

It is understood to be the purpose of the Danish Government to acquire the property of the sugar company by negotiation with the company or by sale under foreclosure, and wind up its affairs by composition with the shareholders or by liquidation. The provisions of the third paragraph of Article II relative to the retention by the Danish Government of its claims as a creditor of the defaulting company are designed to allow the Danish Government time to acquire the property and realize upon it.

As already shown, the last clause of Article I excludes the interest debt of the treasury of St. Croix from the category of claims which the Danish Government may collect and retain. This latter provision was inserted out of abundant caution. In point of fact, the unfulfilled guaranty of the insular treasury could not subsist as a valid claim in favor of Denmark. As explained in a note of the Danish minister:

„The guaranty of 5 per cent interest per annum, which, according to the above, is incumbent on the colonial treasury of St. Croix in regard to certain shareholders, will cease as soon as the Danish Government has acquired the ownership of the mortgaged property of the „Fællessukkerkogerier“ by execution sale, because, in accordance with the ordinance of June 16, 1876, this guaranty should only last until the loan given by the Danish treasury was liquidated.“

No responsibility or obligation of any kind rests on the Government of the United States or on the insular treasury in connection with the St. Croix Sugar Company.

Den danske Regering formenes at have til Hensigt at erhverve Fællessukkerkogerierne ved Overenskomst med Aktieselskabet eller ved Auktion som ufyldestgjort Panthaver samt at afvikle Forretningerne ved en Akkord med Aktionærerne eller ved Likvidation. Meningen med Bestemmelserne i § 2, 3die Stykke, som angaar den danske Regerings vedblivende Krav som Kreditor hos det insolvente Selskab, er at give den danske Regering Tid til at erhverve Ejendommen og afhænde deraf.

Som allerede vist, bliver i § 1, sidste Stykke, St. Croix Kolonialkasses Rentegæld ikke henregnet til de Fordringer, som den danske Regering kan indkassere og beholde. Denne sidste Sætning blev indført for yderligere Sikkerheds Skyld. Faktisk kunde den af Kolonialkassen udstedte, men ufyldestgjorte Garanti ikke opretholdes som en gyldig Fordring fra dansk Side. Den danske Minister forklarer i en Note:

„Den Rentegaranti af 5 pCt. p. a., der ifølge ovenstaaende paahviler Kolonialkassen paa St. Croix lige over for visse Aktionærer, bortfalder, saasnart den danske Regering har overtaget som Eje Fællessukkerkogeriernes Ejendom ved Tvangsauktion, fordi Garantien i Overensstemmelse med Forordning af 16de Juni 1876, kun skulde vare indtil det af det danske Finansministerium givne Laan var afbetalt.“

Hverken de forenede Staters Regering eller Kolonialkassen har noget som helst Ansvar eller nogen Forpligtelse som staar i Forbindelse med Fællessukkerkogerierne paa St. Croix.

#### Pag. 2795 meddeles om Afstemningen, der foregik i 1867:

Hr. Carstensen sendtes som dansk Kommissær for at lede Afstemningen, og Hr. Seward afsendte Dr. Hawley for at varetage de amerikanske Interesser.