

MEMORIAL

OF

TOWNSEND HARRIS,

PRAYING

Compensation for diplomatic services in negotiating a treaty with the Kingdom of Siam, while consul general at Japan.

FEBRUARY 27, 1857.—Referred to the Committee on Commerce, and ordered to be printed.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

The memorial of Townsend Harris, consul general of the United States for Japan, acting by his attorney, Nathaniel Dougherty, of the city of New York, respectfully represents :

That the memorialist, while preparing to leave the country to enter upon his duties as consul general at Japan, was appointed by the President of the United States a commissioner to negotiate a treaty with the Kingdom of Siam ; that in pursuance of this trust, he sailed from New York for England in the month of October, 1855, and performed the voyage and journey to Siam with all possible despatch ; that he succeeded in negotiating a commercial treaty with Siam, and transmitted the same to this government ; that his compensation as consul general at Japan did not commence until his entrance upon his duties at Simoda, in the month of August, 1856, ten months having elapsed from the date of his departure ; that no provision being made by law for the service rendered by him in the negotiation with Siam, he respectfully prays that Congress will take such measures in the premises as they may deem just and proper.

And your memorialist, &c.

TOWNSEND HARRIS.

By his attorney, NATHANIEL DOUGHERTY.

NEW YORK CITY, *February* 26, 1857.

Townsend Harris, of New York, was appointed by the President consul general of Japan, August 4, 1855, and confirmed by the Senate July 31, 1856.

Mr. Harris sailed from New York for England, to take the overland route, in October, 1855, and arrived at his destination, in the steamer San Jacinto, in August, 1856, and was received as consul general at Simoda, Japan, the following week. He was, therefore,

for about *ten months* engaged in the public service, without compensation, previously to the commencement of his regular salary as consul.

The delay in reaching Japan was occasioned by the following circumstance: While preparing for his departure for Japan, the President appointed Mr. Harris special commissioner to negotiate a treaty of commerce with the Kingdom of Siam. In pursuance of this object he waited at the Straits of Malacca two months for the arrival of the United States steamer *San Jacinto*, which vessel had been detailed to convey him to Siam. He proceeded in her to Bangkok, where he succeeded in negotiating a commercial treaty, which is now before the Senate, and which is believed to be satisfactory to the government.

By existing laws Mr. Harris cannot receive any compensation beyond his regular salary as consul, (and which did not commence till his arrival in Japan,) unless by authority of Congress.

The claim for compensation rests on the fact that a valuable service was performed by him before entering on his regular duties.

There are several precedents to justify this claim on the part of Mr. Harris. Two or three are quite recent and may be cited:

Commodore Perry received, by authority of Congress, twenty thousand dollars for negotiating a treaty with the Empire of Japan.

Messrs. Schenck and Pendleton, while holding official diplomatic stations, were named commissioners to negotiate treaties with Paraguay and Uruguay, States of South America, and performed that duty.

Mr. Schenck received \$9,000 for each of those treaties, making \$18,000; and Mr. Pendleton received the same amount, being in the whole, for the two commissioners, \$36,000, for treaties with minor States of South America. (See laws of Congress, 2d session, 33d Congress, page 559; see laws of Congress, private acts, 1st session, 34th Congress, page 5.)

Mr. Harris' treaty with Siam must be deemed of at least equal importance to the commercial interests of the country with either of those referred to.

The only mode of compensation in such cases is supposed to be by an appropriation by Congress for the special object indicated.

Mr. Harris is not here to represent his own case, but it is not supposed that his interests will suffer on that account. He is at his post in Japan—the most distant of any representative of the country abroad, and can only be reached by an occasional foreign mail.

It is suggested, in his behalf, that the sum of \$12,000 be appropriated as compensation to Mr. Harris for services rendered by him in negotiating the commercial treaty with Siam.

This is an intermediate sum between the highest sum paid, in the cases cited, to Commodore Perry, and the lowest to Messrs. Schenck and Pendleton.

A memorial is submitted on the subject by the legal representative and attorney of Mr. Harris—Mr. Dougherty, of New York.