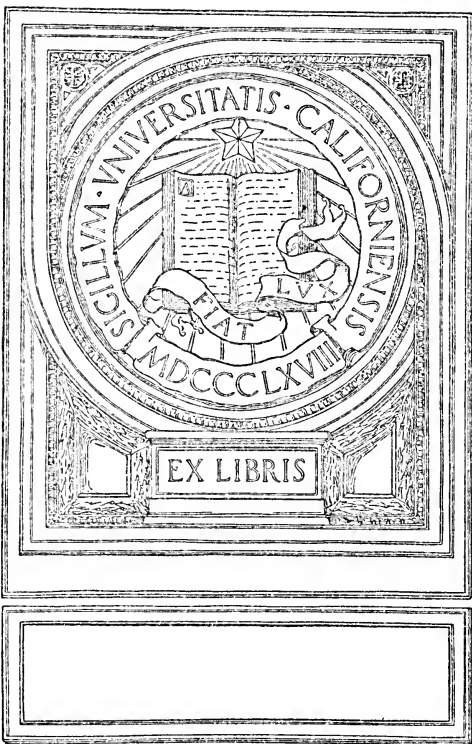
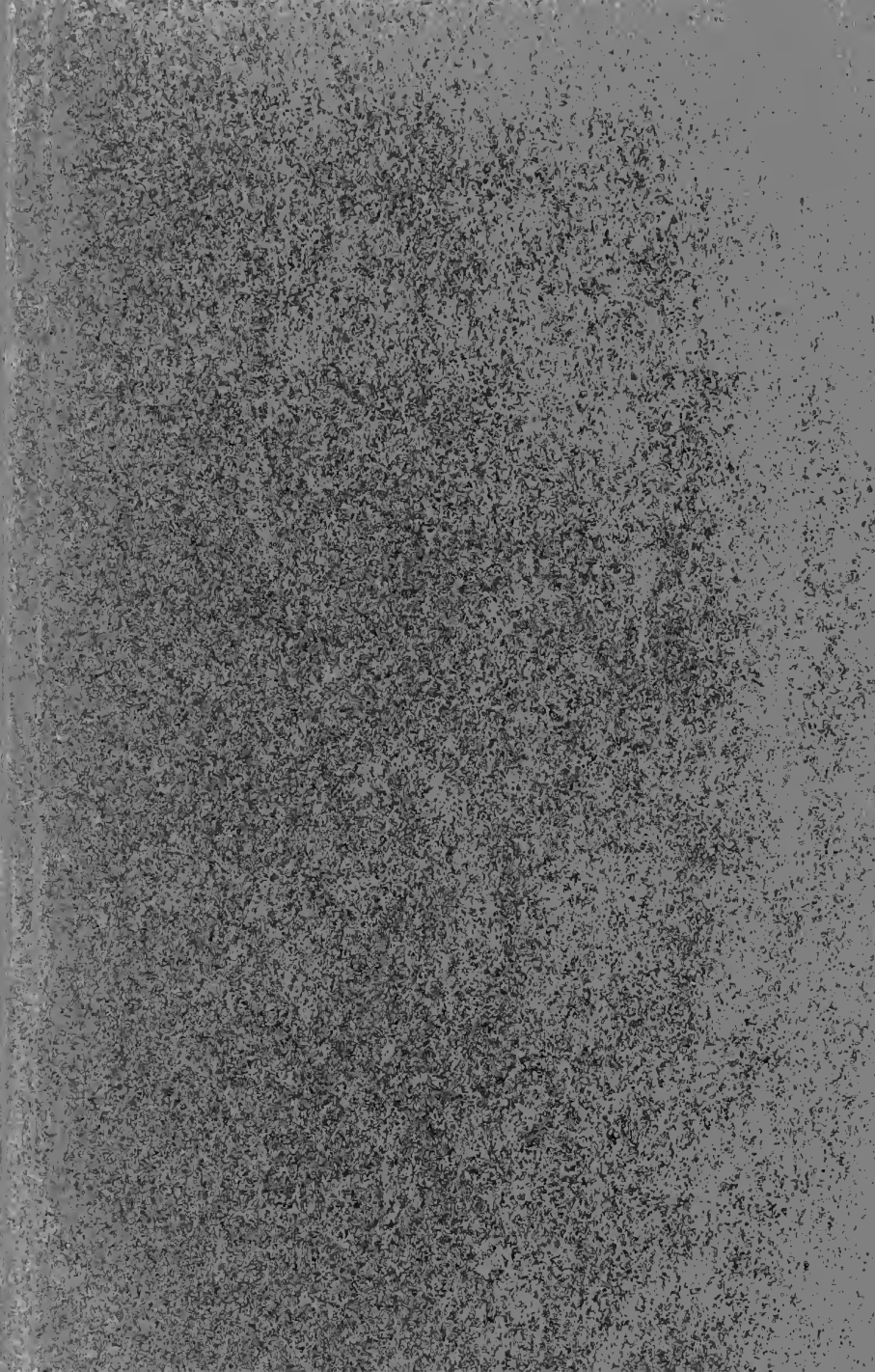


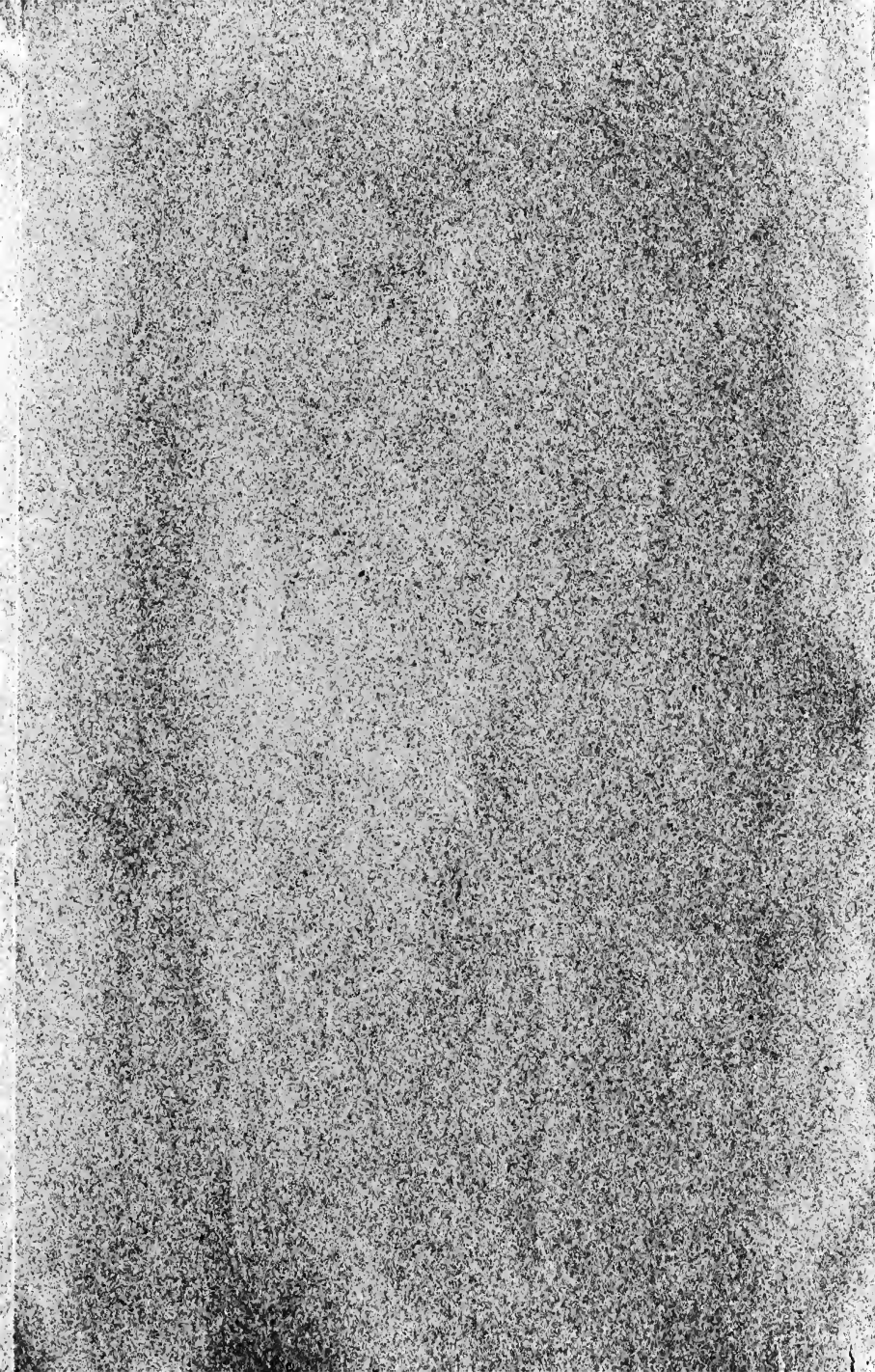
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III. ARGENTINA AND CHILE, 1902

The treaty limiting naval armaments between Argentina and Chile constitutes a very interesting precedent. In 1902, the boundary between the two countries was being delimited and the two countries were developing highly antagonistic policies. The famous Latin-American "question of the Pacific"—Tacna-Arica—was disturbing Chile on one side and Bolivia and Peru on the other, while Argentina was deeply concerned with the affair as affecting the balance of power in her vicinity. Public opinion in Argentina and Chile was mutually antagonistic; and jingoism was having its practical effect in an armament rivalry. Both countries were building fleet additions abroad. Argentina in 1902 showed a budget expense of \$4,695,792 for her navy, which at the time consisted of 48 ships of 87,731 tons and an indicated horsepower 154,210, with a personnel of 5,184. Chile's naval expense was \$4,058,955, with 31 ships, totaling 41,700 tons and 142,150 horsepower, and a personnel of about 5,000.

In these conditions Argentina took the initiative of improving the relations by negotiation. Military technicians have minimized the results,¹ but the fact remains that since the negotiation ended on May 28, 1902, the two countries have been on the best of terms, and neither their military nor naval armament has been directed at each other. Their budgets for their navies have increased, but like all other states they had to substitute dreadnoughts for battleships. In Chile the size of the fleet is fixed annually by law. The following figures show the stability of the program:²

	1903	1910
Warships	16	11
School-ships	2	5
Transports	4	4
Destroyers	7	7
Torpedo boats	14	8
Coast guards	7	10

¹Cf. testimony of Rear Admiral Charles J. Badger, chairman Executive Committee, General Board, Hearings before the House Committee on Naval Affairs, 1921, p. 678.

²Chile. *Manual del marino*, vol. 12, 284, and vol. 16, 244.

Mateo Alonso's statue of "Christ the Redeemer," erected March 13, 1904, under the official auspices of both countries on the boundary ridge of the Andes, bears this inscription: "Sooner shall these mountains be leveled than the Argentine and Chilean peoples shall break the peace sworn at the feet of Christ the Redeemer."¹ The oath has been kept inviolate for half a generation. It may not be inappropriate to mention in passing that the motto on the Chilean coins, which had been "If not by right, then by might," was changed at the time the statue was unveiled to read: "With mighty justice to all."²

ARGENTINA'S INITIATIVE

The negotiation of the agreement throws many sidelights on how to limit armament and improve international relations. The discussions began with great caution on both sides, proceeded through a period of sharp bargaining, and ended with a keen rivalry between the Governments to see which could most nearly approach the ideals they had set for themselves.

The report of the Argentine legation at Santiago de Chile, dated July 11, 1903, gives a very complete account of the negotiations.³

The Argentine minister to Chile, José Antonio Terry, in verbal instructions had been cautioned to initiate no conversations on disarmament because that would show weakness; but, after having canvassed the ground, he should bring it up when Chile was in a satisfactory mood. The theoretical part of his written instructions emphasized that "Argentine policy has always been that of peace, with the exception that the present armament was due solely to the Chilean armaments." This armed peace must come to an end, but the initiative should come from Chile. The methods for modifying the situation were general and obligatory arbitration and an agreement for limitation of armament. The Argentine minister of foreign affairs had comparatively little confidence in either. Arbitration did not run in war; disarmament offered no guaranties. Nevertheless, there was nothing else to do. Chile

¹The Spanish text reads: "Se desplomarán primero estas montañas antes que argentinos y chilenos rompan la paz jurada á los pies del Cristo Redentor."

²Advocate of Peace, 1904, p. 132.

³*Memoria de relaciones exteriores y culto presentada al honorable Congreso nacional correspondiente al año 1903-1904*, p. 247-317. (Buenos Aires, Taller tipográfico de la penitenciaría nacional, 1904).

must not be allowed to increase her power and with it liquidate pending questions with Bolivia and Chile, because that would seriously endanger the Argentine. "This prospect, this danger, obliges us to continue arming. We are not a party to these questions, but we can not be indifferent to the conquests of Chile and to the increase of her power."

The minister reached Santiago on April 22, 1902, and on the 29th had a conference with President Germán Riesco of Chile. The essential unofficial understandings reached on that occasion were that all claims should be sidetracked to facilitate the course of the principal negotiations; that to deal with disarmament was to deal with the effect without removing the cause; that the difficulty between the Argentine and Chile was the question between Chile, Peru and Bolivia respecting Tacna-Arica; that the Argentine was concerned over possible Chilean territorial expansion in connection with that problem, an increase of Chilean power constituting a danger for Argentina; that Chile regarded Argentine intervention in the Peru-Bolivian controversy as rendering any satisfactory solution impossible and difficult; that it was indispensable that Chile renounce any subsequent territorial expansion; that the Argentine renounce intervention in the controversy, and that this be stated in a preliminary clause of the treaty; that the Argentine minister draw up a project; "that, the renunciatory clause being accepted, disarmament would be of no importance and would come about of itself." The Argentine minister and the Chilean President met again on May 11 to discuss details.

DECLARATIONS OF POLICY

Señor Terry presented his credentials to the Chilean minister for foreign relations on May 10, and from that time on the negotiations proceeded with the minister, in the presence of the Chilean President and with the British minister in attendance. The negotiations, so far as policy and arbitration were concerned, took a normal course. The following statements of policy for the respective countries were included in the preliminary protocol of May 28:

. . . The Argentine Minister Plenipotentiary stated that the intention of his Government, conformably to the international policy which

it had always observed, was to endeavor in every case to solve questions arising with other states in a friendly manner; that the Government of the Argentine Republic had obtained such a result by keeping within their rights and respecting to its full limits the sovereignty of other nations, without interfering in their internal affairs or in their external questions; that in consequence thereof they could have conceived no intention of territorial expansion; that his Government would persist in this policy; and that, believing that they were interpreting the public opinion of their country, they made these solemn declarations, now that the moment had come for Chile and the Argentine Republic to remove all causes for trouble in their international relations.

The Minister for Foreign Affairs, on his part, declared that his Government had always held, and still hold, those elevated views which the Minister of the Argentine Republic had just expressed on behalf of his Government; that Chile had given numerous proofs of the sincerity of her aspirations, by embodying in her international agreements the principle of arbitration as a means of solving difficulties with friendly nations; that, respecting the independence and integrity of other states, she also did not harbor designs of territorial expansions, except such as resulted from the fulfilment of treaties at present in force or which might be the consequence of the same; that his Government would persist in this policy; that, happily, the question of the delimitation of frontier between Chile and the Argentine Republic had ceased to be a danger to peace, since both nations were awaiting the arbitral decision of His Britannic Majesty; that, in consequence, believing that he was interpreting the public opinion of Chile, he made these declarations, deeming, in common with the Argentine Minister, that the moment had now come to remove all cause for trouble in the relations between the two countries.

The treaty of arbitration provided in Article 1 that

The High Contracting Parties bind themselves to submit to arbitration all controversies between them, of whatever nature they may be, or from whatever cause they may have arisen, except when they affect the principles of the Constitution of either country, and provided that no other settlement is possible by direct negotiations.

GRAVE FEARS AS TO ARMAMENT

With these pledges as to policy and this pledge for solving disputes decided upon, the negotiators proceeded to discuss armament. "Not without reason," says the Argentine report, "the negotiators in Santiago entertained grave fears in entering on the discussion of this convention. It was a question of good faith on

both sides, of details always vexatious and of the intervention of third parties who were more or less interested, such as the naval authorities of each country. If the negotiation had not gone along with the preliminary protocol, it is probable that the difficulties in the way of the limitation of armaments would have been multiplied."¹

Because the negotiations developed some of the practical considerations inherent in any effort to limit armament they may appropriately be discussed at some length. In Señor Terry's first interview with President Riesco of Chile, the President stated that his Government would not consent to canceling contracts for warships under construction, unless Chile was guaranteed against pecuniary loss; but that on the other hand three or four existing vessels might be destroyed. Señor Terry replied that Argentina might do the same thing as to unserviceable vessels, but he was without instructions because the Argentine Government, "in deference to public opinion, was disposed to pursue the course adopted, that is, of armed peace." The Buenos Aires Government on May 2 told its minister that in its judgment it would "not be difficult to arrive at a satisfactory solution, the more so because of the friendly intervention of the English Government which has been courteously approached by both countries." Buenos Aires suggested certain vessels that might be retained.

On the second interview with the President it was suggested to the Argentine minister that both countries dispose of two cruisers each of those under construction, but Señor Terry objected that an arrangement of that kind would be opposed by the Argentine Congress and public opinion. The Chilean proposed disposing of specific boats, to which Argentina demurred. "It would be convenient to authorize the English minister to bring about the disarmament by leaving to Argentina a 10 or 15 % naval superiority. I held that Argentine opinion would not permit a loss by the scratch of the pen of our slight existing superiority in view of the fact that it has been obtained by such great sacrifice. We ended by setting Thursday as the time for the first official conference. My impression is that the Chilean Government will yield in the end to a just and equitable demand, and that we may take as a

¹*Memoria, 273-274.*

basis of our claims that it is not just or possible to diminish the existing superiority."

At the official conference on May 18 the Chilean President insisted upon the impossibility of disposing of the two cruisers under construction. "I replied that my instructions were categorical in that respect and that it was not possible for me to begin to discuss other bases unless with the previous acceptance of the elimination of four cruisers, two Argentine and two Chilean. A long discussion very cordial and friendly on this point. We agreed to end the official conference and continued talking privately."

"NO NAVAL SUPERIORITY"

The Argentine Government on May 14 wrote to the minister at Santiago that "unless we limit armaments no one will believe in peace between these countries, and for your Government I will tell you that at present we have no naval superiority over Chile.—It would be very difficult for an experienced naval officer to say which of the two cruisers is heavier. We, the public, can think ourselves superior on the water as we think we are by land, but these are beliefs, nothing more nor less, tending to establish a balance and equalize the forces of the two states. It is not desirable to begin by establishing that we have a maritime superiority, a superiority very doubtful and very problematical in fact. The Chilean squadron, for example, is far superior in torpedoes." The legation seeing in this an implied criticism hurried back a telegram: "As to the maritime superiority it was an idea not acquired from the people but in the Casa Rosada. Here it passes as axiomatic, and it seems to me that to deny what I believe is evident would be to stultify myself before these people." The minister added, however, that any time the arrangement made it desirable he would change his argument.

On May 15 the Chilean President proposed that of the Chilean cruisers under construction one should go to Argentina and one to Chile. Chile would sell in addition the *Prat*, the *Chacabuco*, two of the *Presidente* type and some destroyers, and Argentina two existing cruisers and the *Moreno* and *Rivadavia*. Two other formulas were proposed, and then: "On the basis of cancelation of contracts and reduction of each fleet in such a way that one should not be superior to the other in the other's seas and with the addi-

tion that the Chilean Government would declare to the English minister that it did not regard an Argentine superiority of 10 to 15% as important," the Chilean President proposed to submit the limitation of armament to the English minister, who should take the advice of the Board of Admiralty. This proposal assumed suspension of construction on contract vessels and the elimination of the two cruisers and the *Moreno* and *Rivadavia*. The Argentine Government informed its minister that these proposals seemed to be animated by an excellent spirit, but were not easy to execute and very difficult to get Congress and public opinion to accept. Buenos Aires reverted to its proposal that each country renounce all armored vessels under construction, leaving to Argentina what was actually afloat and to Chile the saving of the *Chacabuco*, destroyers and transports acquired recently and capable of being armed for war. "We could then, leaving things as they are, ourselves take one of the Chilean armored vessels under construction and give one of those being constructed in Italy for us to her. We should thus be free of all expensive adjustments. Our present squadron is not superior to that of Chile in the proportion of one to two twenty-sixths as your Excellency has been assured. Nor is that clear to the Chilean Government by reason of information from Minister Portela or anyone else. The proportion is in truth very slight. And if any superiority on our part exists it would be very insignificant. Moreover, it is a problem full of difficulty to appreciate the just value of one fleet in comparison with another."

By May 17, President Riesco of Chile had concluded that the Argentine Government ought to send a technical expert to participate with a Chilean colleague in the negotiations. He was also convinced that the British minister leaned toward the Argentine proposals. On the same day the Argentine Government telegraphed: "The employment of a technical expert produces no result. . . . The idea of submitting the fixation of armaments to a third party is unacceptable to us on the theory that the Governments are not able to reach an understanding by themselves."

At the third official conference on May 17, the negotiators reached the following conclusions *ad referendum*:

1. Chile retains a cruiser under construction; Argentina another. Chile retains *Chacabuco*, transports and destroyers. Argentina sells the

Moreno and Rivadavia. Argentine minister proposed intervention of British minister on this point.

3. Publicity must be the dominant characteristic of the proceedings to be followed by both Governments for the execution of this convention, satisfactory methods of control to be adopted as to subsequent acts and for each particular case.

6. Both Governments pledge themselves not to increase their maritime armaments in the future. Eighteen months' notice might be given in advance.

7. Armaments for coast defense and fortifications are not included.

8. Both Governments will negotiate in the future for more disarmament.

9. As to the improvement of armaments remaining to each Government, the opinion and draft of [the Argentine foreign minister] is satisfactory.

The Argentine Government commented on these proposals that it was better to regard the British minister's presence as a friendly act rather than an intervention. "It is understood that the publicity referred to will be given without the necessity of stating it as a clause of the convention." The rest of the proposition was acceptable. "As to improvement of armaments, each state will be free to make it, always providing that it does not perceptibly increase the power of one fleet."

DECIDE AGAINST INCREASE

The Argentine minister at that juncture did some thinking and as a result drew away from the basis which was being adopted. "It seemed," he wrote in his report, "that the proposal to divide up the ships under construction made the great proposal of a definitive peace nugatory, because it was notoriously illogical to seek peace and at the same time to increase armament. They seemed like blows in the face of each other." Señor Terry had just reached that conclusion when he received a letter from Francisco Valdez Vergara, a close friend of the Chilean President, asking him to meet him on the 19th, on his arrival at Santiago. To him, Señor Terry said that "I was greatly disturbed over the disarmament clause proposed by the President and already accepted by my Government; I believed that it was an error and even a crime that these two peoples with a projected treaty of peace should desire to spend more on armament. That the logical and natural thing

was to cancel all contracts." Vergara replied that he had just talked with the President who had said the same thing and that he had left the President in great doubt on this point.

The Argentine minister forthwith had interviews with the President and the Chilean foreign minister along these lines and they agreed to cancel all contracts for construction. It was proposed to appoint a naval commission of one officer of each country and a third person named by agreement to continue the work of disarmament in the future. The Chilean President put his commission proposal in writing, specifying that the commission should meet in London and that its third member should be a Lord of the British Admiralty designated by that Government. The Governments would agree not to increase their fleets for five years.

To this proposal the Argentine Government replied on the 21st with one in which it was provided that they should decrease their respective fleets "directly by common agreement or by mixed commissions appointed for the purpose. . . . We do not include the clause as to the suspension of construction of vessels now building because we believe it is very difficult to secure an agreement with the builders."

Meantime, President Riesco had made a draft in which Article 1 was the same in text as in the final treaty, except that the time within which the reduction should take place was 90 days. Relative to arbitration he "persisted in it because the politicians greatly desire greater disarmament and because they consider the Argentine fleet as much superior." In a new draft President Riesco again reverted to the proposal of arbitration of the size of the fleets by a Lord of the British Admiralty. In furtherance of that proposal, he sent a friend of his, Carlos Concha, to Buenos Aires to interview President Julio A. Roca of Argentina. The effort was not successful respecting that point, but it brought complete agreement on all other points and solved the matter of arbitration by an exchange of notes. The convention was signed on May 28 in the following form:¹

¹Miscellaneous No. 4 (1905). Agreements between the Argentine Republic and the Republic of Chile. . . . (Parl. Pap., 1906, CXXXVI, 1. Cd. 2739); American Journal of International Law, Supplement, 1, 294; British and Foreign State Papers, XCV, 785. For Spanish text see Francisco Centeno, *Tratados, convenciones, protocolos, actos y acuerdos internacionales*, VII, and Aurelio Bascuñan Montes, *Recopilacion de tratados* (Chile), VI, 50-60. Cf. Armand Billard, *Les Traités passés le 28 mai 1902* . . . sur l'arbitrage et la limitation des armements (Paris, 1910).

The Minister for Foreign Affairs, Don José Francisco Vergara Donoso, and Dr. José Antonio Terry, Envoy Extraordinary of the Argentine Republic, having met together in the Ministry for Foreign Affairs of Chile, have agreed to include in the following convention the various decisions arrived at for the limitation of the naval armaments of the two Republics, decisions which have been taken owing to the initiative and the good offices of His Britannic Majesty's Government, represented in Chile by their Envoy Extraordinary and Minister Plenipotentiary, Mr. Gerard Lowther, and in the Argentine Republic by their Envoy Extraordinary and Minister Plenipotentiary, Sir William A. C. Barrington:

Article I. With the view of removing all motive for uneasiness or suspicion in either country, the Governments of Chile and of the Argentine Republic desist from acquiring the vessels of war now building for them, and from henceforth making new acquisitions.

Both Governments agree, moreover, to reduce their respective fleets, with which object they will continue to exert themselves until they arrive at an understanding which shall establish a just balance between the said fleets.

This reduction shall take place within one year, counting from the date of the exchange of ratifications of the present convention.

Art. II. The two Governments bind themselves not to increase their naval armaments during a period of five years, without previous notice; the one intending to increase them shall give the other 18 months' notice.

It is understood that all armament for the fortification of the coasts and ports is excluded from this agreement, and any floating machine, such as submarine vessels, etc., destined exclusively for the defense of these, can be acquired.

Art. III. The two Contracting Parties shall not be at liberty to part with any vessel, in consequence of this convention, in favor of countries having questions pending with one or the other.

Art. IV. In order to facilitate the transfer of pending contracts, both Governments bind themselves to prolong for two months the term stipulated for the delivery of the vessels building, for which purpose they will give the necessary instructions immediately this convention has been signed.

Art. V. The ratifications of this convention shall be exchanged within the period of 60 days, or less if possible, and the exchange shall take place in this City of Santiago.

In witness whereof the undersigned have signed and put their seals to two copies of this convention in the City of Santiago, the 28th day of the month of May, 1902.

(Signed) J. F. VERGARA DONOSO,
J. A. TERRY.

SEÑOR VERGARA DONOSO TO SEÑOR TERRY

Santiago, May 28, 1902.

M. le Ministre:

The second part of Article I of the convention, concluded for curtailing the naval armaments of Chile and of the Argentine Republic, states: "Both Governments agree, moreover, to reduce their respective fleets, with which object they will continue to exert themselves until they arrive at an understanding which shall establish a just balance between the said fleets; this reduction shall take place within one year, counting from the date of exchange of ratifications of the present convention."

This Government understands that any differences which may arise with respect to the execution of the clause I have cited are to be decided by the Arbitrator, in accordance with the stipulation in Article I of the General Treaty of Arbitration signed this day.

Trusting that your Excellency will be good enough to inform me of the view of your Government in this respect, I have, etc.

(Signed) JOSÉ FRANCISCO VERGARA DONOSO.

SEÑOR TERRY TO SEÑOR VERGARA DONOSO

Santiago, May 28, 1902.

M. le Ministre:

I have had the honor to receive your Excellency's note of this date, by which you are good enough to inform me that your Government interprets the second part of Article I of the convention respecting the limitation of armaments in the sense that any difference which may arise and which can not be settled directly between the Chanceries within the year shall be a matter for general arbitration, in accordance with the Treaty signed to-day.

In reply, I have the honor to inform your Excellency that my Government places a similar interpretation on the above-mentioned clause.

I renew, etc.

(Signed) J. A. TERRY.

LEGISLATIVE OPPOSITION

The negotiators were much elated over the outcome of their work and were busy planning for a series of friendly acts ranging from simultaneous religious ceremonies and banquets to the reciprocal purchase of legations and the union of their communication systems. Opposition, however, took form among the jingoes of both countries, directed against the limitation of future armaments.

The Chilean Senate accepted the agreements on June 20, and

there immediately began a filibuster in the Chamber by a small minority of eight deputies, which lasted until August 11.

On June 9, the Argentine Government told its minister at Santiago that opposition was developing respecting the proposal to submit to arbitration the new limitations to establish a just balance between the fleets. On the 12th it was stated to him that the Argentine Congress was arguing that national integrity was "menaced and the future of the national defense, while the sovereignty of both countries is diminished. . . . So that, in order to smooth out difficulties here which might become serious it would be sufficient to eliminate from the conventions the note in which it is agreed to submit to arbitration possible divergencies in the future."

Señor Terry replied that this would be both difficult and useless and proposed that a new declaration be drawn up with a view to meeting the objections raised on both sides. This suggestion proved to be mutually acceptable, and as a consequence a declaration was jointly signed on July 10 in the following language:

Señor Don José Francisco Vergara Donoso, Minister for Foreign Affairs of Chile, and Señor Don José Antonio Terry, the Argentine Envoy Extraordinary and Minister Plenipotentiary of the Argentine Republic, having met together in the Ministry for Foreign Affairs of Chile in order to remove the slight doubts which have arisen in both countries, and to give to the agreements signed on May 28 last the full value of the high aims with which they were signed, and being duly authorized, declared that their respective Governments agreed:

1. That the carrying out of existing treaties, or of others which may be rendered necessary by them, which question is referred to in the Preliminary Declaration in the Treaty of Arbitration, can not be the subject of Arbitration between the two Parties, and consequently neither of the contracting Governments has the right to interfere with the manner in which the other may choose to give effect to those treaties.

2. That the carrying out of paragraph 2 of Article I of the convention concerning naval armaments, in virtue of which a just balance between the two fleets was to be established, shall not necessitate the sale of vessels, but that this just balance may be arrived at by a disarmament or by other means to the extent required, in order that both Governments may retain the necessary fleets, the one for their natural defense and for the permanent safeguard of the Republic of Chile in the Pacific, and the other for the natural defense and the permanent safeguard of the Argentine Republic in the Atlantic and in the River Plate.

3. That the Agreements referred to having been submitted to the

respective Congresses of both countries, the present instrument shall likewise be brought to the knowledge of those bodies.

In faith whereof the undersigned have hereunto affixed their signatures in duplicate at Santiago, this 10th day of July, 1902.

(Signed) J. F. VERGARA DONOSO,
J. A. TERRY.

AN EXPLANATION EXPLAINED

On August 11, the Santiago newspapers stated that Ramón Barros Luco, Chilean minister of the interior, had made a declaration on the limitation of the agreement at a secret session of the Chamber of Deputies the previous evening. President Riesco informed Minister Terry of Argentina that the published text was incorrect and that evening the Chilean foreign minister handed him the accurate text, which seemed much too broad to the Argentine. He suggested that it be the subject of an exchange of notes, to which the Chilean agreed. The exchange took place a few days later in the following form:¹

SEÑOR TERRY TO SEÑOR VERGARA DONOSO,

Santiago, August 16, 1902.

Mr. Minister:

Your Excellency was kind enough to send to me confidentially, at my request, a copy of the declaration which, in the name of the Government of which your Excellency is a member, was made in the secret session of the 11th inst. and which says: "The basis of the treaties is that the Argentine Republic will take no part in the questions of the Pacific, and that the balance of the naval forces of both countries will be reached in an efficacious and practical manner. The Government understands it in this form and will maintain it in this sense."

I fear, Mr. Minister, that the first part of that declaration, that is, the part referring to the questions of the Pacific, lends itself in my country to various interpretations, always disturbing for two peoples and two Governments which justly aspire to the frankest and most cordial harmony.

Recognizing, as I trust, the reason for the fears referred to, I believe that your Excellency will not find any inconvenience in defining the scope which the Government of your Excellency gives to the said declaration.

It gives me pleasure, Mr. Minister, to reiterate to your Excellency the assurances of my most distinguished consideration.

(Signed) J. A. TERRY.

To His Excellency the Minister of Foreign Relations.

¹Translation made from texts in *Memoria, annus citatus*, 310-311.

SEÑOR VERGARA DONOSO TO SEÑOR TERRY

Santiago, August 16, 1902.

Mr. Minister:

I have had the honor to receive your Excellency's note of to-day in which you communicate to me the fear that the declarations made by the undersigned in the secret session of the Chamber of Deputies on the 11th instant relative to the questions of the Pacific may in your country lend themselves to interpretations which do not correspond to the harmony and good friendship existing between the two Governments, and in which you request that the undersigned define the scope which my Government gives to those declarations.

In reply, it gives me pleasure, Mr. Minister, to state to your Excellency that the scope of the declaration referred to is none other than that established in the treaties of May 28, explained by the act of July 10, to wit, that Chile harbors no designs of territorial expansion save those which may result from the fulfilment of treaties in force or which might be the consequence of the same, with the understanding that the execution of those treaties shall not be the subject of arbitration between the parties and that there is no right on the part of the Argentine Republic to interfere with the method which Chile adopts to give effect thereto.

I renew to your Excellency the assurances of my most distinguished consideration.

J. F. VERGARA DONOSO.

The exchange of ratifications of the agreements was originally set for July 28. The period was prolonged for two months and the exchange finally took place on September 22.

THE BALANCING OF THE FLEETS

On August 11 President Riesco proposed in effect that the fixation of the balance between the fleets be delayed, each country disarming some vessels, but retaining them pending the decision of the arbitrator. In reply President Roca of Argentina wrote:

It is going to be difficult to find buyers for the vessels under construction, and if we succeed it will be at a discount from the contract prices. But this loss will be nothing in comparison with the immense benefits we have gained from the security of peace between the two countries. If the President insists on delaying the fixation of the balance, all right. We have a year in which to settle it and everything is ready. On the other hand, as more time passes and both reciprocal friendship and confidence strike stronger roots, the easier it becomes to reach agreements as to the

balance of armaments, and in this aspect the procedure suggested by President Riesco will be well. So I agree with him that we must delay this matter, whose ventilation, by warming up the ashes of our past discord, might give excuse for the eruptions of patrioteers.

Almost daily after that Señor Terry and President Riesco discussed the matter. On October 15 the Argentine minister was called to the official telegraph office to talk with President Roca over lines which had just put Rio, Asunción, La Paz and Santiago into connection with Buenos Aires. The Argentine President suggested the resumption of negotiations on the armament balance, "which already has not its former importance." He thought the conversation might take place at Buenos Aires. President Riesco warmly applauded these ideas. "There will be no necessity, he told me, of conventions or official procedure." The negotiations resulted in the following treaty:

His Excellency Dr. Luis M. Drago, Minister for Foreign Affairs and Worship, and his Excellency Don Carlos Concha, Envoy Extraordinary and Minister Plenipotentiary of Chile, having met together in the Department of Foreign Affairs and Worship in Buenos Aires, on January 9, 1903, with the view of giving effect to the just balance which both countries have decided to establish between their respective fleets, in conformity with the Treaty on Naval Armaments signed on May 28, 1902, with the notes exchanged on the same date between the Chilean Ministry and the Minister Plenipotentiary of the Argentine Republic, and, with the Protocol which was signed on July 10, 1902, relating to the same matter, and, after having exchanged their respective powers, which were found in due form, have agreed to the following arrangement:

Article 1. The Argentine Republic and the Republic of Chile shall hereafter, and in the shortest time possible, sell the vessels of war now building for them, for the former in the shipyards of Ansaldo (Italy) and for the latter in those of Messrs. Vickers and Messrs. Armstrong (England) according to the stipulations set forth in paragraph 1 of Article 1 and in Article 3 of the Agreement of May 28, 1902. In the event of its not being possible from any cause to carry out the sale immediately, the High Contracting Parties may continue the building of the said ships, until they are completed, but in no case shall they be added to the respective fleets; not even with the previous notice of 18 months required for the increase of naval armaments by the second Article of the above-quoted agreement.

Art. 2. Both the High Contracting Parties mutually agree immediately to put the vessels at present building at the disposal and at the

orders of His Britannic Majesty, the Arbitrator appointed by the Treaty of May 28, 1902, informing him that they have agreed that the vessels shall not leave the yards where they actually are except only in case both High Parties jointly request it, either because their sale has been effected or in virtue of a subsequent agreement.

Art. 3. The two High Contracting Parties shall immediately communicate to the ship-builders the fact that the vessels have been placed, by common consent of both Governments, at the disposal of the Arbitrator designated in the Treaty of May 28, 1902, without whose express order they may not be delivered to any nation or individual.

Art. 4. In order to establish the just balance between the two fleets, the Republic of Chile shall proceed to disarm the battleship *Capitán Prat*, and the Argentine Republic to disarm its battleships *Garibaldi* and *Pueyrredon*.

Art. 5. In order that the vessels may be considered disarmed, in accordance with the foregoing Article, they must be moored in a basin or port, having on board only the necessary crew to attend to the preservation of the material which can not be removed, and they must have landed—

All coal.

All powder and ammunition.

Artillery of small caliber.

Torpedo tubes and torpedoes.

Electric searchlights.

Boats.

All stores of whatever kind.

For their better preservation it is permissible to roof in the decks.

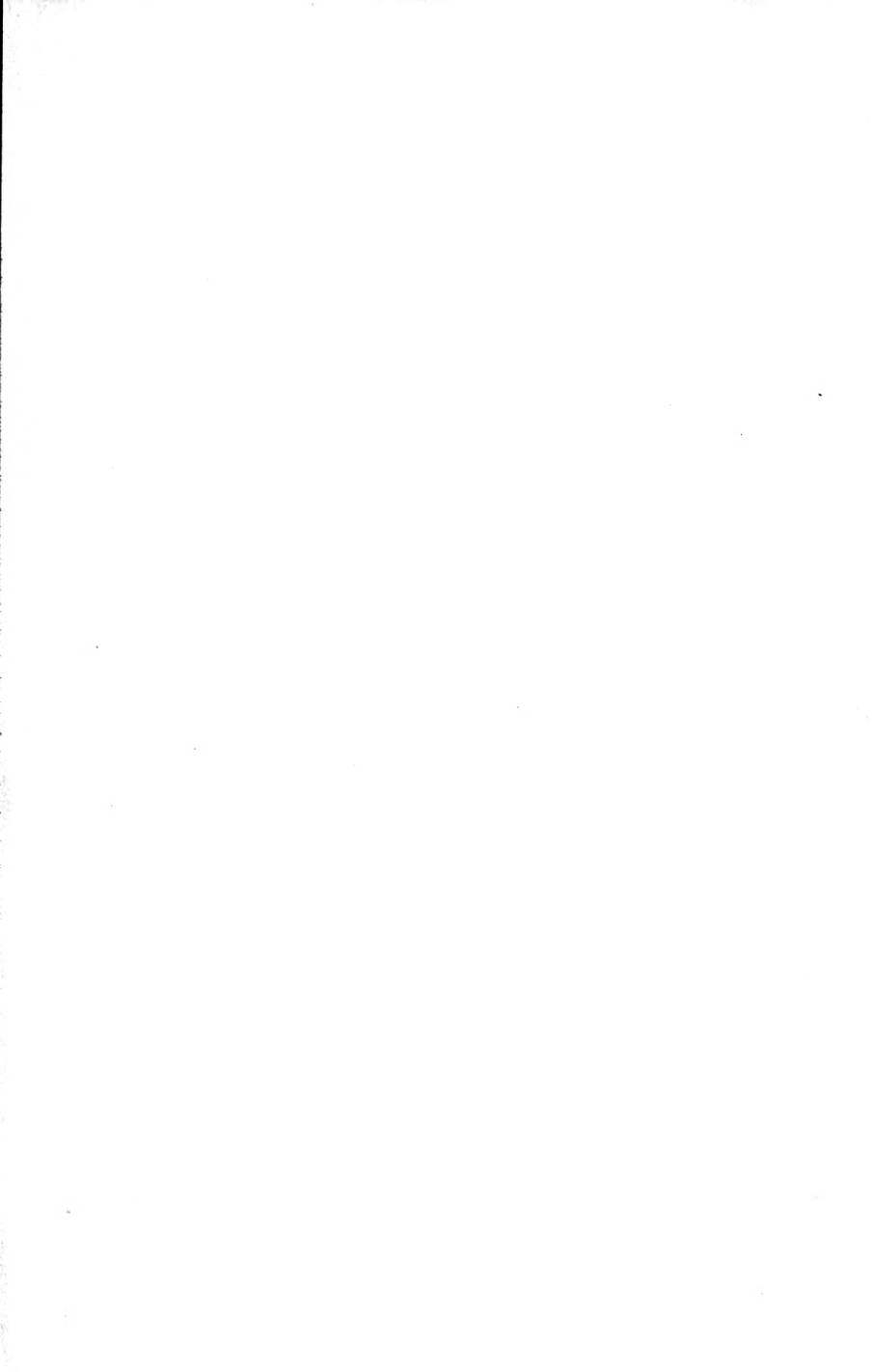
Art. 6. The vessels mentioned in Article 4, which both Governments agree to disarm, shall remain in that state, and may not be rearmed without the previous notice of 18 months which the Government which wishes to do so is obliged to give to the other Government, except in case of a subsequent Agreement or of their alienation.

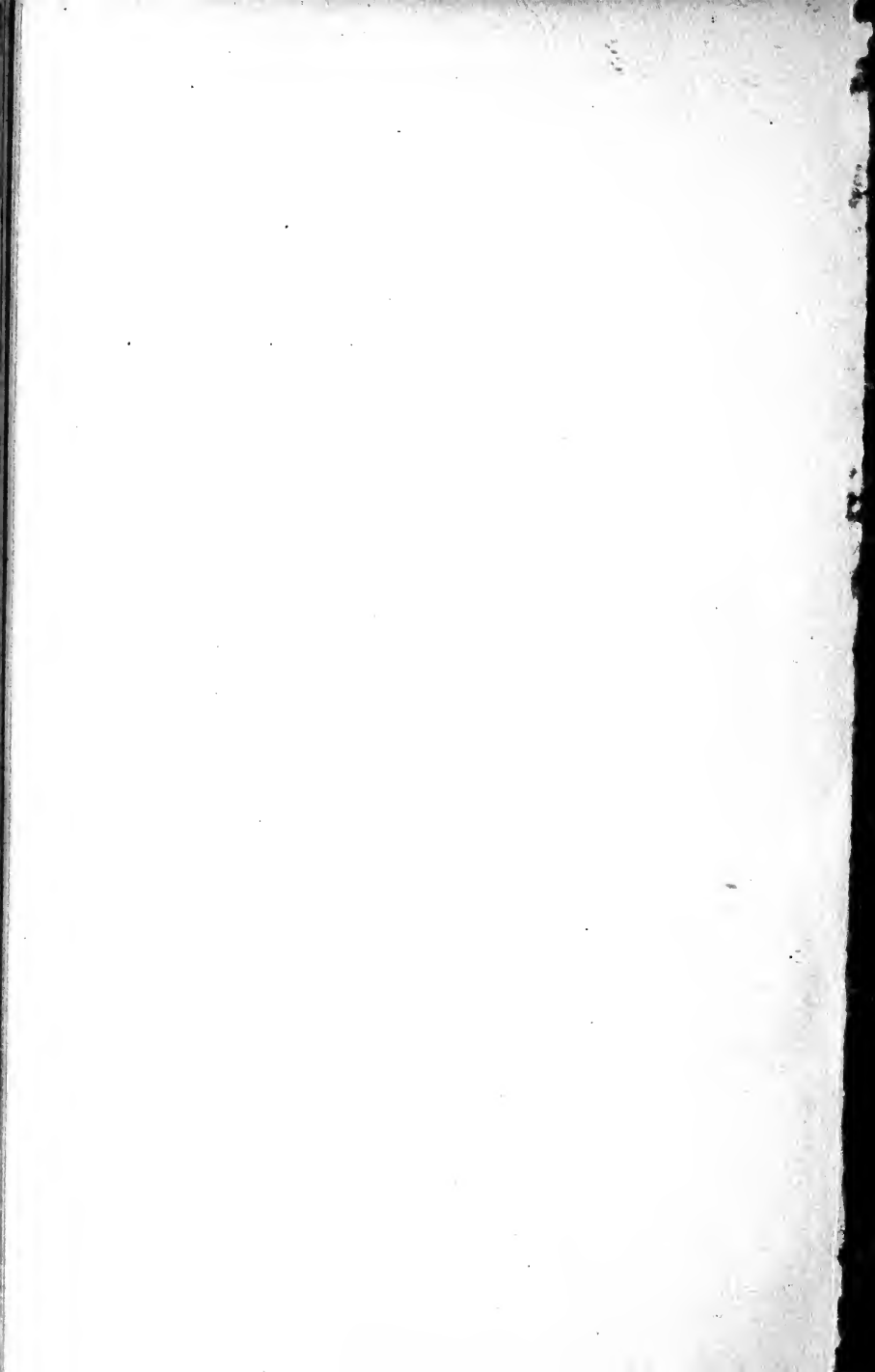
Art. 7. Both Governments shall request the Arbitrator appointed by the Treaties of May 28, 1902, for the purpose of arranging difficulties to which questions on naval armaments may give rise, to accept the duties resulting from the present Agreement, for which purpose an authenticated copy thereof shall be sent to him.

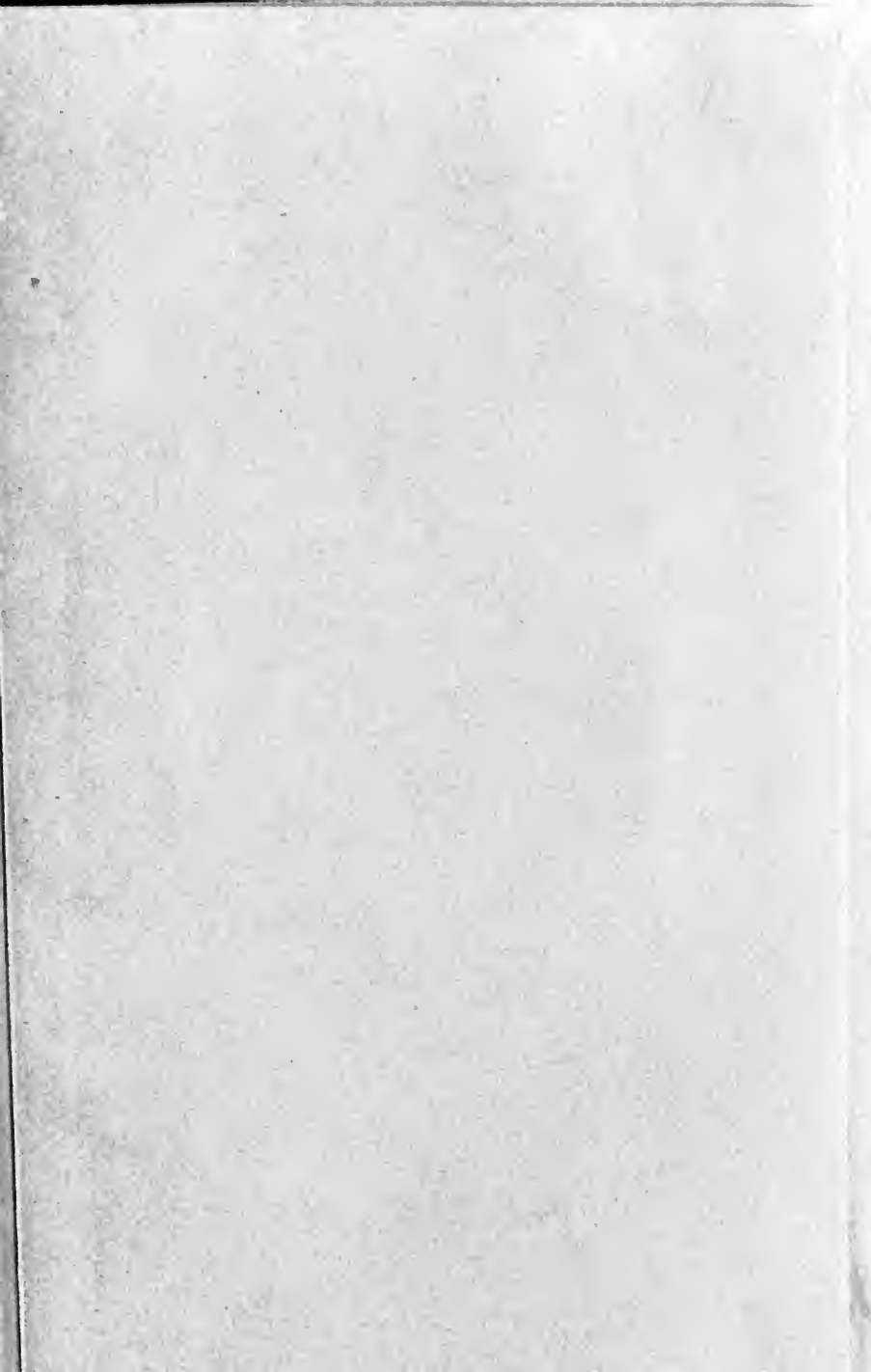
In witness whereof the respective Plenipotentiaries sign and seal the present in duplicate.

(Signed) LUIS M. DRAGO.
CARLOS CONCHA.

M. W.







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