

Francisco, and all claims and demands whatever of said party of the second part to this date against said party of the first part, excepting the remaining three-eighths ($\frac{3}{8}$) part of said one per cent. commissions upon said sales of said bonds.

And if said party of the first part shall procure from A. A. Green a relinquishment of all claims for said three-eighths ($\frac{3}{8}$) of said one per centum of said commissions, such relinquishment by said A. A. Green shall thereupon operate as a relinquishment therein of all the interest of said party of the second part.

In witness whereof, the said parties of the first and second parts have hereunto set their hands and affixed their seals, the day and year first above written in duplicate.

[SEAL.]

GASPAR SANCHEZ OCHOA.
THE GOVERNMENT OF THE REPUBLIC
OF MEXICO, by GASPAR SANCHEZ OCHOA.
SAMUEL BRANNAN.

[SEAL.]

[SEAL.]

STATE OF CALIFORNIA, *City and County of San Francisco, ss:*

On the twenty-seventh day of September, A. D. one thousand eight hundred and sixty-five, before me, F. J. Thibault, a notary public in and for said city and county, residing therein, duly commissioned and sworn, personally appeared Samuel Brannan and Gaspar Sanchez Ochoa, whose names are subscribed to the annexed instrument, who are personally known to me to be the individuals described in, and who executed the annexed instrument, and he, the said Samuel Brannan, duly acknowledged to me that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned; and he, the said Gaspar Sanchez Ochoa, duly acknowledged to me that he executed the same freely and voluntarily, on his own behalf and on behalf of the government of the republic of Mexico, and as agent and representative of said government, for the uses and purposes therein mentioned.

In witness whereof, I have hereunto set my hand and affixed my official seal at my office in the county of San Francisco, the day and year last above written.

[SEAL.]

F. J. THIBAUT,

Notary public.

UNITED STATES OF AMERICA, STATE OF CALIFORNIA,
City and County of San Francisco, ss:

I, Frederick J. Thibault, commissioner for the State of New York, duly commissioned by the executive authority and qualified under and by virtue of the laws thereof, to take the acknowledgments of deeds and other instruments in writing to be used or recorded in said State of New York, residing in the city and county of San Francisco, in the State of California, do certify that on this twenty-seventh day of September, A. D. one thousand eight hundred and sixty-five, before me personally appeared Gaspar Sanchez Ochoa, to me personally known to be one of the individuals described in, and who executed the foregoing instrument, who thereupon acknowledged to me that on his own behalf and on behalf of the government of Mexico, and as agent and representative of said government, he executed the same freely and voluntarily for the uses and purposes therein mentioned.

And I do further certify that on this same day personally appeared Samuel Brannan, to me also personally known to be one of the individuals described in, and who executed the foregoing instrument, who thereupon acknowledged to

me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

In witness whereof, I have hereunto set my hand and affixed my official seal, as such commissioner, at my office, in the city and county of San Francisco, State of California, this twenty-seventh day of September, A. D. one thousand eight hundred and sixty-five.

[SEAL.]

F. J. THIBAUT,

Commissioner for New York in California.

WASHINGTON, June 4, 1867.

A true copy :

IGNO. MARISCAL, Secretary.

No. 121.

No. 3.]

This agreement, made this twenty-sixth day of September, one thousand eight hundred and sixty-five, by and between General Gaspar Sanchez Ochoa, on his own behalf and as agent of the government of the republic of Mexico, party of the first part, and Samuel Brannan, of the city and county of San Francisco, State of California, party of the second part, witnesseth:

That whereas an agreement has this day been made and executed, between the parties hereto, to the effect that said party of the first part shall pay to the party of the second part, in sixty days from the date hereof, the sum of forty-three thousand four hundred and seventy-eight dollars and twenty-six cents, (\$43,478 26,) with interest thereon from date at the rate of one and one-half per cent per month, until paid in legal-tender notes; which said indebtedness is secured to said party of the second part by the hypothecation to him, by said party of the first part, of the bonds of the republic of Mexico to the amount of ten millions of dollars (\$10,000,000):

Now, therefore, I, the said party of the second part, do hereby promise and agree to and with the said party of the first part, that, when the said indebtedness is paid, I will accept, in lieu of said sum of forty-three thousand four hundred and seventy-eight dollars and twenty-six cents (\$43,478 26) in currency, the sum of thirty thousand dollars in gold coin of the United States, and interest accordingly—that is to say, that, if said interest be paid in gold coin, the sum shall be computed upon the sum of thirty thousand dollars (\$30,000); and if the said interest be paid in legal-tender notes, the same shall be computed upon the sum of forty-three thousand four hundred and seventy-eight dollars and twenty-six cents (\$43,478 26.)

And upon such payment to me of thirty thousand dollars, (\$30,000,) and interest as aforesaid, in gold coin, I will thereupon cancel said agreement and hypothecation, and acknowledge payment in full of said demand.

In witness whereof, the said parties of the first and second part have hereunto set their hands and affixed their seals, the day and year first above written, in triplicate.

[SEAL.]

SAMUEL BRANNAN.

STATE OF CALIFORNIA, *City and County of San Francisco, ss:*

On the twenty-seventh day of September, A. D. one thousand eight hundred and sixty-five, before me, F. J. Thibault, a notary public in and for the said

city and county, residing therein, duly commissioned and sworn, personally appeared Samuel Brannan, whose name is subscribed to the annexed instrument as a party thereto, who is personally known to me to be the individual described in, and who executed, the annexed instrument, and he, the said Samuel Brannan, duly acknowledged to me that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

In witness whereof, I have hereunto set my hand and affixed my official seal, at my office in the city and county of San Francisco, the day and year last above written.

[SEAL.]

F. J. THIBAUT,
Notary Public.

UNITED STATES OF AMERICA, STATE OF CALIFORNIA,
City and County of San Francisco, ss:

I, Frederick J. Thibault, a commissioner of the State of New York, duly commissioned by the executive authority, and qualified under and by virtue of the laws thereof, to take acknowledgments of deeds and other instruments in writing, to be used or recorded in the said State of New York, residing in the city and county of San Francisco, State of California, do certify that, on the twenty-seventh day of September, A. D. one thousand eight hundred and sixty-five, before me personally appeared Samuel Brannan, to me personally known to be the individual described in, and who executed, the foregoing instrument, who thereupon acknowledged to me that he executed the same freely and voluntarily, for the uses and purposes therein mentioned.

In testimony whereof, I have hereunto set my hand and affixed my official seal, as such commissioner, at my office in the city and county of San Francisco, State of California, this twenty-seventh day of September, A. D. one thousand eight hundred and sixty-five.

[SEAL.]

F. J. THIBAUT,
Commissioner for New York in California.

WASHINGTON, June 4, 1867.

A true copy:

IGNO. MARISCAL, Secretary.

No. 122.

No. 4]

This indenture, made at San Francisco, California, this twenty-sixth day of September, A. D. one thousand eight hundred and sixty-five, by and between General Gaspar Sanchez Ochoa, an agent of the government of the republic of Mexico, as well on his own behalf as on behalf of said government, party of the first part, and Samuel Brannan, of the city and county of San Francisco, State of California, party of the second part, witnesseth:

That whereas the said party of the first part is justly indebted to the said party of the second part in the sum of forty-three thousand four hundred and seventy-eight dollars and twenty-six cents (\$43,478 26) in legal tender notes, lawful money of the United States of America, to be paid in sixty days from

this date, with interest thereon at one and one-half per centum per month, from this date until paid:

Now, therefore, in consideration of such indebtedness, and in order to secure the payment of the same as aforesaid, the said party of the first part does hereby sell, assign, transfer, and set over and deliver unto the said party of the second part, the following described property, to wit: The national bonds of the republic of Mexico in different amounts and denominations, amounting in all to the sum of ten millions of dollars, being the bonds for said sum of ten millions of dollars, lately prepared and issued by the said government of the republic of Mexico, in the said city of San Francisco, through the agency of the said party of the first part, for loan purposes, and which said bonds are now on deposit, or to be deposited in the National Bank of Commerce, in the city of New York, the said property hereby sold and transferred being already delivered into the possession of the said party of the second part as his security for the payment of said indebtedness, as hereinbefore stated: Provided, however, that if the said debt and interest be paid as above specified, then this sale and transfer shall be void, but if the said party of the first part should fail or neglect to pay the said sum of forty-three thousand four hundred and seventy-eight dollars and twenty-six cents, (\$43,478 26,) and interest as aforesaid, to the said party of the second part, his agent, attorney, or assignee, within sixty days from the date hereof, then and in that case the said party of the second part and his assigns are hereby authorized and empowered to sell the said bonds of the government of the republic of Mexico, or so much or so many thereof at public sale in the city of New York, upon giving notice thereof of at least ten days by advertising said sale in some one or more of the newspapers published in the said city of New York, and to retain from the proceeds of such sale, in his and their hands, sufficient to pay and satisfy the whole amount of the above-mentioned demand, with the interest, at the rate above specified, which may be due thereon at the time of such sale, and all costs, charges, and expenses incurred by the said party of the second part or his assigns, in consequence of the neglect and failure of said party of the first part as aforesaid, rendering the overplus, if any there be, to the said party of the first part or his successor or successors.

In witness whereof, the said party of the first part has hereunto set his hand and seal, the day and year first above written, in triplicate.

GASPAR SANCHEZ OCHOA. [SEAL.]

THE GOVERNMENT OF THE REPUBLIC OF MEXICO,

By GASPAR SANCHEZ OCHOA. [SEAL.]

The original instrument of which this is a duplicate is duly stamped with forty-five dollars United States revenue stamps properly cancelled by G. S. Ochoa, September 26, 1865.

D. P. BELKNAP.
F. J. THIBAUT.

STATE OF CALIFORNIA, City and County of San Francisco, ss:

On the twenty-seventh day of September, A. D. one thousand eight hundred and sixty-five, before me, F. J. Thibault, a notary public in and for said city and county, residing therein, duly commissioned and sworn, personally appeared Gaspar Sanchez Ochoa, whose name is subscribed to the annexed instrument, who is personally known to me to be the individual described in, and who executed, the said instrument, and he, the said Gaspar Sanchez Ochoa, duly acknowledged to me that he executed the same freely and voluntarily, on his own

behalf and on behalf of the government of the republic of Mexico, and as agent and representative of the said government, for the uses and purposes therein mentioned.

In witness whereof, I have hereunto set my hand and affixed my official seal, at my office in the city and county of San Francisco, State of California, the day and year last above written.

[SEAL.]

F. J. THIBAUT,
Notary Public.

UNITED STATES OF AMERICA, STATE OF CALIFORNIA,
City and County of San Francisco, ss:

I, Frederick J. Thibault, a commissioner for the State of New York, duly commissioned by the executive authority, and qualified under and by virtue of the laws thereof to take the acknowledgments of deeds and other instruments in writing to be used or recorded in the State of New York, residing in the city and county of San Francisco, State of California, do certify that on this twenty-seventh day of September, A. D. one thousand eight hundred and sixty-five, before me personally appeared Gaspar Sanchez Ochoa, to me personally known to be the individual described in, and who executed the foregoing instrument, who thereupon acknowledged to me that on his own behalf and on behalf of the government of the republic of Mexico, as agent and representative of said government, he executed the same freely and voluntarily for the uses and purposes therein mentioned.

In testimony whereof, I have hereunto set my hand and affixed my official seal, as such commissioner, at my office in the city and county of San Francisco, State of California, the twenty-seventh day of September, A. D. one thousand eight hundred and sixty-five.

[SEAL.]

F. J. THIBAUT,
Commissioner for New York in California.

WASHINGTON, June 4, 1867.

A true copy:

IGNO. MARISCAL, Secretary.

No. 123.

No. 5.]

Know all men by these presents that I, Samuel Brannan, of the city and county of San Francisco, State of California, have made, constituted, and appointed, and by these presents do make, constitute, and appoint Peter H. Burnett, of the same city, county, and State, my true and lawful attorney, for me and in my name, place, and stead, to ask, demand, secure, recover, and take possession of, either at the city of New York, State of New York, to which my said attorney is about to proceed, or at the city of Washington, District of Columbia, or wherever they may be, certain bonds of the republic of Mexico, issued in the said city of San Francisco, by Gaspar Sanchez Ochoa, the duly and accredited authorized agent of said republic for that purpose, which said bonds are of various denominations, and amount in the aggregate to ten millions of dollars at their par value, and after having been forwarded to the said city of New York and there placed in the charge and custody of the National Bank of Commerce, of said city, and afterwards in the charge and custody of the banking-house of Van Auken, Brannagin & Garrison, to be by them disposed of in ac-

cordance with instructions by me forwarded to them, was to secure to me the payment in United States gold coin of the sum of thirty thousand dollars (\$30,000) with interest thereon, pursuant to a certain contract made in that behalf between me and the said Gaspar Sanchez Ochoa, and for me and in my name, place, and stead to ask, demand, sue for, and receive the said bonds, and such and any of them, from the said National Bank of Commerce or the said partnership of Van Auken, Brannagin & Garrison, or any other person, party, partnership, or corporation in whose hands, possession, or custody they may be; and also for me, and in my name, place, and stead, after having received and taken possession of said bonds as aforesaid, to sell the same upon due public notice given to that effect, for the payment of the said debt of thirty thousand dollars and interest in gold coin due thereupon, and for the payment whereof the said bonds were duly hypothecated to me; and to that end to accomplish and conclude such sale in such manner as counsel learned in the law may devise and advise, or if such a course be practicable, and in preference to making such sale, to deliver the said bonds forthwith, or at any time before said sale can be legally made, to the Mexican government, that is, to the government of the republic of Mexico, or its duly authorized and proper representative having authority to demand and receive said bonds, upon first securing for me, from said government, or its said representative, the said sum of thirty thousand dollars and interest in gold coin, pursuant to the said contract between me and the said Gaspar Sanchez Ochoa, acting for and on behalf of said government, or otherwise to make such disposition of said bonds or such modifications of the disposition thereof hereinbefore described, as I may hereafter from time to time or at any time instruct my said attorney by letter or trans-continental telegraph having my signature, to do; and in case of the arrival of my said attorney in New York, or afterwards, he shall find said bonds already redeemed from the said Van Auken, Brannagin & Garrison, or any other party in whose custody they were, and the said sum of thirty thousand dollars and interest in gold coin paid to said parties so holding them in cancellation of said debt due me, then I hereby authorize, empower and direct my said attorney to ask for, sue, and receive from the said Van Auken, Brannagin & Garrison, or other person or party holding the same or having received the same, the said moneys, or any money to me belonging, in the behalf aforesaid, or by reason of the premises, and to give proper receipts and acquittances therefor, according to my rights in the premises, and also for me, in my name, place, and stead to place all or any moneys so received in the custody of, and deposit the same with the banking house of Duncan, Sherman & Co., in the said city of New York, on my account and to my credit. I further authorize, empower, and direct my said attorney, in case he does not in his discretion deem it advisable to sell said Mexican bonds, or any other part thereof, to deposit such of the same as he may not elect to sell with the said Duncan, Sherman & Co., and put them in possession thereof on my account as my agents and attorneys, with like authority in the premises as hereinbefore given to my said attorney, Peter H. Burnett, in all particulars; and I hereby authorize and empower my said attorney to substitute the said Duncan, Sherman & Co. as his substitute in the premises, and under this power of attorney, for me, and in my name, place, and stead to perform the acts and duties, and possess the powers hereinbefore mentioned and prescribed; and further, by these presents I do make, constitute, and appoint the said Peter H. Burnett my true and lawful attorney, for me, and in my name, place, and stead to manage, conduct, contract, attend to, and transact all my business affairs, transactions and interests of any kind whatever in the said cities of New York and Washington, and especially such matters and things as I may by letter or trans-continental telegram, duly signed by me, at any time hereafter authorize him especially to do and perform, giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever,

requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I myself might or could do if personally present, with full power of substitution as aforesaid, and revocation, hereby ratifying and confirming all that my said attorney or his substitute may lawfully do or cause to be done by virtue hereof, and also hereby revoking all former power or powers of attorney heretofore by me granted, or authority given to said National Bank of Commerce, and to said Van Auker, Brannagin & Garrison, respecting the custody, control, or disposition of said bonds, or any of them.

In witness whereof, I have hereunto set my hand and seal, this twenty-seventh day of April, A. D. one thousand eight hundred and sixty-five.

[SEAL.]

SAMUEL BRANNAN.

Sealed and delivered in presence of—

J. W. WENENS,
F. J. THIBAUT.

(Certified to by a notary public and a commissioner for the State of New York, which it is unnecessary to copy.)

WASHINGTON, June 4, 1867.

A true copy:

IGNO. MARISCAL, *Secretary*.

No. 124.

No. 6.—(Bond.)

Principal and interest secured by custom-house duties and mining revenue.

No. —.] BOND OF THE REPUBLIC OF MEXICO. [\$1,000.

Monroe Doctrine.

(Vignette.)

1,000.

(Vignette.)

(Vignette.)

1,000.

The Republic of Mexico to the holders of these presents, greeting:

In pursuance of the authority vested in his excellency Benito Juarez, the President of the republic of Mexico, by virtue of the act of the congress of this republic, passed May 3, 1862, and of the further act passed October 27, 1862, and by virtue of the resolution of the President and the council of ministers of this republic, attested March 1, 1865, giving and granting unto General Gaspar Sanchez Ochoa full power and authority to negotiate a foreign loan for this republic to the amount of ten millions of dollars, and in accordance with the constitution and laws thereof, the republic of Mexico, for value received, will pay to the order of — on the 1st day of July, 1871, one thousand dollars, with interest thereon at the rate of ten per cent. per annum, the interest to be paid semi-annually, on the first day of January and July of each year, on the surrender of the annexed coupons; all payments to be made in gold coin of the United States of America at the Pacific Bank in the city and county of San Francisco, California. The republic of Mexico reserves the right to redeem this bond with interest at any time, after giving six month's official notice of its intention thereof, such notice to be published in the English and Spanish languages for six months in any daily newspaper in said city and county of San Francisco. To secure the payment of this bond and coupon attached thereto, one half of the revenues derived from all the fiscal proceeds of the custom-houses at Manzanillo, Mazatlan, and Guaymas have been duly assigned and conveyed

to Samuel Brannan, of the city and county of San Francisco, in trust, to be deposited and held by him for the purposes of such redemption.

In witness whereof, I, the said General Gaspar Sanchez Ochoa, in behalf of the republic of Mexico, and by virtue of the power and authority in me vested, do hereunto subscribe my name and affix my official seal this 1st day of July, 1865, at the city and county of San Francisco, State of California.

Seal.

(Vignette.)

{ Gaspar Sanchez Ochoa,
Republica Mexicana }
Commissioner.

(Vignette.)

GASPAR SANCHEZ OCHOA,
Commissioner for the Republic of Mexico.

Coupons.—1 to 12.

No. —.]

(Vignette.)

[\$50.

On the first day of January (July) A. D. 1866, (to 71) the republic of Mexico will pay to the bearer at the Pacific Bank in the city and county of San Francisco, California, the sum of fifty dollars in gold coin of the United States of America, for interest then due on bond No. —, bearing date July 1, 1865.

GASPAR SANCHEZ OCHOA,
Commissioner for the Republic of Mexico.

[Lithographed.]

Reverse.—Mexican eagle with scroll and words "Mexican republic."

WASHINGTON, June 4, 1867.

A true copy:

IGNO. MARISCAL, *Secretary*.

No. 125.

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,

No. 492.]

Washington, July 14, 1866.

I have received a letter from Mr. Richard Chenery, of which I enclose a copy and translation, where you will see some extracts from one Mr. Mark Brumagin of the 3d instant, showing that he has in his personal custody half a million of the bonds issued by General Sanchez Ochoa, which sum is mortgaged to the house of Treadwell and Company, of Boston. He also says that house is disposed to postpone the foreclosure of the mortgage for one year, provided it is determined who is the true representative of the government in the case. I will attend to the business immediately and inform you of the result.

I repeat the assurances of my most distinguished consideration.

M. ROMERO.

Citizen MINISTER OF FOREIGN RELATIONS, *Chihuahua*.

WASHINGTON, June 4, 1867.

A true copy:

IGNO. MARISCAL, *Secretary*.

No. 126.

WASHINGTON, July 13, 1866.

DEAR SIR: I have a letter from Mark Brannagin, esq., of New York, this morning, in which he says (referring to the Ochoa bonds) "The half million pledged to Treadwell & Co., of Boston, are in my hands for that house, and they have agreed to extend the time for one year, if they can find the right representative of the Mexican government. The bonds are in my individual possession, and I expect to keep them for the protection of those interested (the half million.)"

"The bonds not in my possession are in the hands of my firm, who have them in the Bank of Commerce, and the latter are much annoyed at their being in their vault."

This letter was written (per its date) on the 3d instant, which Mr. Burnett has returned to New York, and has not likely removed the bonds to Messrs. Duncan, Sherman & Co's bank.

As you will observe, Mr. Brannagin says he has half a million of bonds in his *individual* possession. In the opinion of Judge Burnett, as well as your own, the transaction is illegal, though I am confident Mr. Brannagin did not intend to do anything but what was strictly legal and proper, and now learning his position, will not part with the bonds until he can do so without personal liability.

I wrote him this morning that you were the only authorized representative of the government of Mexico in the United States at present, and did you thoroughly understand this transaction between General Vega and the house of Treadwell & Co., I believed you would put it in a shape that would be recognizable by your government, as you were disposed to do all things right and proper to be done. I have not heard directly from Judge Burnett since he left this city.

Respectfully, your obedient servant,

RICHARD CHENERY.

Señor Don MATIAS ROMERO,
*Envoy Extraordinary and Minister Plenipotentiary
of the Mexican Republic in Washington.*

WASHINGTON, June 4, 1867.

A true copy:

IGNO. MARISCAL, *Secretary.*

No. 128½.

WASHINGTON, July 16, 1866.

DEAR SIR: Having received no answer from you to my letter of the 29th ult., asking you for information in regard to a mortgage said to exist upon five hundred thousand dollars in Mexican bonds, referred to in your letter to me of the 28th, I beg of you to communicate such information to Mr. ———, whom I have requested to call upon you for that purpose, with this note.

I am, sir, very respectfully, your obedient servant,

M. ROMERO.

MARK BRANNAGIN, Esq., *New York City.*

WASHINGTON, June 4, 1867.

A true copy:

IGNO. MARISCAL, *Secretary.*

No. 134.

No. 555.] MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, August 9, 1866.

When Mr. ——— returned to New York, he wrote me a letter dated the 4th, giving a conversation he had that day with Mr. Burnett and which alarmed him very much. As there was no cause for his alarm I do not send you a copy of it, but I sent it to Mr. Cushing as soon as I received it.

I received another letter from Mr. ———, dated New York the 6th, in which he gives a conversation he had with Mr. Brumagin, casting some light on the agreements between that gentleman and General Sanchez Ochoa. I enclose a copy and translation of that letter to you. I also sent a copy to Mr. Cushing as soon as I received it. I send you also a copy and translation of Mr. Cushing's opinion, dated the 8th.

By my answer to Mr. ———, written yesterday, and of which I enclose a copy, you will see the conclusion which I have come to in this affair, namely, that I will make no agreement or promises about it till I submit it to the decision of the supreme government.

In the mean time I am collecting what information I can about the contracts of General Vega with the house of Treadwell & Co. of San Francisco, through the consul of the republic in that port, whom I instruct to send copies of his report directly to the supreme government, as you will see from the subjoined copy of my note to citizen Godoy.

Mr. ——— will return from New York to-morrow, and if he communicates anything of interest I will communicate it without delay to your department.

I repeat the assurances of my most distinguished consideration.

M. ROMERO.

MINISTER OF FOREIGN RELATIONS, *Chihuahua.*

WASHINGTON, June 4, 1867.

A true copy:

IGNO. MARISCAL, *Secretary.*

No. 135.

NEW YORK, August 4, 1866.

DEAR SIR: This afternoon, by appointment, I had an interview, at the Metropolitan Hotel, where he is staying, with Governor Burnett, upon the subject of the Ochoa-Brannan imbroglio.

I am sorry to say the affair has taken a new and unsatisfactory aspect. Mr. Brannan simply desires to get his money. Yourself and your government desire to pay it and get up the ten millions of bonds. So far there is no difficulty. But it appears that Mr Brannan's sub-agents here, to whom he intrusted the bonds after the Bank of Commerce declined to receive the trust, now refuse to deliver up the bonds on his order to the newly appointed agent, Governor Burnett.

They are willing to turn over to him \$9,500,000 of the bonds, but they allege that, acting under the powers Mr. Brannan had given them, they, as his agents, concluded an arrangement with Señor Ochoa the mortgage of the bonds, by which \$500,000 of the bonds should be released from the Brannan mortgage and hypothecated to another party, to secure some other claims amounting to about \$100,000, which party, Treadwell, I believe, undertook for such relinquishment to secure Brannan for a proportionate amount of *his* claim, which they stand ready to pay. Brannan has never approved of this act of his agents, nor does his now attorney, Governor Burnett, feel authorized to do so; nor is