa, but the events of the "*Vila-francada*" in May of the same year upset the smooth running of public services, delaying negotiations. Since the 1822 Constitution had been suspended, Solano Constâncio resigned from his duties as Chargé d'Affaires in Washington.

Due to French intervention in Spain the Count of Palmela, now the Foreign Minister, afraid of a Franco-Spanish intervention in Portugal, asked Canning to send British troops to Lisbon but the latter replied by sending only a naval squadron into the Tagus. British influence having increased considerably in Lisbon, Dearborn informed Washington that the situation was not favourable for continuing negotiations towards a trade agreement. The American side demanded that a most favoured nation clause be included in the agreement and that the privileges granted to the British in the 1810 agreement, still in force, be extended to the United States, which from the clauses of the 1810 agreement could only be revised in 1825.

The Portuguese domestic situation deteriorated in early 1824 the result of manoeuvres by Queen Carlota Joaquina and the Infante D. Miguel who were putting pressure on the King to restore the absolute monarchy. Through the Count of Suberra French influence began to be felt, a duel ensuing between France and Great Britain to impose their views on the King, a duel that Dearborn observed closely without taking any sides and informing Washington of what was leading towards a serious crisis. The political storm broke on 30 April with a military uprising commanded by D. Miguel, which became known as the "*Abrilada*". According to the report of events made by Dearborn, a contrast in their sobriety with the exaggerated report made by the French ambassador, Hyde de Neuville, included in his *Memoirs*, D. Miguel, on the morning of 30 April, gathered the troops at different points in the capital, circling the Palace of Bemposta where the King was with one contingent while detachments were ordered to arrest the Count of Suberra, Minister of War and the Navy, the Count of Palmela, Minister of Foreign Affairs, and various other personalities backing the monarchy. Palmela was imprisoned in the Torre de Belém but Suberra managed to escape and after being hidden by a friend he made his way to the French Embassy. The diplomatic corps met on the same morning in the home of the Nuncio, deciding to verify whether the King was a prisoner or not, a group going to the Palace of Bemposta to demand the occupying troops to grant them an audience with the monarch, which they achieved after some resistance. The foreign diplomats found the King very dejected, accompanied by only two gentlemen of the Chamber and Marshall Beresford, but on seeing the diplomatic corps as a group he regained his courage. After a few hours D. Miguel arrived at the Palace and presented himself to the King, where, certainly impressed by the presence of the diplomatic corps, he promised to obey the orders of his father and withdraw the troops, which indeed happened soon after. The King kept the diplomatic corps with him, withdrawing only after dinner and requesting the diplomats to return the following morning. Not openly opposing the measures taken by D. Miguel,

but fearing for his safety and following the example of Palmela, who in the meantime had taken refuge on an English ship, D. João VI, accompanied by the two princesses his daughters, took refuge on a British warship, the *Windsor Castle*, where the diplomatic corps went to visit him. D. Miguel, intimidated by this step taken by the King, went to visit him on board, where he was taken prisoner and sent to France on a Portuguese frigate escorted by a British and a French frigate.

Dearborn, despite his advancing years, took part in all the demonstrations given by the diplomatic corps in support of the King, who warmly showed his recognition. However, disillusioned by frustrated attempts to negotiate a trade agreement with the Portuguese authorities and little encouraged by the political upheavals he had witnessed, he put an end to his mission in Portugal on 30 June 1824, soon after these events.

In the meantime Brazil had declared independence on 7 September 1822 and the Regent D. Pedro had been proclaimed constitutional Emperor of Brazil on 12 October. The Brazilians were anxious for the United States to recognise their independence and their hopes increased considerably with the famous message from President Monroe on 2 December 1823 in which the principle of recognition of *de facto* governments was sanctioned. However, Washington was reluctant to recognise the Brazilian Government. John Quincy Adams, then Secretary of State, had declared that the American continent was a "republican hemisphere" and the regime proclaimed by the Brazilians was a monarchy. According to information from the American Consul to Rio de Janeiro, the bonds between Brazil and Portugal were still strong and there was a large party in favour of union with Portugal while another party, which was also powerful, was preparing the proclamation of the Republic. D. Pedro's position was highly critical and the imperial family was expected to embark for Europe. On the other hand, the paper *Estrella*, in favour of the Holy Alliance, declared that D. Pedro was a cornerstone in whom European monarchs trusted, looking upon him as a counterbalance to the democracies of North and South America. It also added that Dearborn was trying to negotiate a trade agreement in Lisbon and that the Portuguese Government had not yet recognised Brazilian independence.

The Government in Rio de Janeiro, trying to force the hand of the government in Washington, appointed a Chargé d'Affaires who on 20 April 1824 notified John Quincy Adams of his arrival and requested his recognition. Given the confusion of the political situation in Portugal and the fact that Dearborn had informed Adams that he did not foresee a favourable outcome to the negotiations he had started, the American Government finally accepted the credentials of the Chargé d'Affaires from Brazil, José Silvestre Ribeiro, on 27 May 1824. The Portuguese Chargé d'Affaires, Barroso Pereira, given no instructions due to the political confusion in Lisbon, sent a moderate protest to Adams, who responded that the American government had no intention of being less friendly towards Portugal and that it was merely

a question of recognising a government that existed *de facto* and that declared itself to be independent of Portugal, reminding him that the Portuguese government also recognised other South American governments that had declared their independence from Spain and he concluded that he hoped that the negotiations begun in Lisbon on trade relations would not suffer from American recognition of the independence of Brazil.

In March 1825 John Quincy Adams became President of the United States, and he was succeeded as Secretary of State by Henry Clay, a fervent defender of the emancipation of the South American nations. In the Treaty of 1825 Portugal finally recognised the independence of Brazil and D. João VI renounced the throne of Brazil in favour of his eldest son, D. Pedro, but he retained the honorary title of Emperor and recognised D. Pedro as heir to the Portuguese throne. This link between the crowns of Portugal and Brazil was not viewed favourably in Washington and it particularly displeased Henry Clay, who, when issuing exequaturs to Portuguese consuls omitted the title of Emperor of Brazil in any reference made to D. João VI, which led to a protest from the Portuguese Chargé d'Affaires. D. João died in March 1826 and the Regency was assumed by Infanta D. Isabel Maria on behalf of the heir to the Portuguese throne who, according to a letter patent of 13 May 1825, was the Emperor of Brazil, D. Pedro. When the Chargé d'Affaires, Barroso Pereira, notified Henry Clay of these facts he immediately expressed doubts as to the legitimacy of the Regency acting on behalf of the Emperor of Brazil.

Political events in Portugal after the death of D. João VI developed in such a way that the Infante D. Miguel, having sworn to respect the Constitutional Charter ratified by D. Pedro, in which D. Pedro abdicated the Portuguese throne, and having agreed to marry his niece D. Maria da Glória, returned to Portugal in 1826. A short time later he failed to keep his oath, quickly took the throne in July of the same year and restored the absolute regime. Although the political principles of D. Miguel were despised by men such as John Quincy Adams and Henry Clay they could clearly see that the new situation created in Portugal, breaking all ties between Portugal and Brazil, was favourable to the American policy expressed in Monroe's message which had been greatly inspired by Adams. Based on the principle sanctioned in that message on the recognition of *de facto* governments, they accepted recognition of the government of D. Miguel and recognition was only prevented when a problem arose in the autumn of 1828, when the electoral campaign was fully underway, which was one of the most stiffly contested ever, due to the fact that Andrew Jackson opposed the Adams presidency, accusing him of having stolen the previous election as a result of the agreement made with the third candidate, Henry Clay. In this climate of fierce political strife the recognition of a despotic government such as that of D. Miguel would have been clearly inconvenient. When Andrew Jackson was triumphant he naturally inherited the problem of recognising D. Miguel's government. Having come to power on a wave of popular enthusiasm, Jackson did not hesitate and on 1 October 1829 the Chargé d'Affaires, Torlade de Azambuja, with credentials from D. Miguel, received notification

from the Secretary of State, Martin Van Buren, saying that he would receive him the very next day for acceptance of his credentials.

However, the American press violently attacked D. Miguel's regime and, consequently, recognition of him as king. In 1832 the American Annual Register said: "Usurpation of the throne by D. Miguel was such an infringement of all human or divine obligations that all European powers felt the need to withdraw their ministers. Even Spain had to share, in principle, in the general expression of disapproval that D. Miguel's conduct had caused, although subsequently Spain decided to recognise the usurper". Indeed, besides the United States, only Spain and later the Holy See recognised the Government of D. Miguel. The government in Washington defended its stand with the message from Monroe but in fact nothing obliged the American Government to recognise D. Miguel unless it had a special interest in doing so. The principles of the Monroe message allowed for recognition but did not impose it. The American Government proceeded with the recognition because in this way it sanctioned the final separation of Brazil from its former European metropolis. The regime brought in by D. Miguel led innumerable Portuguese liberals to emigrate, mainly to England, gathering around D. Maria da Glória, considered the legitimate Portuguese sovereign, who arrived in England in September 1828. The island of Terceira refused to accept D. Miguel's royalty and a provisional government was set up there in the same year. In the following year the Emperor D. Pedro, as tutor to his young daughter, ordered that a regency be established on that island, abdicating the throne of Brazil to his son D. Pedro de Alcântara in April 1831 and arriving in Europe to personally direct the struggle against D. Miguel, disembarking in Angra in March 1832. D. Miguel had ordered the siege of the island of Terceira, which caused incidents with the merchant ships of a number of countries, particularly American ships. President Jackson alluded to these incidents in his message to Congress on 7 December 1830 and the American press stirred up the case, considering that the government in Washington had acted too mildly. The House of Representatives in early 1831 discussed the matter of the capture, detention and sentence passed on a number of American ships and their crews by the naval forces of D. Miguel, which led Jackson in February to send a message to the House announcing his intention to send a warship to the waters where the captures had been made to protect United States trade. The Chargé d'Affaires, Torlade de Azambuja, in a letter sent to Van Buren considered that the presidential message contained the threat of interference in matters concerning the Portuguese government, ensuring that the latter would give strict orders to their naval forces not to practice arbitrary acts against American merchant shipping and promising indemnity for damages suffered. Van Buren replied with a reminder that identical measures to those announced by the President had been taken on several occasions by neutral countries to protect their trade, even serving as a control measure on the activities of their own merchant ships but he added that due to the guarantees given by Torlade de Azambuja, the President had cancelled the instructions given to American naval forces.

The problem of indemnities for the undue capture of some American vessels was the object of repeated efforts made by the Chargé d'Affaires Thomas Brent to convince the Lisbon Government which, at a time of serious financial crisis tried to delay the issue all the more as complaints came in constantly from other countries particularly from Great Britain and France. The latter, which since July 1830 had been governed by a liberal government, sent a powerful fleet to Lisbon in July 1831 which forced entry to the Tagus and forced the Government of D. Miguel to accept payment of a large sum in compensation and other humiliating conditions. Impressed by this sad episode, the Foreign Minister, the Viscount of Santarém, suggested to D. Miguel on 1 August that he should satisfy American claims forthwith. In his message to Congress on 5 December of the same year, Jackson referred to the case again saying that he would cancel the expedition of a naval fleet to Portugal owing to official Portuguese guarantees in which he had trusted being unresolved although he was still confident that the matter would be resolved in the near future. Complying with his instructions from Washington, Brent brought renewed pressure to bear on the Lisbon Government and on 4 January 1832 in an interview with the Viscount of Santarém he stressed the principles on which the pending resolution should be based which were incorporated into an agreement signed by both on 19 January. According to this agreement the Portuguese Government undertook to pay the United States the sum of 79,058 "pesos duros" and 27 centimes for the capture of three American vessels plus the sum presented by the owners of the brig *Planter* after being examined by both parties. This compensation was to be paid in four equal payments made during the year counting from the date on which the agreement was signed. The Portuguese Government would also pay compensation to the crew members of the vessels involved for personal damages incurred.

News of the signing of this agreement was naturally received with satisfaction in Washington but the first deadline for payment (19 April) past without the payment being made. At the beginning of June an American fleet appeared in the port of Lisbon made up of a corvette and a frigate, but the serious financial difficulties of D. Miguel's government meant that the payments were not made. On 3 July 1832 the frigate *United States* left New York under the command of Commodore Patterson on a mission to put obvious pressure on the Lisbon Government to fulfil the terms of the agreement. In the following August, Torlade informed Lisbon that the Official Gazette had reported with satisfaction the payment of the first of the compensatory amounts agreed, but Jackson in his message of 4 December of the same year said that only a third of the stipulated sum had been paid to date.

D. Miguel's Government was indeed in an increasingly difficult situation. Liberal forces concentrated in the Azores entered Oporto on 9 July 1832 and after a struggle lasting almost two years the regime of D. Miguel was finally brought down and he left the country on 30 May 1834. The question of payment of compensation was then transferred to the new liberal government.

Edward Kavanagh, grandson of President Jackson, who took up office as Chargé d'Affaires in Portugal on 25 June 1835, immediately looked diligently into the matter. Palmela, Foreign Minister, due to the weak state of the public coffers as the result of a prolonged civil war, proposed that the sums due should be paid within two years but before an agreement could be signed the Government resigned and Kavanagh had to take the matter up again with the new minister, the Marquis of Loulé. Due to a succession of ministerial crises the issue dragged on and was finally resolved in 1836 by the Viscount of Sá da Bandeira who had the outstanding compensation paid to the United States with the exception of that relating to James Hall in which there were some doubts as to its legitimacy.

In the instructions that Edward Kavanagh received from the Department of State was also a directive to open negotiations for a trade agreement with Portugal, taking up the negotiations that Dearborn had started in 1823 but which had failed due to political events in Portugal. Soon after his arrival in Lisbon, Kavanagh raised the problem with the Duke of Palmela, returning to the matter with the Marquis of Loulé in January 1836. The opportunity to reopen the process seemed to be excellent after official notification on 21 July 1835 that the official Anglo-Portuguese agreement of 1810 was to be revoked as from 31 January 1836, this period then being extended to the following 30 April, and that the Portuguese Government was extremely interested in defining the terms of its trade relations with other countries.

On 18 March, Kavanagh was informed by the Marquis of Loulé that, as a result of certain provisions established at the time at which Brazil broke away from Portugal, special principles had been guaranteed which were to be granted reciprocally between the two countries. With this exception, Loulé confirmed that the Portuguese Government was ready to grant most favoured nation treatment to the United States in trade with Portugal and the outlying islands of Madeira and the Azores although this trade arrangement could not be extended to the colonies without adequate compensation. The Portuguese position with regard to Brazil and the colonies created a certain degree of disappointment in Washington but the constraints indicated were not looked upon as insurmountable obstacles to signing an agreement. Talks were held between Kavanagh and the Count of Vila Real, although true negotiations were not begun. However, talks had also begun with Great Britain directed on behalf of the Portuguese by the Duke of Palmela, brother-in-law of the Count of Vila Real, without, however, any favourable outcome.

The revolution of September 1836, which aimed to restore the Constitution of 1822, caused a further suspension in the steps taken by Kavanagh to begin negotiations on a trade agreement. The new head of Government, António Dias Oliveira, who also held the portfolio for Foreign Affairs, told Kavanagh that the Government would suspend all negotiations until the new Constitution had been approved but since the trade policy of the United States with other nations was well known, he would make an exception in the American case

and could see no difficulties in immediately opening negotiations in order to establish a trade agreement. Kavanagh reminded him that for more than a year and a half he had had full authority from the President of the United States to sign such an agreement. Events resulting from the revolution and attempts at British intervention caused a strong anti-British wave of feeling in Portugal and it became clear that the Government in power, which was more liberal in trend than previous governments, intended to negotiate with the United States before negotiating with Great Britain so that a liberally based agreement with the Americans might serve as a useful precedent to prevent any British attempts to retain trade privileges with Portugal.

On 9 November, however, the Government fell and the Viscount of Sá da Bandeira took over the portfolio for Foreign Affairs. Bandeira had been involved in disputes with Great Britain on the issue of the slave trade and he assumed the stand that trade relations had first to be regulated with Great Britain before beginning negotiations with the United States. The stand adopted by Sá da Bandeira and Palmela, who was directing negotiations with the British, was not to aggravate an already difficult situation between the two allied countries.

The controversy between Sá da Bandeira and Palmerston grew more bitter however, between 1838 and 1839 and on 8 August 1839 the House of Commons, following a proposal made by the British Minister, approved a bill authorising the arrest of Portuguese ships involved in the slave trade and gave the British Admiralty the authority to judge Portuguese ships caught north or south of the equator, these measures being contrary to provisions in existing treaties between the two countries. Sá da Bandeira in the meantime had left the Government in April 1839 and General Pinto Pizarro, Baron of Ribeira de Sabrosa, became responsible for the portfolio of Foreign Affairs. Anti-British feeling reached its zenith in Portugal and the Government sent a special envoy, António Cândido de Faria, to Washington who temporarily assumed the position of Chargé d'Affaires, and who was the bearer of a message of protest against British measures and a proposal for reopening trade negotiations. When on 26 August, a little after the Palmerston bill, Kavanagh met the Baron of Sabrosa, the latter expressed the wish to quickly negotiate a trade agreement with the United States. The Government then proceeded with a certain degree of caution because in accordance with the new Constitution of 1838 trade agreements would have to be approved by the two chambers, the aim of the Government being to discuss the issue of trade relations with other countries before beginning any negotiations.

On 2 November the Government changed again and the portfolio for Foreign Affairs went first to the Count of Bonfim and then to the Count of Vila Real. Kavanagh's hopes of negotiating an agreement were seriously thwarted and he asked authorisation to resign from his post on 1 February 1840. On 24 April Kavanagh informed the Count of Vila Real that due to the fact that the question of a trade agreement had been pending for so long without any positive result, he would be leaving his post shortly unless there

were any serious hopes of quickly resolving the matter and he also explained his position to the Minister in more categorical terms on 16 June. The Count of Vila Real then assured him that the matter would soon be dealt with in Parliament, and that it was the Government's intention to request authorisation to negotiate an agreement based on perfect reciprocity. The Count's words did not put Kavanagh's mind at rest since he knew the Portuguese authorities' tendency to delay matters only too well, and in particular the Count's lack of diligence in dealing with that question.

On 23 June, however, discussions did take place in the two chambers on trade negotiations with the United States which appeared to favour a start to these negotiations. Debate in the Chamber of Deputies became heated, however, and the Count of Vila Real requested permission from the Queen to resign, and she accepted. Rodrigo da Fonseca Magalhães replaced him, and soon after, on 27 June, he convened Kavanagh to a meeting saying that he wished to start negotiations as soon as possible asking him if he would not mind negotiating with his representative since he was very busy and he did not feel sufficiently well versed in the matter. Since Kavanagh raised no objections he was notified on 4 July that the Queen had granted full authority for the negotiation of a trade agreement with the United States to the well known writer and public figure João Baptista Almeida Garrett. Negotiations began on 10 July and ended on 26 August, the date on which the text of the agreement was signed between both powers. The Queen, D. Maria II, ratified the agreement on 8 March 1841 and President John Tyler ratified it on 23 April of the same year, the date on which the instruments for ratification were exchanged in Washington.

On 3 July 1842, fourteen months after ratification of the trade agreements between Portugal and the United States, a new Anglo-Portuguese trade agreement was signed at the same time as an agreement on the abolition of the slave trade which put an end to the dispute on this matter between the two allied countries. The influence of the agreement with the United States in trade negotiations between Portugal and Great Britain was evident. This agreement was based on the principles of free trade and navigation and on reciprocity, endorsing the most favoured nation clause which was included in the Anglo-Portuguese agreement and in other agreements which were subsequently negotiated. For this reason the 1840 trade agreement between Portugal and the United States, apart from its importance in the relations between these two countries, was an important landmark in Portuguese foreign relations.

Relations between Portugal and the United States suffered a serious crisis when General Zachary Taylor rose to the presidency on 5 March 1849. To fulfil a personal commitment, Taylor resuscitated an old dispute between the two countries which had been practically buried, reaching the point of causing a breakdown in diplomatic relations and in threatening Portugal with the use of force.

This went back to an event which had occurred in 1814 during the 1812 Anglo-American war when the American corsair *General Armstrong* was attacked and destroyed in the port of Horta, on the island of Faial, by a British fleet. According to reports submitted by the Portuguese, American and British authorities the event took place in the following way: at around midday on 26 September 1814 the American corsair *General Armstrong*, under the command of Captain Samuel C. Reid, entered the port of Horta on the island of Faial, part of the archipelago of the Azores, to take on water, having been authorised by the port authorities to remain until the following day. Towards evening on the 26th the British brig *Carnation* entered the port and anchored close to the corsair, followed soon after by the ship of the line *Plantagenet* and the frigate *Rota*, making up the British Royal Navy squadron commanded by Captain Roger Lloyd, on route to Jamaica, probably to reinforce the British naval fleet trying to defend New Orleans which was being threatened by the forces of General Andrew Jackson. Captain Reid, realising that it would be impossible to escape under the vigilance of this fleet, decided not to move his ship but to remain under the protection of a neutral port. Observing, however, that the British ships were exchanging signals and fearing an attack, he brought his ship closer to the walls of Santa Cruz fort which overlooked the port. The brig *Carnation* sent two well-equipped longboats into the water which joined others from the *Plantagenet*. When one of these longboats was drawing close to the *General Armstrong* it was asked to retreat and when it did not obey Captain Reid's request he gave the order to fire, killing and wounding some of the crew, a sailor and a lieutenant being wounded on the corsair in the crossfire. The American Consul, Dabney, immediately informed the Governor of the island, Elias Ribeiro, of what had happened, warning him that he feared that a further attack might be made by the British ships. The Governor immediately informed the British commander that he could not consent to any outbreak of hostilities against the American corsair but a British longboat once again drew close to the *General Armstrong* and after it had withdrawn three other duly armed longboats made for the corsair. Firing broke out on both sides which resulted in the second officer on the corsair being wounded, two British crew members killed and a further seven wounded. Close to 11 o'clock at night the Governor realised that the British commander, ignoring his message, was preparing for a further attack. At around ten minutes past midnight a large number of longboats, at least a dozen, moved in to attack the corsair for 28 minutes. The British forces made up of approximately 300 men were seriously hit and 116 men fell.

Soon after this bloody battle the Governor Elias Ribeiro received a note from Commander Lloyd declaring that one of the *Plantagenet's* longboats had been attacked by the corsair without provocation and that two of his men had died and a further 20 had been wounded; that the neutrality of the port had been violated and that due to this abuse he had decided to take control of the corsair and that he hoped that the Governor would give orders to the fort garrisons to protect the force being used in this operation. The Governor

quickly replied that, according to his information it had been the British longboats that had caused the first attack, reminding the British commander of the peaceful relations existing between Portugal and Great Britain and that he should put an end to the hostilities. Not having received an answer to this communication, the Governor once again exhorted the British commander to stop hostilities until such time as both parties could hold talks. Lloyd replied, through the British Consul, that since the Americans had violated the neutrality of the port he had decided to send a brig to attack the corsair and if the British ship was attacked by the fort he would consider the island as enemy territory and that he would treat the city as such. At quarter past six on the morning of 27 September the brig *Carnation* fired heavily on the corsair, which retaliated. Realising that he could not resist the attack Captain Reid abandoned ship, taking the crew that had been on board to land in several longboats. At 8 o'clock in the morning the *Carnation* drew close to the corsair and opened fire again, the ship was then pillaged and set on fire by the British sailors.

On the same day Captain Reid drew up a protest with the American Consul against the Portuguese Government for its inability to protect and defend the neutrality of its port and blaming it for all the losses, costs and damages that had arisen or might arise for the owners, officers and crew of the *General Armstrong* as a result of the ship having been destroyed by British naval forces in the port of Horta. The protest was sent by the Secretary of State James Monroe to the American Minister in Rio de Janeiro, Thomas Sumter, to be presented to the Portuguese Government. The Minister for Foreign Affairs, the Marquis of Aguiar, expressed his regret in a letter dated 23 December 1814 for what had occurred to the *General Armstrong*, condemning the British attack but adding that American citizens had no reasons for complaint against the Governor of Faial who had used every means available to avoid the British attack and since it was a flagrant violation of Portuguese neutrality instructions had been sent to the Portuguese Minister in London to present a protest to the British Government and to demand compensation for damages incurred not only by Portuguese citizens but also by American citizens. Naturally this reply from the Portuguese authorities did not satisfy the American Government and on 14 March 1818 John Quincy Adams, replying to Correia da Serra concerning a complaint submitted by the latter on the capture of three Portuguese ships by American privateers, raised the question of the *General Armstrong* again and it was also mentioned in an interview he had with the Abott on 17 October 1818. In the meantime, due to deteriorating relations between Portugal and the United States because of Portuguese ships being held by Artigas's privateers, as mentioned earlier, and also because of the development of political events in Portugal up to the outbreak of civil war in 1834, the question of the *General Armstrong* was never the object of diplomatic intervention by the Americans until 1837.

On 22 October 1837, Secretary of State John Forsyth sent instructions to the Chargé d'Affaires, Edward Kavanagh, to raise the question of the *General*

*Armstrong* once again with the Portuguese government. Since Kavanagh was at the time involved in obtaining payment of compensation for the arrest of American ships during the Government of D. Miguel, as mentioned earlier, and since the issue was nearing a solution, he suggested to Washington that raising the question of the *General Armstrong* at that particular moment would run the risk of upsetting negotiations underway. Once the aforementioned cases had been satisfactorily resolved Kavanagh on 17 February 1837 again presented the Portuguese government with a complaint concerning the *General Armstrong* and the Minister for Foreign Affairs, Manuel de Castro Pereira de Mesquita, told the American representative that the compensation requested was inadmissible considering that the forces on the island of Faial at the time were unable to resist an attack by a British fleet and that the Governor of Faial had done everything in his power to dissuade the attackers. Official silence fell once more on the question until 29 March 1840, when Colonel Samuel C. Reid Jr., son of Captain Reid, sent a letter to President Van Buren on the case which was answered by Secretary of State Forsyth, explaining that the question had been raised on a number of occasions with the Portuguese Government without any positive result since the government in Portugal considered that the claim was inadmissible but that the American representative in Lisbon had instructions to resubmit the claim whenever he considered that the moment was opportune to do so.

On 15 January 1842 Secretary of State Daniel Webster sent further instructions to the Chargé d'Affaires in Lisbon, Washington Barrow, to bring the matter up again with the Portuguese Government, introducing a phrase the outcome of which would be that the Department of State would no longer be interested in dragging the matter out. The Minister for Foreign Affairs, Gomes de Castro, replied to Washington Barrow's intervention on 3 August 1843, repeating the arguments already put forward by his predecessors and adding one further argument which was that from a reading of the description of the facts that had occurred it was deduced that it had been the crew on the American corsair that had opened fire and should be considered the aggressor. This reply was communicated to Colonel Reid by the Secretary of State, Abel Upshur, who replied contesting the arguments put forward by the Portuguese minister. On 11 January 1844 Upshur notified Reid that the Department of State had, through its representatives in Lisbon, repeatedly presented claims concerning the *General Armstrong* to the consideration of the Portuguese Government, using every possible argument in its defence, but all efforts employed had been in vain and that the Department, in these circumstances, did not wish to renew the request, being convinced that any further steps would be useless and considering that recourse to other means was neither justified nor legitimate.

However, Reid did not give up the struggle with Upshur and later with his successor John Calhoun, who writing to a Senator who was interested in the case on 4 August 1844 said that the case of the *General Armstrong* was resolved by his predecessor founded on arguments which appeared to him to be judicious and correct.

With this approach quite clear on the part of the two Secretaries of State it seemed that the American Government had finally lost interest in the case of the *General Armstrong* with respect to Portugal's involvement. However, when General Zachary Taylor became President of the United States on 5 March 1849, Secretary of State John M. Clayton sent instructions to the Chargé d'Affaires, George W. Hopkins, to present complaints to the Portuguese government concerning a certain number of American ships including a complaint concerning the *General Armstrong*. The instructions were peremptory in bringing pressure to bear strongly on the Lisbon Government to satisfy claims without delay with the threat to break diplomatic relations followed by reprisals in the case of refusal or delay in satisfying the American requests.

How can such a radical change in the attitude of the American Government concerning the case of the *General Armstrong* be explained? The explanation lies in the personal undertaking of President Taylor who, before occupying the White House, had given his word to Colonel Reid during the Mexican campaign which turned the General into a popular hero and raised him to President. According to the report written by Reid himself, he had been with the General commanding the army when it marched from Camargo to Monterrey and in bidding him farewell, Reid had told Taylor that if he won the battle of Monterrey he would be the next President of the United States. In his reply the General told him that if this happened his father would win his claim against Portugal, to which Reid replied by accepting the promise.

In becoming President, Taylor did not forget his promise and undertook to satisfy it, which can only be explained by his lack of political experience.

Fulfilling the instructions received, Hopkins on 28 June 1849, began a lively exchange of correspondence with the Minister of Foreign Affairs, the Count of Tojal, which was taken up later with even greater vigour by his replacement James Brown Clay, son of the famous Senator Henry Clay. On 4 December of the same year, Taylor, in his address to Congress, mentioned the claims against Portugal, stating that failure on the part of Portugal to do justice to American claims was such a serious issue that it would shortly be the object of a special address to Congress. What Congress was not aware of was the personal undertaking on the part of the President in the *General Armstrong* case which led to adding other cases of less importance to this particular case for the specific purpose of hiding presidential concern. On 4 January 1850 the Count of Tojal mentioned the possibility to Clay of submitting the *General Armstrong* case to international arbitration, which alarmed Clay and naturally the authorities in Washington. On 2 March Secretary of State Clayton told Clay that the President had ordered that "final instructions" be sent and that they be delivered to the commander of the Mediterranean fleet, who should then go to Lisbon to request a final reply from the Portuguese Government, and in the case of a negative answer he was to receive Clay on board and conduct him to a place from which he could embark for the United States. A duplicate of these instructions came

into Clay's hands on 22 April, who then waited for the original copy of the instructions to be handed over to him by Commodore Morgan, commander of the Mediterranean fleet. On 15 April the Count of Tojal, who in the meantime had become aware of Taylor's message to Congress, told Clay officially that the *General Armstrong* case should be submitted for arbitration to the King of Sweden, and Clay, aware of the content of the "final instructions", replied on the 24th to Tojal with regard to this proposal that it was unacceptable.

Commodore Morgan, expected in Lisbon at the beginning of May, only arrived in the Tagus on 19 June. Receiving the "final instructions" from his government from the Commodore, Clay requested a private audience with the Count of Tojal, which took place the very next day at the Count's home. Clay insisted on the private nature of the meeting, the aim of which was simply to find an amicable solution to the question. The Count having given Clay his opinion on the way in which to proceed in this situation, the American representative finally suggested that the Count should write to him saying that since arbitration had been refused, he would like to know what amount would be acceptable by way of compensation for all the claims. Clay would then reply indicating a duly itemised sum. Tojal, after talking to his colleagues in government, wrote to Clay committing the error of mentioning the private conversation he had had with the American diplomat and requesting that he present the proposal he had made in writing. Clay dryly refused such a request, reminding Tojal of the private nature of their meeting and his refusal to present any proposal. On the following day, 21 June, the American representative sent a "final note" to Tojal in which, after mentioning the various claims related to the ships *General Armstrong*, *Shepherd*, *Miles*, *Colonel Bloom* and *Magoun*, concluded by saying that, according to instructions received, he had to make a final request to the Portuguese Government to satisfy the claims presented, indicating that the warship that had brought these instructions would await the Portuguese reply for a period of 20 days and, if this reply were negative, would request his passports and would embark on the warship to return to the United States.

The following day the Government, led by the Count of Tomar, was questioned in Parliament about rumours spreading throughout the capital on the serious difficulties that had arisen with the United States Government. The Count of Tomar, with his usual skill, tried to put Parliament's mind at rest, alluding to the proposal for arbitration presented to the American authorities and assuring them that within the period allowed by the Americans for a final answer the Government would give a suitably just reply in accordance with the dignity and decorum of the nation. On 28 June Clay received a visit from the Minister of Russia, Sergius Lomonosov, who on a personal basis informed him that the President of the Portuguese Government wished to arrive at an understanding but that the case of the *General Armstrong* was the major obstacle. Clay accepted a meeting with the Count of Tomar which took place on 1 July in the presence of the Count of Tojal. The Count of Tomar established the difference between the *General*

*Armstrong* case and the case of the other ships suggesting separate negotiations. Clay said that his instructions would not allow him to accept this solution. The President of the Government then asked, for his personal information, what sum of compensation was envisaged and Clay, also on a private basis, indicated that the sum was 211,659 dollars and 41 cents (a sum later adjusted to \$223,327). The following day Tojal requested Clay in writing to indicate the sum requested for compensation. This he supplied indicating the following amounts: *General Armstrong* – \$131,600; *Shepherd* – \$23,171; *Miles* – \$42,098; *Magoun* – \$17,294; *Colonel Bloom* – \$8,911, lesser cases (*Bolton*, *Long Island* and *Ganjes*) – \$253. These amounts came to a total of \$223,327, i.e., 205 *contos de reis* at an exchange rate of 920 *reis* to the dollar.

The final position of the Portuguese Government was sent to Clay on 6 July. In this it was stated that the Portuguese intended to retain good relations with the Government of the United States and “ceding to the force of circumstance”, without going into the justice or injustice of the claims presented, was ready to pay compensation worth 91,727 dollars, with the exception of that for the *General Armstrong*, which it was proposed should be submitted to international arbitration, suggesting the King of Sweden as arbiter. Clay replied on the following day saying that he could not accept the Portuguese proposal but he would not carry out his final instructions in the hope that there would probably be a last minute change in the Portuguese position. As this did not happen Clay, on 11 July, requested his passports and embarked on the warship *Independence* on the 20th for the Mediterranean, going to Paris from Genoa and returning to Washington only in December.

Given the personal undertaking of President Taylor in the *General Armstrong* case, the Portuguese proposal could not have been worse. Lisbon was certainly unaware of the special interest the American President had in this case, not suspecting that the claims for the remaining vessels had been tacked on to the claim for the much-spoken of case of the American corsair to mask or hide private presidential interests. If the Portuguese Government had been aware of this situation it would probably have made another proposal and would have been ready to pay compensation for the *General Armstrong* submitting the other claims to international arbitration. Certainly compensation for the corsair was 40,000 dollars higher than the sum of the remaining claim; but if the Portuguese had offered to pay 100,000 dollars (instead of the 131,600 dollars requested) this proposal might have been accepted by Taylor because in this way he would have fulfilled his promise and avoided a disagreeable international incident with unforeseeable consequences.

The American diplomatic representative having withdrawn from Lisbon as a result of the Portuguese proposal being considered unacceptable, President Taylor should ask the Congress for the necessary authority to carry out reprisals against Portugal. An unexpected event occurred, however, at exactly the time when Clay was getting ready to withdraw from Portugal. On 4 July Taylor was present at the Independence Day celebrations on a particularly hot day in Washington. Towards the end of these celebrations he

fell ill, his condition went from bad to worse and he died on 9 July, a victim of one of those fevers which in those days were very common in the capital. He was succeeded by Vice President Millard Fillmore, who appointed Daniel Webster, a skilled and experienced politician, as Secretary of State. On 6 August the Portuguese Minister in Washington asked Webster what the position of the new administration was with regard to the Portuguese proposal and on 14 August the Secretary of State said that he had come to the conclusion that the Portuguese proposal was acceptable. Minister Figanière still tried to persuade Webster to submit all the claims to international arbitration since the Portuguese Government had not recognised the legitimacy of any of them, but Webster refused such a move saying that he could see no reason for not accepting what the Portuguese Government had already offered and that he intended to resolve the issue quickly.

On 26 February 1851 a convention was signed in Washington by Webster and Figanière regulating payment of the compensation offered by Portugal and the submission of the *General Armstrong* case to international arbitration. The new American Chargé d'Affaires in Lisbon, Charles Bricket Haddock, nephew of Webster, received instructions to consult the Portuguese Government on the choice of an arbiter. The Government of the Count of Tomar had in the meantime been overthrown by a military coup headed by Marshal Saldanha, who led the new Government, the Minister for Foreign Affairs being António Aloizio Jervis d'Atouguia. On 18 June Atouguia and Haddock agreed that the arbiter should be the President of the French Republic, Louis Napoléon, who had been suggested by the American authorities and accepted by the Portuguese. Louis Napoléon accepted responsibility and gave his decision on 30 November 1852 in favour of Portugal.

This brought an end to an incident that could have had serious consequences in the relations between Portugal and the United States caused by a serious promise made to a private individual by a President before taking office.

After the arbitration decision had been passed in favour of Portugal and until the American Civil War broke out relations between Portugal and the United States were relatively untroubled. In Portugal, after the short *Cabralista* period from 1849 to 1851, the period known as the "regeneration" began in an attempt to unite the different political forces in the country in order to encourage progress. In the United States the period from 1840 to 1850 was an important stage in continental expansionism, the renewed spirit of which was to be taken up again in 1852 in the movement of the Democratic Party called "Young America" or "Manifest Destiny Party".

On 16 June 1854 John L. O'Sullivan took up his duties in Lisbon as Chargé d'Affaires (shortly raised to the category of Residential Minister). O'Sullivan was a well-known journalist and author of the famous expression

“manifest destiny” which served to characterize and justify the continental expansionist drive in the United States, begun in the forties and, later, the democratic radical movement and the republican movement “Young America”.

O’Sullivan was very interested in events in Spain and Portugal since the Americans attentively followed everything related to Spain due to the question of Cuba, where insurrection against Spanish control was becoming daily more evident. In Washington it was thought that Great Britain and France had secretly become allies to check the expansion of the United States and prejudice American interests, particularly in Cuba and Hawaii. The Crimean War which broke out in the spring of 1854 increased American concern since Great Britain was trying to prevent American traders from trading freely with Russia. As a neutral country the United States supported the principle that “free ships make free trade”, a principle to which the British were opposed. Once military operations were underway Great Britain was then prepared to recognise this principle on condition that the Americans would prohibit the use of privateers, because they were afraid that American ships would serve under the Russian flag. On 22 July 1854 a treaty was signed between the United States and Russia in which the aforementioned principle was considered to be a right. Based on this agreement American diplomats received instructions to negotiate identical agreements with countries with which the United States had diplomatic relations. O’Sullivan, fulfilling these instructions, presented a draft agreement to the Portuguese Government although he did not place great hope in Portuguese acceptance of such a project owing to their fear of upsetting the British and French governments. The situation remained unchanged until the Treaty of Paris was signed on 30 March 1856 which put an end to the conflict. On 16 April the countries which were part of this treaty adopted a “declaration on maritime rights” containing the following items: 1. privateering is, and continues to be, abolished; 2. a neutral flag covers enemy merchandise with the exception of instruments of war; 3. neutral merchandise, with the exception of instruments of war, may not be captured under an enemy flag; 4. blockades to be accepted must be effective. At a proposal made by the French representative, the representatives of the parties meeting in Paris agreed, in Protocol number 24 of the treaty, that the nation ratifying the Paris declaration could not later sign agreements with other nations which were not based on the four principles of the declaration.

When O’Sullivan became aware that the British Minister had received instructions to request Portugal to ratify the Paris declaration, he immediately met with the Foreign Minister, Viscount Atouguia, to whom he explained the American point of view which was against prohibiting privateers and, in referring to Protocol number 24, he pointed out that the nations which had signed the Declaration had every right to fulfil the agreement between them of not signing agreements with other nations that were not based on the four principles in question. At the same time he added that it went beyond their scope to determine whether a nation ratifying the Declaration was inhibited

from signing agreements with other nations on a different basis. He said that he hoped that no nation had accepted such an imposition which was clearly directed against the United States. In the meantime Atouguia was replaced by the Marquis of Loulé to whom on 12 June 1856 O'Sullivan sent a note explaining the American position and stressing that the first point of the Paris declaration, along with Protocol number 24, was an attempt to coerce the United States into accepting the anti-privateer principle for the benefit of the leading European powers and sacrificing one of the United States most important means of defence. In successive verbal and written communications, O'Sullivan exerted constant pressure on the Lisbon Government to avoid its being completely convinced of the British and French points of view. On 26 June the Marquis of Loulé told O'Sullivan he understood the American position adding that the Portuguese Government had not taken any decision on the matter.

O'Sullivan's positive attitude in defence of the American cause stirred up a collective counter offensive on the part of the countries represented in Lisbon which had ratified the Treaty of Paris. The leaders of this counter offensive were the British and French representatives who, in their turn, increased their pressure on the Portuguese Government. O'Sullivan began to despair alluding to excessive British influence in Portugal which, in his correspondence with Washington, he even referred to as "a British Province". On 19 July when O'Sullivan met the Marquis of Loulé at the closing ceremony of Parliament, the latter told him that he agreed with what O'Sullivan had said and that in adhering to the Paris declaration Portugal would only do so accepting the four items in the Declaration not including Protocol number 24. O'Sullivan was agreeably surprised and told Loulé that he was pleased to find that the Marquis had had the opportunity to demonstrate that no foreign pressure would force him to forget what was due to the honour of his country. The news enraged the diplomatic representatives who were against the American cause and who collectively protested to the Portuguese Minister claiming that Portuguese adherence to the Paris declaration without including Protocol number 24 would be refused by their respective governments. The Marquis of Loulé did not sway from his position and in a note dated 28 July told those representatives that the Portuguese Government would adhere to the four principles in the Paris declaration without making any allusion to Protocol 24. O'Sullivan trying to exploit the victory he had won, then tried to negotiate an agreement on maritime rights with Loulé but the latter postponed the matter.

The Marquis of Loulé had used his two favourite weapons in dealing with this issue: procrastination and ambiguity.

The Portuguese Government having adhered to the Paris declaration but not to Protocol 24 satisfied the wishes so vehemently expressed by the American representative although, in doing this, it had irritated the British and French: by not signing the agreement proposed by the Americans on maritime rights it tried to appease the enraged parties. However, the episode

reveals a clear intention to satisfy American interests at loggerheads with the interests of the leading European naval powers and in particular with Great Britain's policies at the time.

The American Civil War led to the Portuguese Government adopting an attitude which was in sympathy with the Government of the Union in contrast to the policy adopted by Great Britain, France, Spain and other European powers.

In order to make the use of privateers difficult for the Confederates the Government in Washington asked Portugal, at the outbreak of the war, to adopt measures to avoid Portuguese ports being used to arm and equip ships working for the southern states. The talks begun by the Chargé d'Affaires, George Morgan, on 27 May 1861, were actively pursued by his replacement James Harvey who tried to convince the Portuguese Foreign Minister, António José d'Ávila (later Count, Marquis and Duke of Ávila), not to follow the example of Great Britain, France and Spain who had declared neutrality in the dispute, which was the same as recognising the belligerency of the southerners to their advantage. Harvey's demarches took effect because in a decree dated 29 July 1861, the Portuguese Government established certain standards which prevented Portuguese ports from being used by privateers and their victims, except in the case of *force majeure*.

Ávila, not following Britain's example, produced a carefully written text which was not a declaration of neutrality, leaving considerable freedom to the Portuguese Government to deal with the navies of both parties depending on Portugal's interests, although it satisfied Washington's wishes to prevent the use of Portuguese ports for the arming, equipment or operations of Confederate privateers. During the Civil War the Lisbon Government raised no obstacles to the movement of Union warships in Portuguese waters and collaborated with the authorities in Washington in their vigilance against Confederate privateers sailing in the same waters.

In his correspondence to Washington, Harvey was against the fact that Portugal's collaboration had never been sufficiently recognised by the Government of the Union emphasising that during the Civil War no port had been freely open to the Union's war fleet along the whole length of the European coast except that of Lisbon and those of the Portuguese Atlantic islands. Later, in the case the United States Government presented to the arbitration court in Geneva to decide on the accusation made against Great Britain with regard to damages caused by the Confederate privateer ship *Alabama*, with British complicity, he praised the behaviour of the Portuguese Government during the Civil War in comparison to that of the British Government and it was said, among other things, that the United States readily bore witness to "the honourable conduct of Portugal". This tardy, indirect recognition however was not made directly or at the right time as Harvey, on more than one occasion, had reminded his superiors.

One fact that did help to increase the understanding previously manifested by the Portuguese authorities for the United States was, without doubt, the arbitration over the dispute between Portugal and Great Britain over possession of the island of Bolama and adjacent territories on the African continent. After long and difficult negotiations directed on behalf of the Portuguese by António José d'Ávila, which followed a long dispute lasting more than 30 years, heavily marked by violence practised by the British Royal Navy, both parties finally agreed in 1869 to submit the question for international arbitration as Portugal had proposed long before, the British Government proposing the President of the United States as arbiter which was accepted by the Portuguese. The President at the time was Andrew Johnson who was in the meantime replaced by Ulysses S. Grant who finally had to pass sentence. This was done on 21 April 1870 in Portugal's favour, Portuguese rights to the island of Bolama and that part of the territory on the continent off which the island lay having been "proved and established". When Ulysses Grant ended his duties as President, he visited Lisbon in October 1878 on a trip to Europe and the Portuguese Government, the press and the people in general knew how to express to the Civil War hero the country's recognition for the impartial, dignified sentence he had passed in the case that the country had against the largest naval power of the day. It was the then Minister for Foreign Affairs, João de Andrade Corvo, who considered that it was decidedly in Portugal's interest to strengthen relations with the United States. Andrade Corvo was the Portuguese statesman who most clearly and realistically saw the advantages to be gained from the two Atlantic nations closely collaborating. Concerned with the future of the Portuguese colonies, he realised that the best policy to develop and retain them would be, as a first step, to resolve existing problems through negotiations with Great Britain. He realised that this allied power had frequently abused its strength but he thought that it would be fundamental for the country to establish a system of collaboration in Africa and Asia although this might involve some sacrifices since he knew only too well that Great Britain would safeguard her own interests. Keeping his distance from dogmatic anglophiles he also avoided aligning with intransigent anglophobes. Once the Portuguese colonial frontiers had been established in solemn agreements with Great Britain he realised that in the next step Portugal should try to develop her relations with the United States due to this nation's growing importance in international life and to her inevitable intervention in European issues. For Corvo Portugal's geographic position, with the islands of the Azores situated on the route to America indicated that Portugal was the European nation whose relations might be the most useful for the great American Republic.

— To implement these objectives Andrade Corvo conceived a daringly liberal commercial policy opening the doors to foreign capital, technology and emigration, abolishing all monopolies and obstacles to free competition. He remembered that sovereignty was not an absolute right and it misled those who thought that the right of sovereignty could lead to the extreme of opposing the rights of man and one of these rights was to benefit peoples by

making the most of the advantages resulting from free trade and to extend the wealth that nature had made available to all. He also remembered that colonisers bore the obligation of raising indigenous peoples under their sovereignty to civilisation and to grant them the rights that other nations enjoyed.

In executing his policy Andrade Corvo quickly had the measures obtained by Sá da Bandeira putting a final end to slavery in Portuguese overseas territories put into force. Besides implementing many other measures aimed to develop these territories, when the portfolio for Foreign Minister was combined with the portfolio for the Navy and Overseas from 1872 to 1877, he negotiated the Treaty of Lourenço Marques with Great Britain in 1879. After negotiating this agreement it was his aim to negotiate a treaty dealing with the Congo with the British resolving the problem of establishing Portuguese frontiers in that area. Party differences as well as intrigue and opposition which arose within the actual regenerating party to which Andrade Corvo belonged, led to his resignation, the fall of the Fontes Government and non-ratification of the Treaty of Lourenço Marques. If this had been ratified and if an agreement on the Congo had been negotiated, which at the time would not have raised any opposition with the other powers, then certainly the Berlin Conference on the Congo would never have taken place in 1885, nor would the British ultimatum have been made against Portugal in 1890. Party differences, personal intrigue and blind nationalism which always prevailed in any discussion on Portuguese problems, prevented the plan designed by Andrade Corvo from being implemented dragging the country into successive, inescapable crises.

While he held the portfolio of Foreign Minister, Andrade Corvo tried in every possible way to develop cordial relations with the United States. As a result of the climate of understanding created the Government in Washington decided to set up a naval base in Lisbon, a request for this being presented during the short government of the Marquis of Ávila which lasted from March 1877 to January 1878 between the two Ministries led by Fontes Pereira de Melo of which Andrade Corvo was a part. The idea of establishing an American naval base in the Tagus had already been suggested by American diplomatic representatives in Lisbon, George Hopkins (1847-1849) and John O'Sullivan (1854-1858), without any results. On 2 March 1877, a few days before leaving his duties as Secretary of State due to the coming inauguration of President Hayes, Hamilton Fish sent instructions to Benjamin Moran, Chargé d'Affaires in Lisbon, to request the Portuguese authorities for authorisation and facilities to set up a general headquarters for the American fleet in Europe in Lisbon, until then based in Villefranche. This was a measure of high-powered strategy as O'Sullivan had on many occasions stressed and it would certainly create a very special bond between Portugal and the United States. Ávila's reply was immediate and positive which surprised Moran himself but a few days later the Commanding Admiral of the American fleet in Europe told Moran that the decision had been revoked by the Admiralty. The reason given for this unexpected change was the

outbreak of war between Russia and Turkey in April 1877 which can only be considered a pretext since the decision had been officially "suspended" and at the end of the war the request was not renewed. The true reasons must have come from opposition in certain sectors of the American navy, naturally including the fleet itself, which did not wish to leave very agreeable quarters in the Mediterranean, as indeed O'Sullivan noted. Villefranche was two miles from Nice and close to the Italian Riviera in an area of easy pleasures and many tourist activities in contrast to the sleepy Lisbon of that period which could not offer the same attractions. Using the change in administration it was easy for the opponents of the transfer of the base to alter the decision previously made and it is significant that Moran was notified of the alteration by the actual Commander of the fleet. The strategic interest of the move had obviously not been seriously considered by the new Administration.

However, two issues arose to cast a shadow on relations between Portugal and the United States in the decade 1880-1890: the issue of the Congo and the issue of the Lourenço Marques railway.

As a result of the explorations of Henry Stanley, who although British acted like an American citizen, and his recruitment by the International African Association, founded by King Leopold II of Belgium with the objective of creating a vast emporium in the Valley of the Congo or Zaire, relations between Portugal and the United States suffered a serious crisis due to the support that President Chester Arthur gave to that Association succumbing to the influence of the powerful American speculator Henry F. Sanford, the King of Belgium's closest advisor. Sanford who had a vast fortune and influential friends in the United States easily influenced President Arthur, a mediocre politician who had become President on the assassination of President Garfield, to recognise the International Association of the Congo (as the African International Association was later called) in April 1884 as a kind of state, recognising its flag in the same way as that of a friendly government.

The American decision caused indignation in Portugal where it was clear that behind the much spoken of humanitarian purposes of the Association lay the political project to create an African dominion controlled by King Leopold, usurping vast regions which historically came under Portuguese sovereignty. Stanley, as an agent of the Association, was relentless in directing violent attacks against Portugal and propagating lies about the Portuguese administration. The activities of Savorgnan Braza, in the service of France, and Stanley in the service of the Association, led Portugal and Great Britain to start negotiations to define which areas fell under Portuguese dominion in the Congo and the way in which trade and penetration of these areas should be organised. After laborious negotiations both countries signed the treaty on Zaire on 16 February 1884. This was a matter Portugal should have dealt with some years before. If the policy of Andrade Corvo had not been so unwisely hindered the signing of an Anglo-Portuguese treaty on Zaire in 1880

or 1881 would have been easily accepted by the European powers, according to historians who have studied this period. At the time at which it was signed enormous protests were raised by a number of European countries and even in certain British circles. This meant a considerable increase in general opposition in Great Britain against the treaty and recognition by the British Government of the impossibility of ratifying it. The Portuguese Government was highly active diplomatically to try and save the treaty offering to introduce several amendments and even suggesting, perhaps unwisely, to hold an international conference to deal with the problem.

Bismarck, who at the time was a dominant figure in European politics, and who until then had shared no great interest in African affairs, decided to show an interest persuading France jointly with Germany to convene an international conference to deal with the matter of the Congo basin. The conference with the attendance of delegates from Belgium, Spain, France, Great Britain, the Netherlands, Portugal and the United States of America began its work in Berlin on 15 November 1884. The American delegation was made up of the American Minister in Berlin, John A. Kason, and by Henry Sanford and also, as technical consultant, by Henry Stanley. It was therefore a delegation practically at the service of the International Association of the Congo and its patron Leopold II of Belgium which was highly undignified for the United States. In the conference the defence put up by the American delegation was obvious for the ideas and suggestions of King Leopold which on several occasions led to opposition by the Portuguese delegation. American intervention in the conference was the target of severe criticism in the American press and President Cleveland, who began his mandate soon after the end of the conference, did not present his "general report" for approval of the Senate.

The question arising from the concession to build a railway linking Lourenço Marques and the Transvaal frontier did not help to develop friendly relations between Portugal and the United States. Because of treaties with Great Britain and the Republic on Transvaal, the Portuguese Government was committed to building that railway. The Minister for the Navy and Overseas, Manuel Pinheiro Chagas, a famous journalist and writer, ingenuously accepted in December 1883 the proposal for the concession for building the railway presented by the American Colonel Edward MacMurdo which was recommended to him by the American Minister in Lisbon, John Francis. MacMurdo was an adventurer and a financial speculator whose proposal seduced the Portuguese Minister because it did not involve subsidies or costs on the part of the Portuguese State in that it assumed total responsibility for building and exploiting the line. MacMurdo's objective, for he did not have the necessary capital to build the line, was financial speculation in negotiating the concession, that had personally been attributed to him, with foreign capitalists which he finally managed although with some delay. Apart from the Portuguese company called "Caminho de Ferro de Lourenço Marques ao Transvaal", another British company was set up for the

purpose, "The Delagoa Bay and East Africa Railway Company, Limited", which jointly with MacMurdo was the holder of the shares in the Portuguese company.

In implementing contractual obligations successive delays were given until the Portuguese Government, motivated by the hostility which in the meantime had arisen in Mozambique against the behaviour of the concessionaries and MacMurdo's failure to come to an understanding over tariffs with the Dutch company building the stretch of the line in the Transvaal, decided to put an end to MacMurdo's machinations. The frontier between Mozambique and the Transvaal having been finally established, the Portuguese Government on 24 October 1888 established the final date of 24 June 1889 to complete construction of the line up to the frontier. Despite protests from the Delagoa Bay Company, the Government declared its intention in Parliament of confiscating the line, according to the terms of the contract, should the obligation not be fulfilled, which led official British moves to prolong the deadline, which was refused by the Portuguese Government which on 25 June 1889 sent the decree rescinding the concession contract to the Official Journal.

MacMurdo had died in the meantime but before this he had taken steps with the Department of State which were continued later by his widow. At the time the Secretary of State was Jame Blaine who three times had tried to conquer the Presidency of the United States although he enjoyed a reputation of being false and scarcely honest. The interests of MacMurdo's widow were defended by Robert G. Ingersoll, a famous New York lawyer and close friend of Blaine who, furthermore, as the Illinois delegate, had proposed him as a candidate for the Presidency in the National Republican Convention in 1876. Furthermore, as from August 1889 the United States representative in Lisbon, George Bailey Loring, member of a patrician family from Massachusetts, closely linked to the Republican party and to Blaine, who appointed him to Lisbon to replace Edward Leroy who had not been in favour of giving official support to MacMurdo's intentions. With such a combination of people closely linked by political and other ties, at a difficult time for Portugal, facing a serious crisis in relations with Great Britain and at a time when approaches between London and Washington were gaining ground, official American intervention in this question could certainly not have been less opportune and inconvenient for the Portuguese Government.

Blaine, with his usual impetuosity and lack of scruples, acted decisively in favour of the cause which had been put to him by his fellow ideologist and friend Ingersoll to protect the interests of the widow of a recognised American adventurer, in a question in which American national interests were not involved. The Portuguese Government fully accepted the obligation of compensating the shareholders of the "Caminho de Ferro de Lourenço Marques", but considered that, according to the terms of the concession contract, the amount of compensation should be established by the competent Portuguese courts, and should cover the cost of construction already carried out. The British and American Governments however

demanded compensation covering the value of the shares held by the Delagoa Bay Company to be established by international arbiters. In the discussion between Loring and the Ministers Barros Gomes and Hintze Ribeiro no change was made to the Portuguese point of view, Loring on 7 April 1890, having suggested to Blaine that an ultimatum be sent to the Portuguese Government. Bearing in mind that the Portuguese Government had succumbed a few months before to the famous British ultimatum dated 11 January 1890, Blaine on 8 April sent an extraordinary telegram to the British Minister in London, Robert Lincoln, in which he said that the American Minister in Lisbon had said that the Portuguese Foreign Minister had himself requested that an ultimatum be sent by the American Government and asking whether the British Government would agree to the American Government's action. This was a complete fabrication, as documents in the American archives prove, but which resulted in the simultaneous presentation to the Portuguese Government of the American and British letters of 26 April containing a veiled ultimatum imposing acceptance of international arbitration to resolve the question of the amount of compensation owed. On 1 May, Hintze Ribeiro accepted international arbitration although reaffirming the reasons for the Portuguese position and the lack of grounding for the British and American positions.

The three countries agreed, after negotiations, to accept Switzerland as the country that would appoint three arbiters, the Swiss Federal Council having appointed for these duties Joseph Blaesi, Vice President of the Federal Court of Lausanne; Andreas Hensler, Professor of Law at the University of Bâle; and Charles Soldan, President of the Council of the State of Canton de Vaude. The process of arbitration took approximately ten years to discuss, the final sentence being passed on 29 March 1900 in which Portugal was condemned to pay the Governments of the United States and Great Britain, besides the £28,000 that had already been paid, the sum of 15,314,000 Swiss francs and the simple interest on this amount at a rate of 5 per cent counting from 25 June 1889 until the date of payment. On 21 July 1900 the Portuguese Government paid the total sum of 23,792,000 Swiss francs which at the exchange rate on that date was the equivalent of £941,511.13.10 which added to the initial payment of £28,000 came to a total of 969,511 pounds sterling. British and American shareholders wanted compensation for a total sum of £2,575,000 (which would come to £3,600,000 with the interest added) and the Portuguese Government intended to pay them only £340,000 representing the effective cost of the construction already done. If we add to this last sum the amount of the interest, at a rate of 5 per cent, we have a final sum of approximately £500,000. Consequently Portugal had paid double what it intended to pay and the foreign shareholders received only a quarter of what they expected to receive.

These two episodes involving the Congo and the Lourenço Marques railway upset relations between the two countries in the decade 1880-90, although they did not create any long-standing Portuguese animosity towards the United States, perhaps because the anti-British furor caused by the

January 1890 ultimatum had masked all the other international disputes Portugal had to confront. From the positive point of view, as well as for already acute geopolitical reasons, another factor arising out of the situation at the beginning of the nineties drew Portugal closer to the United States. The tension between the United States and Spain increased daily because of Cuba, where in 1895 further insurrection broke out and Portuguese suspicions concerning the expansionist trend of the Madrid Government were strong due to the constant nationalistic statements being made by important public figures from all political sectors in Spain.

It is therefore not surprising that in 1898 when war broke out between Spain and the United States the Portuguese Government was discreetly in sympathy with the American cause although the Portuguese press in general, following the example of the European continental press, backed the Spanish cause, quite erroneously convinced that Great Britain was supporting the United States. In February 1898 on the eve of the conflict, King D. Carlos intimated to the American Minister Townsend that he was surprised Spain did not realise that their most patient, just and reliable friend was President MacKinley. On 14 March the King also intimated to Townsend that Spain had recently proposed to Portugal that, should war be declared, it should join Spain in defending the colonies against foreign interference, offering "substantial advantages". The proposal was roundly rejected according to the King, who assured American representatives that should armed conflict break out Portugal would declare neutrality. War was declared on 24 April and on the 28th the Official Journal published a decree declaring Portuguese neutrality in the conflict, in accordance with what the King had told the American representative.

The period between 1899 to 1910 was one of active American negotiations due to three successive American Secretaries of State who distinguished themselves by their initiative in the field of foreign policy: John Hay, Elihu Root and Philander Knox. During this period the United States negotiated three trade agreements with Portugal and a further three on arbitration, naturalisation and emigration.

Succumbing to the wave of protectionism that dominated the world in the closing decade of the XIX century, Portugal terminated all trade agreements based on the conception of free trade, among them that with the United States in 1840, termination of which was communicated to the Department of State by the Portuguese Minister in Washington on 31 January 1891, taking effect on 31 January 1892.

Mariano de Carvalho, who occupied the post of Finance Minister in the Government led by João Crisóstomo Abreu e Sousa in 1891, tried to negotiate a new trade agreement with the United States based on a plan reminiscent of Andrade Corvo's ideas for drawing Portugal closer to the United States. This Minister thought to create American trade depots in Lisbon, Nacala and Pemba, including a true American naval base in the

Tagus, turning Portugal into a base for American trade operations in Europe and Africa. Mariano de Carvalho discussed the matter with the American Minister in Lisbon and with certain American individuals in Paris with the aim of encouraging them to convince the Secretary of State James Blaine to support the project. Because of opposition to the Minister within the actual government he belonged to, the administration led by João Crisóstomo collapsed in January 1892 and Mariano de Carvalho resigned from power. On the American side Blaine did nothing about the matter, perhaps because he was convalescing from a serious illness at the time, having left Government in June 1892. Later Mariano de Carvalho was to write that the Government was afraid of his project. Silence on the American side could only mean indifference.

With the new American tariff policy in 1897, called the Dingley Bill, the President of the United States could negotiate reciprocal trade agreements with other countries, granting reductions in customs duties up to 20 per cent for equivalent advantages granted to cereals, oil and dry meats of American origin. Wines were among imported products enjoying these reductions, which naturally interested Portugal. Due to pressure exerted by the Trade Association in Oporto and the agreement of the Ministry of Finance, instructions were given to the Portuguese Minister in Washington to negotiate a trade agreement with the United States which was signed in Washington on 22 May 1899. After Puerto Rico had been annexed to the United States this agreement was extended to that country in an additional agreement signed in Washington on 19 November 1902.

After the 1897 tariff had been substituted in 1909 by the American Congress, trade agreements the American Government had negotiated on the basis of the provisions in that first bill were rejected. In negotiations that took place in Washington in 1910 a new trade agreement was reached in an exchange of letters dated 28 June 1910, modified by the arrangements made on 18 May and 26 August 1916.

As a result of the Hague Conference in 1899 which created a Permanent Court for Arbitration an international movement was begun to sign arbitration agreements. In 1904 Secretary of State John Hay promoted negotiations for ten arbitration agreements but due to radical alterations introduced into these by Congress President Theodore Roosevelt decided to withdraw them from Senate approval. Elihu Root, who succeeded Hay, thought there was an advantage in negotiating and approving such agreements although weakened by amendments made by Congress. After the Second Hague Conference in 1907 negotiations resulted in twenty four arbitration agreements, one of these concerning Portugal and signed in Washington on 6 April 1908. This agreement was extended on 28 June 1913, 14 September 1920 and 5 September 1923, and it only expired on 14 November 1928.

The problems caused by Portuguese immigration to the United States, particularly from the Azores, required an agreement to be signed between Portugal and the United States specifically regulating problems concerning

nationality. In July 1870 the American Minister Charles H. Lewis had proposed an immigration agreement to the Government which never came into being. Repeated cases of fraud committed in the United States with false naturalisations led in 1902 to the Government looking for a way to combat this situation with the authorities in Washington. This resulted in negotiation and signing in Washington of a naturalisation agreement on 7 May 1908.

On the same date an extradition agreement was also signed in Washington which from at least as early as 1866 had been proposed by the Americans but which had met with a number of obstacles in the negotiation stage, mainly the Portuguese demand not to accept the extradition of criminals or those incriminated for crimes subject to capital punishment, which in Portugal had been abolished for common crimes by a law dated 1 July 1867. In an appendix to the extradition agreement of 7 May 1908, the American Government undertook not to apply the death penalty in the case of criminals handed over to the United States by Portugal.

To this convention activity between 1899 and 1910, demonstrating the normal development of relations between Portugal and the United States, should be added Portuguese collaboration to John Hay's policy concerning Chinese neutrality during the war between Russia and Japan in 1904 and particularly the visit to Lisbon in June of the same year of a large American fleet whose officers took part in the ceremony in which the youngest son of King D. Carlos, the Infante D. Manuel, was invested as a Naval Midshipman, concern having been shown to have the American officers present at the ceremony. In a speech made at the banquet held on the Admiral's flagship in honour of the Portuguese monarch the American Commander of the fleet expressed firm support for Portugal against any external threat, saying that these were the express instructions of President Theodore Roosevelt.

The latter, who was the hero of the Spanish-American war leading him to Vice President and later President of the United States after the assassination of President MacKinley in 1901, certainly recalled the friendly attitude of the Portuguese Government, particularly the King, towards the United States during that conflict and demonstrated American gratitude in a gesture with few precedents in the history of relations between the two countries. It would have been difficult to imagine that in less than four years after this friendly gesture King D. Carlos, just like President MacKinley, would be assassinated, bringing with his death the fall of the Portuguese monarchy consummated by the revolution that proclaimed the Republic on 5 October 1910.

**I**n accordance with the authorised American doctrine on recognition, established in the famous Monroe message of 1822, the American Government recognised *al de facto* governments irrespective of the constitutional form they assumed. Based on this doctrine the United States Government recognised the government of D. Miguel, whose political principles were detested by the American people. With the provisional government of the Portuguese Republic the Washington Government,

however, proceeded differently, abandoning the traditional doctrine and assuming an attitude which showed little deference and solicitude for a country which had always been friendly towards the United States and for a government whose political principles it could certainly sympathise with.

The Washington Government, becoming aware of the political changes taking place in Portugal, instructed its diplomatic representatives in Lisbon to maintain only *de facto* relations with the new government, declaring that it would give *de jure* recognition after an organised demonstration that the nation adhered to the new regime. After the Constituent Assembly had met on 19 June 1911 and solemnly abolished the monarchy the Democratic Republic was proclaimed and on the same day the American Chargé d'Affaires, George J. Lorillard, informed the Foreign Ministry that the American Government formally recognised the Government of the Portuguese Republic.

The odd behaviour on the part of the Washington Government is explained by its concern relative to repeated promotion of dictatorial and arbitrary governments in Latin America and their aim not to create a precedent which the republics of that region might invoke at a time of constant revolutions, thus establishing the principle that new governments would only be recognised by the United States after a popular vote confirming their new political institutions. The innovation in this policy demonstrated, in the Portuguese case, by the Secretary of State, Philander Knox, during the administration of President Taft, is usually attributed to President Wilson, who, although he adhered to it was not its creator, as shown by the case with the Portuguese Republic. If it was a reasonably justified policy its application in the Portuguese case was really unnecessary and particularly unjustified due to the repeated proof of collaboration shown to the United States by Portugal.

On 3 August 1911 the first American Minister accredited to the Government of the Portuguese Republic presented his credentials to the President of the Provisional Government and a new period opened in the relations between the two republics.

If relations between Portugal and the United States during the days of the monarchy demanded more detailed description because they were little known, relations between both countries as from 1911 can be referred to more briefly since much more information on this period has been published. Some of the more important aspects in Portuguese-American relations from 1911 to 1974 will be briefly dealt with here, drawing from previous studies published elsewhere: Portuguese collaboration during the First World War; Atlantic cooperation between Portugal and the United States during the Second World War and the following period; tension between both countries due to the Portuguese colonial war.<sup>1</sup>

During the First World War which Portugal took part in from March 1916 and the United States from February 1917, Portugal authorised the

installation of an American naval base in the Azores to combat the German Atlantic submarine campaign. The American naval base in Ponta Delgada was visited in July 1918 by Franklin D. Roosevelt, then Under-Secretary for the Navy. Once the war was over the American naval base was abandoned, some artillery being handed over to the Portuguese military authorities.

When the Second World War broke out Portugal declared her neutrality, although conditioned by obligations arising from the Anglo-Portuguese Alliance. The United States, on the other hand, in taking part in the war against the Axis, considered the use of the Azores to be essential for anti-submarine attacks in the Atlantic, which was the route bringing all personnel and matériel to the European theatre of war. In talks between Roosevelt and Churchill the need for the allied forces to use the Azores was recognised, the British Government having contacted the Lisbon Government on this matter, and on 18 June 1943, under the Anglo-Portuguese Alliance, use of the Azores bases was formally requested. The Portuguese Government accepted after negotiations leading to the Anglo-Portuguese Agreement on 18 August 1943. On 23 November the American Chargé d'Affaires, George Kennan, met with Salazar and expressed the American wish to share the facilities on the Azores granted to the British forces. In preparation to this request Kennan had already sent a letter to the Portuguese Government on 25 October in which the Government of the United States undertook to respect Portuguese sovereignty in its colonies. Salazar's reaction was that the Americans could only benefit from the facilities in the Azores within the framework of the Anglo-Portuguese agreement and not outside it. According to this agreement the aerodrome on the island of Terceira was open only to British forces; however, in the port of Horta facilities were granted to United Nations ships which included American ships. Negotiations lasting for a year led to the signing of the American-Portuguese agreement of 28 November 1944 establishing indirect participation of Portugal in the Pacific operations and envisaging the building of an airport by both countries on the island of Santa Maria to serve as an airbase in which Portugal would grant the United States unrestricted use of a base which would come under the command of the American air force. This agreement should have expired on 2 March 1946 but this was first extended to 2 June and then, in an agreement on 30 May 1946, to 2 December 1947. In this agreement American aircraft were also authorised to use the Lajes aerodrome on the island of Terceira. On 2 February 1948, in the midst of the Cold War and on the eve of the formation of NATO, a new American-Portuguese agreement extended the facilities granted to the American forces in the Azores for a further five years, i. e., until 2 December 1952. On 5 January 1951 Portugal and the United States signed a mutual aid and defence agreement and on 6 September of the same year a defence agreement in which these facilities were extended until 1 September 1956. In the Supplementary Agreement for Defence on 15 November 1957 this period was prolonged to 31 December 1962.

With the outbreak of insurrection in the Portuguese colonies in Africa relations between Portugal and the United States were to suffer a serious

crisis, particularly following the rise of John Kennedy to the Presidency in 1961 and the intervention policy he introduced relative to the Portuguese overseas issue. The Washington Government was naturally in favour of the decolonisation movement begun in the post-war period and encouraged in the UN. Salazar refused to accept the principle of self-determination as defined by the United Nations and decided to put up armed resistance to the guerilla movements in Angola, Mozambique and Guinea with the support of foreign entities while he waited for the international scene to change in favour of Portuguese policy. Kennedy tried to persuade Salazar to accept the principle of self-determination for the Portuguese colonies, exerting strong pressure and offering aid. The clash of these two positions resulted in tension between the Lisbon and Washington governments which was unparalleled in the history of relations between the two countries. At the base of this confrontation were irreconcilable ideological differences. Kennedy and his advisors did not understand that the changes they wished to see in Salazar's overseas policy implied dismantling the whole political regime he had created. Salazar, in his turn, did not wish to accept that the decolonisation movement that had arisen throughout the world after the war was inevitable and irreversible when applied to the Portuguese colonies. This difficult period in relations between Portugal and the United States was studied in detail by Richard D. Mahoney in his book *J. F. K. - Ordeal in Africa* (Oxford University Press, 1983), based on documentation from the most confidential American files, such as the National Security Files.

When in mid-1962, the American authorities requested the Portuguese Government to open negotiations for renewing the 1957 Supplementary Defence Agreement, the deadline for which was 31 December of the same year, they were not well received. Salazar, furious with Kennedy, was determined not to renew the Agreement and not even steps taken by Washington at the highest possible level would change his attitude. On the eve of the deadline and in reply to an appeal made by Secretary of State Dean Rusk the American Ambassador received a letter stating that the Portuguese Government authorised "*de facto* and during present talks and negotiations", the stationing of American forces at the Lajes base and, should talks and negotiations be negative, the evacuation deadline would not terminate before 1 January 1964. In practice a further year's prorogation to the agreement was granted although without guarantees as to what would happen from 1 January 1964, everything depending on talks and negotiations "which never took place". Consequently the American presence at the Lajes base was precarious as from 31 December 1963. This policy did not lead to any substantial alteration in the American attitude apart from the Americans closing their eyes to the use of American arms destined for NATO missions in the colonial wars, though this attitude is more likely attributable to American intervention in Vietnam and the more moderate Johnson and Nixon administrations.

The Marcelo Caetano Government adopted a more realistic policy in relation to the United States. It avoided any ideological and political confrontation with the Government of Washington with regard to Portuguese

overseas policy which Marcelo Caetano, despite everything, retained unaltered, and as much American cooperation as possible was sought, exploiting the less aggressive attitude of President Nixon. It was decided to abandon the *de facto* situation with respect to the presence of American forces in the Azores and negotiations were proposed to the American authorities on 6 January 1969. The aim behind these negotiations, established during the following year, was based on the following principles: 1. no political guarantees would be requested from the American authorities; 2. the position assumed to date of not demanding material benefits in return for granting facilities on the Azores would be abandoned; 3. these benefits would be economic in nature and exclude arms. Negotiations completed in 1971 resulted in the 9 December 1971 agreement which was to remain in force only until 3 February 1974. This was a provisional short-term agreement with limited objectives, the aim being to await the certain reelection of Nixon in the hope that in his second mandate the President would have fewer political inhibitions in developing a cooperation policy with Portugal. In the meantime Portuguese policy sought to accumulate credits in Washington in an attempt to strengthen the Portuguese negotiating position. Two important events considerably increased these credits: the support given by Portugal to the United States in October 1971 in voting in a United Nations General Assembly regarding the admission of the People's Republic of China, which led to a special thank you from Nixon to the Portuguese Government; and above all, authorisation given by the Portuguese Government on 13 October 1973 for American planes to use the Lajes base to reequip Israeli forces seriously hit by the Egyptian-Syrian Yom Kippur attack. This move led Secretary of State Henry Kissinger to discreetly help the Portuguese authorities to obtain certain restricted arms such as Red Eye missiles.

The objectives of the Marcelo Caetano Government were greatly frustrated by the Watergate scandal that broke out soon after the reelection of Nixon who, instead of being reinforced, faced a period of serious political crisis which eventually led to his resignation. The Portuguese Revolution of 25 April 1974 entirely altered the facts of the problem and the period of confusion and poor political administration that followed caused negotiations on the Lajes agreement to be carried out much later in 1979, to remain in force for four years with few benefits. In December 1983 a new agreement was negotiated to remain in force until 4 February 1991, this time with substantial advantages for Portugal.

The scope of this historical outline does not include a general view of the relations between Portugal and the United States of America in the period following the Portuguese revolution of April 1974, since this is a very special field demanding a study done by someone more knowledgeable about these facts.

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<sup>1</sup> Some of the more relevant aspects of US-Portuguese relations were extensively dealt with in a study published by the author in the IEEI's journal. Cf. José Calvet de Magalhães, "Portugal e os Estados Unidos – Relações no Domínio da Defesa", in *Estratégia – Revista de Estudos Internacionais*, n.º 3, Spring 1987. (N. Ed.).