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INTERNATIONAL AMERICAN CONFERENCE. 1st Washington

4. 1889-90

REPORTS OF COMMITTEES

AND

DISCUSSIONS THEREON.

Volume I.

(Revised under the direction of the Executive Committee by order of the
Conference, adopted March 7, 1890.)

(ENGLISH EDITION.)

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1890.

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REPORT OF THE EXECUTIVE COMMITTEE ON THE PRINTING OF PROCEEDINGS.

[Adopted March 7, 1890.]

The Executive Committee having had under consideration a proposition of the honorable Delegate from Uruguay, submitted on the 31st of January ultimo, concerning the printing of the proceedings of this Conference, beg leave to submit the following as their report, and ask its adoption :

“*Resolved*, That twenty-five copies of the daily minutes, as approved by the Conference, be printed and bound for the use of each delegation.”

“*Resolved*, That the proceedings of the Conference to be printed shall be the resolutions offered by the Delegates ; the reports of committees, the discussions thereon, *in extenso*, and the action of the Conference upon the same. Each Delegate may, with the consent of the Conference, withdraw any remarks made by him during a debate. The Executive Committee shall see that the translations correspond accurately with their respective originals and supervise the printing of said proceedings in English, Spanish, and Portuguese, as soon as practicable.”

INTERNATIONAL AMERICAN CONFERENCE*

THE INVITATION AND ACCEPTANCES.

The Fiftieth Congress of the United States enacted, and the President of the United States approved, on the twenty-fourth of May, 1888, the following law:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, requested and authorized to invite the several Governments of the Republics of Mexico, Central and South America, Hayti, San Domingo, and the Empire of Brazil to join the United States in a Conference, to be held at Washington, in the United States, at such time as he may deem proper, in the year eighteen hundred and eighty-nine, for the purpose of discussing and recommending for adoption to their respective Governments some plan of arbitration for the settlement of disagreements and disputes that may hereafter arise between them, and for considering questions relating to the improvement of business intercourse and means of direct communication between said countries, and to encourage such reciprocal commercial relations as will be beneficial to all and secure more extensive markets for the products of each of said countries.

SEC. 2. That in forwarding the invitations to the said Governments the President of the United States shall set forth that the Conference is called to consider—

First. Measures that shall tend to preserve the peace and promote the prosperity of the several American States.

* A history of the several attempts to hold an International American Conference, from 1825 to 1888, will be found in the appendix, with important State papers relating thereto.

Second. Measures toward the formation of an American customs union, under which the trade of the American nations with each other shall, so far as possible and profitable, be promoted.

Third. The establishment of regular and frequent communication between the ports of the several American States and the ports of each other.

Fourth. The establishment of a uniform system of customs regulations in each of the independent American States to govern the mode of importation and exportation of merchandise and port dues and charges, a uniform method of determining the classification and valuation of such merchandise in the ports of each country, and a uniform system of invoices, and the subject of the sanitation of ships and quarantine.

Fifth. The adoption of a uniform system of weights and measures, and laws to protect the patent-rights, copyrights, and trade-marks of citizens of either country in the other, and for the extradition of criminals.

Sixth. The adoption of a common silver coin, to be issued by each Government, the same to be legal tender in all commercial transactions between the citizens of all the American States.

Seventh. An agreement upon and recommendation for adoption to their respective Governments of a definite plan of arbitration of all questions, disputes, and differences that may now or hereafter exist between them, to the end that all difficulties and disputes between such nations may be peaceably settled and wars prevented.

Eighth. And to consider such other subjects relating to the welfare of the several States represented as may be presented by any of said States which are hereby invited to participate in said Conference.

SEC. 3. That the sum of seventy-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the same to be disbursed under the direction and in the discretion of the Secretary of State, for expenses incidental to the Conference.

SEC. 4. That the President of the United States shall

appoint, by and with the advice and consent of the Senate, ten delegates to said Conference, who shall serve without compensation other than their actual necessary expenses, and the several other States participating in said Conference shall be represented by as many delegates as each may elect: *Provided, however, That* in the disposition of questions to come before said Conference no State shall be entitled to more than one vote.

SEC. 5. That the Secretary of State shall appoint such clerks and other assistants as shall be necessary, at a compensation to be determined by him, and provide for the daily publication by the Public Printer, in the English, Spanish, and Portuguese languages, of so much of the proceedings of the Conference as it shall determine, and upon the conclusion of said Conference shall transmit a report of the same to the Congress of the United States, together with a statement of the disbursements of the appropriation herein provided for.

Approved, May 24, 1888.

INVITATION EXTENDED BY THE UNITED STATES.

In pursuance of the provisions of this act, the following invitation was sent to the several Governments of Mexico, Central and South America, Hayti, and San Domingo :

DEPARTMENT OF STATE,

Washington, July 13, 1888.

SIR: At the present session of Congress an act was passed, to which the President's approval was given on the 24th of May last, by the terms of which the President is requested and authorized—

To invite the several Governments of the Republics of Mexico, Central and South America, Hayti, San Domingo, and the Empire of Brazil to join the United States in a conference to be held at Washington, in the United States, at such time as he may deem proper in the year eighteen hundred and eighty-nine, for the purpose of discussing and recommending for adoption to their respective Governments some plan of arbitration for the settlement of disagreements and disputes that may hereafter arise between them, and for considering ques-

tions relating to the improvement of business intercourse and means of direct communication between said countries, and to encourage such reciprocal commercial relations as will be beneficial to all and secure more extensive markets for the products of each of said countries.

It is also provided in the act referred to that in forwarding the invitations to the said Governments the President of the United States shall set forth that the Conference is called to consider—

First. Measures that shall tend to preserve and promote the prosperity of the several American States.

Second. Measures toward the formation of an American customs union, under which the trade of the American nations with each other shall, so far as possible and profitable, be promoted.

Third. The establishment of regular and frequent communication between the ports of the several American States and the ports of each other.

Fourth. The establishment of a uniform system of customs regulations in each of the independent American States to govern the mode of importation and exportation of merchandise and port dues and charges, a uniform method of determining the classification and valuation of such merchandise in the ports of each country, and a uniform system of invoices, and the subject of the sanitation of ships and quarantine.

Fifth. The adoption of a uniform system of weights and measures, and laws to protect the patent-rights, copyrights, and trade-marks of citizens of either country in the other, and for the extradition of criminals.

Sixth. The adoption of a common silver coin, to be issued by each Government, the same to be legal tender in all commercial transactions between the citizens of all of the American States.

Seventh. An agreement upon and recommendation for adoption to their respective Governments of a definite plan of arbitration of all questions, disputes, and differences, that may now or hereafter exist between them, to the end that all difficulties and disputes between such nations may be peaceably settled and wars prevented.

Eighth. And to consider such other subjects relating to the welfare of the several States represented as may be presented by any of said States which are hereby invited to participate in said Conference.

I have to call your particular attention to the scope and object of the Conference suggested, which, as will be observed, is consultative and recommendatory only. The proposed Conference will be wholly without power to

bind any of the parties thereto, and it is not designed to affect or impair in any degree the treaty relations now existing between any of the States which may be represented. The topics for discussion and deliberation are manifestly of profound importance, and it is believed that a friendly and frank exchange of views in relation to these subjects will be of practical use, and, by mutual enlightenment, will materially promote that expansion and intimacy of social and commercial relations which must be fruitful of blessings to all concerned.

Certain topics are suggested as proper subjects for a comparison of views, but the field is expressly left open to any participant State to bring before the Conference such other subjects as may appear important to the welfare of the several States represented.

By direction, therefore, of the President of the United States, and in his name, you will tender to the Government of _____ a cordial invitation to be represented by such number of Delegates as may seem to it convenient, at the International Conference to be convened as aforesaid in the city of Washington, on Wednesday, the 2d day of October, of the coming year, 1889, it being understood, however, that in the disposition of questions to come before such Conference no State shall be entitled to more than one vote, whatever be the number of Delegates it may send.

You will make this invitation known by reading this note to the Minister of Foreign Affairs of _____ and by leaving with him a copy if he should express a desire to possess it. You will at the same time, and with the use of such suggestions and expression of views as in your judgment may be deemed appropriate, make known to his excellency the sincere desire and confident expectation of the President that this invitation will be received in the same spirit of friendship and deference by which it has been prompted.

I am, sir, your obedient servant,

T. F. BAYARD,
Secretary of State.

REPLIES FROM THE SEVERAL GOVERNMENTS.

To the above invitation the following replies were received:

GUATEMALA.

DEPARTMENT OF FOREIGN RELATIONS,
Guatemala, August 10, 1888.

MR. MINISTER:

I have had the honor to receive your esteemed note of the 6th instant, transmitting the circular of the Department of State of Washington, of the 13th of July, and a copy of the Act of Congress, approved on the 24th of May relating to an International Conference to be held at the Capital of the United States on Wednesday the 2d of October, 1889, for the purpose of discussing the subjects set forth in your note, and in the circular and Act of Congress upon which it is based.

The Legation of Guatemala at Washington had informed this Department, by dispatch No. 113, of the 23d of March last, of the subjects to be discussed at said Conference, and since then they have been under study, with all the interest demanded by their importance.

The President of this Republic, before whom I have laid the courteous invitation which the President of the United States of America has been pleased to extend through you and the State Department at Washington to the Government of Guatemala, has authorized me to say in answer that the invitation is accepted, and that in due time he will appoint the Delegates who shall represent this Government at the said Conference.

The Government of Guatemala, Mr. Minister, considers such future meeting as a happy opportunity for the nations of the American continent to join in a fraternal embrace, and it trusts that if they all are animated by the same earnest sentiments and wishes as Guatemala, in favor of rendering their cordial international relations stronger and closer, the initiative taken by the Government so

worthily represented by you will be crowned with brilliant success.

I avail this opportunity to subscribe myself, with renewed proofs of high consideration and esteem,

Your obedient servant,

E. MARTINEZ SOBRAL.

HENRY C. HALL, Esq., etc.,

Present.

HONDURAS.

TEGUCIGALPA, *August 30, 1888.*

Mr. MINISTER:

I have had the honor to receive your polite letter of the 18th of this month, informing me that in virtue of an Act of Congress of the United States, approved May 24 of this year, the President has been authorized and requested to invite the Governments of the Republics of Mexico, Central and South America, Hayti, Santo Domingo, and the Empire of Brazil, to join the United States in the Conference to be held at Washington during the coming year, 1889. You explain the purposes of said Conference, and in the name of your Government and under its instructions, extend an invitation to the Government of this Republic to be represented at the said Conference, which will be opened on the 2d of October in the above-mentioned year, 1889.

It is gratifying to me to say in answer that my Government, fully appreciating the importance of the objects which the said International Conference proposes to attain for the good of all America, will not fail to send its representatives on the date mentioned, and that it rests assured that all the conclusions reached by said Conference under the auspices of the enlightened and powerful Government of the United States, will become practical facts and prove greatly beneficial.

While answering in this way to your esteemed note, I beg to return the most sincere thanks of my Government

to that of the United States for the cordial invitation kindly extended to it through you.

I avail of this opportunity to renew the expression of my sentiments of high esteem and distinguished consideration with which I subscribe myself,

Your obedient servant,

JERÓNIMO ZELAYA.

COSTA RICA.

DEPARTMENT OF FOREIGN RELATIONS,
San José, Costa Rica, September 26, 1888.

MR. MINISTER :

I had the honor to receive your polite note of the 8th of August last, and the copies and translations therein inclosed of a communication of the honorable Secretary of State and of an Act of Congress of the United States.

You inform me that your Government has been pleased to invite the nations of the American continent to join in a Conference to be held at Washington on the 2d of October of the coming year, and that it hopes that Costa Rica will be represented in said Conference, thus accepting your courteous invitation.

I reported to the President of the Republic the contents of the documents above referred to, and he instructed me to say to you that this Government accepts with real pleasure the invitation which the United States extends to it to take part in a Conference which has to prove beneficial to all Americans, cause the commercial relations of our countries to be closer, and prevent force from being used for the settlement of the questions which may arise between them. This Government, therefore, will take great pleasure in accrediting at the proper time its Delegate for the above-mentioned Conference.

Be pleased, Mr. Minister, to transmit to your Government the foregoing answer, and accept the assurances of distinguished consideration with which I subscribe myself

Your obedient servant,

P. PEREZ ZELEDÓN.

URUGUAY.

OFFICE OF FOREIGN RELATIONS,
 ORIENTAL REPUBLIC OF THE URUGUAY,
Montevideo, October 6, 1888.

Mr. CHARGÉ D'AFFAIRES:

I have had the honor to receive your note of the 24th of August last, in which you are pleased to invite the Government of the Republic, in the name of the United States of North America, to attend, by plenipotentiaries named for that purpose, the American Congress which shall meet in Washington in October, 1889, for the discussion of subjects relating to the peace, the progress of commercial relations, and the welfare of the American nations.

His Excellency the President of the Republic, having been made acquainted with the contents of your communication and its inclosures, has instructed me to say to you in reply, that he is greatly obliged for the invitation which you have been pleased to extend to him, and that he, sincerely applauding the noble idea which has occurred to the Government of the United States of calling the said Congress to convene, promises to comply with the pleasant duty of naming, at the proper time, the Delegate who shall represent this country in the International Conference at Washington.

Be pleased to transmit this answer to your Government, and accept the assurances of my distinguished consideration.

ILD. GARCIA LAGOS.

 ARGENTINE REPUBLIC.

DEPARTMENT OF FOREIGN AFFAIRS,
Buenos Aires, October 10, 1888.

Mr. MINISTER:

His Excellency the President has received with satisfaction your note of September 1, in which, in compliance with instructions from your Government, you have in-

vited the Argentine Republic to send Delegates to the International Congress to be held at Washington on the 2d of October, 1889.

The President has decided to accept the invitation, and has issued to that end the decree, a copy of which I have the honor to inclose.

I avail of this opportunity to renew to Your Excellency the assurances of my high consideration.

NORBERTO QUIRNO COSTA.

DECREE.

Whereas, an invitation has been extended by the President of the United States to the Argentine Republic to appoint Delegates to an International Congress, to be held at Washington, October 2, in pursuance of an act of the Congress of that country, whereto some commercial matters, and others of reciprocal importance to the American States, will be considered.

Therefore, the President of Republic decrees:

(1) That said invitation be accepted, and that representatives of the Republic, to be appointed hereafter, be sent to the said Conference.

(2) That the decree be duly published, communicated, etc.

Buenos Aires, October 10, 1888.

By the President,

NORBERTO QUIRNO COSTA,
Secretary of Foreign Affairs.

NICARAGUA.

DEPARTMENT OF FOREIGN RELATIONS,

Managua, October 19, 1888.

Mr. MINISTER :

I received in due time your very courteous communication of the 8th of August last, and the copies therein inclosed, in which you are pleased to extend to my Government, in the name of the President of the United States, a cordial invitation to take part in the International American Conference to be held at Washington, on Wednesday, the 2d of October, 1889, in pursuance of an act of Congress of the 24th of May last.

The fact that the invitation comes from the Government of the United States, with which the Government of this

Republic maintains the most cordial relations, and the simple enunciation of the highly important subjects to be considered at the Conference, are sufficient reasons to cause my Government to accept the invitation with real pleasure. Therefore, it will appoint, in due time, its representative in the said Conference. —

I reiterate to you the assurances of my distinguished consideration, and sign myself

Your attentive and faithful servant,

ADRIAN ZAVALA.

SALVADOR.

DEPARTMENT OF FOREIGN AFFAIRS,
San Salvador, November 6, 1888.

Mr. MINISTER:

I had the honor to receive in due time your important communication of the 18th of August last, in which you were pleased to inform me that in pursuance of an Act of Congress of the 24th May last, the President of the United States had been authorized and requested to invite the Governments of the Republics of Mexico, Central and South America, Hayti, and San Domingo and the Empire of Brazil, to join the United States in a Conference to be held at Washington during the coming year of 1889.

You add that the subjects which this International Conference is called to consider, as set forth in detail in the said Act of Congress, and in the circular of the Honorable Secretary of State of the 13th of July, copies and translations of which you had the kindness to send me with your note, may be briefly recapitulated as follows:

- (1) The discussion of measures tending to promote the prosperity of the several American States.
- (2) The formation of an American Customs Union.
- (3) The establishment of regular and frequent communications between the States.
- (4) The adoption of a uniform system of customs regulations.
- (5) The adoption of a uniform system of weights and measures.

(6) The adoption of a common silver coin.

(7) A definite plan of arbitration of questions, disputes, and differences.

(8) The discussion of such other subjects of mutual and general interest as may be presented by any of the Delegates of the States represented.

Under the instructions of the President, I have the honor to say to you in reply to your note, that my Government recognizes the transcendental importance of the subjects to be considered by the Conference referred to, and deems it to be its patriotic duty to accept the invitation which the Government of the United States has been pleased to extend through you.

I trust, therefore, that you will be pleased to transmit to your Government this acceptance of its invitation on the part of Salvador, and set forth in addition that in due time a person will be appointed to represent this Government in the Washington International Conference.

Be pleased, Mr. Minister, to accept the assurance of my high consideration and esteem.

MANUEL DELGADO.

ECUADOR.

REPUBLIC OF ECUADOR,
MINISTRY OF EXTERIOR RELATIONS,

Quito, March 6, 1889.

SIR: I have laid before His Excellency the Chief Magistrate of the Republic your esteemed note of the 18th ultimo, inclosing a copy of the circular of the Department of State at Washington relative to the International Conference to be held at Washington for the consideration of certain principles and rules of international law which might be adopted by the States of North, Central, and South America as a guide for their mutual relations, among which, as suggested by your own Government, arbitration as a method for the settlement of the differences which may arise between said states will be included.

Ecuador has been invited by you to join that Confer-

ence; and as its Government has already declared its full approval of arbitration, it feels a great pleasure in seeing this subject included in the programme of the Conference.

The Republics of America, being as they are united by fraternal ties and common interests, can not be silent when matters affecting the good of America come up for discussion. So far as Ecuador is concerned, I will say that if its Government can not send a plenipotentiary to attend the Conference at Washington, it will ask the representatives of some friendly republic to act also in its behalf.

I avail with pleasure this opportunity to reiterate to you the expression of my consideration.

FRANCISCO J. SALAZAR.

Mr. OWEN MCGARR,

Consul-General of the United States of America.

BOLIVIA.

I.

MINISTRY OF FOREIGN RELATIONS,

La Paz, April 4, 1889.

Mr. MINISTER :

I have the honor to acknowledge the receipt of your estimable note, No. 27, yesterday.

The Constitutional President of the Republic, to whom I read said note, has instructed me to say in reply that he highly appreciates the invitation which the Government of the great North American Republic has been pleased to extend to the Government of Bolivia to join, through one or more delegates, in the International Conference to be held at Washington on Wednesday, October 2, of the present year, and that he considers the questions to be discussed there as intimately connected with the greater development of the foreign intercourse and prosperity of the American States; for which reason he has decided to establish a legation of first class in Washington, which shall be intrusted in due time to the proper person.

You can transmit to your Government this decision of

that of Bolivia; and I remain, with sentiments of very distinguished consideration,

Your obedient servant,

M. BAPTISTA.

Hon. Mr. S. S. CARLISLE,

*Minister Resident and Consul-General of the
United States of America in Bolivia.*

II.

MINISTRY OF FOREIGN RELATIONS,

La Paz, May 18, 1889.

Mr. MINISTER :

I have the pleasure of informing Your Excellency that my Government, in fulfillment of its pledged word, has issued credentials and letters of full powers in favor of Dr. Don Juan Francisco Velarde, who has been appointed minister of the first class and representative of Bolivia in the International Congress of Washington, who shall be accompanied by Dr. Don Dámaso Sanchez, chief clerk of this department, in the capacity of secretary of the first class.

The deference with which my Government has received the invitation of the enlightened Chief Magistrate of your great Republic has been proved in this way.

It gives me pleasure to avail this opportunity to offer to Your Excellency once again the sentiments of my distinguished consideration.

M. BAPTISTA.

Hon. S. S. CARLISLE,

*Minister Resident and Consul-General of the
United States of North America.*

CHILI.

MINISTRY OF FOREIGN RELATIONS,

Santiago, April 4, 1889.

SIR : I had the honor to receive in due time your note of December 10, 1888, transmitting the invitation which

the Government of the United States has extended to all the other Governments of our continent, to attend an International Conference to be held at Washington on the 2d of October next.

The nature of the Conference and the far-reaching importance of the measures to be considered forced upon us the necessity of giving serious study to the matter. Your own Government has manifestly understood that such consideration was necessary, since it has sent a special commissioner, Mr. John G. Walker, to confer with the different Governments upon the said invitation. I took advantage of the opportunity presented, and had the honor to examine, one by one, with Mr. Walker, all the points of the programme contained in act No. 1473, passed during April, last year, by the Congress of the United States. I also stated to him particularly the reasons why, in the opinion of my Government, the Conference should occupy itself only with commercial and economic questions. Upon problems of this nature the progress of our continent depends, and their wise solution will prove to be conducive to its future prosperity.

I am sure that the report of Mr. Walker to his Government will bear testimony both to the sincerity of our views and to the earnestness and impartiality with which we will co-operate in the consideration of all measures which may enable the various nations of America to promote, through their industry and commerce, the progress of each other.

I hope that you, when communicating to your Government our acceptance of the invitation and our purpose to be represented in the Conference at Washington, will be pleased also to transmit our views on the subject.

With pleasure I avail myself of this opportunity to offer to you the assurances of my distinguished consideration.

DEMETRIO LASTARRIA.

WILLIAM R. ROBERTS,
*Envoy Extraordinary and Minister
 Plenipotentiary of the United States of America.*

PERU.

LEGATION OF PERU IN THE
UNITED STATES OF AMERICA,*Washington, April 27, 1889.*

SIR: In August last, in pursuance of the authority given to the President by the Federal Congress, the representative of the United States in Peru transmitted to my Government an invitation to attend the International American Conference. The Government of Peru immediately realized the importance of the project and gave to it the careful consideration which it deserves, both by reason of its nature, the various phases which it presents, and of the great influence which it will exercise upon the destinies of all the nations of this continent. The Conference to be held in this city in October next will discuss and recommend for adoption to the respective Governments a plan of arbitration for the settlement of the differences which may hereafter arise among them, and will furthermore consider other measures intended to promote their commercial and industrial relations.

This idea of increasing and strengthening the bonds which connect the American nations with each other, and in this way improving for the common good the opportunities afforded by their geographical position, and affirming the union which nature itself created when it filled this continent with a galaxy of free, independent, vigorous, and youthful nations, was necessarily hailed by the Government of Peru with feelings of sympathy and good will. The Government of Peru, both in the days of its country's prosperity as in those of its adversity, always advocated and welcomed all efforts to promote the common benefit and foster the feeling of union and fraternity among the nations of the New World; and although it is true that generous attempts in that direction have hitherto proved unsuccessful as far as practical and permanent results are concerned, it is not the less gratifying that the proposed Conference should undertake, through an interchange of views, to establish upon a firm basis the peace of the continent and to promote its financial and industrial prosperity.

It gives me great pleasure to transmit to the Secretary of State the expression of these views, and to inform him, in obedience to special instructions, that the Government of Peru accepts the invitation extended to it by the Government of the United States in the same spirit of friendship and regard with which it was extended, and that it will in due time send a Delegate to represent it at the International American Conference.

I have the honor on this occasion, Mr. Secretary of State, to offer you the assurances of the very distinguished consideration and esteem with which I subscribe myself

Your obedient servant,

F. C. C. ZEGARRA.

Hon. JAMES G. BLAINE, etc.

BRAZIL.

LEGATION OF UNITED STATES,

Rio de Janeiro, May 1, 1889.

SIR: I have the honor to report that the Brazilian Government has accepted with pleasure the invitation to send Delegates to the American Conference to be held in Washington on October 2, 1889.

I have the honor to be, sir, your obedient servant,

H. CLAY ARMSTRONG,

Chargé d'Affaires.

Hon. JAMES G. BLAINE,

Secretary of State, Washington, D. C.

MEXICO.

DEPARTMENT OF FOREIGN AFFAIRS,

Mexico, June 1, 1889.

MR. MINISTER :

I had the honor to receive Your Excellency's note, dated on the 27th ultimo, informing me that the Secretary of State had addressed you a telegram setting forth that, as stated to him by the Mexican Minister, I had not understood Mr. Bragg to tender Mexico a formal invitation to join the American Conference, but merely to transmit in-

formation, when he gave me a copy of the circular of July, ultimo, and further stating that it was gratifying for your Government to find Mexico disposed, as Mr. Romero had said, to accept that invitation. The fact that no note was addressed to this Department, inviting the Mexican Government to join the Conference, and that it merely received a copy of a circular, sent to the Legation of the United States here, made me believe that the invitation would be extended at a later period, and that the only thing intended at that time was to give notice that the Conference would be held. This was the reason why I did not write then to your Legation (as I have now the honor of doing, by order of the President), stating that the Mexican Government gladly accepts the invitation, and will in due time appoint the Delegates who should represent it in the said Conference, as set forth in the above-mentioned circular.

It is gratifying to me to have this opportunity to reiterate to Your Excellency the high consideration with which I subscribe myself,

Your obedient servant,

IGNACIO MARISCAL.

His Excellency, THOMAS RYAN, etc.

VENEZUELA.

LEGATION OF THE UNITED STATES,

Caracas, July 18, 1889.

SIR: On the 17th instant, at 9 o'clock p. m., I received a cablegram from the Department dated the 16th, as follows:

Ascertain why no answer has been given by Venezuelan Government to invitation to participate in Conference of American States.

To which I reply by cable, July 18, as follows:

Venezuela accepts invitation, and will name Delegates to Conference of American States.

It seems that my predecessor, Mr. Scott, merely gave a verbal invitation through the then Minister of Foreign

Affairs. Hence no original acceptance was ever transmitted to this Legation. But on the 27th of March last Dr. Silva, the Venezuelan *chargé* in Washington, was instructed to formally notify you of the acceptance; and on the 23d of May following the Venezuelan Congress authorized the President to appoint Delegates to the Conference of American States, and likewise to the proposed International Conference of Maritime Powers.

Dr. Parejo, the present Minister of Foreign Affairs, whom I have just seen (and to whom was submitted my cablegram), assures me that the Delegates will be named in due time.

I have the honor to be, sir, your obedient servant,
WILLIAM L. SCRUGGS.

Hon. JAMES G. BLAINE, etc.,
Washington.

SAN DOMINGO.

DEPARTMENT OF FOREIGN RELATIONS,
Santo Domingo, July 19, 1889.

MOST EXCELLENT SIR: The Government of the Dominican Republic, of which the undersigned, Minister of Foreign Relations, has the honor to be the organ, submitted to attentive consideration the important points contained in the invitation extended to it and to the other Governments of Central and South America, by order of your predecessor in the office of Secretary of State, to join in the International Congress to be held at Washington on the 1st day of October next. The said invitation was forwarded to this Department by the *Chargé d'Affaires* of the United States on the 7th of August, 1888.

If the Government of the undersigned could, consistently with its duty, regard only the dictates of its interest and its sincere desire that the seat which belongs to the Dominican Republic in the Areopagus of the sovereign nations of America should be occupied by her, she would have hastened to respond to the cordial invitation of the great Republic, the first-born daughter of democracy in

the New World, by sending her representatives to the Conference; but the Dominican Government finds itself bound to recognize that it is placed under exceptional circumstances in this matter, because many of the subjects referred to in the said invitation have been already settled between the two Republics, as shown by well-known diplomatic acts which create a status between the two countries, and which, according to international rules, can not be ignored or lost sight of either by the United States or the Dominican Republic.

The Governments of both countries concluded in 1884 a treaty of mutual privileges—arbitration and commercial reciprocity—which settled many of the points which, under the Act of Congress of the United States of 1888, will be discussed in the International Conference at Washington.

It may happen that a criterion different from that which prevailed in the said treaty, whether more liberal or more restricted, will be adopted by that Conference in regard to the very same points which were settled by agreement between our two Republics; and for this reason, and in view of the additional circumstance that the international compact above mentioned awaits ratification, and has not been officially withdrawn by either of the contracting parties—or if withdrawn at all, then without explicit notification of the fact to the other party—the Dominican Government believes that it is not at liberty to enter into a new discussion of the subjects already settled by the treaty of 1884, no matter how proper such a discussion may be on the part of other nations, which are not bound, as the Dominican Republic is, by an international compact entered into *ad referendum* and awaiting ratification. As long as the political authorities representing the two nations do not finally pass upon the said convention, the Dominican Republic is not at liberty to change it.

The Government of the undersigned believes, therefore, that under the circumstances aforesaid, it can assume no other attitude, either toward the United States or toward the International Conference at Washington, than to keep within the limits of the present situation and maintain itself in a condition of expectation, watching the practical

results which the said assembly of nations may reach, and ready to adopt in relation to the Government of the friendly and powerful Republic of the United States and of the other Republics of America, as far as compatible with the national interests intrusted to it, the course of action which should prove more conducive to foster fraternal and fruitful harmony between them all, in all departments of civilization and progress.

Be pleased to accept the testimony of respect and consideration with which, sir, I subscribe myself,

Your obedient servant,

IGNACIO M. GONZALES.

His Excellency The SECRETARY OF STATE,
Washington, D C.

PARAGUAY.

REPUBLIC OF PARAGUAY,
DEPARTMENT OF FOREIGN AFFAIRS,
ASUNCION, *August 12, 1889.*

SIR: I had the pleasure to receive your note of the 6th of July last, informing me that, in compliance with instructions sent by His Excellency, Mr. Thomas Bayard, to Mr. Bacon, under date of the 26th of August, ultimo, the Government of this Republic was invited to join, through as many delegates as it might deem proper, the International Conference of the American States, to be held at the city of Washington, on the 2d day of October of the present year.

You state further, that your legation received a note from this Department, dated the 12th of February, 1889, through which you learned that the above said note of Mr. Bacon, inviting the Government of Paraguay to send delegates to the said International Conference, had never been received at this Department; and that, as a copy of my said note of the 12th of February had been forwarded to the Honorable James G. Blaine, in the absence of Mr. Bacon, you had received instructions to repeat the invitation.

There are some errors in these statements, to which I shall allow myself to call your attention.

Mr. Bacon's note of the 26th of August, 1888, was received, and an answer thereto, accepting the invitation to join the Conference was given on October 20, 1888. The receipt of this note was acknowledged by Mr. Bacon on the 11th of December following, and he stated at the same time that either in his former note (that of the 26th of August) or in another of about the same date, he had, by order of his Government, invited the Government of Paraguay to take part also in the other Conference, which was to be held in April 1889, on maritime subjects, but that as he feared that said note might have not reached me he would again extend the invitation for that Conference, and inclosed a copy of Mr. Bayard's circular to that effect. To this I replied on the 12th of February, and said that the invitation referred to had not been received at the time mentioned in his note, and that my Government regretted not to be able to accept, for the reasons which I then explained, the invitation to attend the Conference of April 1889, reserving, however, the right to adhere to the conclusions therein reached.

From all of this it appears that my Government has accepted the invitation for the Conference of October next, and that the one which was not accepted, referred to the Maritime Conference held in April ultimo.

I beg you to examine my note of the 12th of February, wherein you will find all that has been stated in the foregoing paragraphs. My note of acceptance dated October 20, 1888, must be found in the archives of your Legation, as is the note of Mr. Bacon acknowledging the receipt thereof, in the archives of this Department.

The inclosed copy of the Message of the President of this Republic, giving an account of both invitations, will complete the proof of what I have stated.

I reiterate to you the assurances of my distinguished consideration.

JUAN C. CENTURION.

Mr. EDWARD J. HILL.

COLOMBIA.

REPUBLIC OF COLOMBIA,
DEPARTMENT OF FOREIGN AFFAIRS,*Bogota, September 17, 1889.*

SIR: As I had the honor orally to inform Your Excellency, the Government of this Republic has determined to accept the courteous invitation of the United States of America to participate in the proceedings of the International Conference to be held at Washington October 2, 1889.

This Government, desirous to co-operate in all things calculated to advance the important matters to be considered, will name one or more representatives to the Conference.

Requesting Your Excellency to communicate this acceptance to your Government, I have the honor to renew the assurances of my distinguished consideration.

VICENTE RESTREPO.

His Excellency DABNEY H. MAURY, etc.,

Bogota.

HAYTI.

LEGATION OF THE UNITED STATES,

Port au Prince, Hayti, October 4, 1889.

SIR: I have the honor to inform you that by a dispatch received from the Department of State of Foreign Relations of the Republic of Hayti, this day, that Mr. Arthur La Forestrie has been appointed by the Provisional Government to represent Hayti at the International Conference to assemble at Washington on the 16th instant.

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

JOHN E. W. THOMPSON.

Hon. JAMES G. BLAINE,

Secretary of State, Washington, D. C.

THE HAWAIIAN ISLANDS.

On the 12th of February, 1890, the Senate of the United States adopted the following resolution, which

was concurred in by the House of Representatives on the 17th of March, and approved by the President:

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be requested to invite the King of the Hawaiian Islands to select delegates to represent the Kingdom in the Pan American Congress now assembled at the capital of this Republic.

Whereupon the following letter was addressed to the United States Minister to the Hawaiian Government by the Secretary of State:

Mr. Blaine to Mr. Stevens.

DEPARTMENT OF STATE,
Washington, March 20, 1890.

SIR: By direction of the President of the United States, and in his name, I have now to direct you to extend to the Government of His Majesty the King of the Hawaiian Islands a cordial invitation to be represented by such number of delegates as may seem to it convenient at the International Conference, which was convened at this capital on the 2d of October last and is now sitting.

The members of that Conference are assembled for the purpose of discussing and recommending for adoption to their respective Governments some plan of arbitration for the settlement of disagreements and disputes that may hereafter arise between them, and for considering questions relating to the improvement of business intercourse and means of direct communication between the countries participating therein, and to encourage such commercial relations as will be beneficial to all and secure more extensive markets for the products of each of said countries.

Where the terms of the act of Congress approved May 24, 1888, under which the original invitations to the Conference were issued it was provided that the several Governments of the Republics of Mexico, Central and South America, Hayti, Santo Domingo, and Brazil, should be invited to participate.

In pursuance of the recommendation made in the President's annual message to Congress, at the opening of the current session, a concurrent resolution has been adopted by the Senate and House of Representatives of the United States, requesting the President to invite also the King of the Hawaiian Islands to select delegates to represent the Kingdom at the aforesaid Conference. In conformity with that resolution, the present invitation is thus extended at the earliest possible moment.

You will lose no time in communicating this invitation to the Government of His Majesty the King of Hawaii; and in doing so you will express the pleasure it affords the President to thus put forth an additional proof of the good will which animates the Government and people of the United States towards the Hawaiian nation, and their high sense of the intimacy which subsists between the two peoples, and of which the mutually beneficial expansion is constantly desired.

With a view to rendering possible the provisional attendance of the Minister of Hawaii as a Delegate during the brief period remaining within which the sessions of the Conference are likely to continue, I have addressed this invitation also to Mr. Carter, in a note of which a copy is inclosed for your information, should his attendance be possible; under the powers he may possess, and subject to the approval and ratification of his acts by the Hawaiian Government, it is trusted that His Majesty will see fit to take steps to confirm the temporary arrangements which I have so suggested in the spirit of friendly consideration.

Copies of the original invitation to the International Conference and the Act of Congress in pursuance whereof the invitations were issued, are herewith inclosed, and should form part of your official communication to the Government of His Majesty.

I am, sir, your obedient servant,

JAMES G. BLAINE.

JOHN L. STEVENS, Esq., etc.,
Honolulu.

Mr. Blaine to Mr. Carter.

DEPARTMENT OF STATE,
Washington, March 20, 1890.

SIR: I have the pleasure to acquaint you with the adoption by the Congress of the United States of a concurrent resolution, which was approved by the Senate on the 12th of February last and by the House of Representatives on the 17th instant, whereby the President is "requested to invite the King of the Hawaiian Islands to select delegates to represent the Kingdom in the Pan-American Congress now assembled at the capital of this Republic."

You will recall that in the annual message of the President to the Congress at the opening of the current legislative session, in December last, he recommended that provision be made for extending to the Government of Hawaii an invitation to be represented in the International Conference then, and now, sitting at this capital, in accordance with the invitation extended to the States of Central and South America under the act approved May 24, 1888.

By direction of the President, therefore, and in his name, an instruction is sent to-day to the United States minister at Honolulu to tender to the Government of the Hawaiian Islands a cordial invitation to be represented by such number of delegates as may seem to be convenient, at the International Conference which was convened in the city of Washington on the 2d of October, 1889, and which is still in session.

To the end that no time may be lost, and that the Hawaiian Kingdom may, if possible, be represented in the Conference during the brief period remaining within which its sittings are likely to continue, I have the honor to repeat the invitation to you as the accredited envoy of His Majesty the King of the Hawaiian Islands.

If, in your quality as minister plenipotentiary and under the instructions of your Government which you already possess, it should be competent for you to attend as a delegate of Hawaii pending ratification of your character and acts, it will afford me great pleasure to take the necessary steps to present you to the Conference in such provisional

capacity, and thus forestall the probable contingency of the adjournment of the Conference before the formal acceptance by your Government and the appointment of its representatives thereat.

Inclosing for your information a copy of the general invitation sent out July 13, 1888, and of the act of May 24, 1888, in which the scope of the operation of the Conference is fully set forth, I avail myself, etc.,

JAMES G. BLAINE.

MR. H. A. P. CARTER, etc.

Mr. Carter to Mr. Blaine.

HAWAIIAN LEGATION,
Washington, D. C., March 25, 1890.

SIR: I have the honor and pleasure to acknowledge the receipt of your communication of the 20th recent, in which you acquaint me with the adoption, by the Congress of the United States, of the concurrent resolution whereby the President is "requested to invite the King of the Hawaiian Islands to select delegates to represent the Kingdom in the Pan-American Congress now assembled at the capital of this Republic."

You further do me the honor to inform me that by direction of the President an instruction has been sent to the United States minister at Honolulu to tender to the Government of the Hawaiian Islands a cordial invitation to be represented by such number of delegates as may seem to it convenient at the Conference now in session, and you kindly add the suggestion that if, in my quality as minister plenipotentiary and under such instructions as I already possess, it should be competent for me to attend as a delegate of Hawaii pending ratification of my character and acts, it will afford you pleasure to present me in such provisional capacity and thus forestall the probable contingency of the adjournment of the Conference before the formal acceptance of the invitation by my Government and the appointment of its representatives thereat.

I beg to thank you for this very kind communication, and for your kind suggestion and offer thus to expedite the representation of Hawaii at the Conference.

In a dispatch dated the 18th day of December last, His Excellency, the Minister of Foreign Affairs at Honolulu wrote me in regard to the recommendation of the President in his message to Congress, that it might be serviceable to Hawaii to be represented in the Pan-American Congress if the recommendation of the President was favorably acted on by the Congress of the United States in time, and that in such case the Government would rely upon me to act in the capacity of Delegate of Hawaii, but further than this, I have no further instructions; and therefore, in view of the important character of the Conference and the weight which will doubtless attach to its decisions as a body of delegates fully empowered to represent their respective Governments, I regret to arrive at the conclusion that it would not be competent for me to act without the further instructions of my Government on the invitation so cordially extended by the President, to be represented at the Conference.

With reference to the probable contingency of an early adjournment of the Conference before I can receive the instructions of my Government, I would respectfully suggest that if the Conference is likely to adjourn before the 25th day of April next, by which date the formal answer of my Government should be received in this city, that an announcement of the invitation extended to Hawaii might be made in the Conference, and perhaps provision might be made so that, even after its adjournment, an opportunity might be opened to Hawaii to accede to such portions of its conclusions as might be of interest to Hawaii, and be favorably received by the Hawaiian Government.

I beg to renew to you, sir, the assurance of my very high regard and consideration.

H. A. P. CARTER.

Hon. JAMES G. BLAINE,

Secretary of State, etc., Washington, D. C.

Mr. Blaine to Mr. Carter.

DEPARTMENT OF STATE,

Washington, March 26, 1890.

SIR: I have the pleasure to acknowledge the receipt of your note of the 25th instant, in response to my communication of the 20th, relative to the cordial invitation which in pursuance of a concurrent resolution of the Congress of the United States, the President has extended to the Government of His Majesty, the King of the Hawaiian Islands, to be represented in the International Congress of American States, now sitting in Washington.

While I regret the instructions you possess in this regard, and of the purport of which you are pleased to advise me, do not permit your attendance as a Delegate on the provisional footing proposed in my note, I welcome your alternative suggestion that, in the event of the adjournment of the Conference, before you received your expected credentials, provision might be made for the accessions of Hawaii to such portions of its conclusions as may be of interest to Hawaii and be favorably received by the Hawaiian Government.

Believing that many of the results towards which the labors of the Conference are tending will be no less commendable to Hawaii than to the other States of the American confraternity, to which the Hawaiian Islands so naturally belong in their commercial and political association, I will forthwith take steps to cause announcement to be made in the Conference of the invitation which has now been extended to Hawaii, and to ensure to His Majesty's Government the opportunity to accept such mutually beneficial conclusions as it may desire to become a party to.

In this way, the friendship of the United States for Hawaii, and the intimacy of the relations of the Hawaiian Islands to the States of the American system, will find adequate expression.

Accept, etc.,

JAMES G. BLAINE.

Mr. H. A. P. CARTER.

Mr. Stevens to Mr. Blaine.

UNITED STATES LEGATION,
Honolulu, April 9, 1890.

SIR: I improve the earliest opportunity to inform the Secretary of State that I promptly obeyed the instructions in his dispatch No. 20, of March the 20th, 1890, covering an invitation to His Majesty's Government of Hawaii to participate in the International Conference now being held in Washington, and in response have just received an affirmative communication from the Minister of Foreign Affairs, of which a copy is herewith inclosed.

I have the honor to be, sir, your obedient servant,
JOHN L. STEVENS.

Hon. JAMES G. BLAINE,
Secretary of State, Washington, D. C.

[Inclosure.]

DEPARTMENT OF FOREIGN AFFAIRS,
Honolulu, April 19, 1890.

SIR: Referring to Your Excellency's dispatch of April 4, instant, conveying an invitation in the name of the President of the United States to His Majesty the King to be represented by such a number of delegates as may seem to be convenient at the International Conference which has convened at Washington on the 2d of October last, I have now the honor to inform you that it has pleased His Majesty to accept the invitation of the President and to appoint and commission His Excellency the Hon. H. A. P. Carter, His Majesty's minister at Washington, to be such Delegate to represent this Kingdom at the said Conference.

I have the honor to be, sir, Your Excellency's most obedient servant,

JONATHAN AUSTIN,
Minister of Foreign Affairs.

His Excellency JOHN L. STEVENS,
United States Minister Resident, Honolulu.

Mr. Blaine to Mr. Stevens.

DEPARTMENT OF STATE,
Washington, April 26, 1890.

SIR: I have to acknowledge with gratification the receipt of your number 22 of the 9th instant, in which you communicate the affirmative response of Hawaii to the invitation by which that Government was requested to send a Delegate to the Pan-American Conference.

The Conference has adjourned — and while, therefore, the participation of Hawaii therein by her distinguished Delegate, Mr. Carter, is not now possible, the action which you report illustrates anew the good will existing between the two countries.

As soon as Mr. Carter shall notify the Department of his appointment, he will be furnished with copies of the conclusions of the Conference, with a view to the accession of Hawaii thereto, to such extent as may be found possible and in the interest of Hawaii as a member of the American family of States.

I am, sir, your obedient servant,

JAMES G. BLAINE.

JOHN L. STEVENS, Esq., etc.,

Honolulu.

ORGANIZATION OF THE CONFERENCE.

SESSION OF OCTOBER 2, 1889.

The Conference assembled in the Diplomatic Chamber of the Department of State, Washington, D. C., at noon on the 2d of October, 1889, the following Delegates being present:

For Bolivia:

Mr. Juan F. Velarde.

For Brazil:

Mr. Lafayette Rodrigues Pereira.

Mr. J. G. do Amaral Valente.

Mr. Salvador de Mendonça.

For Columbia:

Mr. José M. Hurtado.

Mr. Carlos Martinez Silva.

Mr. Climaco Calderón.

For Costa Rica:

Mr. Manuel Aragón.

For Guatemala:

Mr. Fernando Crux.

For Honduras:

Mr. Jerónimo Zelaya.

For Mexico:

Mr. Matias Romero.

For Nicaragua:

Mr. Horatio Guzman.

For Peru:

Mr. F. C. C. Zegarra.

For Salvador:

Mr. Jacinto Castellanos.

For the United States:

Mr. John B. Henderson.

Mr. Clement Studebaker.

Mr. Cornelius N. Bliss.

Mr. T. Jefferson Coolidge.

Mr. John F. Hanson.

Mr. William Henry Trescot.

Mr. Morris M. Estee.

Mr. Henry G. Davis.

Mr. Charles R. Flint.

For Uruguay:

Mr. Alberto Nin.

For Venezuela:

Mr. Nicanor Bolet Peraza.

Mr. José Andrade.

The Delegates were introduced to the Honorable James G. Blaine, Secretary of State, who delivered the following address of welcome:

ADDRESS OF WELCOME BY MR. BLAINE.

Gentlemen of the International American Conference: Speaking for the Government of the United States, I bid you welcome to this capital. Speaking for the people of the United States, I bid you welcome to every section and to every State of the Union. You come in response to an invitation extended by the President on the special authorization of Congress. Your presence here is no ordinary event. It signifies much to the people of all America to-day. It may signify far more in the days to come. No conference of nations has ever assembled to consider the welfare of territorial possessions so vast and to contemplate the possibilities of a future so great

and so inspiring. Those now sitting within these walls are empowered to speak for nations whose borders are on both the great oceans, whose northern limits are touched by the Arctic waters for a thousand miles beyond the Straits of Behring and whose southern extension furnishes human habitations farther below the equator than is elsewhere possible on the globe.

The aggregate territorial extent of the nations here represented falls but little short of 12,000,000 of square miles—more than three times the area of all Europe, and but little less than one-fourth part of the globe; while in respect to the power of producing the articles which are essential to human life and those which minister to life's luxury, they constitute even a larger proportion of the entire world. These great possessions to-day have an aggregate population approaching 120,000,000, but if peopled as densely as the average of Europe, the total number would exceed 1,000,000,000. While considerations of this character must inspire Americans, both South and North, with the liveliest anticipations of future grandeur and power, they must also impress them with a sense of the gravest responsibility touching the character and development of their respective nationalities.

The Delegates I am addressing can do much to establish permanent relations of confidence, respect, and friendship between the nations which they represent. They can show to the world an honorable, peaceful conference of eighteen independent American Powers, in which all shall meet together on terms of absolute equality; a conference in which there can be no attempt to coerce a single Delegate against his

own conception of the interests of his nation; a conference which will permit no secret understanding on any subject, but will frankly publish to the world all its conclusions; a conference which will tolerate no spirit of conquest, but will aim to cultivate an American sympathy as broad as both continents; a conference which will form no selfish alliance against the older nations from which we are proud to claim inheritance—a conference, in fine, which will seek nothing, propose nothing, endure nothing that is not, in the general sense of all the Delegates, timely and wise and peaceful.

And yet we can not be expected to forget that our common fate has made us inhabitants of the two continents which, at the close of four centuries, are still regarded beyond the seas as the New World. Like situations beget like sympathies and impose like duties. We meet in firm belief that the nations of America ought to be and can be more helpful, each to the other, than they now are, and that each will find advantage and profit from an enlarged intercourse with the others.

We believe that we should be drawn together more closely by the highways of the sea, and that at no distant day the railway systems of the north and south will meet upon the isthmus and connect by land routes the political and commercial capitals of all America.

We believe that hearty co-operation, based on hearty confidence, will save all American States from the burdens and evils which have long and cruelly afflicted the older nations of the world.

We believe that a spirit of justice, of common and

equal interest between the American States, will leave no room for an artificial balance of power like unto that which has led to wars abroad and drenched Europe in blood.

We believe that friendship, avowed with candor and maintained with good faith, will remove from American States the necessity of guarding boundary lines between themselves with fortifications and military force.

We believe that standing armies, beyond those which are needful for public order and the safety of internal administration, should be unknown on both American continents.

We believe that friendship and not force, the spirit of just law and not the violence of the mob, should be the recognized rule of administration between American nations and in American nations.

To these subjects, and those which are cognate thereto, the attention of this Conference is earnestly and cordially invited by the Government of the United States. It will be a great gain when we shall acquire that common confidence on which all international friendship must rest. It will be a greater gain when we shall be able to draw the people of all American nations into close acquaintance with each other, an end to be facilitated by more frequent and more rapid intercommunication. It will be the greatest gain when the personal and commercial relations of the American States, south and north, shall be so developed and so regulated that each shall acquire the highest possible advantage from the enlightened and enlarged intercourse of all.

Before the Conference shall formally enter upon

the discussion of the subjects to be submitted to it I am instructed by the President to invite all the Delegates to be the guests of the Government during a proposed visit to various sections of the country, with the double view of showing to our friends from abroad the condition of the United States, and of giving to our people in their homes the privilege and pleasure of extending the warm welcome of Americans to Americans.

TEMPORARY ORGANIZATION.

A quorum of the Delegates being present, the Secretary of State declared the Conference duly assembled, and asked the pleasure of the body; when the following resolution was offered by Mr. Romero, and unanimously adopted, to wit:

Resolved, That this Conference names as President *pro tempore* the Hon. John B. Henderson, a Delegate to this Conference, representing the United States of America.

Thereupon the honorable Secretary of State retired, and Mr. John B. Henderson assumed the chair and declared the Conference ready for the transaction of business.

Whereupon, on the motion of Mr. Hurtado, Charles R. Flint, one of the Delegates from the United States, was unanimously elected Secretary *pro tempore* of the Conference.

PERMANENT ORGANIZATION.

Thereupon the following resolution was offered by Mr. Romero, and unanimously adopted, to wit:

Resolved, That the President *pro tempore* is hereby authorized and requested to appoint a Committee on

Organization, to consist of five members, whose duty it shall be to recommend to the Conference the name of some suitable person to be permanent President thereof.

And it is further resolved, That said Committee shall recommend to the Conference the manner in which presiding officers shall be selected in the absence of the President.

Under the provisions of the above resolution the President *pro tempore* appointed the following committee, to wit: Matias Romero, Lafayette Rodrigues Pereira, Alberto Nin, Horacio Guzman, José M. Hurtado, which committee made the following report, to wit:

Resolved, That the honorable James G. Blaine, Secretary of State of the United States of America, be elected President of the International American Conference.

And it is further resolved, That in the absence of the President, the chair will be occupied by one of the Delegates of each of the nations represented in the Conference by turn, selected by lot.

Which report was unanimously adopted by the Conference.

On the order of the Conference, the President *pro tempore* appointed the following-named committee to notify the Hon. James G. Blaine of his election as President of the Conference, to wit: José M. Hurtado, Cornelius N. Bliss, F. C. C. Zegarra, Juan F. Velarde, Manuel Aragón.

COMMITTEE ON RULES.

The following resolution was offered by Mr. Romero and unanimously adopted, to wit:

Resolved, That a committee of seven members be appointed by the President *pro tempore*, whose duty it shall

be to prepare and submit to the Conference, on its re-assembling in Washington in November next, a set of parliamentary rules for the Government of the body in the transaction of business.

Under which resolution the President *pro tempore* appointed the following-named committee, to wit: José Alfonso, Manuel Quintana, J. G. do Amaral Valente, William Henry Trescot, José Maria Placido Caamaño, Matias Romero, Jacinto Castellanos.

COMMITTEE ON COMMITTEES.

The following resolution was then offered by Mr. Zegarra, and unanimously adopted, to wit:

Resolved, That a committee of five members be appointed by the President *pro tempore*, whose duty it shall be to designate and report to the Conference, on its re-assembling in November next, such committees as in its judgment should be appointed to facilitate the business of the Conference, and the number of members which each committee shall have.

Under the provisions of said resolution the President *pro tempore* appointed the following-named Delegates to constitute said committee, to wit: Cornelius N. Bliss, Nicanor Bolet Peraza, Fernando Cruz, F. C. C. Zegarra, Alberto Nin.

EXCURSION THROUGH THE UNITED STATES.

Thereupon, Dr. Matias Romero offered the following resolution, which was unanimously adopted, to wit:

Resolved, That the members of the International American Conference accept with pleasure the invitation of the President of the United States of America to be the guests of that Government in an excursion through the territory of the United States, and that they express their thanks for said invitation.

The committee appointed to notify Mr. Blaine of his election as President of the Conference then reported that they had discharged their duty, and that he would accept the office.

Whereupon, by order of the Conference, he was escorted to the chair by the committee, and assumed the duties of President of the International American Conference.

It was thereupon unanimously ordered that the Conference adjourn to meet in the city of Washington, on Monday, November 18, at 11 o'clock a. m., at 1801 I Street, northwest.

ELECTION OF VICE-PRESIDENTS.

SESSION OF DECEMBER 5, 1889.

The following resolution was reported from the Committee on Rules :

Resolved, That there shall be elected, by a secret vote, a first and second Vice-President, who, in the absence of the President, shall discharge their duty in their regular order. In the absence of both Vice-Presidents, the chair shall be filled by one of the Delegates in the order of location.

After brief discussion the above resolution was adopted.

AFFIRMATIVE—12.

Hayti.	Paraguay.	United States.
Nicaragua.	Honduras.	Chili.
Argentine Republic.	Mexico.	Salvador.
Costa Rica.	Bolivia.	Ecuador.

NEGATIVE—3.

Guatemala.	Colombia.	Venezuela.
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ABSENT OR NOT VOTING—2.

Brazil.	Uruguay.
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SESSION OF DECEMBER 6, 1889.

The election of Vice-Presidents by secret ballot took place; Mr. Trescot, a Delegate from the United States, and Mr. Alfonso, a Delegate from Chili, acting as tellers. No candidate having received a majority of the votes cast, further balloting was postponed until the following day.

SESSION OF DECEMBER 7, 1889.

The balloting for Vice-Presidents having been resumed, Mr. Zegarra, a Delegate from Peru, was elected First Vice-President, and Mr. Romero, a Delegate from Mexico, was elected Second Vice-President.



LIST OF DELEGATES, SECRETARIES, AND ATTACHES.

[Arranged in order of precedence, as determined by lot November 20, 1888.]

President, JAMES G. BLAINE.

Secretaries { H. REMSEN WHITEHOUSE.
FIDEL G. PIERRA.*
JOSÉ IGNACIO RODRIGUEZ (succeeding Mr.
Pierra).

HAYTI.

Delegates:

Arthur Laforestrie. †

Hannibal Price. ‡

Secretary:

H. Aristide Preston.

NICARAGUA.

Delegate:

Horacio Guzman.

Secretary:

R. Mayorga.

PERU.

Delegate:

Felix C. C. Zegarra.

Secretary:

Leopoldo Oyague y Soyer.

Attaché:

Manuel Elguera.

* Resigned February 14, 1890.

† To March 5, 1890.

‡ From April 1, 1890.

GUATEMALA.

Delegate :

Fernando Cruz.

Secretary :

Domingo Estrada.

Attaché :

Javier A. Arroyo.

URUGUAY.

Delegate :

Alberto Nin.

Secretaries :

Dionisio Ramos Montero.

Henry Dauber.

COLOMBIA.

Delegates :

José M. Hurtado.

Cárlos Martínez Silva.

Clímaco Calderón.

Secretary :

Julio Rengifo.

ARGENTINE REPUBLIC.

Delegates :

Roque Saenz Peña.

Manuel Quintana.

Secretaries :

Federico Pinedo.

Ernesto Bosch.

COSTA RICA.

Delegate :

Manuel Aragon.

Secretary :

Joaquin Bernardo Calvo.

PARAGUAY.

Delegate:

José S. Decoud.

BRAZIL.

Delegates:

Lafayette Rodrigues Pereira.*

J. G. do Amaral Valente.

Salvador de Mendonça.

Secretaries:

José Augusto Ferreira da Costa.

Joaquim de Freitas Vasconcellos.

Attachés:

Alfredo de Moraes Gomes Ferreira.

Mario de Mendonça.

HONDURAS.

Delegate:

Jeronimo Zelaya.

Secretaries:

E. Constantino Fiallos.

Richard Villafranca.

MEXICO.

Delegates:

Matias Romero.

Enrique A. Mexia.

Secretary:

Enrique Santibañez.

BOLIVIA.

Delegate:

Juan F. Velarde.

Secretary:

Melchor Obarrio.

Attachés:

Alcibiades Velarde.

Mariano Velarde.

* Resigned November 27, 1889.

UNITED STATES.

Delegates:

John B. Henderson.
 Cornelius N. Bliss.
 Clement Studebaker.
 T. Jefferson Coolidge.
 William Henry Trescot.
 Andrew Carnegie.
 Morris M. Estee.
 John F. Hanson.
 Henry G. Davis.
 Charles R. Flint.

Secretaries:

Edmund W. P. Smith.
 Edward A. Trescot.

VENEZUELA.

Delegates:

Nicanor Bolet Peraza.
 José Andrade.
 Francisco Antonio Silva.

Secretary:

Nicanor Bolet Monagas.

CHILI.

Delegates:

Emilio C. Varas.
 José Alfonso

Secretaries:

Cárlos Zañartu.
 Paulino Alfonso.
 Domingo Peña Toro.

SALVADOR.

Delegate:

Jacinto Castellanos.

Secretary:

Samuel Valdivieso.

Attaché:

J. Arrista Rossi.

ECUADOR.

Delegate :

José Maria Placido Caamaño.

Secretary :

Antonio Echeverría.

Executive Officer :

William Eleroy Curtis.

Disbursing Officer :

Haughwout Howe.

Sergeants-at-Arms :

John G. Bourke, Captain, U. S. Army.

Henry R. Lemly, First Lieutenant U. S. Army.

Surgeon :

H. C. Yarrow, Acting Assistant Surgeon, U. S. Army.

Consulting Engineer to the Committee on Railway Communication :

George A. Zinn, First Lieutenant, Corps of Engineers.

Official Interpreters :

José Ignacio Rodriguez.

Arthur W. Fergusson.

Publication Clerk :

Cárlos Federico Adams-Michelena.

Translators :

Mary F. Foster.

Ambrosio J. Gonzalez.

Marathon M. Ramsey.

José R. Villalon.

J. Vicente Serrano.

Miss M. E. Torrence.

Official Stenographers :

Hudson C. Tanner.

Manuel Trillanes.

Mauro Durán.

Walter C. Byrne.

Stenographers :

John T. Suter, jr.

Imogen A. Hanna.

Messengers:

Charles W. Hearn.

Thomas Hughes.

Joseph Savoy.

Edward F. Quinn.

Pages:

William V. Griffin.

Frank M. Scott.

RULES OF THE INTERNATIONAL AMERICAN CONFERENCE

[As adopted by the Conference at the session of November 21, 27, and 29, and December 2 and 4, 1889.]

ARTICLE I.

The Conference will hold regular sessions on Mondays, Wednesdays, and Fridays of each week, from 2 to 5 p. m., but may hold others on such days and at such hours as it may especially designate.

ARTICLE II.

In order to constitute a quorum a majority of the nations participating in the Conference must be represented at the session by at least one delegate each.

ARTICLE III.

The sessions shall be presided over by the President of the Conference, and in his absence by the Vice-Presidents in their order; or if none of these should be present, then by the Delegate whose turn it shall be to preside, under the plan adopted by the Conference on the 2d of October, 1889.

ARTICLE IV.

The delegations shall sit, and vote, in the order established by lot.

ARTICLE V.

The session having been opened, the Secretaries of the Conference shall read, in Spanish and English respectively, the minutes of the previous session. The remarks which the President or presiding officer, or any of the Delegates, may make thereupon will be noted, and the minutes will then be submitted for approval without discussion.

ARTICLE VI.

After the approval of the minutes, one of the Secretaries shall report to the Conference what matters have been presented since the last meeting, and the President or presiding officer shall refer each of them to the appropriate committee.

ARTICLE VII.

The President will then submit for discussion, one after another, the matters embraced in the order of the day. The Conference shall discuss them first in general, and such as may be approved shall be submitted for a second discussion in detail.

ARTICLE VIII.

The President or presiding officer shall concede the floor to the Delegates in the order in which they shall have demanded it.

ARTICLE IX.

The Delegates may speak each in his own language, and as soon as one of them shall cease speaking he or one of the interpreters of the Conference shall at once translate, orally, the substance of his remarks, into Spanish if the Delegate has spoken in English, or into English if he has spoken in Spanish, Portuguese, or French. The words spoken by the President or presiding officer of the Conference shall be similarly interpreted.

ARTICLE X.

Any Delegate may present to the Conference his written opinion upon the matter or point in debate, reading it or having it read by one of the Secretaries, and have it inserted in the minutes of the session in which it shall have been presented.

ARTICLE XI.

The President or presiding officer shall decide all questions of order raised during the debates of the Conference.

*An appeal may be taken from his decision by any of the delegations or any Delegate individually.

ARTICLE XII.

The resolutions introduced by the Delegates shall be referred by the presiding officer to the proper committee, unless the Conference shall decide, by a vote of two-thirds of the delegations present, to proceed to their immediate consideration. No resolution not reported upon by a committee shall be discussed until after two sessions of the Conference shall have been held, subsequent to the one in which the resolution in question was introduced.

ARTICLE XIII.

All amendments or amendments to amendments shall be referred to the proper committees, unless the Conference otherwise order, and they shall be voted upon before the resolution or report the text of which they are intended to amend.

ARTICLE XIV.

The Conference may at any time, by a resolution to that effect, go into Committee of the Whole, in order to exchange views informally upon any subject whatever on the order of the day, or upon any incident which may arise therefrom. The motion to go into Committee of the Whole shall have preference, and shall be put to vote without debate. No vote shall be taken upon any subject in Committee of the Whole.

ARTICLE XV.

The reports of the committees and the resolutions submitted by them shall be printed in Spanish and in English, and distributed to the Delegates, for their consideration, at the following session; but such reports and resolutions shall not be submitted for discussion until after four days from the date on which the printed copies shall have been distributed.

ARTICLE XVI.

The delegation of each State represented in this Conference shall have only one vote, and the votes shall be given separately by States.

The votes will be recorded in the minutes.

On matters not covered by Article XVII the vote may be taken *viva voce*, if no objection is made.

ARTICLE XVII.

At least two-thirds of the States participating in the Conference must be represented by at least one Delegate each when a vote is taken upon any of the matters enumerated in the act of Congress under which the Conference was convened.

ARTICLE XVIII.

At the close of each session the President or presiding officer shall announce to the Conference the subjects pending for discussion at the next session; but the Conference shall have the power to make such changes as it may deem advisable, either in regard to the hour of the meeting or as to the order in which the pending business shall be considered.

ARTICLE XIX.

The minutes, after their approval by the Conference, shall be signed by the President or other presiding officer and by all the Delegates present at the meeting in which they are approved. They shall be printed in English and in Spanish, in pages of two columns, one for each language, and in sufficient number to allow each Delegate accredited to the Conference to receive four copies. The originals in both languages shall be deposited in the archives of the Conference, and the copies for the Delegates shall be authenticated by the Secretaries who acted at the respective sessions.

ARTICLE XX.

The discussions and decisions shall be secret, unless otherwise ordered by the Conference. Consequently, only

the following shall have access to the halls of its sessions, to wit: The President, the Delegates and their secretaries, and the secretaries, interpreters, and stenographers of the Conference. The President or other presiding officer will, moreover, take such measures as may be necessary for effectually securing the prescribed privacy.

ARTICLE XXI.

To amend or repeal any of the foregoing rules a two-thirds vote of the delegations present at the session in which the amendments shall have been offered, shall be required.



NAMES AND DUTIES OF STANDING COMMITTEES.

[Adopted December 7, 1889.]

I.—*Executive Committee.*

An Executive Committee, composed of the President, the Vice-Presidents, and three Delegates, to direct and supervise the labors of the Secretaries, and also to direct and supervise the editing and printing of the journals and verbatim reports of the Conference.

II.—*Committee on Customs Union.*

A committee of five Delegates, to report upon the practicability and advisability of an American Customs Union, and to formulate the basis for the establishment of such an Union, if any may be proposed.

III.—*Committee on Communication on the Atlantic.*

A committee of five, to consider and report upon the best means of extending and improving the facilities for transportation and postal and telegraph communication between the several countries represented in this Conference that border on the Atlantic Ocean.

IV.—*Committee on Communication on the Pacific.*

A committee of five, to consider and report upon the best means of extending and improving the facilities for transportation and postal and telegraphic communication between the several countries represented in this Conference that border upon the Pacific Ocean.

V.—*Committee on Communication on the Gulf of Mexico and the Caribbean Sea.*

A committee of five, to consider and report upon the best means of extending and improving the facilities for transportation and postal and telegraphic communication between the several countries represented in this Conference that border upon the Gulf of Mexico and the Caribbean Sea.

VI.—*Committee on Railway Communication.*

A committee of seventeen, to consider and report upon the subject of railway, postal, and telegraphic communication between the several countries represented in this Conference.

VII.—*Committee on Customs Regulations.*

A committee of five, to consider and report upon the best methods of simplifying the port and customs regulations in the several ports of the countries represented in this Conference.

(a) Formalities to be observed in the importation and exportation of merchandise.

(b) The classification, examination, and valuation of merchandise.

(c) Methods of imposing and collecting fines and penalties for the violation of customs and harbor regulations.

VIII.—*Committee on Port Dues.*

A committee of five, to consider and report upon the best methods of securing uniformity in respect of consular, port, light-house, pilot, and other harbor dues.

IX.—*Committee on Weights and Measures.*

A committee of three, to consider the adoption of a uniform system of weights and measures by the countries represented in this Conference.

X.—*Committee on Sanitary Regulations.*

A committee of seven, to consider and report upon the best methods of establishing and maintaining sanitary regulations in commerce between the several countries represented in this Conference.

XI.—*Committee on Patents and Trade-marks.*

A committee of three, to consider and report upon the best methods of protecting patent, publication, and trade-mark rights in commerce between the countries represented in this Conference.

XII.—*Committee on Extradition.*

A committee of three, to consider and report upon the establishment of a general convention between the countries represented in this Conference for the extradition of criminals.

XIII.—*Committee on Monetary Convention.*

A committee of seven, to consider all questions relating to the adoption of a common silver coin to be issued by each Government, the same to be a legal tender in all commercial transactions between the citizens of all the American States; to report the basis of a monetary convention between the countries represented in this Conference.

XIV.—*Committee on Banking.*

A committee of five, to consider and report upon the methods of improving and extending the banking facilities and credit system between the several countries represented in this Conference.

XV.—*Committee on International Law.*

A committee of five, to report uniform rules of private international law in civil and commercial matters and the legalization of documents.

XVI.—*Committee on General Welfare.*

A committee of seven, to report a plan of arbitration for the settlement of disagreements that may hereafter arise between the several nations represented in this Conference, and to receive, consider, and report upon any topics that may be proposed, other than those included in the invitation from the Government of the United States.

LIST OF COMMITTEES.

[Appointed December 13, 1889.]

EXECUTIVE COMMITTEE.

- Mr. ZEGARRA (First Vice-President), of Peru.
Mr. ROMERO (Second Vice-President), of Mexico.
Mr. BLISS, of the United States.
Mr. HURTADO, of Colombia.
Mr. MENDONÇA, of Brazil.
The PRESIDENT OF THE CONFERENCE, *ex-officio*.
Secretary, WILLIAM ELEROY CURTIS.

COMMITTEE ON CUSTOMS UNION.

- Mr. VALENTE, of Brazil.
Mr. HENDERSON, of the United States.
Mr. SAENZ PEÑA, of the Argentine Republic.
Mr. ROMERO, of Mexico.
Mr. MARTINEZ SILVA, of Colombia.
Mr. ALFONSO, of Chili.
Mr. GUZMAN, of Nicaragua.
Mr. BOLET PERAZA, of Venezuela.
Secretary, J. VICENT SERRANO.

COMMITTEE ON COMMUNICATION ON THE ATLANTIC.

- Mr. SAENZ PEÑA, of the Argentine Republic.
Mr. COOLIDGE, of the United States.
Mr. MENDONÇA, of Brazil.
Mr. DECOUD, of Paraguay.
Mr. LAFORESTRIE, of Hayti.
Secretary, ARTHUR W. FERGUSON.

COMMITTEE ON COMMUNICATION ON THE PACIFIC.

- Mr. CAAMAÑO, of Ecuador.
 Mr. VARAS, of Chili.
 Mr. ESTEE, of the United States.
 Mr. CASTELLANOS, of San Salvador.
 Mr. MEXÍA, of Mexico.
Secretary, ARTHUR W. FERGUSSON.

COMMITTEE ON COMMUNICATION ON THE GULF OF MEXICO
AND THE CARIBBEAN SEA.

- Mr. ARAGON, of Costa Rica.
 Mr. GUZMAN, of Nicaragua.
 Mr. CALDERON, of Colombia.
 Mr. HANSON, of the United States.
 Mr. ANTONIO FRANCISCO SILVA, of Venezuela.
Secretary, WILLIAM ELEROY CURTIS.

COMMITTEE ON RAILWAY COMMUNICATION.

- Mr. VELARDE, of Bolivia.
 Mr. DAVIS, of the United States.
 Mr. MEXÍA, of Mexico.
 Mr. CRUZ, of Guatemala.
 Mr. ZELAYA, of Honduras.
 Mr. CASTELLANOS, of San Salvador.
 Mr. CARNEGIE, of the United States.
 Mr. ARAGON, of Costa Rica.
 Mr. MARTINEZ SILVA, of Colombia.
 Mr. ANDRADE, of Venezuela.
 Mr. CAAMAÑO, of Ecuador.
 Mr. ZEGARRA, of Peru.
 Mr. VARAS, of Chili.
 Mr. QUINTANA, of the Argentine Republic.
 Mr. NIN, of Uruguay.
 Mr. VALENTE, of Brazil.
 Mr. DECOUD, of Paraguay.
 Mr. GUZMAN, of Nicaragua.
Secretary, ARTHUR W. FERGUSSON.

COMMITTEE ON CUSTOMS REGULATIONS.

- Mr. NIN, of Uruguay.
 Mr. ALFONSO, of Chili.
 Mr. ROMERO, of Mexico.
 Mr. CALDERON, of Colombia.
 Mr. FLINT, of the United States.
 Mr. MENDONÇA, of Brazil.
 Mr. DAVIS, of the United States.
 Mr. ARAGON, of Costa Rica.
 Mr. BOLET PERAZA, of Venezuela.

Secretary: EDMUND W. P. SMITH.

COMMITTEE ON PORT DUES.

- Mr. BOLET PERAZA, of Venezuela.
 Mr. LAFORESTRIE, of Hayti.
 Mr. VARAS, of Chili.
 Mr. STUDEBAKER, of the United States.
 Mr. NIN, of Uruguay.
 Mr. MENDONÇA, of Brazil.
 Mr. QUINTANA, of the Argentine Republic.
 Mr. GUZMAN, of Nicaragua.

Secretary: EDMUND W. P. SMITH.

COMMITTEE ON SANITARY REGULATIONS.

- Dr. GUZMAN, of Nicaragua.
 Mr. VALENTE, of Brazil.
 Mr. ZEGARRA, of Peru.
 Mr. HANSON, of the United States.
 Mr. ANDRADE, of Venezuela.
 Mr. LAFORESTRIE, of Hayti.
 Mr. NIN, of Uruguay.

Secretary: HENRY R. LEMLY, U. S. A.

COMMITTEE ON PATENTS AND TRADE-MARKS.

- Mr. DECOUD, of Paraguay.
 Mr. CARNEGIE, of the United States.
 Mr. CALDERON, of Colombia.

Secretary: EDMUND W. P. SMITH.

COMMITTEE ON WEIGHTS AND MEASURES.

- Mr. CASTELLANOS, of San Salvador.
 Mr. ANTONIO FRANCISCO SILVA, of Venezuela.
 Mr. STUDEBAKER, of the United States.
Secretary: EDMUND W. P. SMITH.

COMMITTEE ON EXTRADITION.

- Mr. ZELAYA, of Honduras.
 Mr. TRESBOT, of the United States.
 Mr. SAENZ PEÑA, of the Argentine Republic.
 Mr. QUINTANA, of the Argentine Republic.
Secretary: JOSÉ IGNACIO RODRIGUEZ.

COMMITTEE ON MONETARY CONVENTION.

- Mr. MEXIA, of Mexico.
 Mr. ESTEE, of the United States.
 Mr. MARTINEZ SILVA, of Colombia.
 Mr. ALFONSO, of Chili.
 Mr. COOLIDGE, of the United States.
 Mr. VELARDE, of Bolivia.
 Mr. ZELAYA, of Honduras.
Secretary: J. VICENTE SERRANO.

COMMITTEE ON BANKING.

- Mr. HURTADO, of Colombia.
 Mr. MENDONÇA, of Brazil.
 Mr. VARAS, of Chili.
 Mr. FLINT, of the United States.
 Mr. ARAGON, of Costa Rica.
Secretary: HENRY R. LEMLY, U. S. A.

COMMITTEE ON INTERNATIONAL LAW.

- Mr. CRUZ, of Guatemala.
 Mr. QUINTANA, of the Argentine Republic.
 Mr. TRESBOT, of the United States.
 Mr. ALFONSO, of Chili.
 Mr. CAAMAÑO, of Ecuador.
Secretary: JOSÉ IGNACIO RODRIGUEZ.

COMMITTEE ON GENERAL WELFARE.

- Mr. HENDERSON, of the United States.
Mr. QUINTANA, of the Argentine Republic.
Mr. VELARDE, of Bolivia.
Mr. BOLET PERAZA, of Venezuela.
Mr. HURTADO, of Colombia.
Mr. VALENTE, of Brazil.
Mr. CRUZ, of Guatemala.

Secretary: EDMUND W. P. SMITH.

COMMITTEE ON RULES.

- Mr. ALFONSO, of Chili.
Mr. QUINTANA, of the Argentine Republic.
Mr. TRECOT, of the United States.
Mr. CAAMAÑO, of Ecuador.
Mr. ROMERO, of Mexico.
Mr. CASTELLANOS, of San Salvador.
Mr. VALENTE, of Brazil.

COMMITTEE ON CREDENTIALS.

- Mr. ROMERO, of Mexico.
Mr. QUINTANA, of the Argentine Republic.
Mr. COOLIDGE, of the United States.

FAREWELL ADDRESS OF THE DELEGATE FROM URUGUAY.

SESSION OF FEBRUARY 10, 1890.

Mr. NIN, the Delegate from Uruguay, read the following speech, bidding farewell to his colleagues:

Mr. Chairman, I had the honor of stating in the session of the 7th instant, that I would have to leave for London on the 19th, unless the Conference enabled me to change my mind, by making a declaration concerning a date for the closure or recess of this body, as solicited by the Delegate from Uruguay.

Ere leaving, probably never to return, either because of the completion of the programme of the Conference, or because of the announcement of a recess before my return is possible, or again because my Government may consider the presence of its Delegate unnecessary; ere leaving, I repeat, I beg leave on this occasion to bid my honorable colleagues farewell, and to place my services at their disposal, either in my official capacity in Great Britain or in Uruguay; and, I may be permitted to add, I shall carry with me the most pleasant recollections of their kindness and courtesy.

And I also request that in the journal of this session it be recorded that the nation I have the honor to represent always looked with the deepest sympathy on everything tending to bind more closely the political, social, and conventional ties that, I am happy to say, unite the countries of the continent of Columbus; and that it would always deem it a duty to contribute to the furtherance of such exalted aims.

Still fresh, and I hope enduring, is the memory of the welcome extended by Uruguay to its sister countries of the South when, at its bidding, they met in a Congress at Montevideo, from which resulted, as I have already had occasion to state (when speaking in hospitable and great Chicago), a complete code of international law, which, were it in force all over America, would be productive of peace, concord, and progress.

This single circumstance would of itself sufficiently show with how much interest Uruguay accepted the invitation of the illustrious Government of the United States. It sent a Delegate to this Conference; but as, unfortunately, from the present state of its labors, it is as yet not possible to see what may be achieved towards the realization of the high purposes with which all the American nations have assembled here, Uruguay deems it advisable to set forth, if only in general terms, and with but poor eloquence, the view its Delegate takes of the different points of the programme.

Without following the items in their order, for brevity's sake I shall limit myself to say that it is a recognized axiom that the first conditions to the cultivation of international relations are easy means of communication and transportation; thus Uruguay, which owes a great deal of its prosperity to the almost perfect communication which unites it with the countries of the estuary of "the Plate," the Republic of Brazil, and the principal European centers, assigns great importance to the establishment of inter-American means of communication. Its Delegate has stated before the various committees in charge of these matters, that he was convinced that the greatest facilities would be given to any company formed with such intent, and that probably provision would be made for the granting of subsidies and privileges not already conceded by the laws of his country, on a basis of reciprocity.

As regards uniformity in sanitary legislation, the Delegate from Uruguay, as a member of the honorable committee to which the study of so important a subject was submitted, has agreed with the views of his learned colleagues, and the project which is to be presented to the

Conference is at the present moment in the translator's and printer's hands. In this report the honorable Conference is advised to recommend to the Governments of the countries herein represented, that they either adhere to the sanitary convention of Rio Janeiro of 1887, or adopt the project of the Congress held in Lima in 1889; which project is a thoughtful and conscientious revision and ratification of the previous one. Either of these protocols may be considered as being as nearly perfect and generally available as any heretofore compiled.

A Zollverein necessarily requires as a basis intimate relations and commercial ties between the countries therein included, and we must admit that such is not the case, even among the nations represented in this Conference.

While the commerce of America with Europe has attained to considerable importance, that existing among the American nations in general is restricted in scope, being, so to say, local and partial.

To form part of an American Zollverein, Uruguay would necessarily have to transfer her commerce completely, and cancel her commercial treaties with the European powers. The difficulties such an undertaking would present would be insurmountable, and it is therefore beyond the reach of the best wishes and the best laws.

Such extreme and premature measures are fortunately not indispensable for the furtherance of interchange among the American nations; and if it be not possible for my country to enter into a general customs Union, it is, and will always be, disposed to sign any special treaties that may subserve the mutual interests and convenience of the sister nations.

If not the same difficulties that a Zollverein presents for its adoption by Uruguay, there are others which, though transitory in character, would prevent that nation's immediate entrance into a monetary Union, other than one based on monometallism, with gold as the standard and silver as auxiliary, for fractional change, etc.

Uruguay also considers such a monetary Union of great importance to the commercial relations of the American nations, which relations will, no doubt, increase as a result

and effect of the deliberations of this Conference, for the conclusion of which, however, Uruguay will have to wait before definitively signifying its acceptance.

The Delegate from Uruguay must make the same announcement in reference to banking facilities, and customs, consular and port regulations relating to maritime commerce, for as yet the results of the deliberations of the committees are not known. I may say, however, that the regulations and laws in force in Uruguay upon these matters have been furnished to those committees, and I venture to add that our fiscal and banking systems being well adapted to facilitate commerce and develop credit, will no doubt be found to harmonize with such plans as may be adopted with a view to the realization of these elevated aims within a larger sphere.

Concerning the propositions submitted to this honorable Conference, relating to copyright, patents for invention, extradition, and measures to prevent conflicts in legislation and generally as regards private international law, this delegation would always have to refer, as it does now refer, to the conclusions of the Congress which was initiated by the learned Uruguayan lawyer, Dr. Gonzalo Ramirez (who prepared all the items of the programme), and which met at Montevideo in 1888-'89 under the auspices of the Governments of the Argentine and Uruguayan Republics. This body was composed of eminent and distinguished jurists and statesmen of South America, two of whom are in our midst.

The treaties signed in that Congress, which at the present day are in force among a large number of the South American nations, would, as much for their merit as by their nature, constitute one of the most efficacious and strongest ties of union, fraternity, and progress that could bind all the American nations, if those countries which did not participate in the Congress would accept the same. To this end I have been especially instructed by my Government to invite the sister nations in the most cordial manner.

Uruguay, considering that neither strength nor weakness should affect the recognition of the right, and only in

the interest of justice, has accepted and accepts the principles of arbitration as a means of solving international conflicts in cases where diplomatic intervention may prove fruitless. Though it is true that the praiseworthy efforts so far made have not succeeded in establishing a system satisfactory to all nations, for the promotion of harmony and a peaceful settlement of disputes, yet a great deal towards the attainment of this end has been accomplished in securing a general concurrence in the view that this just expedient is inapplicable only in that comparatively limited class of cases in which the independence, sovereignty, or existence of a nation is at stake.

I have the most sanguine hopes that the effort this Conference will make to solve this problem, if not crowned with absolute success, will at least be made memorable by an earnest declaration, to be faithfully adhered to, that the American nations, which do not aspire to conquest or interference in the affairs of sister countries, sovereign and independent, will not resort to war without having first exhausted all conciliatory means to preserve international peace.

Before closing, Mr Chairman, and while thanking the honorable Conference for its kindness in listening to me, and apologizing for my inconsiderate abuse of its time, I beg to express once more my sincerest wishes for the welfare of the nations here represented and of their worthy Delegates.

Mr. SAENZ PEÑA, a Delegate from the Argentine Republic, made the following statement:

That the speech in which the honorable Delegate, Mr. Niñ, had taken leave of the Conference placed him under the necessity of making an explanation concerning two matters of fact.

First, in relation to the initiative of the South American Congress, which the honorable Delegate had attributed to his own country, Mr. Saenz Peña assured the Conference that it had originated in both

Governments of the Plata, and that if it was held in Montevideo it was by an act of courtesy of the Argentine Government. He referred to official documents, such as the protocols and the invitation addressed to the United States by both Legislatures, and added that the honorable Delegates could judge by them for themselves, because they had them in their possession, printed and distributed by the Argentine Government, as the originator of the project and the inviting Government.

That as for the treaties which the honorable Delegate also attributed to the representative of Uruguay, Mr. Saenz Peña said that Congress, in the same manner as this Conference, had appointed committees *ad hoc*, and that these had transacted their business in their own way and according to their own judgment.

Finally, Mr. SAENZ PEÑA requested that his protest against the assertions of the previous speaker be inserted in the minutes for the satisfaction of the Argentine Government and of the States which had answered its invitation.

Mr. HENDERSON, a Delegate from the United States, stated, in the name of his delegation, that Mr. Nin's departure was lamented by his colleagues, and concluded by suggesting that the honorable Delegate's speech be inserted in the minutes of the session.

Mr. HURTADO, a Delegate from Colombia, seconding Mr. Henderson's proposition, in the name of his delegation, joined in the sentiments expressed by the honorable Delegate from the United States.

By unanimous agreement it was decided that Mr. Nin's speech be included in the minutes of the session.

WEIGHTS AND MEASURES.

REPORT OF THE COMMITTEE ON WEIGHTS AND MEASURES.

[As submitted to the Conference, January 15, 1890.]

To the honorable the International Conference:

The committee appointed by the honorable President to inquire into the advisability of the adoption, by all the nations here represented, of a uniform system of weights and measures, have the honor to submit the following report:

The need of establishing a unit of comparison for everything susceptible of being weighed or measured was doubtless recognized from the remotest antiquity; or, rather, from the time when, the right of ownership being acknowledged, the bartering or exchange of commodities became a definitely established practice.

History shows that this unit of comparison was generally some portion of the human body.

The Hebrews, as well as the Carthaginians, Phœnicians, and Egyptians, had as their principal measure of length the *foot*.

Later the Greeks and Romans added to the number of their measures the finger, the thumb or inch, the palm, the fathom, the pace, the double-pace, etc., the names of which indicate the source whence they are derived.

These are the measures which, even after the lapse of centuries, have been in use in the greater number of civilized nations.

But as the human body varies so much in size, the measures adopted from it are necessarily arbitrary. At the present day even the learned are not agreed about the exact length of the Greek and Roman foot, being divided in their opinions among various estimates.

It is evident then that such a standard of measurement has not, and can not have, a constant and uniform basis even at a given period, and still less at different times, or with reference to different races at the same time.

Such considerations induced the Constituent Assembly of France, in the last decade of the eighteenth century, to adopt as the basis of a system a simple and invariable dimension susceptible of ascertainment at all times.

So by decree of May 8, 1790, upon the motion of Mr. Talleyrand, it was ordered that a commission, composed of French savants to be appointed by the Academy, should be charged with ascertaining the length of a simple pendulum which would mark a second at the level of the sea in latitude 45° . The same decree provided that the Government should request the King of England to appoint a committee from the Royal Society of London to co-operate with the French commission, with a view to establishing a common system of weights and measures, and recommending its use to the other nations.

The French delegates, nominated by the Academy, were Lagrange, Laplace, Monge, and Condorcet. The English Government declined to co-operate, assigning as a reason the political contentions then agitating France.

The French commission, departing from the original programme, which contemplated chiefly the determination of a pendulum vibrating seconds, considered the question whether it would not be better to take as a unit of length a fraction of the earth's meridian. This idea having been adopted, for fear that there would else be difficulty in securing for the new system the approval of those nations whose territory was not intersected by the 45° , the commission on the 17th of March, 1791, presented to the National Assembly a report in which it proposed to adopt as a fundamental unit the $\frac{1}{10,000,000}$ of a quarter of the earth's meridian, and to give to this unit the name of meter. In accordance with these recommendations, Mechain and Delambre were charged with the delicate problem of measuring the arc of the meridian included between Dunkirk and Barcelona. Mechain and Delambre found the quarter of the meridian equal to 5,130,740 toises,

which result was adopted by the legislative body on the 4th Messidor of the year VII (June 22, 1799).

The same measure of length served also as a basis for establishing the unit of weight called a gram, adopted by the law of the 18th Germinal, Year III. This is the weight, in a vacuum, of a cubic centimeter of distilled water taken at its maximum density, which corresponds to the temperature of 4° centigrade above zero.

The expressive nomenclature with its concise prefixes, the ascending and descending series of multiples and sub-multiples, and the facility with which it lends itself to decimal calculation, make this simple and admirable system the only one worthy of universal adoption by civilized nations.

In fact, in 1873 an international commission, known as "The [International] Metric Commission," met in Paris, with a view to agreeing upon the adoption of a universal system of measures. England, Russia, Austria, Germany, Bavaria, Würtemberg, Switzerland, Italy, Spain, Portugal, Belgium, Holland, Sweden, Denmark, Turkey, the United States, and several of the Spanish American Republics were represented by distinguished scientific men. After careful deliberation they abandoned the idea which had been entertained, of a new measurement of the earth's meridian, recognizing the fact that such an undertaking would be attended with great difficulties, and could yield only uncertain results; and they agreed to adopt the French meter, the standard of which is preserved in the French archives.*

The same decision was taken with regard to the kilogramme as the unit of weights.

The commission also recommended certain necessary precautions for securing the accuracy of the standard meter according to the dimensions fixed upon.

Finally a convention for securing the international unification and perfection of the metric system was signed in Paris on the 20th of May, 1875, which convention was ratified by the Governments of the following nations:

* In the International Metric Bureau, which seventeen nations contribute to support and direct.

Switzerland, Germany, Austria-Hungary, Argentine Republic, Denmark, Spain, Italy, Peru, Portugal, Belgium, Brazil, United States, France, Russia, Sweden and Norway, Turkey, and Venezuela.

The following gave their adhesion afterwards: Servia in 1879, Roumania in 1882, Great Britain in 1884, and Japan in 1885. The Republics of Chili, Colombia, Ecuador, Bolivia, Costa Rica, Mexico, Salvador, and Uruguay have also adopted that system.

In a recent lecture delivered before the Academy of Sciences at Paris, M. de Malarce said:

That in 1877 the use of the metric system was obligatory in various parts of the globe, that system being the one employed by 303,000,000 persons; that in the course of ten years it had been adopted by 53,000,000 more; that in the same year, 1877, various countries containing a population of 97,000,000 voluntarily adopted the use of this system; that it was also legally admitted in Russia, Turkey, and British India, which had the same year, 1877, a population of 395,000,000, thus receiving in ten years an addition of 540,000,000. In China, Japan, and Mexico the decimal system prevails, but not the metric. This last has been adopted and legally recognized by 794,000,000 souls, and the decimal system is in use among 470,000,000 of inhabitants in the three countries last named. So that only 42,000,000 persons exist who reckon according to the ancient systems of weights and measures and who do not recognize the metrico-decimal.

Recently the United States Government received official fac-similes of the meter and kilogram agreed upon in the International Metrical Conference held in Paris in September of last year; and the boxes containing them were officially opened on the 2d instant at the Executive Mansion, in the presence of the President of the Republic and other functionaries and certain distinguished personages specially invited for the ceremony.

The advantages which the metrico-decimal system offers being so evident, and that system having been already adopted by so considerable a number of nations, your committee recommend—

That the International American Conference proposes to all the governments here represented that its use be made obligatory, both in their commercial relations and in all that relates to the sciences and the industrial arts.

JACINTO CASTELLANOS,
CLEMENT STUDEBAKER,

DISCUSSION.

SESSION OF JANUARY 24, 1890.

FIRST VICE-PRESIDENT (in the chair). The discussion of the report from the Committee on Weights and Measures is now in order. If there be no honorable Delegate who asks that the same be read, inasmuch as the report has already been printed, and probably read by every member, the Chair will dispense with the reading.

Mr. STUDEBAKER. I move the adoption of the report.

FIRST VICE-PRESIDENT. If there be no objection on the part of Delegates, the Secretary will read simply the conclusions of the report, and then the vote will be taken by States.

The conclusions of the report referred to were read as follows :

The advantages which the Metrico-Decimal System offers being so evident, and that system having already been adopted by so considerable a number of nations, your committee recommend that the International American Conference propose to all the Governments here represented that its use be made obligatory, both in their commercial relations and in all that relates to the sciences and industrial arts.

Mr. ROMERO. I take the liberty of suggesting to the gentlemen who sign the report, the advisability of making some alterations in the phraseology of the concluding clause. I agree with the substance of it, but it appears to me that the terms in which it is expressed could be altered to a more suitable form. It reads thus :

That the International American Conference propose to

all the Governments here represented that its use be made obligatory, both in their commercial relations and in all that relates to the sciences and the industrial arts.

In the first place, since we are to submit to our Governments only the recommending clause of each report, it would be better in the one now before us to say "the metrico-decimal system" instead of "the system indicated." This is one of the alterations I would propose.

It also seems to me that the part of the recommendation referring to the sciences, arts, and industries is both vague and insufficient, and it would be better to substitute another phrase, for instance: "Propose the adoption of the metrico-decimal system." If the intention of the committee is that the metrico-decimal system be adopted only in the relations between one nation and another, the phrase would be unnecessary, while if the intention is that it be adopted for all purposes, as well in domestic as in foreign relations, then it seems to me to be insufficient; for there are a multitude of cases in which the metric system could be used and which are not comprehended either among the sciences, arts, or industries.

Consequently the two amendments I would propose are, first, that the recommendation read "metrico-decimal system" instead of "system indicated;" second, that it be made to say that the International American Conference recommend (instead of "propose") to the Governments here represented the adoption of the metrico-decimal system.

The honorable Delegate from Brazil makes a suggestion which seems to me well founded. He says that as various nations have already adopted this sys-

tem it ought to be said in the report that the recommendation is addressed only to those nations who have not adopted it. I will put my amendments in writing so that the Chair may present them in a formal manner.

Mr. ZEGARRA (Presiding). The Chair considers that to be the advisable course.

Mr. CASTELLANOS. It is of course to be understood that the last paragraph of the report refers to what goes before; and that is why it is written in those terms. But if the explanatory parts of the reports are not to precede the recommendations, I am in favor of amending the language.

As for the other suggestion made by the Hon. Mr. Romero, to the effect that there are cases, not comprehended among either sciences, arts, or industries, in which the metrico-decimal system might be employed, I must say that I do not know of any that can not be included in that classification; but if the Conference thinks that the alteration should be made, I have no objection.

Mr. ROMERO. I fear I did not express myself with sufficient clearness the first time I took the floor, and to avoid misunderstanding I beg the honorable chairman of the committee presenting the report to tell me if their intention, in preparing the recommending clause of their report, was to restrict the use of the metric system solely to sciences, arts, and industries as relating to commercial relations between the States here represented, so as not to include the domestic commercial transactions of the respective countries, or whether the latter are to be included?

Mr. CASTELLANOS. Complying with the wishes of

my honorable colleague, the Delegate from Mexico, I will say that if from the wording of the report it is inferred that it is not so restricted, such is not and has not been the meaning of the committee. Their intention was to establish this system in commerce between the republics, for we have nothing to do with the domestic policy of the several countries. In its internal affairs each one may do as it pleases. The act convening this Conference speaks of the commercial relations between the countries here represented, and consequently the report had to be limited to this point. But each Government may prescribe the use of the metrico-decimal system in its domestic commercial affairs if it sees fit.

Mr. HURTADO (Colombia). I believe we all substantially agree on the matter under consideration. The report proposes the adoption of the metrical system of weights and measures by all the governments of this continent. I beg the Chair to order that the conclusions of the report be read.

(The conclusion was read in English, as appears in the foregoing report.)

Mr. HURTADO. As I said before, the conclusion recommends to all the governments represented in this Conference to adopt the metrical system; but, as I believe this system to be already in use in all the nations of America, with the exception of the United States, the recommendation would address itself to this Government only. If such be the case, it might become desirable to alter the terms in which the recommendation is framed; but before proposing any amendment in this respect, I beg that some member or the committee better informed on the subject may

correct me if I be mistaken in the belief I have expressed.

Mr. CASTELLANOS. I do not, Mr. President, and will not make it a question of personal pride to sustain the wording of the report, and I will be the first to accept any other form that may be given it without entering into a discussion of grammatical questions.

With regard to the remark made by the honorable Delegate from Colombia to the effect that the United States was the only country which had not accepted the metrico-decimal system, I must state that besides the United States I understand it has not been accepted by Nicaragua, Paraguay, Guatemala, Hayti, Honduras, and I can not recollect just now what other Republic. But I repeat, I have not the slightest objection to accepting any other language that may more properly express the conclusions of the report.

Mr. STUDEBAKER. The committee had no other idea than that of recommending this system for general adoption by all the countries. With respect to countries that have already adopted the metrico-decimal system, this report would not make any difference whatever, as they already have it in use. In the United States it would take time to adopt the system generally. The idea is to adopt it as soon as practicable. There will be places in the interior where it may not be adopted for some time. It is our intention that it shall be universally adopted.

If, instead of putting the word "propose" in the report, the word "recommend" should be used, it would cover the matter better. I am perfectly willing to accept the change that has been suggested by Mr. Romero.

Mr. SAENZ PEÑA. I call for the reading of Mr. Romero's proposed amendment.

The amendment proposed by Mr. Romero was read, as follows :

The International American Conference recommends the adoption of the metrico-decimal system to the nations here represented which have not already adopted it.

Mr. SAENZ PEÑA (Argentine Republic). I move, Mr. President, that the Conference vote upon the report as presented. The wording of it seems to me correct, except that the committee supposed that the Conference was to vote on both the report and the resolution embodied in the recommendation; but I think that these mere questions of form should not interfere with the substance of the reports. As soon as the principal points of these proposals have been approved the Conference should appoint a committee of revision to attend to matters of form. That would save us time and labor, and assure the most correct and suitable form to all the resolutions of the Conference.

I think that the committee has kept within the scope of the powers granted to this Conference.

It is unquestionable that a nation ought not to have two systems of weights and measures, one for domestic and the other for international purposes; but I also think that anything relating to the domestic affairs of a country is a subject for its own legislation, and that it is beyond the province of this Conference to dictate in such matters. The Conference must limit its efforts to determining the form in which international commercial relations are to be main-

tained, but it is to the interest of each State to make its internal policy uniform with its international relations.

I think, therefore, that the committee, although not unaware of the advantages resulting from this measure, recommends all that it can recommend within the limit of the authority of the Conference, namely, with exclusive reference to the international commercial relations of the several countries.

Mr. MARTINEZ SILVA (Colombia). Mr. President, I believe that if, as has been said, the committee adopts the amendment proposed by the honorable Delegate from Mexico, it will save us a great deal of time, and enable us to reach a conclusion at once; and so all wishes on this point will be gratified. In regard to the statement that the Conference should not interfere in matters proper to the legislation of each country, I beg to address a few remarks to my honorable colleague.

We are about to recommend certain measures which will probably necessitate changes in the legislation of each country.

For instance, we recommend a monetary system. Very well; a monetary system implies the changing of the laws of each country in regard to money. We recommend rules of private international law upon various subjects, and this implies amendment of the civil laws touching all such subjects. So that it is extremely difficult to trace the line of demarkation between what is domestic and what is international. We propose recommendations which we think advisable, whether they relate to domestic or international matters, for they are both intimately connected. So

that I do not see why we are to establish a dividing line that will be so difficult to determine.

Mr. ESTEE. In order that we may not misunderstand each other, I wish to say, speaking for myself (not having consulted with my colleagues), that I certainly would vote against this report if I did not think that it recommended the metrico-decimal system of weights and measures for the whole country and for all purposes. It would be an absolute impossibility for this great country to adopt the metrico-decimal system to be used only in its relations with our sister Republics, while at the same time maintaining the old system among ourselves. That would be impossible.

In other words, if my friend from the Argentine Republic be right, we would have the present system of measure, in transactions between American citizens, while in dealing with the citizens of Mexico and Central and South America we would use the metric system. This would be impossible.

I am thoroughly aware that in practical use it will take a long time to change the customs of a people; but this is the time for us to begin if we are ever to begin. This is the opportune time for the American people to conclude that the other American States have been right in the question of measures and weights, and we heretofore have been wrong. For that reason I am certainly in favor of adopting this report, provided it is intended to apply to all commercial relations, internal and external, of my country. I am not ready, speaking for myself, to vote for this report if it means that we shall introduce into the United States of America a system that shall be used only in

our relations with our sister Republics, and not be used among the American people in their relations to each other.

MR. SAENZ PEÑA. I wish to reply briefly to the observations of my honorable colleague, the Delegate from Colombia.

I have not understood, Mr. President, that the committee would accept the amendment proposed by the honorable Delegate from Mexico; if they accept it I will vote for it with pleasure, for in making my motion I had no other intention than that of saving time and avoiding discussion.

With respect to the observation of the honorable Delegate from Colombia, on the revision of the internal laws of any nation, I must say that substantially I entirely agree with him. I have had occasion to maintain in the committees that all internal laws are and ought to be revised, so as to adjust themselves to the treaties which are entered into, and that a Congress, at the time of approving the stipulations, ought, by a special act, to amend or repeal all internal laws incompatible with their provisions. But that does not prove that either the Conference or the treaties ought to propose enactments of an internal character to the respective legislatures.

The honorable Delegate from Colombia, in speaking of the penal and civil matters provided for by treaties, has referred to questions bearing on jurisdiction, but in no wise to the gradation of punishment in penal matters, because that pertains to the internal policy of each country; laws are amendable in so far as they would prevent the substantial execution of such treaties.

It is clear that it is the interest of a nation to harmonize its internal order with the external. But this is the duty of the respective legislatures, and is not competent to this Conference; so that Mr. Estee's recommendation, to follow the procedure of the Congress of the United States, is foreign to the scope of international relations.

Mr. ROMERO. I think it would shorten the discussion on this matter if the Chair were to decide, according to Article 13 of the rules, to refer my amendment to the committee, so that if they consider it acceptable they may report upon it at this session, or withhold it for the following one, if they think they ought to study the point more carefully. But at all events, I think it should be referred to their consideration.

The chairman of the committee has told me privately that he would accept it, but I am not authorized to say so.

Mr. CASTELLANOS. The honorable Delegate from the Argentine Republic considers that it is not within the purview of the Conference to advise the Governments upon anything relative to their internal affairs. This question has arisen on account of the amendment proposed by the honorable Delegate from Mexico. With a desire to avoid difficulties, and, as I said before, in order that it may not be thought that I made it a question of personal pride to sustain the report, I stated that I would accept any wording whatsoever, either that proposed by the Hon. Mr. Romero or any other, and if it is necessary for me to state that I accept it, I do so, in order to put an end at once to the discussion.

The FIRST VICE-PRESIDENT. The Chair would like to know whether the members of the Committee on Weights and Measures accept the modification proposed by the honorable Delegate from Mexico, Mr. Romero?

Mr. CASTELLANOS. Mr. President, I spoke for myself alone, because I have not yet consulted upon the point with my honorable colleague from the United States.

Mr. STUDEBAKER. I call for the reading of the preamble and resolution offered by the committee.

(The report of the committee was read; also the modification offered by Mr. Romero.)

Mr. ALFONSO (Chili). In the name of the Chilean Delegation, Mr. President, I must state that I shall give my vote to the widest and most comprehensive proposition, for although I think in general, like the honorable Delegate from the Argentine Republic, that this Conference can only concern itself with international affairs, nevertheless, through force of circumstances, this must often go much further, as it will have to in this instance.

Suppose it were decided that the Conference recommend to all the countries the adoption of the decimal system, when will each nation know what documents or circumstances are to exist or govern in foreign relations? If it happened that they were governed in the interior by a system different from the decimal one, the result would be that at each step use would be made of antecedents and documents not in accordance with the recommendation of this Conference.

Therefore if it decides that the nations represented here should adopt the metric system in internal as

well as external affairs, I think the most comprehensive proposition is the best.

VOTE.

The FIRST VICE-PRESIDENT. As the committee has accepted the amendment of Mr. Romero, the vote will be taken on the report as amended.

The roll-call resulted as follows :

	AYES—16.	
Nicaragua,	Costa Rica,	United States,
Peru,	Paraguay,	Venezuela,
Guatemala,	Brazil,	Chili,
Uruguay,	Mexico,	Salvador,
Colombia,	Bolivia,	Ecuador.
Argentine Republic,		
	NOES—0.	
	ABSENT—2.	
Hayti,		Honduras.

So the report of the Committee on Weights and Measures as amended was adopted, as follows:

THE RECOMMENDATIONS AS ADOPTED.

Resolved, That the International American Conference recommends the adoption of the metrical decimal system to the nations here represented, which have not already accepted it.

INTER-CONTINENTAL RAILWAY.

SESSION OF FEBRUARY 26, 1890.

REPORT OF THE COMMITTEE ON RAILWAY COMMUNICATION.

[As submitted February 21, and adopted by the Conference February 26, 1890.]

The International American Conference is of the opinion:

First. That a railroad connecting all or the majority of the nations represented in this Conference will contribute greatly to the development of cordial relations between said nations and the growth of their material interests.

Second. That the best method of facilitating its execution is the appointment of an International Commission of engineers to ascertain the possible routes, to determine their true length, to estimate the cost of each, and to compare their respective advantages.

Third. That the said Commission should consist of a body of engineers, of whom each nation should appoint three, and which should have authority to divide into sub-commissions, and appoint as many other engineers and employés as may be considered necessary for the more rapid execution of the work.

Fourth. That each of the Governments accepting may appoint, at its own expense, commissioners or engineers to serve as auxiliaries to the subcommissions charged with the sectional surveys of the line.

Fifth. That the railroad, in so far as the common interests will permit, should connect the principal cities lying in the vicinity of its route.

Sixth. That if the general direction of the line can not be altered without great inconvenience, for the purpose mentioned in the preceding article, branch lines should be surveyed to connect those cities with the main line.

Seventh. That for the purpose of reducing the cost of the enterprise, existing railways should be utilized as far as is practicable and compatible with the route and conditions of the continental railroad.

Eighth. That in case the results of the survey demonstrate the practicability and advisability of the railroad, proposals for the construction either of the whole line or of sections thereof should be solicited.

Ninth. That the construction, management, and operation of the line should be at the expense of the concessionaires, or of the persons to whom they sublet the work, or transfer their rights with all due formalities, the consent of the respective Governments being first obtained.

Tenth. That all materials necessary for the construction and operation of the railroad should be exempt from import duties, subject to such regulations as may be necessary to prevent the abuse of this privilege.

Eleventh. That all personal and real property of the railroad employed in its construction and operation should be exempt from all taxation, either national, provincial (State), or municipal.

Twelfth. That the execution of a work of such magnitude deserves to be further encouraged by subsidies, grants of land, or guaranties of a minimum of interest.

Thirteenth. That the salaries of the Commission, as well as the expense incident to the preliminary and final surveys, should be assumed by all the nations accepting, in proportion to population according to the latest official census, or, in the absence of a census, by agreement between their several Governments.

Fourteenth. That the railroad should be declared forever neutral for the purpose of securing freedom of traffic.

Fifteenth. That the approval of the surveys, the terms of the proposals, the protection of the concessionaires, the inspection of the work, the legislation affecting it, the neutrality of the road, and the free passage of merchandise in transit, should be (in the event contemplated by article Eighth) the subject of special agreement between all the nations interested.

Sixteenth. That as soon as the Government of the United

States shall receive notice of the acceptance of these recommendations by the other Governments, it shall invite them to appoint the Commission of engineers referred to in the second article, in order that it may meet in the city of Washington at the earliest possible date.

JUAN FRANCISCO VELARDE.

H. G. DAVIS.

E. A. MEXÍA.

FERNANDO CRUZ.

JERÓNIMO ZELAYA.

JACINTO CASTELLANOS.

ANDREW CARNEGIE.

CÁRLOS MARTINEZ SILVA.

JOSÉ ANDRADE.

J. M. P. CAAMAÑO.

F. C. C. ZEGARRA.

E. C. VARAS.

MANUEL QUINTANA.

J. G. DO AMARAL VALENTE.

JOSÉ S. DECOUD.

H. GUZMÁN.

DISCUSSION.

SESSION OF FEBRUÁRY 26, 1890.

The PRESIDENT. The order of the day is the report of the Committee on Railway Communication, which will now be read in Spanish and English.

Mr. ZEGARRA. I would ask that the reading be omitted, as we are all familiar with these papers, and to read them would be only to lose time. The report having been in the hands of the Delegates there is no occasion to read it, especially as it will have to be considered clause by clause.

The PRESIDENT. The honorable Delegate from Peru (Mr. Zegarra) suggests that as the printed report is before the Conference its reading be omitted, espe-

cially as it is to be considered section by section. Is there objection to dispensing with the reading? The Chair hears none, and it is so ordered.

The first and second sections were read and unanimously approved as read, in the following form:

The International American Conference is of the opinion:

First. That a railroad connecting all or the majority of the nations represented in this Conference will contribute greatly to the development of cordial relations between said nations and the growth of their material interests.

Second. That the best method of facilitating its execution is the appointment of an International Commission of engineers to ascertain the possible routes, to determine their true length, to estimate the cost of each, and to compare their respective advantages.

The third section was read as follows:

Third. That the said Commission should consist of a body of engineers of whom each nation should appoint three, and which should have authority to divide into sub-commissions and appoint as many other engineers and employés as *might be* considered necessary for the more rapid execution of the work.

Mr. ROMERO. In order to understand this article better, I would ask the signers of the report to be so good as to say whether it is intended that the commission of engineers which under this article is to be appointed by the nations respectively, with power to divide into subcommissions, shall make investigations only as to the countries naming such subcommissions, or that there shall be one general commission to make investigations as to every country, such general committee to have the power to divide itself into subcommissions for the study of the various routes in the several countries respectively.

Mr. VELARDE (Bolivia). To answer the question put by the honorable Delegate from Mexico, I beg leave to say that the committee's idea in drafting the article was the following: It believed that each nation ought to name three engineers, so that the commission may consist of a respectable number of intelligent members, experts in the matter; such members to come together in general session to agree upon the plan to be followed in carrying on the explorations, measurements, surveys, and other practical work to be performed. This large membership will permit of subdivision into as many subcommissions as may be required for the several sections of the territory to be surveyed. The article furthermore provides that such commission may appoint other engineers or employés to aid in the work of the different subcommissions. That is to say, the idea was that this commission should have charge of the project in its professional as well as its practical aspects; that it should adopt a plan and then itself carry on, through its subcommissions, the appropriate investigations. By still another article—if I may offer the explanation in advance—it is provided that each Government, over and above the force in question, may, on its own account, employ as many engineers or other assistants as it shall deem necessary, so that the work of the commission may be expedited.

Mr. DAVIS. Mr. Chairman, I understand the question of the honorable Delegate from Mexico (Mr. Romero) to be whether or not this commission would supervise the whole survey or only the survey in the States from which they are appointed. My under-

standing is that the commission of three engineers from each State will be intended to consider the entire subject. There may be from some States three, and from some other States one, but the commission is intended to take into consideration the entire subject, appointing subcommittees, and making a final report as to the costs of the railway, and its practicability, and commercial advantages, etc.

The PRESIDENT. Is the Conference ready to vote upon the article?

Mr. HENDERSON. Mr. President, I suggest a simple verbal amendment. Perhaps the expression "might be" in the last line has crept in by mistake, which should be "may be," I apprehend.

The PRESIDENT. The Delegate from the United States (Mr. Henderson) asks that the words "might be" be changed to "may be." Is there objection? The Chair hears none and it is so ordered.

The third article was declared adopted.

The fourth, fifth, sixth, and seventh sections were read separately and unanimously approved as read, in the following form:

Fourth. That each of the Governments accepting may appoint, at its own expense, commissioners or engineers to serve as auxiliaries to the subcommissions charged with the sectional surveys of the line.

Fifth. That the railroad, in so far as the common interests will permit, should connect the principal cities lying in the vicinity of its route.

Sixth. That if the general direction of the line cannot be altered without great inconvenience, for the purpose mentioned in the preceding article, branch lines should be surveyed to connect those cities with the main line.

Seventh. That for the purpose of reducing the cost of

the enterprise existing railways should be utilized as far as is practicable and compatible with the route and conditions of the continental railroad.

The eighth section was read, as follows:

Eighth. That, in case the results of the survey demonstrate the practicability and advisability of the railroad, proposals for the construction either of the whole line or of sections thereof should be solicited.

MR. ALFONSO. I move that the words "and advisability" be stricken out, as in my opinion the idea which they suggest is involved in the general approval of the project, for which reason I think that we ought to say: "Eighth. That, in case the work of the commission demonstrate the practicability of the railroad," etc.

MR. VELARDE. I think it necessary, as the committee did, to retain the word *advisability*, because that covers the financial aspect of the matter. The ground may be well adapted to the construction of the railroad; the work may be practicable and without difficulty; and yet, financially speaking, the railroad may be inadvisable, since it may not be able to pay expenses. The word *advisability*, then, covers all the financial elements of the question, all matters of income and disbursements of the line which it is proposed to build, and it seems to me that the article should be retained in its present form.

MR. DAVIS. Mr. President, in addition to what the chairman has said, the committee desired that the whole subject be considered by the engineer commission, and that nothing should be neglected. Thus, we said "practicability and advisability" in order that the commission might consider the whole subject.

Mr. ALFONSO (Chili). I regret to be obliged to dissent from the honorable members of the committee. To me it seems, and it is the firm opinion which I have formed upon the subject, that such an enterprise should be undertaken not because it *pays*, not in view of its ability to pay expenses, great or small, but because in itself the enterprise would benefit all America independently of profit or speculation.

From this point of view I welcome it and deem it necessary. A railroad traversing the whole American continent is so important, so great, that, at whatever material cost, its construction must be advisable. Accordingly I became committed to its *advisability* by the very act of voting to approve the project. The advisability of the road is clear in more than one sense; it is advisable in promoting political harmony; it is advisable as favorable to commercial union. Obviously this railroad is advisable, and because it is I give it my vote. No other advisability need be demanded.

For this very reason I insist that the word ought to be omitted, though I do so with scant hope of success, inasmuch as the committee includes nearly the whole of the Conference. My own vote, however, I must record. The probable route of the line shows that it will not be financially profitable.

VOTE.

The PRESIDENT. Is the Conference ready for the question? Shall the words "and advisability" be stricken out?

The roll-call resulted as follows:

FOR THE AMENDMENT—1.

Chili.

AGAINST THE AMENDMENT—15.

Nicaragua.	Costa Rica.	Bolivia.
Peru.	Paraguay.	United States.
Guatemala.	Brazil.	Venezuela.
Colombia.	Honduras.	Salvador.
Argentine Republic.	Mexico.	Ecuador.

The PRESIDENT. The Conference, by fifteen votes against one, refuses to strike out the words.

The ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, and sixteenth sections were then separately read and unanimously approved, as read, in the following form:

Ninth. That the construction, management, and operation of the line should be at the expense of the concessionaires or of the persons to whom they sublet the work, or transfer their rights with all due formalities, the consent of the respective Governments being first obtained.

Tenth. That all materials necessary for the construction and operation of the railroad should be exempt from import duties, subject to such regulations as may be necessary to prevent the abuse of this privilege.

Eleventh. That all personal and real property of the railroad employed in its construction and operation should be exempt from all taxation, either national, provincial (State), or municipal.

Twelfth. That the execution of a work of such magnitude deserves to be further encouraged by subsidies, grants of land, or guaranties of a minimum of interest.

Thirteenth. That the salaries of the commission, as well as the expense incident to the preliminary and final surveys, should be assumed by all the nations accepting, in proportion to population according to the latest official

census, or in the absence of a census, by agreement between their several Governments.

Fourteenth. That the railroad should be declared forever neutral for the purpose of securing freedom of traffic.

Fifteenth. That the approval of the surveys, the terms of the proposals, the protection of the concessionaires, the inspection of the work, the legislation affecting it, the neutrality of the road, and the free passage of merchandise in transit, should be (in the event contemplated by article eighth) the subject of special agreement between all the nations interested.

Sixteenth. That as soon as the Government of the United States shall receive notice of the acceptance of these recommendations by the other Governments it shall invite them to appoint the commission of engineers referred to in the second article, in order that it may meet in the city of Washington, at the earliest possible date.

The report of the Committee on Railway Communications was therefore adopted as submitted.

RECIPROCITY TREATIES.

REPORT OF THE MAJORITY OF THE COMMITTEE ON CUSTOMS UNION.

[As submitted to the Conference February 28, 1890.]

The Committee on Customs Union has made a careful study of the question submitted to its consideration by the International American Conference, concerning the establishment of a Customs Union among the several nations of this continent.

As generally understood, the term "Customs Union" means the inclusion of several nations in a single customs territory, so that the nations forming the union collect import duties on foreign goods under substantially the same tariff laws, divide the proceeds thereof in a given proportion, and reciprocally receive as domestic goods, and therefore free of duty, their respective natural or manufactured products.

The acceptance of this plan would involve, as a condition precedent, a change in the fundamental laws of the countries adopting it. Even were they disposed to make such changes there would still be almost insuperable difficulties to overcome; as, for instance, that which would be encountered in fixing the basis of representation of the several nations in an international assembly empowered to frame a common tariff and to amend it in the future. The American Republics differ so much in territorial extent, in population, and in national wealth, that, if these things should be taken as the basis of representation in such assembly, the small States would not be in a position adequately to protect their interests; and if all the nations were to be admitted as sovereigns, to wit, on an equal footing, the interests of the larger nations would not be adequately guaranteed. It might be necessary, to obviate this difficulty, to create two bodies, one representing the population and wealth, and the other the States, in the manner in

which a like problem was solved in the Constitution of the United States of America. But this step would require a partial sacrifice of the national sovereignty of the American nations, and more radical changes in their respective constitutions than the committee believes that they are willing to accept.

If by Customs Union is meant free trade between the American nations as to all their natural or manufactured products, which is, properly speaking, unrestricted reciprocity, the committee believes it is in principle acceptable, because all measures looking to the freedom of commerce must necessarily increase the trade and the development of the material resources of the countries accepting that system, and it would in all probability bring about as favorable results as those obtained by free trade among the different States of this Union.

But at the same time the committee believes that such a union is at present impracticable on a continental scale, because, among other reasons, the import duties levied on foreign trade constitute the main source of revenue of all the American nations, and such of them as are not manufacturing countries would thus lose more or less of such revenue, on which they depend in a great measure to defray their national expenses; while the manufacturing countries, such as the United States of America, would have to abandon, at least in part, the protective policy which they have adopted to a greater or less extent, and they do not seem yet prepared for such a change. Furthermore, a reciprocity treaty which is mutually advantageous between two contiguous countries might prove onerous if extended to all as a continental system, especially as the products of many of the American republics are identical in kind. Therefore, while these obstacles are in the way it seems premature to propose free trade among the nations of this hemisphere.

But while the committee does not think that it would be easy to attain at once to unrestricted reciprocity, it does believe that that end should be approached by gradual steps. The first and most efficient step in that direction is the negotiation of partial reciprocity treaties among the

American nations, whereby each may agree to remove or reduce the import duties levied by it on some of the natural or manufactured products of one or more of the other nations, in exchange for similar and equivalent advantages; for, if the mutual concessions were not equivalent, the treaties would soon become odious, could not last more than a limited time, and would wholly discredit the system. If, after this had been tried for some time, the results should be satisfactory, as is to be expected, the number of articles on the free list might be enlarged in each case, from time to time, until, after the lapse of a few years, when the development of the natural elements of wealth should have enabled each nation to obtain or increase its revenues from domestic sources, unrestricted reciprocity or a free trade among some or all of the American nations should at last be attained.

Therefore the committee proposes:

To recommend to such of the Governments represented in this Conference as may be interested in the concluding of partial reciprocity treaties of commerce to negotiate such treaties with one or more of the American countries with which it may be to their interest to make them, upon such terms as may be acceptable in each case, taking into consideration the special situation, conditions, and interests of each country, and with a view to the promotion of the common welfare of all.

J. G. DO AMARAL VALENTE.

M. ROMERO.

CARLOS MARTINEZ SILVA.

H. GUZMAN.

N. BOLET PERAZA.

J. B. HENDERSON.

REPORT OF THE MINORITY.

WASHINGTON, *February 26, 1890.*

To the President of the International American Conference:

SIR: The committee whose duty it was to inquire into the subject of a Customs Union between the nations of

America has been unanimous in advising the honorable Conference to reject the idea; but differences of opinion, both in regard to the form of the report and to the recommendation which the majority has felt it to be their duty to make as a substitute, compel the undersigned to express their views separately. For this reason, they have the honor to submit, together with this communication, the draft of the resolution which they recommend the honorable Conference to pass, and at the proper time they will have the honor to express themselves orally in support thereof.

With feelings of the most distinguished consideration, the undersigned subscribe themselves

Very respectfully,

JOSÉ ALFONSO.

ROQUE SAENZ PEÑA.

RECOMMENDATION.

Resolved, That the proposition of a Customs Union between the nations of America be rejected.

DISCUSSION.

SESSION OF MARCH 15, 1890.

THE SECOND VICE PRESIDENT in the chair. The order of the day is the debate on the report of the Committee on Customs Union, and both Messrs. Henderson and Saenz Peña, delegates, the one from the United States, and the other from the Argentine Republic, have asked the floor. The discussion upon this subject will proceed; but as it is probable that the chairman will desire to take part in the debate he will have to call to the chair the Honorable Delegate whose turn it is to preside.

Mr. VELARDE, the Delegate from Bolivia, took the chair, ordered the Secretaries to read in Spanish and English the conclusions of the majority and minority

reports, and recognized Mr. Saenz Peña of the Argentine Republic.

REMARKS OF MR. ROQUE SAENZ PEÑA.

MR. PRESIDENT AND HONORABLE DELEGATES :

As a member of the committee to which was referred the question of a Customs Union between the nations of America, I must explain to the honorable Conference the reasons which compel me to vote against the Union which we are invited to consider.

We, the Argentine Delegates, have attended the discussion of this matter, free from prejudice and exempt from reservation. Commerce is not in need of either, and, on the contrary, rejects the two, for in the transaction of business, frankness represents a good part of probity. Nor are we animated by any sentiment of unreasonable defense, although I ought not to disguise my feelings regarding some of the prevailing errors concerning our countries—errors which I have noticed with sorrow, but which I can readily understand. The truth is that our knowledge of each other is limited. The Republics of the North of this continent have lived without holding communication with those of the South, or the nations of Central America. Absorbed, as they have been, like ours, in the development of their institutions, they have failed to cultivate with us closer and more intimate relations. In this fragmentary and autonomic development of the three zones of America, the United States have forced themselves upon the attention of the world by their conspicuous greatness and their wise example. The nations which have not reached such eminence are the subject of lamentable confusions, of errors, perhaps involuntary, such as those which caused a Senator of this country to say “that the Spanish American States would commence by surrendering the key of their commerce, and would end by forgetting that of their politics.”

I begin by declaring that I do not know the key to the Argentine markets ; perhaps because none exist ; because they lack any statutes of exclusion, or any machinery

whatsoever of prohibition or monopoly. We have lived with our custom-houses open to the commerce of the world, with our rivers free to all flags, with liberty for all the industries, inviting by their profitable character the labor of man, and with liberty above all for man himself, who in coming among us becomes a participant in our national life, and secures defense not only for his person under the *habeas corpus* guaranty, but respect for his conscience under the most ample religious toleration, and protection for his rights under the principle of the civil equality of citizens and foreigners. But neither the declarations made by us when scarcely detached from the Crown of Spain (and which we proclaimed in 1813), that no slaves should be found on Argentine soil, nor the liberties we proclaim to-day, with full consciousness of our national individuality, create in any manner a source of danger to the security of the States.

It is evidenced by the history of our autonomies and the future will corroborate it, saluting in the plenitude of their rights the same nations now assembled to discuss their material interests, no doubt because their political destinies were clearly drawn by the sword of three great men now sharing the blessing of immortality.

The mutual interchange of unmanufactured products, and the currents of profitable immigration which have never been restricted, but, on the contrary, always fostered by our governments, can never be considered as causes of uneasiness to firmly-established sovereignties. Production seeks consumption, without caring for hegemonies or supremacies, as independently and surely as the immigrant seeks welfare and fortune, without aspiring to participate in governmental functions. Hence we receive him hospitably, without distrust, offering him not only the instruments of labor, but also the right of property in the land which is to constitute his patrimony, and which enables him to join with our natives in the government of the localities where he represents interests reaped from the wealth of our own soil.

As the immigrant is our friend, as his children are our fellow-citizens, so international commerce is our ally in

the movement of wealth. Friendship, trade, wealth, citizenship, are the elements preventive of those chimerical dangers which would have disastrously impeded the development of the nations of America. And did we need tranquilizing examples for our methods, once more would we find them in the nation which kindly extends us hospitality. Immigration was to her an element of greatness, and naturalization a strong aid to valuable accessions. We proceed with certain caution, we invite the immigrant retaining his own nationality, and, without compelling him to change his legal condition by restrictive acts, we await a citizenship worked out by the natural laws of generation. The assimilated mass is less compact, but the ties of the soil are not less binding, nor is the sentiment of nationality less strong; it is thus we maintain the cohesion of our people, without local discord, without selfish rivalries, and without other ambitions than those born of devotion to their independence and their sovereignty, generous ideals which refute the statements of incredulity, and protest against unconsidered predictions, more resembling anathemas than prophecies.

The Delegation in whose name I have the honor to speak has studied the economic questions which it was invited to discuss, not without first having presented, in connection with its friends from Brazil, well matured resolutions which tend to preserve the peace of the continent, raising right above might, and mutual security above armed distrust, which to-day weakens the treasuries of Europe by maintaining perilous rivalries which we would fain not see in the family of American nations. The honorable Conference will do justice at least to the loyalty of the intent and to the sincerity with which we aspire to preventive methods under the auspices of fraternity and of peace.

Would to God we were able to resolve, under the sway of the same inspiration, the questions affecting the economic development of our Republics.

Unfortunately, honorable Delegates, our feeling in this case would color our decisions. Commerce is inspired by interest and maintained by profit; it ends where disinter-

estedness begins, and lives uneasy in the light of affection. It is not enough, then, that we should greet each other as friends, and embrace as brothers, to deviate or to extend currents which it is not in our power to direct. We might have signed cordial and friendly agreements, sealed, I doubt not, by sincerity, but to be canceled in a not distant future by the operation of the very forces we would be endeavoring to govern by our acts.

No human convention will ever be able to control the intensity or direction of these currents, formed by production and interchange; nourished, as they are, by unconquerable selfishness, by persevering activities, by autonomic and domestic efforts. Production obeys the decrees of nature, as interchange is begotten of necessity, of advantage, and of profit. Whenever the State has attempted to swerve the natural trend of these forces, such action has generally resolved itself into a symptom of disturbance, and governments bound together to bring it about have not achieved any better success in their methods or results. Old as the original forms of trade, and primitive as the ancient barter, the laws of demand and supply will continue to govern between countries the interchange of their surplus, and if reforms and evolutions are to result, they will originate in the choice of commodities due to civilization and culture, which causes society to be exacting, producers more painstaking, and the soil doubly fertile and fruitful.

Tariff questions claim the attention in these days of Europe and America, and the nations of this continent would do well to consider carefully and studiously the problems agitating the other side of the Atlantic; not only because the very questions are there being discussed, but because Europe affords us a lesson that is at once empirical and scientific. Germany appears to be disposed to renounce her commercial treaties and the idea of a "Zollverien" formed of Central Europe, which would give rise to economic complications of uncertain solution, is attributed to her. France hesitates between the continuance or abrogation of her treaties which expire in '92, and independent of their important relation to the Treaty of Frank-

fort, the Cabinet considers this problem of such transcendental gravity that at the present time it is soliciting the views of merchants and producers, submitting to their consideration the course to be followed. Is it advisable to abrogate the treaties? If so, by what system shall they be replaced? Shall the system which preceded the reform of 1860 be again resorted to? If autonomic tariffs be adopted how could the interests of the producer and of the manufacturing industry be reconciled?

These and other questions have been lately addressed to commercial centers; and at the same time that the ministry is engaged in obtaining the prevailing opinion, the House of Deputies has appointed a Committee on Customs consisting of fifty members, which must report upon so important a subject. It may be predicted, however, that the results of the ministerial investigation will be conflicting at least; where the voice and the vote of the producer of raw material has weight autonomic tariffs and heavy duties on imports will prevail; where the manufacturing interests make themselves heard, the decision will lean towards freedom of trade or reduction of tariffs, thus providing them free and cheap materials with which to work, and enable the article to withstand competition in and out of the home market. The interests of the producer move him in the direction of restrictive systems, those of the manufacturer towards freedom of trade; it is, therefore, difficult to protect one without prejudicing the other, and when it is decided to protect both, the knot is cut but not untied. The consumer is the one to bear the burden of double protection, and if it be easy to force him to submit and be resigned to the home market, he will defend himself and even rebel on foreign soil where free competition exists. I have not decided to express myself upon this historic struggle of the two schools; it appears to me, however, that victory is being successfully contended for by free trade, and that the producers of raw material will have to make strenuous efforts to justify the attack which would be made upon the manufacturing industry of France.

The nations of America should invest this problem with

the importance accorded it in Europe; it appears, however, that we march with greater rapidity. We bring instructions to discuss a "Zollverein," and it appears to me bold indeed that three meetings of the committee should suffice to propose measures which are in effect a third system between protection and free trade, a system which at the present time rouses Europe to its reconsideration with deliberation and study. This is not a charge against my friends and colleagues, but a justification of the laconism and caution with which I have expressed myself in the minority, replying to the point submitted to our consideration without advancing any opinions which to my mind were foreign to our mission.

It is a mystery to no one that the nations of America sustain and develop their trade by their relations with Europe. The economic phenomenon is explained naturally and without effort. Our wealth consists of the products of the soil, and if there be on the Continent a market which at the same time is a manufacturing one, it should deserve especial considerations, which I will have the satisfaction of bestowing. But it is logical, indispensable, inevitable that countries yielding natural products, or raw material, shall seek and obtain manufacturing markets, and especially those which receive them free. Between our countries trade is the exception; non-communication the rule. I except, of course, the interchange engendered by the geographical situation of bordering nations, and that which is nourished by articles which make themselves necessary because of the idiosyncrasies of the soil, or of incidents of the climate. Figure among these the cup of coffee which to the United States represents \$74,000,000, and the spoonful of sugar which amounts to eighty-eight millions annually. Exceptional articles and exchanges should not serve as a basis to generalize commercial relations, nor to extend to all the Continent what is the case only in the minority of its States.

The reciprocal trade of our countries will develop slowly without conflict between the producing and the manufacturing market; that is precisely the interchange, with its own marked and distinctive features, between the Old and

the New World. It is born and lives of the union of natural resources with manufacturing industry, and everything tending to the linking of like-producing markets will be barren, if not pernicious. These considerations, which are so rudimentary in political economy that I might have almost refrained from uttering them, because of their familiarity, clearly prove that a continental compact would be unnecessary to at least the majority of the Spanish-American countries. To assure free trade between non-interchanging markets, would be Utopian luxury and an illustration of sterility. I am far from opposing free trade; I only combat the sumptuary declarations that would be as unfavorable as they would be profitless to the commerce of America.

Commercial statistics show that all the inter-continental trade is due to this one factor, namely, the manufacturing market of the North. But has that trade reached the degree of development which it has the right to expect? Does it satisfy the aspirations of the Continent, in so far as its desire to see its resources increased and transformed within its own borders is concerned? Figures answer in the negative.

The consumption of the nations of Latin-America represented in this Conference amounts to \$560,000,000, but the United States share in those importations to the amount only of \$52,000,000, not being 10 per cent. of our purchases from Europe. The relation of these figures to the trade of the United States reveal the poverty of the exchanges with greater clearness. Out of their total export trade, amounting to \$740,000,000, Latin-America buys only \$52,000,000; that is to say, 7 per cent of the total exports.

Let us see now what the United States buys of us. Out of our exportations, which amount to \$600,000,000, the United States take \$120,000,000, including what they get from Hayti, but excluding all the rest of the Antilles. Buying \$120,000,000 and selling only \$52,000,000, leaves a difference of \$68,000,000, which figures, in view of the theory of the balance of trade that considers all importations as a loss and all exportations as a gain, the United States would be right in looking upon as unfavor-

able. I should state, however, that respecting the Argentine Republic, the terms of the problem are reversed. We buy of the United States twice as much as they receive from us. But our trade being limited, the balance is favorable to Latin-America, a balance which the United States has to pay in coin, and which it is natural, just, and proper they should seek to satisfy with merchandise.

The United States manufacture the same goods we buy of Europe. From furniture to clothing, from the implements that till our fields to the wire which fences them, and even to the rails which at no distant day will connect the three Americas, everything is found and produced in this prodigious center of human industry, everything exists and can be fully worked up on our soil. Why, then, should raw materials change their course towards Europe? What reason exists for our commercial currents being sluggish when the rest of America produces what the United States need to elaborate and to command with their resources the commerce of the world? These are the questions and the problems which are absorbing the attention of thinkers and economists. Three systems suggest themselves and are rejected at one and the same time. The truth is, the real difficulty is not ascertained; perhaps, because the remedy would be too violent, or because it is judged easier to correct the institutions of others than our own. Three plans were discussed in the committee: The "Zollverein;" Inter-continental free trade; and Reciprocity treaties.

The first of these customs systems was proclaimed here by the ex-Senator from the State of Illinois, the Hon. Stephen A. Douglas, who left written, in 1860, a plan of Confederation which extended from the Arctic Ocean to the Isthmus, branching out to the Antilles. The idea, in the course of time, has expanded, and I am forced to the conclusion that to-day it embraces all the nations of America, since a Delegate from the southern confines of the Continent has been charged with its study.

The "Zollverein" is looked upon to-day as an unacceptable institution. It has its scientific explanation in the grouping of homogeneous States like those which confed-

erated their custom-houses in 1819, and later on their political institutions to form the German Empire. At first the territory covered by that league was limited in extent; the experiment was first made by three States and subsequent additions came naturally and gradually, in view of the success achieved and the economic advantages which experience demonstrated; but can that experiment, local and cautious in its origin, serve us as an example to convert the Continent into a single customs territory, and to consolidate eighteen nationalities for the collection and distribution of their revenues? Can the compacts falling within the scope of that "Zollverein," of 1841, comprising a territory of 200,000 miles and embracing 23,000,000 human beings, be made to apply, with any assurance of success, to a continent whose area is represented by 12,000,000 of miles populated by 115,000,000 of inhabitants?

I find that this idea presents all the elements of an hazardous adventure, the results of which are not within the scope of human foresight. Viewing matters from an economic standpoint, the nations in the league would enter into it uncertain of their revenues and apprehensive of their preservation. The distribution of customs duties would be based, as in the "Zollverein" initiated by Prussia, upon the population of the States; but this would be to disregard the consumption of each country, which should be the equitable basis of the distribution. The importations of our countries differ essentially, depending on their customs, manner of living, and their progress, more or less advanced. I do not wish to make disagreeable comparisons, nor is it necessary for me to go into details; but taking unofficial statistics, I can state, that the foreign importation of our countries reaches in some cases \$45.99 per capita while in others it falls to \$1.63. It can be seen that with this basis of consumption and these inequalities of revenue we can not agree upon a uniform basis to distribute it in like proportions to all and each of the inhabitants of our Continent. In the very "Zollverein" which is remembered as a happy consummation for the German Confederation, the benefits were problematical for some of the States; Prussia, for instance,

which contributed three-quarters of the revenue, received therefrom but five-elevenths, whereas Bavaria, whose revenue did not amount in 1834 to 1 franc per inhabitant, received under the "Zollverein" 2 francs, 53 centimes, or an excess of 160 per cent.

Advantages for one state are not secured under the "Zollverein" except at the expense of the revenue of the other states, and this result can not be acceptable to a Conference which at the present time is discussing economic interests shorn of either extravagance or exactions. It would be difficult, indeed, to convince a citizen of the North or one of the South, that the tax he pays his Government and the duties charged on his necessities were not intended for such Government, nor for the nation which protects him with its sovereignty, but for another state which is unknown to him and whose inhabitants, consuming as *one*, are to supplement their revenues by taking revenue from those consuming forty times as much; the revenues would be diverted, taxes would not pay for the public services of the state, and the sovereignties would be plunged into a veritable socialism. I should state that if I have presented this argument in an emphatic and unqualified form, it is because the nation I have the honor to represent would not be the most injured upon seeking that Procrustean couch; were it otherwise I would have dispensed with it. It has been thought also that the United States would bear the greatest tax, but this is another error I must correct. The consumption of imported goods in this country amounts to \$11.64 per inhabitant, and this is explained by the fact of it is a producing as well as manufacturing nation, which provides for the greater part of its own necessities.

The general prosperity of the "Zollverein" states was the result of the reduction of the tariffs, which aided commerce and made it possible for them to develop their industries. Customs duties partly defrayed the domestic necessities of the states, but they in no way involved a restrictive system. The maximum duty was fixed at 10 per cent. Raw materials were admitted free and everything assisting in the development of industry enjoyed considerable reductions.

Would we base our union upon a tariff of this kind?

That would demand fundamental reforms in nations maintaining protection. How could we reconcile the two schools and the two tendencies which are antagonistic in their conclusions? Would those of our custom-houses that impose moderate duties on imports and tax them only so far as the needs of the nation demand wish to subject themselves to the system of protection which would embrace all our continent? Or will protection give way to freedom of trade and to liberal tariffs? Our people, who make their living by the exportation of their natural resources, who have not solved the problem of transforming themselves into manufacturers because the question demands careful study, would be less disposed to espouse protection, and to adopt tariffs which might exceed the necessities of the revenue without protecting any one and injuring all.

Would the United States modify their tariff?

It might be believed they would, since they have proposed to us the discussion of this subject; but if they had been disposed to agree to the abolition of custom-houses in the states of the "Zollverein," and to tariff reforms with the states not included in the league, this latter resolution would of itself have brought about the desired end. When protection shall be removed from the producer of raw material, so that the manufacturer may work at the same cost as that prevailing in the rest of the world; when the customs laws shall cheapen the products which are auxiliary to manufacture, the latter will be fully armed for competition, will have dominated the continent, and Europe will have surrendered the post without struggles between different duties, without disagreeable attacks, without confederations or uncertain compacts. We should not seek trade by attacking articles of cheap production, but rather cheapening those of expensive production in order that they may increase consumption, placing them within reach of the greater number and consulting the larger interests.

My distinguished friend, General Henderson, reminded us in one of his animated speeches that the United States manufactured two rails for every one manufactured by

England; that their railways represent 50 per cent. of those of the world; that their telegraph wire encircles the earth thirty times; and with all the triumphs achieved in every field of human progress, he presented to us the National Treasury burdened with the weight of a magnificent surplus.

As a son of this continent I share in the pride which animated the words of the eloquent Delegate, but in the economy of nations the very excess of prosperity involves problems which it is necessary to solve before complications arise. It may be a paradox; it may be, perchance, considered extravagant, when I state, the United States need to defend themselves against their very wealth.

I do not think higher praise can be given to the producing power of a nation, nor do I think that any other is entitled to it in a greater degree than the United States. With an area of 3,500,000 square miles, traversed by 160,000 miles of railway; with 780,000 miles of telegraph wire; endowed with riches which nature has showered with lavish hand; with industries which have doubled their profits under the law of protection; with the enterprise and creative faculty which agitates the minds of their sons, responding to every difficulty with an invention and accumulating inventions which are of themselves another form of wealth; with these innumerable and powerful elements the United States are on the highway to a vertigo of production, which, let us hope, may spread to exportation or the consuming population, which latter acts in accordance with demographic laws whose operation is far less stimulating. But industries will outstrip necessities, and new foreign markets will be indispensable to maintain the economic balance, perhaps, before the electric wires encircle the planet once more.

Immigration has, up to the present time, kept pace with these rapid developments, but it has also contributed to give them greater impetus, and to-day it may be observed that the current of immigration does not increase. At all events, it is easier to export the article than to bring the consumer, and this is the problem we desire to solve with an interest truly American.

I am impressed by the enormous wealth of the United States, but the feature which has least captivated me is that represented by the surplus. That capital has been withdrawn from the industrial movement, it has been paid by the products, thus becoming useless as a medium of exchange, and losing its circulating power in the commerce of the world. That the abundant surplus should have to be returned to the industrial font through the old channel of drawbacks would not be impossible.

I am glad the United States do not seek in the "Zollverein" the hoped-for solution, and I must believe that they entertain this idea, since General Henderson has signed the report of the majority rejecting the idea of a union; this accords me entire liberty of action to oppose it resolutely, without the respect I should have for it were it championed by our friend of the North.

The "Zollverein" would be powerless to increase our trade. Up to the present moment the agricultural industries have led in the field of the national wealth of the United States, since, by the census of 1880, the manufacturing interests represented a capital of only 23 per cent. of the former. Very well, agricultural products will never go in the direction of South America, because our countries raise and export them in their turn. The manufacturing industries are those that involve the future of our trade, and it is worthy of observation how they shrink and restrict themselves, attempting to keep within the limits of the national demand, doubtless because they fear the results in markets where free competition exists. The "Zollverein" would admit our raw materials free, but this is not the only problem to solve for industries. I will take the liberty to run rapidly over what is passing with those articles which would have the greatest circulation in our trade. I shall not speak of manufactures of iron and steel, because they already succeed in entering our markets, although with measured step. I should necessarily take into account those which do not reach us. These are the commodities which should claim our attention in order to induce them to come to us.

Cotton can not be freer, since it springs as an efflores-

cence of this soil and is produced in marvelous quantities. Of the 10,000,000 bales raised in the world the United States produce 7,000,000, or be it 3,080,000,000 pounds. It would be proper to suppose, under the circumstances, that the producing country would flood America and all the rest of the world with the manufactured product. What is the fact? That the home market weaves only 1,000,000,000 of pounds, and exports, in gross, 2,384,000,000 pounds, which go to feed the manufactories of the Old World. We thus see that while Great Britain carries to Brazil \$14,115,000 worth of the article, the United States only sends \$665,000 worth, less even than France, which sells \$730,000 worth. In Venezuela, to an American exportation amounting to \$498,000 there is one from the United Kingdom of \$2,636,000. In the Argentine Republic, to an American exportation of half a million there is one of \$2,500,000 from France and \$8,000,000 from England. To Mexico, where the product has the advantage of being interchanged between bordering countries, the United States carries only \$1,000,000 worth as against \$2,500,000 exported by Great Britain, and, to render this phenomenon more inexplicable still, the Treasury Department informs us that the New York custom-house received, in 1889, \$27,000,000 worth of cotton goods manufactured in Europe.

It might be thought that this argument is hostile to the free admission of raw material, whose advantages I have indicated, but I am going to hurriedly analyze what takes place with another industry which works with taxed commodities—the manufacture of wool.

The exportation of these goods scarcely merits attention. In 1889 it reached only \$350,000, and, according to data I have been able to collect from the books of the Treasury, the production, in 1880, reached the sum of \$267,252,000. We do not know what results the new census will give us, but it is not to be doubted that the industry has been growing. The product, however, does not enter into foreign competition, and Europe enters the lists against it within its own borders. The latter imported during 1882 \$37,000,000 worth, and in 1889 the New York custom-

house received woolen goods manufactured in Europe to the amount of \$52,564,000. Whilst, then, the exportations of the United States of woolen goods has increased in eight years only \$16,000, the European importation thereof into the United States has increased \$15,000,000, according to statistics I have had before me.—It can be seen, therefore, that if the free raw material makes a poor showing in the exportation of cotton goods, the taxed raw material shows discouraging figures, such as those constituting the balance in favor of the exports of Europe. If the invasion of manufactured articles from the Old World represented deficiencies in the home production, there could be no hope for exporting, because exportation does not spring from a lack of production, but rather from an excess. If the phenomenon be due to differences in the cost of production, as is my opinion and conviction, the English, French, German, and Belgian manufactures will continue to visit our marts, as they will continue to compete in the very markets of the United States, lightly vaulting the protective tariff.

The preference we ought to and wish to accord may be founded upon equality of cost and quality, but accorded to the dearest, it ceases to be a preference and becomes a sacrifice; and this is not a practice which merchants will indulge in, even though the article be American and the purchaser also.

The wool-grower is protected by a duty of 45 per cent., which reaches 60 per cent. as against the Argentine growers. The manufacturer pays without resistance, because he charges it to the consumer, and in turn enjoys a protection of 25 per cent. on his manufactures. So long as the exchanges are made in the home market the values maintain a proportional relation and the consumer pays all; but when the article crosses the frontiers and meets with similar articles introduced by Europe, the manufacturer encounters the 45 per cent. he has paid the producer, and appreciates the absence of 25 per cent. which protected his fabric. Then competition becomes impossible, under the nostalgic influence of national tariffs and the firm resistance of foreign consumers.

We must find the obstruction to our trade in that double protection which has increased the expense of production by raising wages, and in the heavy duties on raw materials as on other accessories to manufacture. The atmosphere in which the manufacturer lives, with wages 50 per cent. higher than those of Europe, but without increasing the purchasing power of the wages, is a fruitful source of burdens, and we must estimate it as considerable when it makes itself felt in so eloquent a manner through mechanical improvements, which are displacing the human machine to the degree of reducing the labor of man to 10 per cent. of that of machinery.

Suppose now that through the action of the "Zollverein" the manufacturers of the United States worked with our raw materials, still maintaining their tariff against Europe, would they banish her from our markets if we maintained a maximum of 10 per cent. or raised it to 15, 20, or 25 per cent., if you will, against Europe?

The United States would always be at a disadvantage in the competition because of protective duties maintained against the other continent. The scale of prices of the commodity would be somewhat reduced, and, in entering our markets free, it would enjoy as against Europe a difference of 15 or 20 per cent., which the latter would have to pay us; but why would not France and England pay it when they enter this market under a burden of 45 and 60 per cent., and when the American manufacturer sells in his own market without freight or insurance? This point reached, it is advisable to make some explanations.

The honorable Delegate from the United States, my particular friend Mr. Flint, has asserted in a speech of a semi-official character that 80 per cent. of the commodities entering these custom-houses are admitted free of duty. I make no correction but I ignore up to this moment what is wished to be proved thereby. Is it, perchance, the liberality of the tariff? The argument would be lacking in force, because it is clear that what is introduced is what is least taxed or what is not taxed in any way. I judge the tariff in relation to values, and, limiting ourselves to the commerce of America here represented, I furnish him this

other fact taken from the report of the Treasury: of \$18,000,000 introduced by America subject to duties, it collects \$10,647,000, or 56 per cent. With respect to South America the result is still more unfavorable, because on \$11,800,000 subject to duty it collects \$9,355,000, or nearly 80 per cent. on the value. It can be seen, therefore, that the 80 per cent. of which Mr. Flint speaks referring to free articles, is converted into 80 per cent. of duties on dutiable commodities entering from South America. Thus are the trade relations of South America with North America, forced to pay double what is paid by the general or European commerce, as can be easily proven: of \$741,000,000 imported, \$256,000,000 enter free and \$484,866,000 pay duty; it results, then, that 35 per cent. enters free and 65 taxed. The revenue derived amounts to \$220,576,000 and, therefore, there is a tax of 45 per cent. upon dutiable goods. This duty, which has not been sufficient to deter European importation, would maintain upon the cost of production the same inconveniences we to-day feel. The product would be an androgynous commixture, it would be half taxed and half free, but always impotent to compete with full liberty.

I find that the unalterability of the tariff is an unsurmountable obstacle in the way of our trade, and even when the league would wish to make exceptions which should take into account the autonomy of the custom-houses of the North with respect to Europe, forming a "Zollverein" with the head of a giant, we would not succeed in increasing the interchanges, this will come forth strong and robust when protection shall have exchanged its tariff for the maxim of Guarey: *laissez faire, laissez passer*.

Considering the "Zollverein" under its political aspect it would be difficult not to recognize that it involves great sacrifices of sovereignty which would not be counterbalanced by any visible advantages. An international diet would substitute the legislative bodies of the State, to establish or regulate the custom revenues within the national territory. Among us, as in the United States, this right is vested exclusively in the Federal Congress, the true representative of the sovereignty delegated by the people.

This is a mandate written in the Constitution, and can not be abrogated except by a constituent assembly which should absolve the national legislator from responsibility. The greater part of the constitutions of America derive this power from their very legislative bodies, and we would find ourselves, then, confronted by general political disturbances incident to the formation of eighteen constituents called to the end of reforming all and each of the fundamental charters which govern our countries. Such a disturbance would not be justified by Utopian dreams.

In the international sphere the complications would be no less grave. The effect of restrictive leagues on the general movement of commerce is but mediocre; we note, however, that defferential duties have brought about pernicious antagonisms between nation and nation. This is proven nowadays by the tariff war between Austria and Roumania, and that of Italy with France, happily terminated, not without the former making advances to the sovereign of Alsace and Lorraine; but we constitute a most important factor in the relations of transatlantic commerce which represents \$2,700,000,000, and it is easy to foresee the squirmings of Europe when she should feel the effects of a continental blockade, maintained, it is true, not by war ships but by belligerent tariffs. It would not be countries bound together by political bonds that would enter into compacts inspired by a national sentiment. It would be the war of one continent against another, eighteen sovereignties allied to exclude from the life of commerce that same Europe which extends to us her hand, sends us her strong arms, and complements our economic existence, after having apportioned us her civilization and her culture, her sciences and her arts, industries and customs that have completed our sociologic evolutions. We shall have interposed an incommunicable diaphragm which time would render indestructible, when we shall have fenced up our fragmentary civilizations which needs must seek their complement in free contact with mankind.

I shall now take up intercontinental free trade. I have not understood that this system is included in the inviting act, and I have sustained that idea in the committee.

Free trade is an economic principle, but, without doing violence to language, it can not be confounded with a Customs Union. Which custom houses would be? Those of the Continent? They would disappear with free trade. Those taxing the rest of the commerce? They would not form a league since they preserve their autonomies and their receipts will not be distributed. There is no such Customs Union under continental free trade; customs-houses and free trade are irreconcilable antagonisms. The legal aspect of the case shows a no less marked difference. Free trade may be introduced by the mere declaration of a government on its own motion. The Customs Union would be always the result of a convention, and would be in every case a synallagmatic act; but the majority of the committee have thought it advisable to discuss it and even refute it, and I find myself forced to differ from the argument upon which its rejection is based.

It has been said that our States can not exist without the duties which rest on intercontinental commerce; I must correct this assertion, in so far as it refers to the Argentine Republic, and, I think, many more of the American nations are similarly situated. Our trade with the countries of America is most limited; the most considerable duty of which we would be deprived would be that we levy on imports from the United States, the heaviest of which are pine lumber and agricultural implements; but the former pays a duty of 10 per cent. and the latter only five. It can be seen that, with this schedule of duties, the revenue produced by an importation of \$10,000,000, would be nominal, and would not cause any disturbance in our economic life, or be an insuperable embarrassment. The need of these receipts is not, then, an obstructing cause in the way of the free trade sought, nor would it be for the United States whose surplus is notorious. I confine myself to this explanation without expressing myself upon the substance of this idea because, I repeat once more, it does not constitute the Union whose study has been recommended to us and the topic which was transmitted to our Governments with the inviting act. It is an error to suppose that the field of action of this honorable Confer-

ence has no limits, or that it embraces all the ideas which may spring up in the course of its debates. The invited Governments have responded to the notes of the Washington foreign office by sending delegates with instructions more or less ample, but limited ever to the terms of the invitation and the subjects enumerated in the law ; we can not go on substituting ideas and multiplying plans as new difficulties present themselves over those first had in view, and the Argentine Delegates shall restrict themselves to the terms of the invitation.

I might say the same thing with regard to reciprocity treaties did not the consideration of this subject compel me to enter into ampler details.

The committee has thought proper to recommend such treaties as, out of courtesy, there was a necessity of advising something. A courtesy which goes beyond its authority is something I can not comprehend, and I should not consider myself as acting within the scope of my authority by substituting for the "Zollverein" reciprocity treaties.

The committee limits its recommendation to the countries for which the system is advisable, an unnecessary limitation, because it is understood that no country would conclude such treaties to its prejudice; but the fact is that this recommendation of the committee exceeds, in my judgment, the very scope of the Conference. The law which brought it into existence had in view problems and questions which interested all the nations. The "Zollverein" was one of these, because of its being continental, but treaties concluded by bordering States to exchange their products, do they, perchance, interest all the countries and the Conference itself? By what right would nations not parties to such treaties express themselves upon their advantages or disadvantages? Should not such conventions be left to the decision of the several Departments of State since they, and not America, are the ones interested in their celebration? I understand the generous wishes of the Continent when it is purposed to prevent a contention between sister States; I appreciate the sentiments born of philanthropy and humanitarian duties, but these officious declarations, counseling commercial regimes which exclude the

action of the Governments, lower the lofty purposes of this honorable Conference.

I do not mean to say by this that the Argentine Republic rejects the treaties, but it is well, in this connection, to recall precedents which should be of record in the archives of this Department of State. Twenty years since the Argentine republic addressed itself to the Government of Washington proposing the negotiation of such treaties as the committee now recommends to America, and I shall take the liberty to read the reply of Mr. Hamilton Fish, Secretary of State, in 1870:

These treaties are not in conformity with the usual policy of the United States. To fix the duties to be paid on foreign merchandise may be advisable at the time of entering into the agreement; but exactly the contrary may happen at the expiration of the time stipulated in the compact. The United States have treaties with many other Governments, and these Governments would have the right to claim for their importations the same tariff as suggested in the draft of the treaty proposed by the Argentine Republic. The constitutionality of the act is furthermore very questionable, because the determination of these duties belongs not to the treaty-making power but to the Federal Congress.*

*NOTE.—The following is the copy of the original note of Mr. Fish on file at the Department of State; the quotation used by Mr. Saenz Peña is evidently a translation of a translation of the original:

DEPARTMENT OF STATE,
Washington, May 14, 1869.

SIR: I have the honor to acknowledge the receipt of your note of the 10th instant, proposing a treaty of commerce between the United States and the Argentine Confederation, providing for fixed rates of duty upon the articles usually imported from the one country into the other.

In reply I have to state that treaties on that basis are not in conformity with the usual policy of this Government. The fixing by treaty of the rates of duty on merchandise from abroad, while it might be convenient at the time when the treaty was concluded, might prove seriously the reverse before the expiration of the term allotted for the duration of the treaty.

Another serious objection to the conclusion by this Government of treaties on that basis is that the United States have treaties with many other governments which would give the latter the right to claim for their productions imported into the United States the same rate of duties as those provided for in the treaty such as you propose. In most

I have no reason to believe that the Government of the United States has changed its economic policy. If it be true that Mexico has a treaty *ad referendum* concluded, it has not, up to this time, been approved by the Federal Congress, and that which was negotiated with Santo Domingo was rejected by the same power. It is seen, then, that with precedence such as I cite but little hope may be had in the measures recommended by the committee; but, I repeat once more, the Argentine Republic will express itself on this point when she shall be requested by friendly nations or decides to initiate the invitation. It is a matter for her State Department.

The truth is that our trade with the United States gives rise to observations which can be made in an equitable and friendly spirit. Our wools, which constitute the most considerable article of Argentine production, find themselves in a disadvantageous situation in relation to the rest of her producing markets. The United States have fixed the duty upon the weight and *ad valorem*, and at the rate of 10 cents per pound and 11 per cent. on the total value, which does not exceed, at the port of embarkation, 32 cents per pound; but our wools are heavy; 100 pounds of uncleaned wool from the Argentine Republic yield 30 per cent. to the manufacturer, while the Australian wools yield 50 per cent., although both have to pay equal duties. The tariff is, therefore, differential and becomes prohibitory as against the Argentine Republic, because it results in 30 pounds of our cleaned wool being burdened by duties on 100 pounds. If, therefore, the Australian wools pay a duty of 45 per cent. ours pay 60 per cent.

It is clear that with this tax imposed on the manufacturer, therefore, the conclusion of such a treaty with one power would be tantamount to a treaty with all others, and this to a repeal by the treaty-making power of the acts of Congress establishing the duties on articles imported from foreign countries. The constitutionality at least of such a proceeding would be questionable.

Under these circumstances I have to express my regret that it would not be advisable to conclude the treaty to which you refer.

I avail myself, etc.,

HAMILTON FISH.

TO SEÑOR DON MANUEL R. GARCIA, etc.

urer of the United States his woolen goods do not reach our markets, and the reason why our trade is so restricted is explained, since our products come in contact with a closed custom-house, which is, however, open to Great Britain. It is possible that these facts may pass unnoticed by the Treasury Department; it is hard to believe it, however, since the Argentine Republic occupies an equal rank with Australia in the world's production, and in the Universal Exposition of Paris secured 112 premiums out of a total of 188 presented, having on its prairies 96,000,000 head of sheep as compared with 88,000,000 credited to Australia and 44,000,000 to the United States.

I am not defending a commodity which all the manufacturing markets are struggling to secure. I do observe, however, that this discrimination is not justified by the advantages afforded to wool-growers by protection. It has been in effect of little profit to the growers of Ohio and the West. In 1885 there were in the United States 50,000,000 head of sheep, which in 1887 were reduced to 44,000,000, or a decrease of 6,000,000 in two years. The same has not been the case with the growers of Australia and the Cape of Good Hope, who have profited by the advantages secured to them by the American tariff over the Argentine wools.

It is curious to note how the report of the committee recommending the principle of reciprocity might be exactly antagonistic to the commercial relations it was charged with studying. The committee recommends the adoption of this principle by means of treaties, but reciprocity may spring from autonomic tariffs as well as from treaties, and in such case it would prove *contra productentem*. Should the Argentine Government tax American pine, machinery, and petroleum with the 60 per cent. duty its products pay in the United States, would not this be the principle of reciprocity that the committee recommends? If the McKinley bill could be adopted under our laws would not it be, under the practices of international commerce, reciprocity also?

My honorable colleagues may reply that they recommend reciprocity by means of treaties. But treaties are

the *modus faciendi*; they do not attack or transform the principle when it is embodied in the tariff which each nation adopts for itself.

There is something more: If my information be not incorrect, the Committee on Ways and Means is discussing further and heavier duties on our products at the request of the growers. Will the committee insist on recommending its report? If the former duties were defferential, and I consider them prohibitory for the Argentine Republic, what would be the effect of a strict reciprocity? The committee recommends a principle which may lead us to the fatal policy of retaliation, which we would not wish to entertain or to know in our commercial relations.

I regret having gone to such length upon a subject which is becoming thorny, but the report of the majority has forced us into this field and we cannot avoid it.

The reply of the United States has been conclusive for the Argentine Government. They will continue to favor the imports of Oceanica and southern Africa in spite of the liberality of our laws, which have made it possible for them to double their commerce with our country. It is understood, then, that the delegation in whose name I have the honor to speak, does not expect to open doors which have been so firmly closed against it; it limits itself to the declaration that its custom-houses will continue open to this continent as well as to the rest of the world, adding, in compliance with its instructions, that it does not reject the possibility of making treaties, even if it does abstain from recommending them, because advice is not what commerce needs.

I have terminated my official declaration.

Permit me to make a very personal declaration. Let no one see in what I have expressed, anything but feelings of fraternal affection for all the nations and governments of this continent.

If any one has thought to see in my words a weakening of those sentiments, he should be convinced of his error. Affection and love for America are not wanting in me. I do not lack confidence in or gratitude towards Europe. I do not forget that Spain, our mother, is there,

contemplating with sincere rejoicings the development of her ancient territory through the energy of generous and manly people who inherited her blood; that Italy, our friend, is there, and France, our sister, who illuminates with the effigy of a goddess the harbor of New York, linking the Continent, free *par excellence*, with the free section of democratic Europe, which has just called the world together on the *Champ de Mars* so as to inuoculate the future republics of the Old World with the example of liberty.

I think that the laws of society are leading nations to representative government as contemporaneous economy directs communities to freedom of trade. The nineteenth century has put us in possession of our political rights and ratified those acquired by our elder sister after struggles worthy of her sovereignty. Let the century of America, as the twentieth century is already called, behold our trade with all the nations of the earth free, witnessing the noble duel of untrammelled labor, in which it has been truly said God measures the ground, equalizes the weapons, and apports the light.

Let America be for mankind!

Mr. ZEGARRA, a Delegate from Peru, and First Vice-President, having arrived before Mr. Saenz Peña had finished speaking, Mr. Velarde requested him to take the chair.

Mr. ALFONSO, a Delegate from Chili, then requested the floor, and spoke as follows:

REMARKS OF MR. ALFONSO.

The Committee on "Customs Union" declares unanimously that this union is not practicable; but it is divided with regard to what should be the recommendations of the Conference, the majority being of the opinion that the negotiation of reciprocity treaties would be advisable, while the minority, which includes the Delegate from Chili, believes that the committee should report only that a Customs Union is not practicable. In this sense

he has signed, together with the honorable Delegate from the Argentine Republic, the report of the minority.

Their reasons for this action are of two kinds, and will be now briefly stated.

First, the committee has been charged to study the convenience and possibility of establishing an American Customs Union, and not of negotiating reciprocity treaties between nations. These treaties may certainly bear some relation to the Customs Union, but there are some other subjects that may bear exactly the same relation to it, and this fact would not lead the Delegate from Chili to consider them as a subject for the report of the committee. Besides, although some reciprocity treaties may prepare the way for the Union, others may become an insurmountable obstacle to its establishment. At all events, it is evident that the committee has been charged with the study of the Customs Union, and since it acknowledges that it is not practicable, it can not recommend any other subjects more or less connected with the Union. In the judgment of the Delegate from Chili, this is a delicate and important point, on which, in his belief, the committee should strictly confine itself to its charge.

Secondly. And this is a weightier reason than the preceding one. The Conference has been convened to discuss subjects of common interest to the nations here represented. The reciprocity treaties that can be negotiated between these nations do not fall within the programme of the Conference. They are private national matters which each state, in the exercise of its exclusive sovereignty, will attend to, and which consequently are foreign to the International Conference. And in order to show that this opinion is well founded, it must be stated that, notwithstanding the vote of the Delegate from Chili in opposition to the recommendation of reciprocity treaties, his Government will or will not negotiate them, guided by circumstances, and being governed by the interests of the country. This means that, whether such recommendation is or is not made, the situation will in both cases remain the same, for the nations represented in this Conference whose purpose is not to advise upon the expediency of such acts as

are considered as appertaining to the exclusive sovereignty of one country in its relations with another.

The Delegate from Chili would certainly not have raised any objection if the committee had confined itself to this subject when stating the reasons on which the report is based. The preface of the report could allow of a general exposition of this or any other similar subject, provided that the report had expressed simply the conclusion reached as to the establishment of the Customs Union, the sole point about which the committee should report.

REMARKS OF MR. ROMERO.

Mr. ROMERO, a Delegate from Mexico, and a signatory of the majority report of the committee, spoke in support of that report as follows :

With the object of saving time, and though unprepared, not knowing what might be said in the debate, I take the floor in the name of the majority of the committee, to offer some explanation which, as to form, will be in every way inferior to the elegant discourse of the honorable Delegate from the Argentine Republic, and to the phrases read by the honorable Delegate from Chili ; there being a further difficulty in the fact that I am at this moment troubled by a severe cold and something of a fever, which much impede me in making the explanations which I wish to offer on behalf of the majority of the Committee on Customs Union.

Let me begin by stating that the act under which the Conference has been convoked provides, in its second section, for the consideration of "measures toward the formation of an American Customs Union, under which the trade of the American nations with each other shall, so far as possible and profitable, be promoted."

The question arose in the committee, as to what is meant by a customs union. In the opinion of some of the members—among others, the honorable Delegate from the Argentine Republic, who signs the minority report—a customs union means a zollverein, while in the opinion of the

honorable Delegate from the United States, himself a member of the committee, the United States had not contemplated a zollverein in speaking of a customs union.

Under these circumstances the majority of the committee deemed it expedient to begin their report by defining the expression "customs union," and, believing that the term might cover a zollverein as well as free trade among the American nations, it adopted both definitions, and pointed out the difficulties involved in the establishment of a customs union of either kind.

If the Conference will permit me, I will read the passages of the report which deal with these two points. The first refers to the definition of customs union, meaning a zollverein, and reads as follows :

As generally understood, the term customs union means the establishment among several nations of a single customs territory, the nations forming the union to collect import duties on foreign goods under substantially the same tariff laws, dividing the proceeds thereof in a given proportion, and mutually receiving, free of duty, their respective natural or manufactured products.

It follows a statement of the difficulties which would be involved in the adoption of a customs union, meaning a zollverein.

Further on the report defines the second meaning of customs union, as follows :

If by customs union is meant the free trade between the American nations in all their natural or manufactured products, which is, properly speaking, unrestricted reciprocity, the committee believes, etc.

To make my explanation clearer, I should state that the committee had adopted in its original report a statement mentioning the German Zollverein as a model of customs union; but at the request of the Delegate from the United States, a member of the committee, who repeatedly stated that the United States had not contemplated the establishment of an American zollverein, the statement was omitted. The majority of the committee has been much pleased to learn that the honorable Delegate from the Argentine Republic so thoroughly agrees with them in regard to the objections to a customs union in the sense of a zollverein.

If the Conference reads the report, it will see that all the reasons set up by the honorable Delegate, as he has just read them to us, are included in the report, the only difference being that the honorable Delegate from the Argentine Republic has set them all at length, illustrating them with statistical data which tend to prove conclusively the correctness of the committee's reasoning. - But as the majority and the minority are thus entirely agreed upon this point, it is clearly unnecessary to deal any further with this subject.

As respects free trade between the American nations, which might likewise be the meaning of a customs union, and which was the sense given to it by the United States, or at least by the Delegate from that country who is a member of the committee, it was our opinion, that by customs union might be understood the receiving free of duty the products or manufactures of the other countries, but custom-houses and duties being retained as against the products of countries not a party to the union. The majority of the committee could not recommend the adoption of customs union under this meaning, and upon this point the majority fully agrees with the opinion of the honorable Delegate from the Argentine Republic as he has expressed it in his speech ; it saw in it serious difficulties, and positively declined to recommend, under existing circumstances, the establishment of a customs union in the sense of free trade. So, in regard to this point, we also substantially agree.

The honorable Delegate from the Argentine Republic set up in his discourse a point which he had made in the committee, with a view to impugn one of the fundamental ideas of the report.

If by customs union is meant free trade between all the American nations, the report says, inasmuch as import duties constitute in many of those nations the chief source of revenue, these might find their revenues considerably reduced. If I did not misapprehend his meaning, the honorable Delegate from the Argentine Republic seems to have understood the report to say, that if free trade is adopted the bulk of the revenues of the American

nations would wholly disappear. I will read such portion of the report as bears upon this point, so that the Conference may judge as to what the report means.

If by customs union is meant free trade between the American nations in all their natural or manufactured products, which is, properly speaking, unrestricted reciprocity, the committee believes it is in principle acceptable, because all measures looking to the freedom of commerce must necessarily increase the trade and the development of the material resources of the countries accepting that system, and it would in all probability bring about as favorable results as those obtained by free trade among the different States of this Union. But the committee believes that such a union is at present impracticable as a continental system because among other reasons the import duties, levied on foreign trade constitute the main source of revenue of all the American nations. * * *

As I am not familiar with the statistics of the Argentine Republic, I can say nothing positively as to this; but I have not heard in the speech of the honorable Delegate any denial of the proposition that import duties constitute the main source of the revenue even of the Argentine Republic, which is what the report declared. This continues as follows:

* * * The import duties levied on foreign trade constitute the main source of revenue of all the American nations, and such of them as are not manufacturing countries would thus lose such revenue on which they depend, in a great measure, to defray their national expenses. * * *

For instance, Mexico, which produces raw materials, like sugar, coffee, etc., would probably be affected by receiving manufactures of the United States free of duty, and would have its revenues reduced more or less considerably; but would not be wholly deprived of customs revenues, as seems to be implied by the language of the honorable Delegate from the Argentine Republic.

But this is a secondary question, and I allude to the point only in justification of the majority of the committee, which tried to formulate its report with due regard to the changes, exigencies, and conditions of all the countries concerned, and tried also to make it as reasonable as possible.

The principal argument against the report of the

majority of the committee is based upon the fact that it recommends the making of reciprocity treaties ; and this objection the two honorable Delegates who sign the minority report agree in urging.

The majority of the committee much regretted this dissent, and did all within its power to bring about common agreement upon a single report ; but this proved impracticable, wholly without blame to the honorable Delegates who constitute the minority. All the members of the committee having agreed to the essential parts of the report, the division between majority and minority seemed to be unreasonable. But it could not be avoided ; and this is the reason why there have been presented the two reports which have been laid upon the desk of the Delegates.

In the opinion of the majority, a customs union, in the sense of a Zollverein, was out of the question. In this view the minority agreed. The minority furthermore agreed with the majority that a customs union, should it mean free trade between the American nations, was not practicable ; but to the majority it seemed to be in principle proper to recommend a liberal policy towards commerce, because, as the honorable Delegate from the Argentine Republic admits in his speech, such a policy can not but promote the development and growth of commerce.

In order to accomplish this, and approximate to something like free trade, not in an absolute degree, and with no idea of adopting such a policy in the shape of an economic war upon nations which are not American, but European or Asiatic, the first step which the committee thought ought to be taken was the negotiation of treaties of reciprocity.

The objection was at once raised by some members of the committee, that it would be very difficult to formulate uniform treaties suitable for all the American nations, not only in the relations of each of them to its neighbors, but in those of each to all the other nations of the continent. To avoid this difficulty, while still taking a step forward toward the freedom of trade and the encouragement of production, it was thought best to recommend a liberal policy in the shape of partial reciprocity treaties concluded in

each case in accordance with the necessities of the countries concerned.

The committee is informed that such treaties have already been entered into by several of the American nations, and it understands that the five Central American States have agreed to treat as national each other's products. The Government of Mexico has entered into such a treaty with the Government of Guatemala, its neighbor on the south. The committee further understands that similar treaties have been entered into by some of the South American nations; the one which especially comes to my mind is the one between Chili and Bolivia. So that it is no unheard-of or inexpedient thing that the majority of the committee recommends, but, on the contrary, a step toward commercial freedom, promotive of the welfare of the American nations, though obviously this advance upon the road to commercial union was not one accepting either "absolute reciprocity" or a "Zollverein."

The majority of the committee, then, believed that it was not violating any duty of propriety; that it was not offering advice which had not been asked, in recommending to the American nations which should deem it expedient, to enter into reciprocity treaties under certain conditions. This is the meaning of the recommendation in the report.

Before taking my seat I desire to correct what seems to be a misapprehension on the part of the honorable Delegate for the Argentine Republic. He stated in his speech that the reciprocity treaty between the United States and Mexico had been signed "*ad referendum*," and that it had been rejected by the Congress of the United States.

It was not signed "*ad referendum*," but under special powers by a special commission appointed by the President of the United States; and the Senate of this country, which alone passes upon such matters, approved it; the ratifications were exchanged, and the treaty appears among the treaties in force in the United States. But as, under the Constitution of this country, all laws affecting the revenue have to be originated in the House of Representatives, many publicists of this country have been of opinion that reciprocity treaties can not be entered into, precisely be-

cause they do not emanate from the House. That is very likely what Secretary Fish had in mind in his comments upon the proposed treaty between the Argentine Republic and the United States which the honorable Delegate has alluded to. I repeat it, many statesmen in this country believe that such treaties are not constitutional, because they do not emanate from the House of Representatives, as the Constitution requires; and that the best method which has been found for avoiding this difficulty, as in the case, for instance, of the treaty with England in regard to Canada, which was the first of this class negotiated by this country, was to provide that it should not be in force before it was approved by a bill passed by the House of Representatives. The same course was adopted as to the treaty with the Hawaiian Islands.

The Mexican treaty has never been approved by the House of Representatives, but it was ratified by the Senate and it appears among the perfected treaties of the United States.

The treaty with San Domingo was not rejected by the Congress of the United States; that country negotiated it under one administration, and then the succeeding administration, being of different opinion, did not think it expedient to accept it, and recalled it from the Senate, which had not yet passed upon it, either to approve or reject it. The same thing occurred with the reciprocity treaty with Spain as to trade in Cuban products.

It is not strange that such changes should take place as to matters of such importance, of such moment, among successive administrations, especially in this country, in view of the fact that frequently they belong to different parties and have different economic views. One administration had negotiated a treaty with Mexico; the same negotiated treaties with the Republic of Santo Domingo and with Spain; but a new administration coming in, it upheld the treaty with Mexico and withdrew the other two.

I will not undertake to speak of the treaty between the Argentine Republic and the United States, because I do not wish to intervene in a matter which does not concern me; but I think something similar took place because it

happened when the administration of General Grant, whose Secretary of State was Mr. Fish, came into power.

Probably Mr. Fish's personal opinion was opposed to reciprocity treaties, and when the suggestion was made to him by the Argentine Government he set forth the reasons which, in his judgment, justified a refusal to enter into such treaties. I do not think he can have had any other motive. Even in this country opinion is much divided as to the expediency of reciprocity treaties. It thus appears that public opinion, for a long time hostile to these treaties, has during the last few years commenced to change, and there has existed a desire to negotiate them, at least on the part of the President and the Senate. That body has never actually rejected any of these treaties, and even the Mexican treaty, never came to be discussed and voted on in the House of Representatives. In that treaty, I ought to say, a period was fixed during which it was to be put in operation; that period expired before the House of Representatives took action on it, so that without being actually rejected, in fact it was not approved by the House of Representatives during the time fixed therefor.

MR. SAENZ PEÑA. To reply briefly I will say that when I referred to the disapproval or rejection of treaties I spoke of Congress and not of one or other of the Houses. It is a matter of absolute indifference to me whether the House of Representatives or the Senate rejects it. If a treaty is not in force it does not exist and that is all there is about it.

REMARKS OF MR. GUZMÁN.

MR. GUZMÁN. As a member of the Committee on Customs Union I wish to say a few words at this point with regard to the brilliant speeches which we have listened to from the honorable Delegate from the Argentine Republic, as well as from Messrs. Romero and Alfonso.

I, Mr. President, do not propose to combat in any manner the ideas or opinions of my colleagues of the minority

who have presented their report, since they deserve much respect, as do all the members of this Conference; but since a report bearing my signature has been opposed, I consider it my duty to say a word on the subject.

In my opinion, Mr. President, the International Conference ought to adopt the report of the majority, because in that report, in addition to recognizing that the idea of an American customs union can not be realized, the reasons are stated which have led to this conclusion, and entire justice is done to the subject without in any way compromising the individual views entertained in this Conference, which in my mind would not be the result if the report of the minority were accepted.

The minority report, Mr. President, is couched in terms that, as I understand it, may lead to interpretations which do not represent the sentiments which surely animate all, or at least the greater part of the Governments here represented.

The minority report recommends:

That the project of a Customs Union between the nations of America be rejected.

This resolution, in my opinion, Mr. President, involves the idea that the inviting Government has forced upon the American nations the proposition of establishing a Customs Union, and that the Conference rejects that proposition, since it is so said in the minority report.

Mr. President, I do not believe that the United States Government has proposed to the American nations the establishment of a *Zollverein* such as is understood in Germany and such as we all understand it here. In my way of looking at it the only thing the United States Government has done (and I can refer to the act of Congress in virtue of which this Conference was convened) was to call the attention of the nations of America to the *consideration* of the project of a Customs Union, in order that such measures might be taken (I think the act says so) as would lead to the establishment of a union, with the object of increasing the commercial relations between the nations of America.

This is very different from presenting to the Conference a scheme like the Zollverein, which we now reject.

Mr. President, if the United States Government had wished to present to this Conference the project of a Customs Union, it would have done so by means of its organ, which in this case is the American delegation to this Conference, and if I rightly remember, the honorable American Delegate, General Henderson, at one of the meetings of the committee, was one of the first to declare that the idea of an American Zollverein could not be realized.

Why, then, Mr. President, shall the International American Conference now say that it rejects the proposition of an American Customs Union, when no such proposition has ever been presented? Why not accept the resolution or recommendation proposed by the majority? It includes all that is expressed by the resolution contained in the minority report so far as relates to demonstrating the difficulties and the impossibility of effecting a Customs Union, and it moreover presents it in a style and form which in my opinion is more acceptable.

I think, Mr. President, that we ought to proceed at once to vote whether we should accept the proposition of the majority or that of the minority. As for the treaties of reciprocity recommended by the majority, it seems to me that all that has been done is simply to present to the American nations, as the report says, a recommendation to the effect that those who consider it advisable to negotiate treaties should do so; and this has been presented to them as a means of establishing more intimate commercial relations between the nations here represented.

Therefore, Mr. President, I would like the discussion of this matter to be now terminated, and terminated by a vote of the Conference as to whether it accepts the minority report signed by the honorable Delegates from the Argentine Republic and Chili, or that of the majority, which, in my opinion, presents both the interests of the American people and the views here entertained by the Governments here represented.

Mr. SAENZ PEÑA. It seems to me that the remarks made by the honorable Delegate from Nicaragua are premature in the defense of the American delegation against an imputation or attack which has not been made by any one, neither by the honorable Delegate from Chili nor by myself, who are the two representing the minority. If the report of the minority had said that it advised the rejection of the idea of a Customs Union upheld or presented by the American delegation, I would agree with the honorable Delegate from Nicaragua in the conclusion endorsed by him; but if the gentleman had given me more attention he would have heard me, in my discourse, take pains to declare that the honorable Delegate from the United States does not accept the idea of the Zollverein, and there is a long paragraph in which I say that I am glad that the United States does not look to the Zollverein for that promotion of the commercial relations of America which we seek for; so that an idea is attributed to us which we do not favor, neither the honorable Delegate from Chili nor the one from the Argentine. We have no reason for representing the United States as holding views or sentiments other than those which their delegation has maintained; but one thing that can not be overlooked by the honorable Delegate from Nicaragua is the fact that the delegates from the United States have proposed the discussion of the measure, and this is the idea that we oppose; and it certainly can not appear that there is any lack of respect in the fact that we do not declare ourselves agreeable to a system which the United States at some time thought of trying to establish; a system which, in my opinion, is not expedient. I

wish to make this point because the honorable Delegate from Nicaragua appeared to advocate the report of the majority on the ground that it contained views less equivocal or more consistent with the respect which I owe to the United States and its delegation.

Mr. GUZMAN. I shall have to explain myself to the honorable Delegate from the Argentine Republic. In the words I used a few minutes since, I did not intend to convey the idea that in my opinion the minority in its report meant in any way to offend, hurt, or make a remark which might be construed as lacking in respect or esteem for the American Government. The honorable Delegate from the Argentine says that I did not listen to him attentively. In reply permit me to say that I have been one of his most attentive listeners. What I said was, and it seems that it was the gentleman himself who did not pay due attention to me, that this form of resolution might allow of interpretations, not here in the Conference, but elsewhere—interpretations which would be made later by the press of the United States, and which would change the meaning of the resolution and pretend to find in it something else, as is often the case even with words much clearer than these; and that it might be thought that there had been some intention of showing disrespect to the American Government which has submitted to us this subject, among others, for consideration. But by no means, permit me to repeat, have I, for my part, wished to express the opinion that there had been the slightest intention on the part of the honorable Delegate, either of the Argentine Republic or of Chili, of offending the

American Government, since I well know how much respect and esteem they have for the Government and the people of the United States.

REMARKS OF MR. HENDERSON.

Mr. HENDERSON. If I say anything at all in this discussion, it will be simply for the purpose of placing before the Delegates here, and before the public when our proceedings shall be published, the action which the United States Delegates have felt called upon in this matter to observe. I understand that some complaint was made of our tariff laws, if I understand the remarks properly, and especially of the high duty upon wool, a large product of the Argentine. Of course, if our friends from the Argentine feel disposed to open the doors and have a Customs Union based upon proper principles, principles that would be equitable and just to both nations—and, in fact, to all the nations—why, perhaps, after long consultation, after examination by experts upon this subject, such a conclusion could be arrived at as would admit the wool of the Argentine upon terms that would be just if not absolutely free. But in response, or in reward, for an action of that sort upon our part, of course we would expect the reduction of Argentine duties upon various articles. I desire simply, whilst upon my feet, Mr. President, to state that, if I understand it properly, the tariff of the Argentine Republic is much more severe and exacting against the United States than ours against the Argentine Republic. If I am not mistaken, from 80 to 85 per cent. of the products received from the Argentine are received free to-day. I hardly think my friend from the Argentine can say the same with regard to products received from the United States.

But this is not a time for criminations and recriminations upon this subject. All we desire upon the part of the United States is to justify our action in inviting the Republics of the Western Hemisphere to consider the advisability of a Customs Union. Our friends from the Argentine have rejected absolutely that proposition in one

single line. I would have infinitely preferred, of course, to have had their objection placed in the form of a report which could have been laid before us four or five days before this discussion. I have not prepared anything upon this subject. I have my private views, but perhaps those views are not identical with those of the United States Delegation. I am not prepared to advance my own individual views upon this subject. Personally I believe that a Customs Union is not only practicable but, also, advisable. That is my absolute opinion. Whether it be so in regard to the Argentine and Chili, I can not say. I can understand very well why my friends from those two Republics, grand Republics as they are climbing up the eminence as great Republics, and we are just as happy to see them increase in commercial importance as they can be themselves—whether their products, they occupying about the same latitude in South America as we do in North America, and their products being similar to ours—whether it would be advisable for them I can not say. It would be better for those gentlemen to say for themselves. But personally I believe that such a scheme could be adopted. I do not ask that this Conference adopt anything of that sort, because I do not believe we are prepared here. There are many difficulties in the way, and I do not think we have the time or opportunity here. Hence there is an error in thinking that in my behalf, or in behalf of the United States Delegation, I urged a Customs Union upon the committee. It was, in effect, that under the present circumstances it was not possible or advisable.

But whilst that is true, Mr. President, I always gave it as my opinion that it would be advisable to call together a congress of commercial experts to take this into consideration. I, perhaps, am somewhat radical in my views of this great Western Hemisphere of Republics. I think we are teaching the Eastern nations a great deal. We came from the oppressions of the Old World, and have established many Republics here; and my impression is that we are teaching them a great deal very important to them as well as to ourselves. I think that in less than a hundred years from now, if we are successful here, our

institutions will have been adopted by all of Europe. That is my impression. There are indications now. In fact France is a Republic ; Germany is on the line, and in all probability others will be in the same way. Hence I uphold such institutions in this country to give them a still higher and nobler example of republican institutions. But these important things can not be done in an hour ; they can not be done in a day ; they can not be done in a year. Great government systems and reforms are not the work of a day ; they are the work of ages and ages. In fact the world is improving to-day, is better than yesterday, and infinitely better than ten or twenty centuries ago. Mr. President, there are many things possible if we would believe them possible. But I did not rise for the purpose of discussing this subject or advancing the views of the United States delegation or my own views ; but I would very much like to see the able discussion of this afternoon put in the English language, so that if it be desirable for the United States delegation to make any remarks at all, that they would place upon the record of this Conference the views we entertain upon this subject.

Mr. SAENZ PEÑA. I rise to explain to the Hon. Mr. Henderson what I have just said with reference to the speech of the honorable Delegate from Nicaragua. Twice in the course of my remarks I stated that the United States delegation and Mr. Henderson are opposed to a Zollverein, but the constant reiteration of the statement that the American delegation does not favor a Zollverein gives me to understand that it is supposed that I have stated that the delegation of the United States did favor the Zollverein. I wish to be explicit upon this point, because I know what Mr. Henderson's opinion is, and I could not have imputed to him an opinion which he has never entertained. I feel that my candor is involved, and for this reason I am so earnest in my desire that

the point should be fully explained to Mr. Henderson.

Mr. HENDERSON. Mr. President, I desire to state that, so far as my action in the committee is concerned, perhaps the statement of my honorable friend may be a little misleading—not intentional, of course, on his part. He will remember that my first proposition in the committee was to the effect that we submit the question of the propriety or the possibility of a Customs Union to another conference; that it be submitted to a conference of commercial experts to be appointed by the different Republics, who should take into consideration the advisability and possibility of establishing a Customs Union. That was my first proposition, and of course that was voted down in the committee.

And I desire to state also that that proposition had the indorsement of the American Delegates—a large majority of them; that we did not despair of the possibility of a Customs Union, and that we were in accord with the act of Congress. Of course we did not and do not believe that the constitution of this body is of such a character as to enable us, in the short time that we expect to be together, to arrange all the details of a Customs Union, but our idea was that it was such an important subject that it ought to be sent to another conference. That was my proposition, entirely in accord with the act of Congress.

Mr. ALFONSO. I am going to make two remarks. The first is that I think the honorable Delegate from the United States has a perfect right to ask to examine the speeches already delivered before this Conference by the honorable Delegate from the Argentine Republic and by myself, because, in point of fact,

those very speeches constitute the preamble to the minority report, which should receive the same treatment as the report itself. The second remark I propose to make is relative to an objection made by the honorable Delegate from Nicaragua, which, if I mistake not, refers not to the substance of the minority report, but to its form; and I say that it does not refer to the substance, because on that point the majority and minority agree, since both abandon the idea of the establishment of a Customs Union. But the honorable Delegate from Nicaragua says something about the mention in the minority report of the words "*reject* the customs union." With respect to this I say that I, for my part, pay no attention to form or words; that what I shall maintain is that the Customs Union, as understood by the majority, is in every sense impracticable.

MR. SAENZ PEÑA. I have already had the honor of conferring with my honorable colleague, the Delegate from Chili, with reference to the terms in which the minority report has been couched, and I take advantage of the floor now to express my approval of what he has said, declaring to the Conference that the minority is not disposed to discuss words, nor does it, either, sustain those which served to set forth the idea it thought fit to express. If any that may be proposed can to better purpose take the place of ours we will accept them with pleasure, on condition, always, that they do not change the substance of our ideas.

The word "*reject*" is used in the report because it is perfectly parliamentary. Laws are approved, amended, or rejected; nearly all the constitutions of

the American nations contain and use the word "reject" in speaking of the machinery of legislation, and in this way they are kept going back and forth from one chamber to the other in order that they may come out thoroughly considered. For that reason we have used the word in the report; but if the majority of the Conference have any objection to voting for it on those grounds, I would have no objection, nor would the honorable Delegate from Chili, to any change of the word or of all the expressions in the report, as long as we do not touch on the subject of the recommendation of the treaties, and in my opinion we should not enter upon the discussion of that point because, although one nation may find them practicable and can uphold them, others do not.

How, then, can we establish a general rule applicable to eighteen nationalities, when many of them have serious objections to it? The Argentine Republic has a particular reason for being opposed to those treaties; the Republic of Mexico has particular reasons for being in favor of them; Chili opposes them upon other grounds, and to unite all these reasons and all these grounds in a single report is materially impossible. It is for this reason that the minority, basing its action on purely practical grounds, has said: let us formulate a resolution, saving ourselves the trouble of the body of the report, since each one of the Delegates will state the motives actuating his government in accepting or opposing these treaties. I repeat, then, that I, for my part, have no objection to the words being changed if they do not suit.

Mr. ESTEE. I should like to ask the distinguished Delegate from the Argentine Republic, Mr. Saenz

Peña, if the greater part of the revenue in the Argentine Republic is derived from the direct taxes on property or wealth, or from the duties on imports and exports?

MR. SAENZ PEÑA. In reply to the honorable Delegate from the United States let me say that the Argentine Republic imposes duties on importations but not on exportations, and that the duties on importations represent about two-thirds of its revenues.

MR. QUINTANA. I wish to repeat that my honorable colleague in the course of his remarks said that those import duties are derived mainly, almost exclusively, through the importations from Europe, since their American commerce is very limited, and the Argentine Republic could very easily do away with the import duties on their American trade, as that would not to any extent affect their revenue.

MR. SAENZ PEÑA. I wish to state to the honorable Delegate from the United States that the answer to his question is contained in the report I have had the honor to present. I have in it said that the Argentine Republic could establish free intercontinental trade without doing its customs revenue harm, since the bulk of its trade is with Europe; that with the States of America is very limited. The principal American imports for the Argentine Republic are those of the United States, and they only amount to ten millions and are lightly burdened with very small duties on account of the moderate tariffs.

It seems that the Hon. Mr. Estee's question is answered by this: the Argentine Republic could do away with this revenue without doing itself any material harm, financially, whereas it could not do the

same with regard to Europe since on that trade depends their entire customs revenue.

Mr. ESTEE. I merely asked for information. It strikes me, though, Mr. Chairman, that we are all in the same boat—nearly all the American nations—and I agree with my colleague who spoke a minute ago, that a Customs Union might in time be possible.

Mr. SAENZ PEÑA. All the nations of America, however, are not similarly situated. There are some who have declared through their delegates in the committee meetings that they have an extensive trade with the United States and that their customs revenues would be diminished if free intercontinental trade were established. So that the matter can not be viewed as uniformly as the gentleman wishes, and each State has its particular reasons for viewing things in its own way.

Mr. ESTEE. I do not think there is an American nation—and if I am mistaken I hope some of the Delegates will correct me—that does not levy import duties. The only difficulty is that some nations levy too much on certain articles produced by their neighbors to please them. Now, a Customs Union might result—I do not say it would—in equalizing the duties on such products.

SESSION OF MARCH 17, 1890.

The FIRST VICE-PRESIDENT. Passing to the order of the day, the discussion of the majority and minority reports on Customs Union will now continue.

REMARKS OF MR. FLINT.

Mr. FLINT. Mr. President, honorable Delegates: At the last session of the Conference the honorable Delegate from the Argentine Republic, Dr. Saenz Peña, did me the

honor to refer to a statement which I have made on several occasions since my appointment as one of the United States Delegates to this Conference; but as he states that "he failed to discover what was intended to be proved by it," I rise to make the point clear and to give the figures in detail which have a direct bearing on questions under the consideration of this Conference.

I will quote what I said, literally :

We have been met by statements in the press that the members of the International Conference are wasting their time in endeavoring to extend trade with the United States until this country admits South American products free of duty. In reply I have to call your attention to the fact that the United States has already reduced its tariff so that over 80 per cent. of the produce coming from the countries represented in this Conference is admitted free of duty, which leaves less than 20 per cent. with which to trade for reciprocity.

At the time I made this statement the figures had not been compiled for the last fiscal year, and it was therefore based upon previous statistics and my general knowledge of the Spanish-American trade. I am pleased to state that the estimate was within bounds; and I now present for your information the official figures, by which it appears that of the total amount of produce purchased by the merchants of the United States from the countries of the South here represented $87\frac{7}{8}$ per cent. was admitted free of duty, leaving only $12\frac{1}{8}$ per cent. with which to negotiate for reciprocity.

The details of these figures are as follows:

	Total im-ports.	Duitable.
Hayti	\$3,757,443	\$5,774
Nicaragua	1,747,246	250
Peru	314,032	6,271
Guatemala.....	2,346,685	49,526
Uruguay.....	2,986,964	836,094
Colombia.....	4,263,519	37,600
Argentine Republic.....	5,454,618	1,320,212
Costa Rica.....	1,442,365	519
Brazil.....	60,403,804	4,935,328
Honduras.....	1,215,561	4,958
Mexico.....	21,253,601	7,428,359
Bolivia.....	2,126	23
Venezuela.....	10,392,569	6,800
Chili.....	2,622,625	78,864
Salvador.....	1,662,162	26,696
Ecuador.....	695,005	917
Total.....	120,560,325	14,738,187

The honorable Delegate from the Argentine calls attention to the fact that "of \$741,000,000 of merchandise imported into the United States \$484,000,000 are subject to duty;" in other words, he states that "65 per cent. of the importations by the United States are burdened by duty," and that "the revenue on such importations amounts to \$220,576,000." The honorable Delegate by giving these figures has brought into prominence the favorable conditions enjoyed by the producers of South and Central America in the distribution of their products in the United States. While the United States levies a duty, according to the figures which he presents, on 75 per cent. of the importations from all other countries, only 12½ per cent. of the products imported into the United States from the countries to the south represented in this Conference are subject to duty, 87½ per cent. having been admitted free. It is gratifying to note that the disposition which has been shown in the United States to place the sister republics of America on a more favorable footing than all other countries has been manifested within our time; for by the statistics of 1870, the details of which I will place on file but will not now occupy your valuable time in reading, it appears that of the total importations into the United States from the independent countries of the South, in the year ending June 30, 1889, amounting to \$45,000,000, less than \$4,500,000 were admitted duty free and over \$40,000,000 were subject to duty. It would therefore appear that within the past twenty years the tariff of the United States has been so changed that while the articles subject to duty from the independent countries to the South in 1870 represented over 90 per cent. of the total importations, it has since been reduced to only 12½ per cent.

In partial exchange for these imports, amounting in all to \$120,560,328, of which all but \$14,738,187 were admitted into the United States free of duty, the represented countries buy from the United States \$50,623,941, of which the countries to the south levy duties on over 90 per cent., admitting less than five millions free of duty. Surely my friend, the honorable Delegate from the Argentine, will

admit that the Government of the United States has already placed her trade relations with the southern States of America on the most liberal basis; and we hope, in addition, as the result of this Conference, to wipe out the duty on the South American products now subject to duty by fair and honorable treaties of reciprocity.

It has often been charged that the United States is illiberal in her trade relations in the South American countries when compared with European countries. I ask my honorable friend if he can name any European country or countries that purchase \$120,000,000 of the produce of the South and Central American Republics and levy duties on such a small percentage of the importations. He has referred to the South American trade with France and Germany. I have not been able, within the short time at my command, to procure exact statistics, but I feel warranted in stating that if all of the products now exported by the independent nations to the South were shipped to France or to Germany the duties on such products would aggregate more than double the amount of duty on the same products if brought into the United States of America.

But I can say to the honorable Delegate that if he differs from the representatives of the United States on commercial and industrial details, I am sure he differs as a friend. In another and important, I might say the most important, field of the Conference, that of substituting arbitration for war as a means of adjusting international disputes, the honorable Delegates from the Argentine Republic and from the United States of Brazil, powerful and progressive nations, representing an advanced civilization, have not only taken the best course to insure the political independence of the Republics of America, but they have done more to establish confidence, which is the basis of all commerce, than could be accomplished by any other measure which could be proposed in this Conference. We welcome them as co-workers in that great cause which aims to banish war from all America, and by America's great example to discourage it throughout the world.

MR. HENDERSON. At the last meeting the honorable Delegate from the Argentine intimated that if the minority report which had been presented should be regarded as not actually responsive to the act of Congress, there would be no objection on his part and on the part of Chili to amend or reform that report. Of course I have no right, nor will the Delegation from the United States claim the right in any manner whatever to dictate to the gentlemen the form of their report. We repudiate any such idea ; but in response to his own suggestion I desire to call to his attention the language of the act under which we are holding the sessions of this Conference. In the first section, if gentlemen will examine the act, will be found the following words :

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, requested and authorized to invite the several Governments of the Republics of Mexico, Central and South America, Hayti, San Domingo, and the Empire of Brazil to join the United States in a conference to be held at Washington, in the United States, at such time as he may deem proper, in the year eighteen hundred and eighty-nine, for the purpose of discussing and recommending for adoption to their respective Governments some plan of arbitration for the settlement of disagreements and disputes that may hereafter arise between them, and for considering questions relating to the improvement of business intercourse and means of direct communication between said countries, and to encourage such reciprocal commercial relations as will be beneficial to all and secure more extensive markets for the products of each of said countries.

And now comes the language to which I call attention:

* * * and to encourage such reciprocal commercial relations as will be beneficial to all and secure more extensive markets for the products of each of said countries.

The act then reads:

SEC. 2. That in forwarding the invitations to the said Governments the President of the United States shall set forth that the Conference is called to consider—

First. Measures that shall tend to preserve the peace and promote the prosperity of the several American States.

Second. Measures toward the formation of an American Customs Union, under which the trade of the American nations with each other shall, so far as possible and profitable, be promoted.

Now, when we examine the minority report we find it in these terms:

To reject the project of a Customs Union between the Nations of America.

Now, I desire to suggest to the honorable Delegates who have signed that report, that it is scarcely responsive, in my judgment, to the act of Congress, nor is it responsive to the action of a majority of the committee. A majority of the committee assume that the object of the committee, the object of the Conference, the intention of the law and the object of the body itself, the committee to which I refer, was to respond directly to the act of Congress; and that is that we are called here for the purpose of considering measures "to encourage such reciprocal commercial relations as will be beneficial to all, and to secure more extensive markets for the products of each of said countries." I assume that the Delegates in rejecting

the Customs Union understood the words "Customs Union" to mean simply and solely the establishment of free trade absolutely between the different nations here represented. That, let me humbly suggest, was not the intention of the Congress of the United States. The idea is that we are to consider whether it be possible to establish a Customs Union, but it is not the opinion of the American Delegates in this body that a Customs Union necessarily means free-trade between the nations adopting it. Not at all. You may adopt a Customs Union by allowing any particular nation that desires to encourage a special industry to levy an additional or superior tax upon it, but when you come to divide the proceeds of the importations into the respective countries or into the entire territories adopting the commercial union, of course, that fact must be taken into consideration, and the country imposing the superior tax for the protection of an isolated or a particular industry will not be permitted to have an equal division, but first, a superior tax collected upon a given article must be deducted before that particular country receives its entire share. Now, Mr. President, that is our understanding, and that is the sort of a Customs Union that we have invited, or have intended to invite the honorable Delegates to this body to consider. Not only that, but we went further in the act of Congress, and while we invited you to consider the possibilities of a Customs Union tending towards free-trade between the Western Republics, yet we go further and ask you to consider, not a Customs Union alone, but such measures as might encourage reciprocal commercial relations between the nations here represented. Now, my

honorable friends, in the minority report, disregard that portion of the act of Congress entirely. They disregard entirely the recommendation of the majority of the committee. The majority of the committee make their report saying we can not at present accept the idea of a commercial union, but we do accept the idea of encouraging reciprocal commercial relations between the States. Now, they ignore that part of the act of Congress and ignore entirely the recommendations of a majority of the committee. Now, is it exactly fair to the Congress of the United States or to the people of the United States, simply and solely to say, we reject the idea of a Customs Union? That is not all we have asked you to consider. Would it not be better for the honorable Delegates to take into consideration the propriety of amending at least in more correct language, I may say in response to the act of Congress, their report. It seems to me it would be more respectful to the majority of the committee; it certainly would be to the act of Congress. Of course, it is a bare suggestion. We do not seek on the part of the United States to suggest to the honorable Delegates the form of their report—by no means—and I wish these Delegates not to misunderstand me. But I for one, as I said the other day, believe that revenue experts could provide, in process of time, not only reciprocity treaties which would encourage trade relations between these States, but I individually go even further and believe that they could provide a measure of absolute Customs Union. That is my honest opinion. I may not be agreed with by a majority of my own delegation, but they have my opinion. I have expressed it again and

again, and the day will soon come when such a union, in my honest judgment, will exist between the Republics of the Western Hemisphere.

In conclusion, I merely desire to call the attention of the honorable Delegates from the Argentine and Chili, the young, growing, active, energetic Republics of South America, to consider the language in their report and make it more responsive to the act of Congress and, certainly, more responsive to the action of the majority of the committee.

MR. SAENZ PEÑA. The substance of the argument set forth in the speech of the honorable Delegate from the United States, whether the Government of this country has proposed the discussion and consideration of a Customs Union, or has limited itself to the use of vague and unimportant terms, neither Customs Union, nor free-trade, nor reciprocity treaties is based on the preamble of the letter of convocation; but this preamble loses all its importance when I quote to the honorable Delegate the article in which are clearly set down the subjects which the Government of the United States submits to the consideration of this Conference. I would suggest that the gentleman read the second article of the act of convocation, which says:

“Measures toward the formation of an American Customs Union, under which the trade of the American nations with each other shall, so far as possible and profitable, be promoted.”

The terms of this document can not be more precise; they fully authorize and justify the interpretation which the minority of the committee has given to the intention of the United States when it sent this

letter of convocation. The terms of the preamble do not indicate the ideas which possessed the Government of the United States; it is the articles that determine which are the affairs submitted to our deliberation and discussion. The honorable Delegate will allow me, taking as basis the text of the act of convocation, to use my own judgment in deciding what is understood by a Customs Union, as I have expressed in the report which I have brought before the Conference. There I state that the Customs Union is not to be mistaken for free-trade nor for the reciprocity treaties either, and I base my opinion on arguments which will be found difficult to answer.

Which custom-houses are to be united by free trade? Are they those of this continent? They would disappear if there were free trade. Are they those of other countries? They are not in the union, since they preserve their autonomy, and not only that, they collect their revenues. At the same time I state what I understand by Customs Union, with my powers of judgment and those given me by books, I ought to say that I am aware and glad that the United States did not so initiate it in this proposition, since they even withdraw it from the discussion. I have not said that the Government of the United States has had any intention or desire to exert influence in the meetings of this Conference which would tend to the success of its views; by no means; the consideration and respect that the Government of the United States has for the nations here represented are the same consideration and respect that these nations have for it; but still that does not

alter the fact that in its views the principle of the Customs Union is not stated, as I understand it.

I am about to finish, Mr. Chairman. I believe that this is the essential point of the honorable Delegate of the United States. I have not understood the speech of my honorable colleague, Mr. Flint, as I have the misfortune not to know English. I should imagine, however, from the little that I have understood, that what he says is based on a combination of the articles and their values that the different nations introduce into the United States, and he has given us statistics which certainly seem different from those I have presented, since I take as basis the articles on which an import duty is levied. I will add that all the data I have taken from this book which has been given me by the Treasury of the United States, and each one of the figures set down in my report is drawn and extracted from this book, whose accuracy I have not doubted, nor will the honorable Delegate of the United States.

Mr. ALFONSO. Agreeing with my honorable colleague, the Delegate from the Argentine Republic, I ask that instead of the formula with which the minority report concludes it be said:

The minority of the committee resolves to consider impracticable the American customs union.

The CHAIRMAN. The report of the minority stands altered in the terms expressed by the honorable Delegate from Chili by agreement with the honorable Delegate from the Argentine Republic.

SESSION OF MARCH 24, 1890.

The PRESIDENT. According to the order of the day the first thing in order is the report of the Committee on Customs Union. What order will the conference take?

REMARKS OF MR. HENDERSON.

MR. HENDERSON. Mr. President, I shall not detain the Conference beyond the short time necessary to state the position of the United States delegation on the subject now under discussion.

The act of Congress under which this Conference convenes authorizes and requests the President of the United States to invite the States here represented to join us in considering "questions relating to the improvement of business intercourse and means of direct communication between said countries, to encourage such reciprocal commercial relations as will be beneficial to all, and secure more extensive markets for the products of each of said countries."

It is true that the President is directed by the act to set forth in the invitations forwarded that the Conference will consider "measures that shall tend to preserve the peace and promote the prosperity of the several American States," and also "measures toward" (meaning measures that shall tend toward) "the formation of an American customs union, under which the trade of the American nations with each other shall, so far as possible and profitable, be promoted."

Whether we consider the entire scope of the act, or these isolated provisions separately, it is difficult to reach a conclusion other than the one already indicated by me in previous debates on this subject. The whole object and aim of this Conference, as projected in the minds of the people of the United States, is to abolish war between the nations here represented by peaceful settlement of all their disputes and controversies and the establishment of

such commercial relations as may unite them in the bonds of a close and perpetual friendship.

These are the great purposes lying close to the hearts of the people of the United States, and the act of Congress is simply the legislative embodiment of their wishes. All other phraseology of the act is merely subsidiary to those ends. If other measures seem to be indicated in the law, on careful examination they cease to be independent, but at once merge themselves into the one grand purpose of peace between our Republics—this peace to be cemented and made perpetual by the bonds of commercial interest.

In the light of this construction of the act of Congress the conduct of the United States delegation in this body, we think, becomes plain and of easy interpretation. As a member of the Arbitration Committee it will be my duty to formulate, if possible, some plan for the peaceful solution of international quarrels, in order that national energy may hereafter be directed solely to the arts of peace and individual energy, to the embellishment and happiness of the home.

As a member of the Customs Union Committee I have endeavored equally to respond to the just expectations of our Government, reflecting, as we know it does, the earnest and almost unanimous wish of the people. One of the early difficulties presented by my associates in the latter committee was properly to define the true meaning of the words "customs union." It will be seen that in my interpretation of the act of Congress this definition is quite immaterial. They who earnestly wish to attain great ends in this world must not be turned aside by mere words. The object to be attained in the language of the act is "to encourage reciprocal commercial relations."

If a customs union means something that will not and can not be made to promote such relations, then let us put it aside and turn to other means. In my construction the objectionable words do not look to absolute identity of customs duties, nor to the distribution of total revenue on any fixed and unchangeable basis of division. Such was the case even in the German Zollverein. Differential duties were there allowed for the encouragement of special

industries, the nation exercising the right of accounting therefor in the final division of the revenue. And the whole scheme was repeatedly changed and reformed.

But for the proper adjustment of different import duties and the establishment of an equitable basis of division of the revenue collected it was never anticipated that this body should take action. It is for us to lay down general principles and leave others to the work of details. Our duty will have been best performed when we mark out the lines along which the streams of international wealth and prosperity shall hereafter flow. It is for others to build and operate those lines. And while human sagacity can not provide future contingencies, let our consolation be that each generation brings the highest wisdom to the solution of its own problems.

It was under the influence of such views that I proposed in the committee the following report, to wit:

While this Conference is not prepared to say whether a customs union between the States here represented is at this time practicable, yet in view of the great importance of such a union, if the same can be organized and established without seriously disturbing the revenue systems of our respective governments, and in view of the many intricate and difficult questions involved on the formulation of a plan for such a union, and in the arrangement of the details necessary for its successful operation, we earnestly recommend to our governments the appointment of a commission, to be composed of able revenue experts, who shall, with the greatest care, examine all the questions involved in, or in any manner connected with, the creation and execution of such a union, and make report to the several governments interested at the earliest day practicable.

Second, this Conference has no doubt of the propriety and expediency of making great and important reductions of impost duties between the nations represented herein, and we therefore recommend to our respective governments that they proceed at once to formulate and establish treaties of reciprocity, under which the peculiar products of one nation may be admitted into the ports of others entirely free of duty, or at such reduced rates of duty as may best promote and advance the welfare of each, having due regard to the revenue systems of the governments interested, and also to their subsisting treaty stipulations with European powers.

This proposition not finding favor, I substituted another form of report, based on a compromise between my own

views and the expressed wishes of colleagues. It is not substantially different from the majority report as now made, for the form and phraseology of which we are indebted to the distinguished members of the committee from Mexico, Sr. Romero, and Sr. Valente from Brazil. I reproduce this second proposal of mine for the sole purpose of indicating and preserving in the record the views and conduct of the United States delegation on this very important subject. It is as follows:

The Committee on Customs Union has made a careful study of the questions submitted to its consideration and begs leave to report as follows, to wit:

A customs union in its generally accepted meaning is an agreement between two or more sovereign powers that in the matter of import duties territorial lines shall be disregarded; that the nations forming such union shall interchange their own commodities on a basis of free trade, adopting substantially the same tariff laws as applicable to other nations, and dividing the revenue thus collected in such proportions as may be fixed by treaty or by the judgment of an international congress representing the nations interested.

The establishment of such a union between any considerable number of the States represented in this Conference involves numerous difficulties, which, in our judgment, should be seriously considered by our respective governments before approving and accepting the system.

To place such a union upon a basis that would prove to be just and permanent might require changes in the constitutional provisions of some of the States, and would certainly require radical changes in the laws affecting their present revenue and financial systems.

A difficulty of no less serious character would be found in the constitution of a tribunal for the equitable division and distribution of the common fund collected at the ports of the several States forming the union.

But while the committee believes that such a union is at present impracticable, it is clearly of the opinion that all reasonable measures looking to the freedom of commerce between the States of the Western Hemisphere should be encouraged and commended not only by this Conference but by the States themselves.

A measure to which no valid objection can be urged on the part of any State is the creation of reciprocity treaties between such States as may desire a more liberal exchange of the products of their industries. Mutual concessions will certainly bring equivalent benefits. At first fewer articles may be exempted from duty, but as freedom of trade develops new sources of wealth and furnishes other means of revenue, additional articles may be added to the free list, until in the progress

of time substantial free trade may be accepted by a large number if not by all American States.

The committee therefore recommends to their respective governments that they proceed at the earliest day practicable to formulate and establish treaties of reciprocity between any two or more of the nations here represented, by which their products may be mutually admitted into the ports of the contracting parties either free of duty or at such reduced rates of duty as may best advance and promote the welfare of each.

While the majority report is not what I desired, it at least accepts the principle of free commercial intercourse. In that regard it responds to the act of Congress and meets the anticipation of our people. In its substance, therefore, and possibly in its exact form, it will receive our support.

And now, Mr. President, my duty would be fully performed but for the obligation to refer to some of the positions assumed by the distinguished Delegate from the Argentine (Mr. Saenz Peña) in his able and elaborate argument against this report. The encomiums bestowed by him on the institutions of his own country meet a joyous welcome in the hearts of all Americans. It is scarcely necessary, in the face of recent events, that we again assure the Delegates here assembled that the prosperity and growth of their republics excite no spirit of jealousy or envy with us. On the contrary, their progress is here hailed with sincere delight.

Republican government is on trial in the Western Hemisphere. Any one failure would weaken the system, while every success adds another column of support. Therefore, if nobler passions were absent, even selfish pride would step in and command our sympathy and help.

Not one word of censure have we passed on the economical systems of our sister republics. If seeming wrongs come to us at times we attribute them to their necessities. We have implicitly trusted in their good will, and we patiently await the application of their own remedies.

It therefore pains us the more that the distinguished Delegate should justify his distrust of our good faith in now offering reciprocity treaties by recalling our rejection of such treaties twenty years ago. At that time we had just emerged from the shadow of a great war—a war whose

exactions could not have been borne by any people who loved their country less. At that time (1870) we owed a debt of \$2,600,000,000, borrowed from confiding creditors abroad, and commercial honor commanded its payment.

For the six years preceding this action of Mr. Fish, and inclusive of the year 1870, we had collected nearly \$200,000,000 per year from customs dues, and largely over \$200,000,000 per year from internal and excise taxes. This was a bitter necessity, from which there could be no escape until, by faithful payments, we could reduce the annual interest and pay a part of the debt. That has now been done. The excise taxes, which then affected almost every industry and transaction of the citizen, have been removed, except upon tobacco and fermented and distilled liquors.

Numerous articles then subject to tariff duties have been placed on the free lists, and in other cases import duties are greatly reduced. The public debt is now within \$1,000,000,000, undergoing monthly reduction, bearing a low rate of interest, and capable of reduction to the lowest rate known among nations, if any of it should remain unpurchased at its maturity.

A maxim of the law no less than of good morals commands that we be not generous at the expense of justice. We can not give away that which belongs to another. Our revenue to the highest endurance of taxation belonged to our creditors. At that time almost every article of importation, from whatever source, paid duty, and we had constant struggle to pay our expenses and maintain our credit. At present there is an annual surplus revenue of over \$70,000,000. This must and will be reduced, and I have believed that a wise statesmanship on the part of the Republics represented in this Conference would seek the benefit of this reduction.

In 1870 our necessities demanded one course of action. In 1890 our necessities equally demand another course of action. *Tempora mutantur et nos mutamur in illis.* Times change and with them we change.

The honorable Delegate tells us that commerce obeys the laws of interest and not those of affection. He then proceeds to arraign the tariff policy of the United States,

and seemingly satisfies his own mind that the Argentine Republic can find no profit in trading with a people who tax two-thirds of their importations. His entire speech is burdened with studied and labored complaints to show the injustice of our selfish and exclusive policy. He extols the virtue and excellence of free trade and commends it in glowing rhetoric to the acceptance of nations.

This is not the time nor the place for me to discuss the comparative merits of free-trade and protection. I pause only to ask my friend why he fails to accept the logic of his own argument. We offered him absolute free-trade and he rejected it. We offer him now in the majority report liberal treaties of reciprocity and they, too, find no favor.

He complains that Argentine wool is excluded from our markets, and contrasts the liberality of England with the selfishness of the United States. Will he permit me to remind him that Great Britain, with free-trade, purchased of the Argentine last year 1,326,067 pounds of wool, while the United States purchased from her 11,000,584 pounds, or nearly nine times as much ?

But whatever complaints may be lodged against our commercial policy by European nations, certainly the American Republics should not complain of us.

Taking the year 1888 as the last one furnishing full statistics, I find that we sold to the Argentine, of our domestic products, \$6,099,411, of which nearly every article was subject to duty in her ports. In the same time we purchased of the Argentine goods valued at \$5,902,169, of which the dutiable articles amounted to only \$1,342,088, or less than one-fourth of the whole. And deducting from these dutiable articles the wool we received, costing \$1,178,003, it leaves only 164,065 of Argentine productions which paid duty into our Treasury. These articles, excluding the wool only, which averaged 24.79 per cent., probably paid into our Treasury not exceeding \$73,000. And at this point permit me to say that we annually import from all countries about 100,000,000 pounds of wool, and this country stands ready to establish with the Argentine the most liberal treaties of reciprocity by which

the only remaining articles of her exportation into our country may be admitted free of duty.

We sold to Chili in 1888 goods valued at \$2,423,303. She sold us goods valued at \$2,894,520, all of which came into our ports free except \$256,280; and of the latter amount \$217,987 represented wool, leaving of other articles taxable the insignificant sum of \$38,293. This at the average rate of duty in this country excluding the wool, paid into our Treasury about \$17,000. The wool of Chili, like that of the Argentine, we now offer to accept free of charge through liberal treaties of reciprocity.

To Brazil we export only \$7,063,892, while we import of her products \$53,710,234. Of this large amount only \$6,836,410 is dutiable, and of the dutiable articles sugar alone constitutes \$6,752,555, leaving of other articles a value of only \$83,885 subject to tax.

To Brazil we now tender such inducements on the subject of sugar as will stimulate that industry and afford it an assured and lasting market in the United States.

If we take Venezuela, the showing is no less liberal on our part. While she buys of us only \$3,008,336, we purchase of her products valued at \$10,051,250, and of this large sum, comparatively speaking, we tax only \$8,345, receiving into our Treasury less than \$4,000 from a commerce with Venezuela of \$13,000,000.

In the same manner we have an annual commerce with Colombia of over \$9,000,000, of which importations amounting to only \$148,890 pay duty. Hides, rubber, vegetable ivory, vanilla, cocoa, coffee, bananas, and cocoa-nuts all come free, and the chief article taxed is opium prepared for smoking, an article that should not be either produced or consumed.

All of South America purchases from us \$28,609,144. We purchase from South America \$84,356,398, of which less than one-seventh (or \$11,880,490) pays duty. If we deduct the dutiable importations from British, French, and Dutch Guiana, consisting largely of sugar, we have only \$8,989,719 of dutiable articles received from all the Republics of South America.

The Central American States make no charge of illiber-

ality against us. They annually buy of us \$4,131,574 and we buy of them to the extent of \$7,623,378, and of this latter amount the dutiable list is only \$266,523.

To Mexico we export, through her sea-ports, \$9,242,188 (I have not the exports by rail), while we import \$17,329,889, of which goods to the amount of \$6,287,117 pay duty.

The Mexican dutiable list, consisting largely of lint-bearing products, such as hemp, jute, sisal grass, etc., may be greatly modified, if not entirely changed to the free list, under the operation of discreet reciprocal legislation.

The moment we leave our sister Republics the relations of trade are changed. Our imports from the West Indies amount to \$71,565,666, of which over \$61,000,000 are dutiable and only \$10,000,000 are non-dutiable. The same is the case in British Guiana, from which we import to the value of \$2,816,627, all of it dutiable except \$5,755.

I allude to these statistics for the sole purpose of vindicating the United States against the charge of selfishness and unkindness in its commerce with the American Republics. Great Britain might complain that while she annually buys of us \$358,238,790, we buy of her only \$177,897,975. Belgium might complain that while we purchase of her \$10,000,000, she buys of us nearly \$25,000,000. The balance of our trade with Spain is nearly \$10,000,000 against her, and even with the wool-growing countries of Australasia our trade is as two to one in our favor.

In our commerce with all Europe in 1888 the balance of trade in our favor was \$142,040,628. In our trade with South America the balance against us is \$54,777,171. Of our total exports abroad both Chili and the Argentine Republic combined take but little over 1 per cent., an amount insufficient to excite avarice or tempt cupidity. I therefore pray my honorable friend that when he speaks of us hereafter he speak of us as we are—"nothing extenuate, nor set down aught in malice."

For the revenue system of the United States we do not claim perfection. Like many other national measures, it has taken shape from the circumstances attending its growth and development. It had its origin in the necessities of the Treasury, and has been modified from time to

time as those necessities changed. Increased revenue was its original object, and protection was merely incidental.

In the rapid growth of the country conditions are materially changed. We have now reached a point where great and immediate reductions are absolutely demanded. It is at such a period that we call our sister Republics to consider the propriety of reciprocal trade. We do not call them to consider a barren impossibility. We have a Treasury surplus of \$70,000,000. This must be stricken from our revenues. I have already shown that our entire dutiable importations from the Republics represented here to-day are as follows:

From South America	\$8,989,719
From Mexico	6,289,117
From Central America.....	226,523
Total.....	<u>15,505,359</u>

The duty on these importations, at the average tariff rate of 45 per cent., would be \$7,000,000. We can safely dispense with that sum and there still remains a surplus of \$63,000,000. With this large sum we shall be able to comply with the hard conditions imposed on us by the Argentine as a condition of reciprocal commerce. The honorable Delegate, it will be remembered, demands as a condition precedent to free trade with his Republic that we admit free of duty raw material not only from the Argentine but from all the world. Without this he claims that the United States can never be able to compete with European nations in foreign markets. Human reasoning can not disturb the multiplication table, and one cold fact sometimes robs rhetoric of all its beauty. At the moment the gentleman was making his speech in this body the following notice was coming to our State Department:

Twenty-five thousand tons of American steel rails have recently been imported into Mexico for use in the construction of the Monterey and Mexican Gulf Railroad. The president of the road says that the cost was less than it would have been on the same quantity of European steel rails of the same grade.

This occurs, too, when the tariff on ore is 75 cents per

ton, on pig-iron \$6.72 per ton, on steel rails themselves \$17 per ton.

What is here said is equally true in respect of iron and steel in every form, of boots and shoes, of furniture, of agricultural implements, of cotton manufactures in all the forms of ordinary use, of locomotives and railway-cars, and of numberless other articles where the tariff duty is swallowed up in the competition between domestic producers.

The honorable member finds among our importations certain articles similar to those manufactured in the United States, and without reflection rushes to the conclusion that the laws of interest alone prompt these importations. Other motives may, and often do, control the purchase of the foreign articles at even higher prices. Where great individual wealth prevails, the promptings of taste, and even vanity, may induce the importation. On no other theory is it possible that foreign ales and beer to the extent of 2,500,000 gallons should be brought to this country. We produce these articles in all varieties, in unbounded quantities, and at the lowest possible cost of production, yet consumers are found willing to pay an impost tax of 52 per cent. for the foreign article. The same may be said of other articles which are largely imported, while domestic products of the same kind are still more largely exported.

The first stage of national growth is agricultural, the second is manufacturing, and the third is commercial. The first two stages with us have been reached, and we now enter upon the third. The same restless energy, the same enterprise, and the same inventive genius which gave success to agriculture and manufactures will mark the development of commerce.

The census of 1890 will disclose an annual manufacturing product in the United States of \$8,000,000,000. The products of the farm will be vastly greater. The use of these products at home shows accumulating wealth and comfort among the people and marks the highest stage of civilization.

But even these vast products may be increased by slight

exertion, and we admit that we seek other markets. Surely this desire is a legitimate one, and if we can furnish these products to other nations at the lowest price their interest and ours will both be promoted by the transaction.

If we can not furnish them cheaper than others, reciprocity treaties will not compel the contracting nation to take them. The Argentine is now offered open ports for all her products in return for what may prove an empty promise to us. We make no complaint that she rejects the offer. The golden opportunity, however, may not come again.

The old Scythians

Painted blind fortune's powerful hands with wings
 To show her gifts come swift and suddenly,
 Which if her favorite be not swift to take
 He loses them forever.

In conclusion, Mr. President, I beg my friend to cast away his gloomy fears concerning the future of the United States. Our seeming prosperity is not an unsubstantial mirage, a painted illusion which vanishes before approach, much less is it the brilliant electric flash to be followed by blinding darkness.

If all our foreign trade were entirely lost, we should not be as one who sorrows without hope. We would still have forty-two rich and powerful nations for the free interchange of commodities. Our lands would be no less fertile, our mechanics no less ingenious, our mines no less productive. Industries would soon be diversified and adapted to the changed conditions. Happily we have among ourselves all the elements of wealth, all the requisites of supreme independence. The denial of a few accustomed luxuries would not derange our finances, founded as they are upon a specie basis. It would silence no workshop, stop no locomotive, furl the sail of no inland ship, nor damp the fires of a single furnace.

Children would still attend the schools and human charities would not be neglected.

We should still retain our institutions of freedom, with all their guaranties of human happiness. The soil would

still bring forth abundant crops, while the manufacturer and artist would continue to supply means of comfort and objects of beauty. The climate would be unchanged, and the air still be breathed by freemen only.

But why do I contemplate, even for a brief moment, such impossible things as suggested by the honorable Delegate. The mission of America is higher and nobler than this. Our Congress is now proposing to tender reciprocity to the Canadian provinces. Mexico at last turns away from revolutions and bloody strife, and devotes her energies to the development of resources rich beyond human conception. Under the administration of a wise President, the victories of peace claim higher honors than those of war. It is still true that "when the wicked beareth rule, the people mourn;" "and when the righteous are in authority, the people rejoice."

The spirit of enterprise begins to spread like contagion into Central America. Imagination already paints on her canals the commerce of the world. The locomotive is there a messenger of peace, the steel rail a bond of friendship.

Columbia and Venezuela and Brazil and Ecuador and Peru already feel the irresistible impulse which impels to a closer union. The Argentine and Chili may hesitate for a time, but finally they too will join hands with their sister Republics, and joyfully assist to fulfill the bright destiny that awaits us all.

SESSION OF MARCH 29, 1890.

Mr. FLINT. I move that the honorable Delegate from Mexico be requested to read a paper which he has prepared, and, as I understand, copies will be furnished to the Argentine Delegates and to Mr. Henderson, and to others who are absent.

The FIRST VICE-PRESIDENT. If there be no objection, the motion of the Hon. Mr. Flint will be consid-

ered as approved. The chair hears no objection, and the motion is approved.

REMARKS OF MR. ROMERO.

Mr. ROMERO. Considering the importance of the question of a customs union to all the American nations, and especially to Mexico, and in view of the opinions which have here been expressed upon it, I believe it advisable to make some corrections and explanations regarding them. I shall begin with the remarks made by Mr. Delegate Flint in the session of the 17th instant.

For the purpose of sustaining the statement he made in a speech at the banquet which took place in Chicago on the 22d of last October, in which he maintained that 80 per cent. of the products of the American nations consumed by the United States are imported free of duty, and that only 20 per cent. are subject to duty, which was contradicted by the Delegate from the Argentine, Mr. Flint read statistics published by his Government which revealed a result still more favorable. Having taken the trouble to copy the figures of that commerce from the latest publication of the Bureau of Statistics of the Treasury Department of the United States, which includes the fiscal year of 1888-1889, I discovered radical differences between the figures cited by Mr. Flint in his speech and those of the publication referred to, and for this reason I interrupted his speech to ask where he had obtained his figures. Mr. Henderson understood my question to refer only to the statistics of trade with Mexico, which was an error, as it comprised those of the entire trade of the United States with the American nations.

From the explanation of Mr. Flint it appeared that he had taken his data from a publication made by the Bureau of Statistics of the Treasury Department, entitled, "Commerce of the United States and other foreign nations with Mexico, Central America, the West Indies, and South America," which publication contains statistical data up to the fiscal year of 1887-1888, while I copied them from another publication, also official, entitled, "Annual state-

ments, by countries and customs districts, of the imports and exports of the United States for the year ending June 30th, 1889." My figures, therefore, were later by a year than those of Mr. Flint, and, having placed them at his disposal at the same session the notes I had taken of them, he included them in his speech of the 17th as it appeared on the following day in the New York newspapers, and which was afterward read in Spanish in this Conference.

The same may be said of those presented by Mr. Saenz Peña, Delegate from the Argentine Republic, when he spoke of the proportion between the free and dutiable articles in the total import of foreign goods in the United States. From the last-cited publication it appears that the total foreign importations in this country during the fiscal year of 1888-1889 aggregated \$745,131,652, of which amount \$256,487,078 were imported free, and duties were charged upon \$488,644,574, which shows that 34½ per cent. of the whole were admitted free, and 65½ paid duty.

The importations by the United States of America of products from the American Republics during the year 1888-1889, excluding Paraguay, from which no data are given in the book referred to (probably because none of the products of that country come here, or because, if they do come, they are enumerated among the products of some of its neighboring nations), amount to \$120,560,325, of which \$105,822,138 were admitted free of duty, and \$14,738,187 taxed, giving the proportion of 88¼ per cent. free to 12¼ per cent. paying duty.

Mr. Flint asserted that this result was due to the commercial policy of his country to regulate its trade with the American nations, by imposing the lightest possible duties. I do not consider this statement to be accurate, as the greater part of American products imported into the United States of America are raw materials, which are free of duty for the exclusive benefit of this country, and not because of sentimental considerations in favor of the countries producing them, and which import them here because of the very reason that they are not taxed. Coffee alone represents nearly 64 per cent. of the total amount of American productions which were admitted free of duty,

for during the last year it was imported to the amount of \$67,778,586, or be it 90 per cent. of the total amount of coffee imported to the United States, which reached \$74,724,882; and the taking off of the duty on coffee by the act of the Congress of the United States of the 1st of May, 1872, did not have in view, to my mind, the promoting of trade with the American nations that produce this article, but rather to lower the price of an article, which is almost a prime necessity to the inhabitants of this country.

Mexico, for instance, sent to this market last year coffee to the amount of about \$3,000,000; silver ore nearly \$7,000,000; silver in bars and coined, \$16,457,896, and the only product having a duty which it could import was the fiber called *henequen*, to the extent of \$6,000,000; which is due to the fact that up to the present time Mexico is the only country producing it.

The American nations raise several other products which can not now enter this country because they are taxed with heavy duties, as is the case with sugar, wool, etc.; and regarding sugar, no reduction of duty has been effected, not even with a single country, namely Mexico, and in the face of a reciprocity treaty which conceded to the United States great advantages, equivalent to the suppression of those duties on Mexican sugar.

The civil war with the South, which demanded heavy expenses and forced the country to contract an enormous debt, created the necessity to increase the revenue, and for this purpose very heavy import duties were imposed, and under their shadow new industries were established in this country having as a bounty the quota imposed as import duties on foreign articles of a similar kind. Thus a multitude of industries of great importance have developed, which are interested in the maintenance of high duties. Moreover, the opinion prevails among many favorable to such duties, not any longer as a means of revenue, but because of their protective character. This fact causes any measure tending to a reduction of these duties to meet a decided opposition on the part of the manufacturing and producing classes to the degree of rendering it almost impossible to obtain a reduction of, or

exemption from, duties even for raw materials, notwithstanding the fact that this exemption must be the basis for the preponderance of this country as a manufacturing and mercantile nation.

Public opinion is here about equally divided between protection, interested in maintaining the present high tariff, and free-trade, whose partisans only desire to reduce those duties to the extent necessary to prevent the surplus in the revenues of the country, which amounts to nearly \$100,000,000 per annum, and which they consider as a source of demoralization and danger, and to cheapen the native production of manufactured articles. This circumstance and the fact that the rules of the House of Representatives of the United States Congress gave great advantages to minorities, have caused, on the one hand, several bills to be introduced in each Congress with the object of reducing the import duties, and, in consequence, the Treasury surplus; and on the other, that no headway has been made up to the present in this direction.

The economic question in this country has assumed a political character. One of the great parties into which it is divided maintains in the most determined manner the idea of protection, while the opposing party works for the reduction of the present tariff for the objects already stated. At the last election for President and members of the House of Representatives of the United States Congress the protection party won, and its economic system figured as one of the principal planks of its political platform, and to which, in the judgment of many, its triumph in the elections was due. As I do not mean to detain the Conference, I shall not read the platform of the victorious party on selecting its candidate before the election took place, and several other public documents which clearly demonstrate what are the economic views of the states men now in power.

Under this such circumstances it is easy to understand that the general tendency of the country has not been favorable to the freedom of trade, but, on the contrary, to the maintenance of the present duties upon foreign imports. This is clearly demonstrated by what happened with respect

to the reciprocity treaty between Mexico and the United States, signed on the 20th of January, 1883, which was initiated by the Congress of the United States when it passed a law authorizing the President to appoint a commissioner General Grant, one of its most distinguished citizens, who had been President and whose opinion then had probably more influence here than that of any other citizen. The treaty was negotiated on an equitable basis; that is to say, without conceding special advantages to one country to the prejudice of the other; and its negotiation was coincident with the completion of a railway trunk-line which put Mexico in direct communication with the United States and was in fact an extension of the main lines of this country, and which, it was naturally hoped, would be the dawn of a great mercantile development between the two great Republics of North America. The United States Senate approved that treaty, the President signed it, and on the part of many of the producing classes here, there were great desires that it should be put into execution.

Notwithstanding all this, because it was stipulated therein that sugar, fresh fruits, and leaf tobacco from Mexico should be admitted free of duty, those interested in the production of these articles in this country, which, being out of the tropics, must be artificial and expensive, raised a decided opposition, and the House of Representatives did not pass the bill necessary to put the treaty in execution, this falling through because of the failure of that requisite within the time stipulated to carry the treaty into effect.

There is another fact still more significant, and which demonstrates with the greatest clearness how strenuous and efficacious are the efforts made by certain interests of this country, no matter how small they are, and even when they are in conflict with those of the majority, and which tend to carry protection to the last extreme. In consequence of the construction of railroads in Mexico and their connection with those of the United States, the exportation, for the purpose of working them in this country, of silver

ore was begun, which ore on account of being combined with other rebellious metals could not be worked profitably by the "patio" system, which as a general rule prevails in Mexico, and it needed to be treated in smelting reduction works, which is very expensive in my country, as it requires fuel which is very dear there, and the establishment of machinery and offices, which demand the expenditure of great capital. That silver ore contains lead, which, in turn, makes it an indispensable ingredient in the smelting of other silver ores known as dry, which abound in the mines of this country, with which the lead-bearing ores are combined, thereby contributing greatly to cheapening the cost of the working of the other ores. In the year 1880, before the first main line between Mexico and the United States was completed, the exportation of those materials amounted to barely 25 tons, while during the last year it reached over 120,000. The following table shows the value of the ore imported here from the year 1883 to 1889:

SILVER ORE.

From all countries:

1883.....	\$59,729
1884.....	172,054
1885.....	460,865
1886.....	1,263,256
1887.....	3,798,284

From Mexico only:

1888.....	4,803,667
1889.....	6,779,160

This trade was mutually advantageous, for it made it possible for Mexico to export an ore which, because it could not be worked at little cost, had no commercial value in my country, and at the same time afforded the United States the advantage of working in its own territory that raw material, of cheapening the cost of working its own dry ores, and of benefiting several of its rank railroad lines. Notwithstanding this, and because of the sole circumstance that in two or three of its States there are some mines bearing metals similar to those imported from Mexico, which rendered it impossible for the owners thereof to enjoy a monopoly, nor the profits they desired,

a strong objection was made to the importation, free of duty, of Mexican ore, and Congress was asked to impose duties thereon. Three successive administrations of the United States refused to grant this demand, which by no means discouraged the interested parties, and upon the assemblage of a new Congress, or the inauguration of a new administration, or upon the appointment of a new Secretary of the Treasury, they again went to work, asking that the importation of Mexican ore combined with lead be prohibited. At length, in July, 1889, they succeeded in getting the Treasury Department to issue some regulations which exact the most onerous conditions for the importation of that mineral, and which at once brought about the result of reducing its importation into the United States by one-half or two-thirds.

One country can not sell goods to another if it does not buy those which the latter produces and the former needs, for trade is nothing more than the mutually advantageous exchange of products between two nations, and if one country closes the door to the goods produced by another and which it needs, the increase of trade between the two can hardly be expected. If duty should be put upon mineral ore the establishments necessary for working them would be constructed in Mexico, or the minerals would be sent to Europe to be worked there, and in either case the interest of this country would suffer most.

For this reason and several others I deem it unnecessary to enumerate, for they are known to all and it would take time to rehearse, I am convinced that the public opinion of the United States is not yet ready to adopt liberal commercial measures with regard to its foreign trade, or even with its sister republics of this continent. Notwithstanding this, I do not think for this reason that we should refrain from taking into consideration and making every effort to reach a satisfactory agreement in this respect whenever this Government expresses, as it has in the present case, its desire to reach that result. For this consideration, and notwithstanding the poor outcome of the reciprocity treaty concluded with us, we shall be disposed to receive and consider its suggestions in this matter, and this

is one of the reasons why the Delegate from Mexico, who is a member of the Committee on Customs Union, not only did not accept the views of the minority to reject the proposals for reciprocity treaties, but signed the majority report, which recommends the negotiation of the same.

Mr. Flint asserted also, in his speech, that the imports into the American nations of goods from the United States amounted in the past year to \$50,623,941, of which amount 90 per cent., or be it \$45,000,000, were dutiable, only \$5,000,000, or 10 per cent. thereof, being admitted free.

As far as Mexico is concerned these figures are also inexact. The data published by the Bureau of Statistics of the Treasury Department of this country respecting the export trade with Mexico have been deficient and entirely inaccurate. There have been two causes for this inaccuracy. The first is an error on the part of that bureau which made a reduction of 33 per cent. upon the value of Mexican articles imported into the United States, that being the difference in commercial value between the United States gold dollar and the Mexican silver dollar, and the second that there being no law in this country which provides for the collection of statistics of its exports by railroad and over its frontiers, the trade with Mexico by way of the frontier is not taken into account, and as there are at present four railways between the two Republics it may be asserted that two-thirds, or at least one-half, of its trade is carried by rail, the data of which do not appear in the statistical works of this country. There are besides some discrepancies, although of minor importance, in the data relating to imports. According to the statistics of this Government the total importation of Mexican goods into the United States during the fiscal year of 1888-'89 was \$21,253,601, without taking into account the importations of precious metals, which amounted to \$17,557,248, making a grand total of \$38,810,849, while, according to the official data of the Mexican Government, the exports of Mexican goods to the United States amounted to \$40,853,363.

The total exports of Mexico during the last fiscal year, according to the statistics published by my Government, reached the sum of \$60,158,423, consisting of precious

metals to the amount of \$38,785,275, and of other products to \$21,373,148.

The exports of articles from the United States to Mexico, according to the data of the United States Government, in which the trade by rail is not included, amounted to \$10,886,288; and, although the Mexican Government has not yet published its statistics relating to the same year, it may be asserted that those figures hardly represents one-third, or, at the most, one-half of the actual exports.

I should further state that at least 60 per cent. of goods from the United States imported into Mexico are free of duty, for they consist principally of machinery, rails, cars, ties, and other railway materials which figure on the free list of the Mexican tariff.

Before concluding I think it advisable to refer to the last speech on this subject, made on the 15th instant by the Delegate from the Argentine Republic. It appears to me that if the United States should conclude a reciprocity treaty with the Argentine Republic, by which this country would agree to receive the former's wool free of duty, this product would be greatly benefited, because it would bring here a higher price than in any other market to which it might be sent, competing with those of other countries not enjoying that advantage.

The total wool importation in the United States in the last fiscal year was \$17,974,515, and of that amount only \$908,969, or 7 per cent., was Argentine wool. While competition exists between the English, Australian, and native wools, which bring a high price here, the present prices will not diminish considerably, even if Argentine wool should be admitted free, and if, notwithstanding the duties they now pay, they can compete with the rest, it will at once be seen what an advantageous position they would have if they were admitted free of duty, while the tax upon the others should remain. Probably for this reason the far-seeing Argentine Government proposed years ago to the United States the celebration of a reciprocity treaty, as we were informed by Mr. Delegate Saenz Peña.

It is, moreover, a wise policy on the part of this Government, should it have to reduce its import duties to pre-

vent a surplus in the public Treasury, or to lower the cost of raw materials, to gain some advantage by reducing them. If, for instance, all the foreign wools were admitted free of duty the United States would gain no advantage other than the reduction of its import duties; but if the reduction were made in favor of only one of the countries producing that article, and, in return for the proportionate advantages obtained by this Government, it would gain, moreover, in favor of its manufactures the advantages they might obtain by means of reciprocity.

I do not pretend to advance any idea respecting the possibility of bringing about a treaty on these bases between the Argentine and the United States, because I am not authorized to speak in the name of either of the two Governments, nor am I even acquainted with their views upon this important subject; and I merely dot down these thoughts to demonstrate that the Argentine Republic can not be entirely indifferent to the negotiation of reciprocity treaties, and that for the same reason the majority report of the committee does not propose anything which could be considered as unfavorable, or as inadvisable, for that nation.

To the mind of the Delegate of the Argentine Republic, free-trade with the United States would not affect in the least the treasury of his country, for, as he informed us, the United States themselves, notwithstanding its protective duties on cotton and woolen manufactures, receive from foreign nations great quantities of these articles, and this is another of the reasons he advanced for not signing the majority report. During the last fiscal year the United States imported cotton manufactures to the amount of \$26,805,942, and woolens to the amount of \$49,859,331. Mr. Henderson, a Delegate from the United States, replied to this objection in terms which, although well founded in part, did not appear to me to be conclusive in the premises, for he said that the cause of the importations of foreign articles similar to those manufactured here was to be found in the special taste of the consumers, and he cited the case of beer.

Although this may explain the importation of some arti-

cles, I do not think it explains that of all. If the data of the Statistical Bureau of this Government regarding the importations of cottons and woollens during the last fiscal year are examined carefully, it will be found that the manufactures of both materials imported here are those done by hand, or those which require a great deal of hand-work, which, because of its being cheaper in Europe than here, can not be manufactured here profitably, and have, therefore, to be imported from abroad, and principally from Great Britain. But ordinary goods, woollen as well as cotton, which represent nearly nine-tenths of machine work and one-tenth of manual labor, can not compete with those of this country. Under these circumstances, if the Argentine Republic should admit free of duty the ordinary woollen and cotton goods of the United States it would necessarily bring about somewhat of a reduction in the import duties now imposed on these goods coming from Europe. And this brings me to another point of the Delegate from the Argentine Republic.

In reply to an interrogation by Mr. Delegate Estee, he stated that the import duties of his country furnished two-thirds of the public revenue. I have afterwards seen the accuracy of these figures corroborated by the statistics of the Argentine Republic which I have been able to consult. To my mind, this fact demonstrates the soundness of the remarks contained in the majority report of the committee regarding these two points: First, that all the American nations derive their principal revenue from import duties imposed on foreign goods; and, second, that these duties will be more or less considerably reduced if the system of absolute free-trade were adopted between the nations, including, of course, the United States.

The principal reasons advanced by the minority for not signing the recommendation in favor of reciprocity treaties were: First, that to their mind the Conference is not authorized to consider reciprocity treaties; and, second, that such a recommendation would consequently be equivalent to officiousness towards the American nations.

To the mind of some Delegates, and especially those representing the United States, the first section of the law

of the 24th of May, 1888, which called this Conference together, authorized it not only to recommend but to celebrate reciprocity treaties upon commerce and arbitration, while the other subjects included in the second section of the law were only recommended to be discussed or considered. (The law uses the English "to-consider.")

But there is another conclusive reason in favor of the recommendation of the majority, and it is that, supposing the Conference were not authorized but to consider the subjects included in the second section of the inviting act, the second clause of which speaks of the customs union, it should be remembered that understanding customs union to mean unrestricted reciprocity, it is clear that the Conference can recommend the celebration of treaties of reciprocity without restrictions, and if it has the right to propose absolute reciprocity, it evidently has the right to recommend partial reciprocity, because the principle of law that the greater includes the lesser is well established. It is therefore untenable to maintain that the Conference has not the right to recommend the celebration of partial reciprocity treaties.

Mr. Henderson, in his speech replying to that of the Argentine Delegate, informed us that in the Committee on Customs Union he proposed the holding of a special conference to study this subject, and that this idea was not accepted by his colleagues. In deference to this gentleman, I think it advisable to explain, in the name of the majority of the committee, the reason why his plan was not accepted, notwithstanding the deference with which the committee received his suggestions. To our mind the difficulties in the way of a customs union, even considering as such unrestricted reciprocity, are of such a nature that it is not possible to overcome them for some time, at least while the United States maintains its economic policy unchanged, and when this will come about, can not be foreseen. Under these circumstances the holding of a new conference, called especially for this purpose, would give no better result than that has been reached in the present Conference, and it would be little loyal to our Governments if we caused them to be represented anew in another con-

ference charged with the study of a subject which we are convinced is not at present practicable.

Mr. Henderson also read to us the draft of a report which he submitted to the committee, and which, as the Conference may have noted, is substantially the same as that of the majority, and this being so, and considering the fact that he asserted on another occasion that the majority made several modifications and suppressions in its report to accommodate it to the views of the Delegate from the United States, it would seem natural that he should sign that report without reservations. He did not think it advisable so to do, and the reservation with which he affixed his signature to the majority report and the circumstance of his having read his draft of a report, which right he reserved to himself upon signing the former, place him really in the position of having given another minority report, although in substance his special report is the same as that of the majority.

I shall end by referring to some of the statements of the Delegates from the Argentine Republic, made when the report of the Committee on Communications on the Atlantic was under discussion, because they relate to the subject I have in hand.

I do not think much importance should be attached to the ideas expressed or discussions arising in the Committee on Ways and Means of the House of Representatives, so long as they do not assume the form of a committee report, for as they are represented therein the economic opinions held by the different political parties of this country, it is natural that each one should present what he believes to be in consonance with his views and interests, and the result of its deliberations, even after presentation to the House in the shape of a committee or majority report, would barely be a matter for this Conference to take up. In the case to which I refer, the discussion was upon what it was said the subcommittee having in hand the preparation of a plan modifying the present tariff of this country, would propose to the Committee on Ways and Means of the House of Representatives. Not long ago, for instance, it was asserted that the

subcommittee had decided to propose to the committee the imposition of duties on hides and lead ores and the increasing of duties on wool, and afterwards it was asserted that it had decided not to accept these alterations.

I think, moreover, in view of the conflicting interests existing in this country regarding the economic question, that whatever the efforts of the Committee on Ways and Means of the House of Representatives be to propose a bill acceptable to the party in power, it will not succeed in obtaining legislative sanction by reason of the determined opposition which it will meet on the part of the minority, which is certainly very respectable.

I may claim the floor again before the vote is taken on the report under discussion, should I think it necessary to make other corrections in view of what may be said in the future in the course of this debate.

SESSION OF APRIL 2, 1890.

Mr. HENDERSON. Mr. President, I move that the Conference now proceed to the consideration of the report of the Committee on Customs Union.

The PRESIDENT. The honorable Delegate from the United States, Mr. Henderson, moves that the Conference now proceed to consider the report of the Committee on Customs Union.

Mr. SAENZ PEÑA. I ask that the Conference pass upon the suggestion of the Hon. Mr. Henderson that this subject be now considered. As I have stated, I am ready to proceed if the Conference desires to hear me.

The PRESIDENT. That will be at the pleasure of the honorable Delegate himself.

Mr. SAENZ PEÑA. I have no objection.

REMARKS OF MR. SAENZ PEÑA.

MR. PRESIDENT, HONORABLE DELEGATES :

In the session of the 15th of last month I expressed at length my views upon our present and future trade. The able speeches to which I have the honor to reply have not affected these views, and I need not fortify or repeat them.

I shall consider the remarks addressed to me, commencing with those of Mr. Flint. It will be remembered that I did not correct the statement of Mr. Flint when he told us that 80 per cent. of the articles coming from Central and South America were admitted into the United States free of duty. I said in so many words that, without correcting those figures, I was ignorant of what was intended to be proved by them ; and I frankly confess I am still in ignorance. These figures show me what comes in, but do not demonstrate what might come in. It is clear that the greater part of the importations enter free, but how many are the products of Central and South America which go to European custom-houses dodging the American tariff ? These are the statistics we should study, considering all the elements, all the factors, and not fragments altered by an optimism foreign to our functions and our mission. The honorable Delegate is attracted by the exemption from duties of 80 per cent. of the importations, and I am surprised it is not 100 per cent. ; because it is evident that after necessity, exemption from duty is what attracts the article, while a tariff turns it away, directing it towards other ports in search of the privileges here denied it.

The honorable Delegate takes as a basis a depressed commerce, and upon this argument it is clear one may go to great extremes. If to-morrow a duty of 90 per cent. were put upon the products of America, and but one article were admitted free, gutta-percha, for instance, could not the honorable Delegate tell us that we had reached the climax of exemption, because all that entered was admitted free of duty ? Would we not have realized the economic ideals of Mr. Flint, having reached 100 per cent. of exemption upon what enters ? The argument of my honorable friend embodies, as Bastiat says, “ what is seen and what is unseen.” He sees what enters, I wish to see what enters

and what can not enter ; and it will not be denied that 80 per cent. of the exportations of Latin America do not enter. I do not pretend that the nation which the honorable Delegate so worthily represents should buy all our products. Such pretensions should not dwell in a well-balanced mind; but treating of increasing our trade, we must of necessity analyze it in the light of figures and not of maxims as arbitrary as those presented by the provisions of a tariff, measuring the exemption on what is imported which might be only one article, as is the case with coffee, which represents \$67,742,586 of the imports of Central and South America out of the total of \$100,000,000 admitted free.

When my honorable friend measures the liberality of his tariffs upon the basis of the articles imported, he reminds me of the grand master of a mansion who was surprised that eighty out of the hundred guests who filled his rooms were there with his consent and by invitation ; the eighty invited guests would not surprise me, but rather the twenty intruders, and if the host desired to prove his great prestige in the neighborhood, I should like to know the number of those excluded from that ostentatious hospitality.

The statistics of my honorable friend verify those which I presented. I was the first to announce that the balance was in our favor and that it was just and proper that the United States should seek an equilibrium, even if we differed in the means. There is one statement, however, which I have not been able to verify, and it is that which refers to the articles which the United States exports to our markets free of duty; according to Mr. Flint, of the \$52,000,000 exported we only admit 10 per cent. free.

Criticising our customs laws, Mr. Flint again argues from the stand-point of dutiable and free articles, but entirely disregards the amount of the duties, and I have cited two heavy American importations taxed at 6 and 10 per cent. ; but this is not a tax, and such duty would signify but little if it were imposed on all the importations. I stated that our countries tax importations to the extent of the necessities of the revenue, and that the duty falls especially on articles of luxury, but not in a prohibitory

way, nor with a protective spirit, and it is not strange then that the greater part of what we import should provide a revenue which has no surplus and which is indispensable to the demands of our national existence. When I spoke of the ease with which we could take off certain duties, I referred to our trade with America, which is very limited, but by no means to our general commerce. I beg my honorable friend to recall the occasion which brought forth that assertion and he will observe that two statements entirely distinct can not be confounded. It will be difficult for Mr. Flint to prove that the duties imposed on articles in the United States are in keeping with those imposed by us, and there is not rhetoric enough to conceal the disadvantages under which the importations from Latin America are received in the United States. The honorable Delegate tells us that the articles of general commerce subject to duty are taxed on an average of 45 per cent. I have here the statistics to prove that those from Central and South America are subject to a duty of 80 per cent. The nineteenth page of the report (1889) authorized by the Treasury Department shows as follows:

Central America :

Imports dutiable.....	\$293,065
Duties.....	233,675

South America :

Imports dutiable.....	11,880,490
Duties..	9,359,403

There is no artifice of eloquence here, only figures revealing international commerce, which it is my duty to examine and present to the honorable Conference in compliance with the duties it has imposed on me.

My honorable friend, Mr. Flint, invites me to name one European nation which, buying as much as the United States buys from South America, is more liberal in its tariffs; that is to say, that charges on dutiable goods less than 80 per cent. Speaking of the Argentine Republic, I shall cite Germany, that buys from us \$13,000,000, which \$13,000,000 are admitted free; Belgium, from whom we buy \$11,000,000 and which takes from us \$16,000,000; we export to France \$27,000,000 and buy only \$22,000,000;

from the United States we buy \$9,343,056, and they bought of us in 1889 \$5,400,000, maintaining a duty of 60 per cent. on Argentine wool, which is our principal product, and which amounts to 263,486,678 pounds sent to those free ports wherein Australia and the Cape of Good Hope can not obtain the 15 per cent. of difference with which they are favored in the custom-houses of America.

Having complied with the request of Mr. Flint to inform him of our commerce with Europe, I have only to thank him for the good will with which he drops figures for the purpose of expressing generous wishes for the prosperity of South America—wishes which I am grateful for and which I reciprocate in the name of the nation I represent.

I shall now take up the speech made by the honorable chairman of the United States Delegation.

I should commence by stating that, not being familiar with the statistics of the Continent, and having been forced to examine them under a pressure of time, I did not hear without a start the statement of Mr. Henderson when he told us that my figures were mistaken in some cases and incomplete in others. The honorable Delegate has proven neither one assertion nor the other. This may have been due to his magnanimity, but I am inclined to believe it was owing to my accuracy. In every case I have brought here the books which prove my figures.

The honorable Delegate to whom I am replying not only ascribes to me sentiments which can not be rightfully attributed to me, but he charges me with statements I have not thought of making. Would my distinguished colleague inform me in what part of my speech I made odious comparisons between the United States and Great Britain, maintaining the liberality of the latter and the commercial selfishness of the former?

I would ask the honorable chairman of the American Delegation to show me the page, the paragraph, the phrase where I made a comparison distasteful to any one. He surely can not show it, unless it be where I stated that the British colonies were more favored in this market than the Argentine Republic; a very different thing from what he attributes to me and which I have fully demon-

strated. In this connection General Henderson produces statistics according to which the United States get from us nine times the wool bought of us by England. I present to the honorable Delegate the statistics of 1888, from which it appears that while the United States has bought 2,332,000 kilograms of carpet wool, the United Kingdom bought 3,190,000 kilograms of high-grade wool, and if it be true (the English statistics of last year have not reached me), I can assure him that there have not been imported into the United States, as he states, 11,000,584 pounds, but only 8,279,626 of carpet wool and 353,162 of high-grade wool, making a total of 8,632,788 pounds, which are not the 11,000,000 which he supposes. These figures the honorable Delegate may verify by looking on page 136 of this report of the Treasury which I place at his disposal.

The honorable Delegate compares the commerce of the Argentine Republic with that of the United States, and comments, like Mr. Flint, on the free list, which, as far as we are concerned, is limited to raw hides; but I have already replied to this argument, and he can not deny the insignificance of our commerce so long as during 1889 we sent to these markets \$5,400,000 out of our total exports of \$125,000,000, and when the exports from New York to Buenos Ayres represent nearly double that figure (\$9,343,856), its insignificance is even more apparent compared to the total exports of the United States, which amount to \$742,000,000.

It is this paucity of our trade which I took upon myself to study, without attacking any one and essaying to benefit all.

I drop figures for the moment to take up certain doctrines advanced by my distinguished colleague. According to him the United States Congress had in view two objects when it called the Conference together; first, peace represented by arbitration, and, second, commerce from which, to his mind, arbitration should spring. I am unable to understand this generative power of commerce, over political and social institutions which prevail and are put into practice with entire independence of commerce. But the honorable Delegate states that all the rest of the act is mere

words, including in the term the enacting clauses which provide for a Customs Union. My distinguished colleague will understand that the Argentine Government did not permit itself to interpret as mere flights of language the concise terms of a positive law which was worthy of the sanction of the Federal Congress of the United States, but, on the contrary, gave to each article of said act the importance it deserved and instructed its Delegates in sympathy with the text and spirit thereof. The debates begun, the distinguished Delegate judges it easy to evolve new ideas foreign to the law, and ends by considering us indifferent, because we do not accompany him in the exaltation of extemporaneous remarks. It is well to establish the official position of these two Delegations. That of the United States has declared in the majority of cases that it does not know the opinion of its Government and that it acts without fixed instructions, which may or may not be ratified.

I do not have to recall the incidents which came up in the committees and in the Conference itself, that decided the Argentine Delegates to abstain from voting so long as they were not apprised of the opinions of the inviting Government, represented up to that time by two dissenting votes, which is equivalent to saying that neither was official. The Hon. Mr. Coolidge added that this was a stroke of independence on the part of the American Government, and that the other Delegates had nothing to do with its actions. In the Argentine Republic diplomatic customs are different; the foreign policy which demands unity of thought and action is directed by the national cabinet and not left to the judgment of twenty diplomatic representatives and of a like number of delegates who might attend International Congresses. I do not criticize the diplomatic practices of the United States, but I follow those of my country. The Argentine cabinet has not signed our instructions in blank, and I respect them as indicative of order and foresight. Following, therefore, those instructions, we have resisted any deviation from their concise and exact terms, and in this there is no contradiction but perfect consistency and conformity with our mission.

We have rejected the idea of a Zöllverein by the unanimous vote of the committee, and Mr. Henderson avers that I have also rejected reciprocity treaties; but I invite him to read that part of my remarks wherein I discussed the question and in which I have defined our position; it was as follows: "The Argentine Republic does not deny the possibility of making treaties," and furthermore it says: "She will express herself on this point when it may be requested by friendly nations, or when she decides to initiate the invitation—a matter which belongs to her cabinet." Where then is the rejection of which Mr. Henderson speaks? It is very easy to plunge a Delegate into contradictions when he is placed in a position which he has not thought of assuming, and words are attributed to him which he never uttered. Or, is it thought that the vote of the majority of the committee could obligate me in a certain way to adopt recommendations and reach conclusions which, influencing the mind of the cabinet, would seriously affect the attributes of the national sovereignty? But on the other hand, with which of the nations represented in the committee could we make treaties, since, according to Mr. Henderson, it is the committee who has proposed it to us?

With Mexico, Nicaragua, and Colombia we have no trade, but only our friendly relations and a happy cordiality which we shall ever cultivate with assiduous care. With Chili and Brazil we maintain a mediocre trade, but to conclude reciprocity treaties with our friends and neighbors we need not have them witnessed by America. Going to Rio Janerio and Santiago for the trade of Washington we would have to follow a course as inexplicable as that which brought us from the Plata to the Potomac by way of Liverpool. There now remains to consider the probability of making treaties with the United States, and I again beg my distinguished colleague to inform me and to show me where and in what part of my speech I have doubted the good faith of his Government with respect to these treaties. The words attributed to me by the honorable Delegate are assuming an alarming aspect because they attack my sincerity. I am aware of the respect due

a nation and I know the duties of courtesy, which I have not had to learn so far from home. Nowhere, and I state it emphatically, honorable Delegates, have I spoken the words ascribed to me by Mr. Henderson. I appeal again to the minutes. Was there, perchance, bad faith when the Government of the United States rejected the treaty which the Argentine proposed to it in 1870? How can there be in this most legitimate exercise of sovereignty inspired by the interests of commerce as each nationality understands them? I cited the words of Mr. Hamilton Fish to elucidate a policy which is offensive to no one, even if it is against the ideas of treaties. No official has proposed to us in the name of the United States to re-open negotiations upon that idea, and I could hardly have rejected it founding the objection on the bad faith of this Government. I can not understand, then, because there is no extenuating reason for the hypothesis, I can not understand, I repeat, such a reproach. The press of this country has made incorrect statements when it said that the Government of the United States has proposed such treaties to us. In the name of the Argentine Delegation I state that such assertion is unauthorized.

The circumstance of Mr. Henderson voting in favor of the majority report which recommends the treaties, would not be an indication of the opinion of this Government, because, at the formal meetings which I attended, he stated that he was ignorant of that opinion, saying that he spoke in his individual capacity. There is more yet; I have proposed to him privately the negotiation of a treaty; I have indicated to him the articles upon which it might be based, and up to the present time I have not had his reply. Where, then, is the rejection of the compacts, which is made as a charge against the Argentine Delegates? Was it not logical to suppose that the Government of the United States still persisted in its policy of 1870? Where is the offense in this supposition? Where the bad faith that can be attributed to it?

Mr. Henderson reminds us of the embarrassed situation of the United States at the time of the proposition. The nation was bearing the results of the civil war, and the

tax-payers were supporting a debt of \$2,600,000,000, 50 per cent. of the interest thereon being paid by the customs revenues. I am thankful for these explanations of my honorable colleague, but the Argentine Government never asked them, and that of the United States need not have made them in the exercise of an inalienable right. Today the economic situation has changed, it is true, but there is one factor of that reply which remains unalterable, because of its being wiser than the people of the United States—it is the Constitution which was pleaded as the reason for the rejection when the Department of State declared that it was not the Executive but the Federal Congress which could modify or sanction customs duties.

I must confine myself to the policy which the United States has officially maintained regarding my Government without asking precedents of Hawaii, when I have them in the Argentine Republic as explicit and clear as those of any other nation. I do not think it necessary to reply to the correction directed at me, that the treaty with San Domingo was not rejected, but withdrawn by the President from the Senate. The unsubstantial difference in these statements did not merit the correction; neither did the reference to the treaty with Mexico merit it. I said that Congress did not approve the treaty, and the Delegate from Mexico corrects me, saying that it is the House of Representatives which retains it. I would not wish to touch upon these microscopic points of the diplomatic liturgy and breviary, and, if I need to know the opinion of the Mexican Government upon the policy of the United States with respect to making treaties, it would only be necessary to repeat the words spoken by its representative, spoken officially and publicly in the presence of all the Delegations of America. He has said to us the following, referring to the House of Representative of the United States:

The treaty examined in the committee, only one of the thirteen members composing it, Mr. Abram S. Hewitt, reported in favor of it; the report of the other members, which, more than a report, appeared like a libel against Mexico, founded their vote against the treaty.

After these words, I can not understand the corrections which the representative of Mexico has wished to address to me when I said that the policy of the United States was not favorable to treaties. I drop this incident, and continue replying to Mr. Henderson.

The distinguished chairman of the delegation of the inviting Government speaks to us of the hard conditions exacted by the Argentine Delegates, to enable the United States to invigorate its commerce with the continent. The Delegate now having the floor has not exacted or asked a solitary thing, and much less has he proposed to impose free trade with Europe as a condition of continental trade.

I state, and maintain, that under a protective tariff American manufacturers will not enter free markets so long as that protection is maintained against Europe, even if it should be set aside for America by means of a zollverein. I have attacked a system, but I have not disposed of foreign resources with prodigality. Between protection and absolute free trade is the light tax which meets the necessities of life, and from which we ourselves can not separate; nor, then, would we have advised it to friendly nations, even though they represent an opulence beyond measure.

Mr. Henderson himself agrees with the opinion I have advanced when he shows three stages in the natural growth of a people—that of agriculture, that of manufacture, and that of commerce—exactly the same stages indicated by Frederic Lutz, and which leads to these conclusions: “The people once rich should approach by degrees the principle of free trade so as to keep their agriculturists and manufacturers from idleness.” At the first stage protection is necessary, the second justifies it, and the third rejects it. I have not said nor maintained anything else than this with respect to the United States, which is now at the pinnacle of the development of its riches. Protection will fatally wound the foreign trade for manufactured articles while there exists in the world a market which exports equally and which can produce them without restrictions. The honorable Delegate has not replied to my argument on cottons which are shipped

from America for Europe to manufacture, and afterwards returned to the United States in the amount of \$27,000,000. He explains this economic phenomenon as the whim of rich people. It is a pity that cottons are not the luxury of the rich instead of the inheritance and covering of the poor; otherwise the argument would have been answered.

The honorable Mr. Henderson informs me not without marked emotion that rails from Pittsburgh have succeeded in entering Mexico. I am glad of this success, and would wish that it should not be limited to a bordering nation, but that it should extend to all the world, struggling with the others against insurance and transportation freights; but if the honorable Delegate wishes to prove by that fact that I fell into a contradiction, I shall have to repeat my words. "I shall not speak," I said, "of manufactures of iron and steel because they succeed in entering our markets, although with a slow step." His argument, then, is far from disconcerting me.

The honorable Delegate speaks of the proper complaints which Europe could make because of the unfavorable balance of trade with the United States, but the trade of Europe is too extensive to complain. I have shown in my reply to Mr. Flint how France, Germany, and Belgium feel the unfavorable balance of trade with the Argentine Republic, but this does not prove the liberality of the United States with America when its products are here taxed at 80 per cent. The honorable Delegate says that the United States could give up its foreign commerce with all the world and there would still remain forty-two prosperous and rich nations; that favoring breezes would swell the sails of vessels crossing the Great Lakes, and that production would be transformed but not diminished.

My distinguished friend here talks like a citizen, but not like a statesman. Commercial relations amounting to \$1,500,000,000, which the very Government Mr. Henderson represents proposes to encourage, can not be struck out by a stroke of the pen or a burst of eloquence. I know that the immense and rich territories of the United States constitute a part of the terrestrial globe, that they revolve with it around the luminous orb and receive the influences

of heat and the seasons like the rest of the world, seeking and sustaining on the earth the life of contact with all the rich centers of civilization; but my distinguished friend presents us a firmament made up of forty-two fixed stars, and I sorrow that he should desire to destroy the universal harmony and the life of relationship in which the countries of the globe move like the bodies in the celestial sphere.

If I allowed myself to be carried away by the exaltations of national sentiment, I should reply to Mr. Henderson that the United States should have written on their monumental wall, "Here we neither buy nor sell," the Argentine Republic would not be less prosperous. It would continue to receive 300,000 immigrants annually; we would not deprive ourselves of the conceptions of art and science which come to us from the brain of the world; we would not stop paying our debt, economizing on hunger and thirst (as was once said by a magistrate who presided over our destinies at a critical time), maintaining the credit and the name of the Argentine Nation in the principal money market of the world. Our lands would not be less fertile, the exports for 1890 would not be recorded at a lower figure than 170,000,000; wools would continue to be coveted by all free markets, and the cereals, which reached this year 100,000,000, would be resigned at the end to these threatening absences.

When the honorable General Henderson thus expressed himself he did not properly understand the opinion of the Government he worthily represents. We have been called together by the United States to improve our commercial relations and not to discuss their suppression. A continent is not called together for the purpose of informing it that its relations and contact are in every way unnecessary to the inviting Government. Why should we discuss a common coin if it is not the instrument of trade and the United States does not need it with us? Why reform customs and port regulations if the vessels which now cross the ocean may be at any time closed up in Lake Michigan or Ontario?

I think that the eloquent remarks of my distinguished

friend may have been heard under the dome of the Capitol when the inviting act was under discussion; but once passed, and the representatives of all the nations gathered together by virtue of it, I consider the outburst of national pride entirely uncalled for.

The honorable Delegate asks us to express our views upon reciprocity treaties, and he advises us to grasp (these are his words) a situation which will not again present itself to us. I have to remind him that I represent a nation which is sufficient unto itself and its sovereignty, and which has not come here to take advantage of the prosperity of others. General Henderson may let the hammer fall upon the boxes of the Treasury; the Argentine Republic will make no bid, even though the flying wings with which the Scythians adorned the arms of Fortune should not offer it to us again.

The honorable Delegate appears to be surprised at my having spoken of the order and freedom of my country, forgetting how much he himself has told us of the wealth of his. That remark had an object. I know that the Spanish American countries are judged by the light of their past errors, that when we are not considered under the pressure of a military despotism we are represented mounted on the war-horse and ever ready for the revolution of the morrow. Should I have to justify that belief, I should recall the allusion made by the honorable Delegate to the revolutions of a sister Republic. I congratulate myself that the sons of the illustrious Lincoln have to go back twenty-five years to encounter the shots of a civil contest. The Spanish Americans have turned their backs forever on those dark days; they were the results of this century, in which no country on earth has acquired its rights without bloodshed. Let us bow reverently before the fathers of our liberty, without confounding with barbarity what was the result of the times and of necessity. New and clear horizons open to-day to the free nations under the auspices of concord and of peace.

The Argentine Republic was among the first to express itself with generous aspirations and wishes, and before, long before, submitting the basis of arbitration it had put

it into practice with its friend the Republic of Chili, and it had stipulated for it with Brazil. A dispute over territory existed when an unfortunate war was begun, not with the heroic and brave people, but with the Government of Paraguay. The people of the Argentine then declared that it was not victory but arbitration which accorded rights, and it was the President of the United States who decided our question; arms were abandoned, and the people embraced in fraternal friendship. Not only have we been in that part of America the promoters and active agents of arbitration, but we come to uphold it here; and when the delegate from Venezuela lifted his voice in this room asking an impartial and humane vote in favor of arbitration to settle its question with England, he knows well that the Venezuelans found a sympathetic echo in the hearts of the Argentine delegates, and on our own part we shall never deplore too deeply that the resolution was opposed by the distinguished Mr. Trescot, and that it has not been reported to the honorable conference, so that we might vote in favor of it with the alterations which we indicated to its author.

Would to God that the wings of my sentiment could bear the wishes and hopes for American solidarity which I dedicate to a troubled sister from the very heart of the country of Monroe.

The Spanish-American Republics are misjudged when they are considered as rebellious to ideas of peace; they do not hesitate before the problems of the present nor the complications of the future, because they are persuaded that peace will improve while war will injure them.

Give them at least time to justify themselves, remembering that their emancipation dates from but yesterday, and that the nations preceding us did not escape the troublesome element of dissension.

Before concluding this reply I should indicate my official position in the Conference.

The Chair saw fit to appoint me a member of the Committee on Customs Union and I accepted the appointment as an act of submission, but not willingly, because I have never had the honor to nestle in the respectable lap of

trade; but my services accepted, I have gone to work to study the American commercial situation, searching for the causes of its obstruction and demonstrating the only reforms which could remedy them.

I found an anæmic trade, a very ill patient, whom it was necessary to bring back to health by means of the treatment my intelligence might suggest. I made the diagnosis, and demonstrated the gravity of the case, but it appears that the family so much interested in the improvement of the patient does not wish the opinion of a physician, but unconditional and complimentary encomiums upon the prosperous state of the patient. Therefore the delegate having the floor was evidently not the one called upon to act in the latter capacity, and if there be errors in the question as it now stands they are due to my appointment and not to the freedom of my judgment, which will be exercised with independent frankness in all matters submitted to my examination.

American trade would never be fully considered without the right to discuss national affairs as far as they serve to obstruct it. I have had to study the products destined to establish new currents of trade and the manner in which they can freely circulate in the interior of the continent. If, therefore, I have lingered with the tariff of the United States I have done nothing but comply with a duty and exercise a right with which the Conference has clothed me. The Argentine delegation has always shown a great respect for the sovereignties of friendly nations, but this sentiment can not restrict the examination which, on the other hand, is imposed on me. The internal trade of the United States has merited from the delegate who has the floor naught but enthusiastic praise and wishes for its prosperity.

But the honorable General Henderson confounds my position with that of an accuser, and I repel his words officially and personally. If any unfounded and gratuitous accusation results from the clash of our ideas, it is that so undeservedly directed at me by the honorable delegate from the United States. I have accused no country on earth. I have not designated as egotistical the political

economy of the United States. I appeal to my honorable colleagues who have heard me, and, as a last resort, to the minutes themselves. The Argentine delegation is not an accusing party. If the honorable delegate feels aggrieved by the opinions I have expressed on this point, he could have refrained from raising it in our discussion, but by no means attribute to them the sense of his own. I have considered a system; I have not attacked a nation. Did I need an example to prove that tariffs can not be sustained by feelings of national pride and dignity, I would only have to remind him of what is demonstrated by contemporaneous scientific history. Unofficially, and not upholding principles imposed by any conference, the Hon. Mr. Gladstone has just dropped the pen with which he opened his polemics on the tariffs of the United States, and the eminent statesman who hears me from the chair, the Hon. James G. Blaine, replied thereto, demonstrating the greatness of his talent and the power of his dialectics. Having touched, although very lightly, upon free trade and protection, I can not but convey to him my sincere congratulations. The task of Gladstone was to my mind easier than that undertaken with such brilliant erudition by the honorable Secretary of State.

I am about to close. My distinguished friend, Mr. Henderson, allows himself to be misled by the hope that Chili and the Argentine will some day accept his ideas. In my opinion the United States will some day espouse our cause, as we are not protectionists and they are nearing the stage of growth when they can not longer be. The United States will some day rule the commerce of the world with their manufactures, and when I see the seas filled with their merchant marine, the smoke of their forges quadruplicated and their high chimneys multiplied until they obscure the sun with their breath, I shall not hesitate in exclaiming: The United States have reformed their tariff and have renounced protection forever.

My distinguished friends of the inviting delegation may not agree for the time being with the economic opinions I have expressed, but they will accept, I hope, the wishes which, without hesitation or reservation, I entertain for the prosperity of their illustrious and great nation.

SESSION OF APRIL 7, 1890.

The FIRST VICE-PRESIDENT: Taking up the order of the day, the discussion upon the reports of the Committee on Customs Union will continue.

REMARKS OF MR. PRICE.

MR PRICE. Mr. President—Gentlemen: I was a witness in our last session of the impatience manifested by several members of the Conference, especially by the Hon. Mr. Estee, a delegate from the United States, to close the debate on this question of Customs Union. I do not propose, consequently, to inflict on you a long speech on this subject, which most probably would produce no modification in your opinions, as each one seems to me to have definitely made up his mind on this subject.

But not having had the honor to take part in your previous debates on this important and interesting question, I beg of you to permit me to express to you in as few words as possible the reasons for the vote which I am about to cast on the report submitted for our deliberation.

In reality, we find ourselves in the presence of two reports; one of the majority of the committee charged to examine the question, which proposes to us to recommend to our respective Governments to make partial reciprocity treaties with one or more American States, if they have any interest in so doing, while the other report presented by the minority, concludes with a pure, simple, and undisguised rejection of the proposition of a Customs Union.

Putting aside the details of organization, which are more or less complicated according to the relative situations of the nations which form themselves into a customs union, we will admit, with the majority of the committee, that the two characteristic signs of such an organization are: the uniformity of customs tariff with association for the division of products and absolute, free exchange in the interior of the territory of the Union. The report concludes, after this explanation, that there is no use to constitute between the nations represented in this Conference

a real Customs Union with proportionate division of duties levied.

Such a Union, it says, would necessitate not only a partial sacrifice of the sovereignty of American nations, but more radical changes in their respective constitutions than they would be willing to accept.

I adhere to this opinion, but I think that its natural consequence should be the pure and simple rejection of any project of Customs Union between the nations of America, as the report of the minority proposes.

Nevertheless, the majority is of the opinion that in place of this real Customs Union, "free trade between the American nations of all their natural or manufactured products; that is to say, absolute reciprocity, is acceptable in principle, because all measures which tend to the freedom of commerce must necessarily increase the traffic and the development of the material resources of the countries which accept this system, and a Customs Union in this sense would probably give as favorable results as those which are obtained by free trade between the States of this Union."

One is astonished after having read this declaration to find that the report concludes in the rejection of a Customs Union thus conceived. If the results were to *necessarily* develop the material resources of the States which accepted this unlimited system of reciprocity, why should we hesitate to adopt so beneficial a system?

If it is true that the obstacle was the purely fiscal interest attaching to the custom-houses of our respective nations, it could easily be avoided by means of the fixing in each State of an import duty ad valorem, proportioned to its financial necessities, but of which the rate should remain fixed and invariable for all the natural or manufactured products coming from the countries included in the Union; there, truly, where there is no differential tariff there is no protectionist régime.

I do not think either that the obstacle lies in the repugnance which the United States of America might have in partially giving up their policy of industrial protection.

As the Hon. Mr. Henderson, a delegate from the United

States, has frankly stated, this vast and beautiful country has attained, as far as agricultural and manufacturing prosperity is concerned, a height from whence it can defy all competition; it has arrived to-day at the third stage of development of the public fortune; it now aims to the extension of its foreign commerce; it aspires to take on the great market of the world the high position which its formidable manufacturing power assures it. We know that the American customs furnish an excess of revenue of seventy millions of dollars to the needs of the Federal Treasury. We have also been shown that this sum is larger than the total of duties levied on all the importations from other nations of the New World. It would, therefore, be easy for the United States, I think, to consent to the sacrifices, light for them, which might be necessary to assure the formation of an American Customs Union, if such a Union be really desirable.

No! The obstacle is not there. It is entirely on account of the inequality of the economical situation of the different nations represented in this Conference.

In this development of public riches, which consists of three successive stages, as the honorable delegate, Mr. Henderson, has so well stated, agriculture, manufactures, and commerce, we have not all advanced at the same rate, we have not all reached the same level of national prosperity. Amongst all the nations represented around this table there is but one which has entirely passed beyond the first two stages, but one whose manufacturing industry has absolutely nothing to fear from a system of international free trade with the others. The others, for the most part, and in spite of the rapid progress accomplished during the last fifteen or twenty years, have hardly begun at the present time to confront their manufacturing problem; some of them, and amongst these to my real and sincere regret must be counted the country which I have the honor to represent—some of these have not even yet completely solved their agricultural problem; that portion of their territory lying fallow is infinitely larger than what it has been able to bring under cultivation.

We are consequently not in the same condition as those

States which founded the Zollverein, nor of those States forming the American Union.

The German Customs Association had for its object to put an end to material difficulties which do not exist between the American nations. Prussia, which took the initiative in this union, was experiencing very serious commercial embarrassments on account of the irregular configuration of its territory. Its provinces of the north were completely separated from those of the west by the territories of Hanover, the two Hesses, of Frankfort-on-the-Main; others were completely wedged in between neighboring States. Its own territory inclosed foreign possessions: Oldenburg, the Duchies of Anhalt, etc. The same difficulties existed in the same degree for all the States which successively adhered to the Zollverein. In constituting this Customs Union they consequently overcame economical difficulties of such importance that it was impossible to pay too dearly for such a benefit, even if it was necessary to purchase it at the price of some sacrifice on the ground of industrial protection.

No such difficulties exist between the American nations. On one or the other ocean we have at our command, to insure our commercial relations with foreign lands, immense ports which even in a hundred years will probably surpass our needs.

Nevertheless, and this is an essential point on which we should fix our attention, did the members of the Zollverein consent to any real sacrifice in abolishing those inferior custom-houses with which the territory of Germany bristled? Remember, gentlemen, that the States to which reference is made here were peopled by men of the same race, speaking the same language, educated in the same universities, formed to manufacture and commerce in the one school of the Hanseatic League, arrived at the same degree of intellectual culture of mechanical dexterity, of commercial activity, men belonging in reality to one and the same nation, to Germany, of which this Customs Union only prepared the political unity which we have seen as an accomplished fact in less than half a century after the creation of the Zollverein. No serious interest of an

economic order divided these peoples, of which the workmen could pass and did pass over the frontier as soon as the slightest variation in the rate of wages made it advisable for them to do so.

It is this precisely which is now the case between the States of the American Union. The relative independence which each of these States enjoys in the administration of its local interests exercises no restrictive effect on the fact of natural unity.

The liberty of trade between the various States or Provinces of one and the same nation is the natural outcome of the free circulation of capital and of mercantile skill under the protection of one and the same flag. Here the citizens of the United States, who desire to devote themselves to agricultural labors and do not find sufficient farming land in their vicinity, carry to the West their energy, their talents, and their capital. The weaver of the North avoids competition, and spares the expenses of transportation of the raw material of his industry by going to establish his looms in the middle of the cotton plantations of the south. The man from Maryland does not leave his country by setting up his tent in California; he from Maine is still in his country when he leaves his pine forests to go and work in those of Oregon or Alabama. Outside of material obstacles, overcome more and more in our days by the powerful intervention of steam and electricity, the citizens of one nation thus move constantly about guided by the natural tendency of manufacturers to come closer to the agriculturists who furnish them with the raw material, or of the consumer, who puts himself in direct contact with the producer. It is this movement, this activity, which is the fountain-head of the interior commerce; it is the very life of the people. It is also by this motion, by this constant and rapid diffusion of capital and talent that the prosperity of a nation is measured; I might almost say its degree of civilization.

To take away from one's country all the obstacles which oppose this circulation; to spread over it general and, above all, professional instruction; to assure to all, natives and strangers, the greatest possible security for their persons

and their goods ; to render accessible, by the construction of railways and of canals, all these rich and virgin lands which yet abound in Latin America, only awaiting the hand of man to produce immense and incalculable riches ; to bring closer and ever closer to the agriculturist the manufacturer who will utilize the raw material extracted from the ground ; to diminish the cost of transport, which is the most powerful obstacle which opposes the progress of human society ; to diminish them by putting the consumer and the producer in direct contact by the creation of the greatest possible number of centers of population in the interior of each State ; to diminish them yet further in giving on the spot, as nearly as possible, the last manufacturing finish to the material extracted from the ground, thus reducing the weight and volume of the matter to be transported, to be delivered to the commerce of the world ; such, gentlemen, I dare to say, is the formula of the economical problem which will impose itself, which does to-day impose itself, on the attention of statesmen in nearly all of Latin America.

Let us throw a glance on the economical situation of those States. What do we see ? Here is exported a quantity of raw wool and is imported all the cloth which is used. There hides are sent away in a raw state at the expense of the producer, and travel thousands of miles over the seas to receive the finish of the tanner or shoemaker, and return in the shape of shoes. In other countries, as well as my own, it is the cotton which is carried away in a raw state which returns as cloth.

The honorable delegate, Mr. Henderson, has stated to us that no amount of protective tariff is sufficient to prevent the rich American from having his clothes made in London or in Paris. This is absolutely true ; but in a country where the poor man is also clothed from a foreign country, not on account of taste, but on account of necessity, that statesmen should begin to agitate for it is a sure sign that there are channels which are closed and which should be opened to the manufacturing activity of the commonwealth.

Do you think that the home free trade which causes the

cotton spinner of the North to go to the South of the United States would suffice between different nations to attract him beyond the limits of his own country and send him to the plains of Hayti? Would free trade alone establish factories under the American flag in Chili or in the Argentine? Intelligent workmen only leave and above all only expatriate themselves under the conditions we see them arrive from Europe to the United States, and since some time to the great Latin Republics, drawn hence by the bait of higher profits, by the perspective of a more rapid fortune than they could hope to realize in their own country.

To buy in the cheapest possible market is an attractive but fallacious theory. I only take as a proof the unheard of and wonderful prosperity realized by the United States by the aid of the highest protective tariffs known. The most powerful element of prosperity for a people is the division of labor; it is also the most solid basis of all social peace.

When a sufficient number of channels for the industrial activity of the citizens are not found in a country, not only this country has no advantages to offer to intelligent foreign workmen, and thus deprive itself of the most simple and efficacious means of initiating itself in the progress of science, of the arts, and of industry, but in addition this activity which finds no outlet flows back to the head and to the heart of society. For the want of something better each one aspires to govern the State, and thus one has before him the shocking spectacle of a population of a few hundred thousand souls exhausting itself in periodical struggles without any apparent aim on a territory where millions of human beings should live in comfort.

No, I do not deem desirable a system the result of which might well be to prevent, or at least to retard, the direct contact of the consumer and the producer, which might cause cotton and wool to be indefinitely produced on one side of the equator and cloth and blue jeans on the other side. Perfect reciprocity can not exist where a perfect equality in the conditions of production do not exist.

I am not at all a systematic protectionist, but I do believe that every country which has the ambition to reach the height and the civilization of our century is obliged to go through an industrial education to place itself in a position to give to the natural products of its soil and its climate all the necessary processes which precede its final finish. I think also that such an education should be followed without swerving, and that each nation, that one above all which can not congratulate itself on having fully attained the highest level of the mechanical skill of its time, should for these reasons retain its freedom of action and remain absolute mistress of its customs legislation.

However, I should not propose to my own country to import iron ore from England or coal from Pennsylvania for the mere purpose of seeing tall chimneys smoking in the country ; but I do say to her, buy the iron which you need in the cheapest possible market, place upon it a purely fiscal import duty, learn how to manufacture this iron for your use, and, above all, do not compromise the future ; do not put yourself under the impossibility of trying to do to-morrow what has not been possible for you to accomplish yesterday or to-day.

I flatter myself, gentlemen, that this friendly assemblage of representatives of all the nations of our hemisphere, that this courteous exchange of views which makes us more acquainted and allows of our appreciating each other and of esteeming each other reciprocally, both ourselves as individuals and the countries we represent here, I flatter myself that all this will not be lost to the great cause of peace or for the gradual or rapid development of our commercial relations. Far from that, each one here will recommend to his Government, I am certain, the most liberal customs legislation which is compatible with its fiscal interests and with the imperious necessity of developing the industrial power demanded by its climate, by the peculiar nature of its soil, and by its genius. In what concerns the Republic of Hayti, I am of opinion, and my recommendations to my Government will be in this sense, that our import dues be reduced by means of our own laws and not by

an international treaty to a uniform rate for all products, manufactured or natural, of our neighbors, for which we have no actual interest in embarrassing the entry on our market in order to protect similar products of our national industry. Let our doors remain wide open, let our legislation offer the most serious, the most real guaranties to all citizens of sister Republics, who, from the north, from the center, or from the south of America, desire to bring to us the example, the benefit of their intelligence and of their mechanical skill, or the help of their capital.

In a word, free trade as far as possible; free trade in favor of those products, the introduction of which would not compromise or retard our industrial evolution; free trade by our own legislation, modifying itself and expanding itself gradually but freely in proportion to the formation of our industrial power, and as soon as we shall have conquered, to use the words of the honorable delegate, Mr. Henderson, the difficulties of the second phase of the development of our public fortunes, and as soon as the inequality has become less apparent and that "unlimited reciprocity" shall have become less visionary.

Therefore I reject entirely the conclusions of the majority report of the committee, and without reserve I take part with the proposition formulated by the minority in these terms: "That an American Customs Union is considered impracticable."

THE FIRST VICE-PRESIDENT. The debate on the reports on Customs Union will continue.

MR. ROMERO. I ask the floor merely to make a personal explanation.

I am sorry the honorable Delegate from the Argentine Republic is not present, although what I have to say does not require his presence.

In the speech made by that honorable Delegate on Wednesday last he referred to what I had said on the 15th ultimo, in the first session that this subject was brought up, and he quoted some words of a speech

made by me in New York upon the subject of reciprocity treaties, at a banquet given in honor to the delegates to this Conference, on the 20th of December last, by the Spanish-American Commercial Union of that city.

It might appear to persons who have not read that speech, nor the report in full of my remarks, that there is a contradiction between what I expressed in New York and what I said here regarding the majority report of the committee upon this subject. Such contradiction, however, does not exist.

Having represented for some time the Mexican Government at Washington, I have taken special care to study the matters related with the manner of promoting the trade between the two republics, and the result of that study appears in the North American Review of May, 1889, a literary publication of the United States. I examined in that article the Customs Union question, and that of absolute and partial reciprocity, and expressed abstract opinions thereon, identical with those contained in the majority report of the Committee on Customs Union, basing them exactly on the same grounds. I had signed, before expressing my opinion, on behalf of the Mexican Government, a treaty of limited commercial reciprocity, which, although ratified by both governments and its ratifications exchanged, was not carried out, because the House of Representatives failed to enact the necessary act for the purpose.

In the remarks I made in New York I stated that the public opinion of this country, which directs its policy, is not yet ready to adopt the necessary measures to increase its foreign trade, one of them being

the conclusion of reciprocity treaties, and I ventured to say, in view of the manifestations which were then made, it looked as if said opinion was changing. My position on this matter is yet more clearly stated in the following extract of the speech I delivered before this Conference at its session of the 29th of last March, as follows:

* * * For this reason and several others I deem it unnecessary to enumerate, for they are known to all and it would take time to rehearse, I am convinced that the public opinion of the United States is not yet ready to adopt liberal commercial measures with regard to its foreign trade, or even with its sister Republics of this Continent. Notwithstanding this, I do not think for this reason that we should refrain from taking into consideration and making every effort to reach a satisfactory agreement in this respect whenever this Government expresses, as it has in the present case, its desire to reach that result.
* * *

In order that the documents to which I allude should be known by all the members of this Conference, I ask permission to insert, at the end of the minutes of this session, the fragments of the article I published in the North American Review relative to the commercial question, and of the remarks I made at New York on the 20th of last December.

If, as I have already stated, I hold the opinion that partial reciprocity treaties will increase the trade between the American nations and the United States, I do not think there is any contradiction on my part in recommending the conclusion of those treaties, although well acquainted with the obstacles presented therefor by the ultra-protectionist system of this country.

Even though my corrections should, moreover, appear microscopical to the Argentine Delegate, and perhaps they are so, compared with his grandiloquent statements, I feel constrained to make them, and no consideration whatever will make me desist from performing such a duty. To remain silent on a question in which my country is so directly interested should be, in my opinion, equivalent to acquiescing to statements which I do not deem as correct.

The speech and the article published in the *North American Review* are as follows :

THE ANNEXATION OF MEXICO.

[Published in the *North American Review*, May, 1889.]

* * * * *

All thoughts of annexation being discarded, as they are practically now, the wisest policy to be pursued between the United States and Mexico, and one to which all political parties in this country seem now to adhere, would be, in my opinion, so to enlarge the political, social, and commercial relations between the two Republics as to identify them in great commercial and industrial interests, but without diminishing the autonomy, or much less destroying the nationality, of either. That policy would give to the United States and to Mexico all the advantages of annexation without any of its drawbacks. Both countries have already practically been made a single postal territory. It is to be hoped that before long their commercial intercourse will grow in such proportion as to make possible and convenient to both something more than commercial reciprocity. Their contiguous territory, closely united by several trunk lines of railroad, will necessarily hasten that result.

For the present, and in all probability for some time to come, commercial reciprocity is all that is needed for the development of trade relations between the two countries. Their territorial contiguity and the steel bands which now connect them require special rules to foster and develop their commercial intercourse somewhat different from those applied to other countries. Reciprocity has, besides, the advantage of allowing the reform of the tariff laws of a country to be made for a compensation to itself and with great benefit to the other country. If, for instance, the United States should decide now, with a view to reduce their revenue, or for any other reason satisfactory to themselves,

to abolish the duty on sugar, as they did some time ago with the duty on coffee, they would gain nothing but a reduction of revenue in case the abolition was extended to all nations, but if it is made only for Mexico, they would receive an ample compensation in favor of their products and manufactures. Besides, reciprocity, as agreed upon with Mexico in the pending treaty, does not restrict in any manner the constitutional power of the Congress of each country to alter at their will their respective revenue laws.

Commercial union presents a great many more difficulties to overcome. If by commercial union between two countries it is understood that both should have the same tariff laws for the importation of foreign articles, and mutually receive free of duties their own, the difficulty will at once arise about who will make, amend, and repeal such laws? If the Congress of each country simultaneously but independently should do this, it would be very difficult for them to come to an agreement, representing countries with different needs and interests. A joint congress, where both countries should be represented, would be subject to serious objections, besides requiring a modification of the fundamental laws of the two. They would have to be represented as equals, or in proportion to their population or their territorial area. If as equals, the larger might suffer in its interests, and if in proportion to their population or territory, the smaller one would be the sufferer.

But even restricting commercial union to the free importation in each country of the products and manufactures of the other, which measure could properly be called unrestricted reciprocity, keeping both their respective tariffs, issued in accordance with their constitutions, for the products and manufactures of other countries, provision should be made about the way to modify their revenue laws; because if, in the case of American cotton goods, for instance, they would be declared by Mexico free for all other countries, the United States would then cease to derive the advantages of reciprocity; and how would such laws be amended and repealed is a matter very difficult to decide, as in that case it would be necessary to give to either country a voice in the enactment of the laws of the other, and this would hardly be acceptable to any, and would again require the modification of the fundamental laws of both.

The question of commercial union between Mexico and the United States presents such complex problems, that it is more advisable to leave to the needs and exigencies of the future to indicate the way of solving them, and for the present all the interests and needs of both countries would in my opinion be subserved with restricted reciprocity, as the one agreed upon in the pending treaty.

In conclusion, I would express my sincere conviction that the United States desire above all things the increasing prosperity and secure stability of Mexico and of the other Spanish-American powers, and that they are really anxious for closer and more friendly relations.

We have not heretofore known as much of each other as we ought to have, and our mutual knowledge and understanding is certainly the first step to take before we can reach more satisfactory results.

M. ROMERO.

WASHINGTON, *April 20, 1889.*

M. ROMERO'S SPEECH IN NEW YORK.

Mr. Chairman and gentlemen of the Spanish-American Commercial Union: I thank you very much for your toast in honor of the country I represent as its Delegate to the International American Conference. It fell to the lot of Mexico to be the contiguous and nearest neighbor of the United States, and I sincerely hope that we will always be good friends.

As the city of New York is the commercial center of this great nation, the increase of the commercial relations of the country with its southern neighbors is of course a matter of interest for you, and as such increase has, in my opinion, to begin with Mexico, which is your nearest neighbor, I hope I will be allowed to allude to the conditions which I think are necessary to the increase of that trade.

Of the several efforts which have been made to increase the commercial relations between Mexico and the United States, only have been successful those in which the Mexican Government acted alone, while those requiring the co-operation of the United States Government have not met with the same fate.

The establishment of steam-ship lines between Mexican and the United States ports, and the construction in Mexico of railways, which are really extensions of trunk lines of the United States, have proved the most efficient means of developing the commercial relations between the two countries, and they have been carried out in consequence of the liberal subsidies granted by the Mexican Government to steam-ship lines and to railroad companies, and which amount to many millions of dollars.

Several treaties have been negotiated at different times for the purpose of promoting and increasing trade between the two countries. The first one that I am aware

of was signed in the City of Mexico in 1857, by Mr. Forsyth, with the administration of General Comonfort; but I do not know whether it was ever submitted to the United States Senate for ratification. The second treaty, known by the name of the McLane-Ocampo treaty, granted to the United States extraordinary commercial advantages, and was concluded at Vera Cruz in 1859, and was rejected by the United States Senate.

The Congress of the United States foreseeing that communication by rail between the two Republics would be the basis of a great increase of commerce between them, passed, August 7, 1882, a bill appropriating a certain sum for the payment of the salaries and expenses of a commission to negotiate a commercial treaty with Mexico. The President of the United States appointed as commissioner one of the most distinguished citizens and greatest statesmen this country ever had, General Ulysses S. Grant, who, being well acquainted with the resources, conditions, and future of Mexico, and at the same time being a just and upright man, never entertained the idea of making a one-sided agreement; but, intending to negotiate an arrangement of a permanent character, concluded a treaty for the promotion of the reciprocal interests of both countries. I have no doubt that if that treaty had been carried into effect that it would have greatly developed the trade between them, as seventy-eight articles, the produce or manufacture of the United States, would have been admitted in Mexico free of all duties, whether federal, state, or municipal.

Mexico had to overcome many difficulties to accept that treaty. The Government there depends for its support mainly and almost exclusively on the import duties, and can not reduce them without serious loss of its public revenues, with all its evil consequences. Although Mexico is not yet a manufacturing country, several industries have sprung up there, under the shadow of high import duties which afford incidental protection, and many of such industries were threatened with utter ruin by the franchises granted to similar manufactures of the United States. The long credits given to Mexican merchants for the payment of goods bought in Europe, and, in fact, the whole

mercantile system at present established in Mexico, were also endangered by the stipulations of a reciprocity treaty with the United States. Notwithstanding all these obstacles, the Mexican Government, wishing to increase her trade with the United States, overcame them all, and the treaty of reciprocity was signed January 20, 1883.

It was then thought by American statesmen that the production of manufactured articles in this country, stimulated by the protective laws enacted since 1861, at the commencement of the civil war, had then begun to exceed the home consumption, notwithstanding the fact that its home market, on an average of about 50,000,000 of inhabitants, consuming proportionately more than any other people, was a very large one. It was thought that, in order not to check that production, it had become necessary to open new markets, and none was certainly more convenient than that of Mexico, a country which adjoins the United States for over 2,000 miles, which is inhabited by 12,000,000 people, which produces relatively very few manufactured articles, and possesses all the advantages of climate, and the labor necessary for the production of the raw material which this country needs as a supply for her manufactories.

The reciprocity treaty, however, met with opposition from some comparatively small productive classes of this country, who considered their interests endangered, and it only passed the Senate of the United States by the number of votes absolutely required for its ratification.

The necessary bill to carry out the treaty having been introduced in the House of Representatives, in accordance with the constitutional provision which requires that all laws affecting the public revenue should originate in the House, it was referred to the Committee of Ways and Means, composed, as it is well known, of the most eminent financiers and principal leaders of the two political parties into which the House was divided. The committee intrusted the study of the treaty and the preparation of the report thereon to a distinguished Representative of Michigan, who was thought to be especially acquainted with the matter and peculiarly fitted for such a work. After

due consideration of this subject, only one member, Mr. Abram S. Hewitt, out of the thirteen of the committee, reported in favor of the treaty.

The report of the majority seemed to be a libel against Mexico rather than a report, and rested its adverse vote on the treaty on the ground that "the release of revenue was somewhat in favor of our Mexican neighbors;" but, immediately after this assertion, it averred that "while the advantage in respect to duties released would seem to be, for the present, somewhat in favor of our people" (the United States), it was remarked that "the treaty would be an unwarrantable interference with productive industries carried on in our country," meaning sugar and tobacco, although soon thereafter it was acknowledged that "the importation from Mexico of both those articles during the last fiscal year was comparatively small." The Mexican tobacco could never affect the production of the same article in this country, as the quality of each is quite different.

The other reasons offered in that report for the rejection of the treaty were not any sounder, as they consisted in saying that "there can not be any reciprocity, inasmuch as Mexico has only 10,000,000 inhabitants (upon the authority of the report), while the United States have 60,000,000;" that "the machinery and agricultural implements" (which were among the articles of the United States on the free list of the treaty) "were not imported into Mexico, where there was no need for them," when the statistical data published annually by the United States Government show the reverse to be the case; that "the Mexican Government is a confederated republic in name, and a military despotism in fact," which, even if true, would not affect at all the economical questions which the treaty intended to solve; that although we have lived together as neighbors, geographically, for a century, we are yet to-day in a manner strangers to each other," overlooking the fact that two neighboring nations connected by the sea and by rail can not be strangers to each other, and that if any estrangement existed it would cease with the increase of commerce which the treaty intended to ac-

accomplish; that "to speak of permanent or desirable commercial relations with a Government and people thus estranged from us in sentiment is without hope of success or promise of substantial permanent results," and the report itself tends to make each country still more a stranger to the other; that "the first duty of the United States was to protect its citizens from the effects of constantly recurring revolutions in Mexico," when the fact is that no political disturbances of any kind have taken place there for several years past, and none since the treaty was signed; that "the United States citizens have been long exposed on the Mexican border to depredations by lawless bands," when, in fact, the Mexicans have naturally been the main sufferers from past disturbances; that "the United States citizens have no adequate protection to person and property in Mexico," which statement is, I imagine, at variance with the reports thereon received by the State Department; that "the Mexican tariff" (whose asperities, as regards the United States, were removed by the reciprocity treaty) "was a system of rank injustice," a pardonable qualification in view of the little knowledge possessed of the Mexican fiscal laws; that "while such a system exists it was useless to conclude any treaty" when the object of this treaty was precisely the partial abrogation of said tariff; that "the establishment of free zone was itself a revolutionary act, in violation of the constitution of Mexico and hostile to the United States Government," a statement wholly without foundation and due to the lack of sufficient knowledge of Mexican history; that "although treaties of extradition between the two countries do and have existed, their provisions have never been fairly enforced," when the archives of the State Department must show that Mexico has delivered not only foreigners whose extradition has been requested in accordance with the treaty, but even her own citizens, while the United States Government have never reciprocated; that "France and England had demanded concessions upon several important points in favor of their citizens and subjects before assuming the attitude of *commercial allies*, when the treaty practically placed the citizens of the

United States in a better mercantile position than the citizens or subjects of any other power; and, lastly, that "the expediency of the treaty was very doubtful, under a political point of view," when the treaty did not intend to solve any political question, and only dealt with commercial problems.

It is true that several of the members of the Committee of Ways and Means who signed the report stated that they did not concur in all the reasons assigned therein, but they all agreed to its recommendations, and, as they did not specify the reasons upon which they were at variance, it is to be supposed that they accepted some or most of them.

It would be almost an insult to the people of the United States to account for the failure of the reciprocity treaty by such flimsy, incongruous, and contradictory reasons as those stated in the report of the majority of the committee, nor that their object was to protect sectional interests, which, without foundation, were considered jeopardized, as there is no reform, no matter how insignificant it may be, that will not affect some interests, regardless of the general benefit of the whole country. The only rational and philosophical explanation which I find is that the production of the manufactured articles of the United States had not then reached such a degree as to make it necessary to adopt measures to open foreign markets, and that therefore the effort then made with that object did not succeed because it was premature. If such measure could not be carried out when it was limited to Mexico alone I do not think it was likely to be successful if extended to the other American nations.

I think that the American people have all the ingenuity and fitness necessary to compete with any other people in the world in the production of manufactured articles. It is true that the higher wages paid here, the import duties upon raw material, and the high price of fuel make the production of certain goods dearer here than in some other countries; but it must be observed, at the same time, that the application of machinery, which is used here in a larger scale than in other nations, cheapens production to

such an extent that many articles are made cheaper here than anywhere else, as I believe is the case with the manufacture of steel rails at the Edgar Thompson Works in Pittsburgh, Pa., where everything is done mechanically, and as natural gas is used as a fuel, the cost ought to be less than anywhere else. If the manufacture of other articles has not yet reached that level, it is due, in my opinion, to the fact that its production is not large enough for the consumption of the home market, which is such a large one, of over 65,000,000 of people; and to the fact that the protection afforded to manufactures by high import duties on similar articles made in other countries keep up high prices, which makes manufacturing here a profitable business, and precludes for the present the necessity of looking for foreign markets.

But when production shall exceed the consumption the object of those protective measures will have ceased, and the time for revision will then come, and when this happens the cost of production will be reduced to such a degree as to permit competition with similar manufactures of any other countries. In the meanwhile it has been premature to speak of adopting the necessary measures for opening foreign markets to the manufactured articles of the United States, in view of the fact that they are not yet produced in sufficient quantity for the home market, where they are sold at a higher price than they could command abroad.

Such have been my views up to the time when this International American Conference met, and since then the expressions of opinion I have heard and the demonstrations I have witnessed in the principal productive centers of this country during the recent excursion of the Delegates to the Conference, and those which are now being made in this city, the metropolis of the country and the emporium of its commerce, that I confess my views begin to shake, and I am inclined to believe that the situation is changing; that public opinion, which really controls the destinies of the nation, favors the adoption of the necessary measures for the opening of new markets abroad, and that it is becoming now possible to carry out

similar provisions to those contemplated in the reciprocity treaty with Mexico.

It is my earnest wish that such provisions, or any other measures which will increase the commercial relations of our respective countries and the United States, will be adopted at an early date for the mutual benefit of all concerned, and no better opportunity can certainly be offered for such purpose than the meeting in the city of Washington of the International American Conference, at the invitation of the Government of the United States and in compliance with an act of Congress.

THE FIRST VICE PRESIDENT: If there be no objection, they will be attached to the minutes, as asked by the honorable delegate from Mexico.

REMARKS OF MR. HENDERSON.

MR. PRESIDENT: At the last meeting it was my purpose, as soon as I procured a translation of the speech of the honorable delegate from the Argentine, Mr. Saenz Peña, to examine it, and see whether in my judgment it called for an answer from me. It is true I did not get a translation of the speech until late Saturday night, and other engagements have occupied my entire time from then to the present. I have glanced over the speech, however, and whilst I recognize the exceeding ability therein displayed, I do not deem it proper to continue the discussion any longer in the line indicated by the honorable gentleman's speech. Whilst I acknowledge the ability of it, and the vast learning displayed by the honorable gentleman, yet it will be seen from an examination of his remarks, if we are willing to take the bare agreement of the Argentine, that they will receive our goods free of duty or at modified duties, provided we will take the few remaining articles of the Argentine Republic free, and they are very few indeed.

I can not see what harm will come out of it. If we agree to take the Argentine products free it will certainly open a market for them; and if they agree to take ours free, and they can get the same articles free from Europe, why, they are under no obligation to take our articles, therefore

they would strike a good bargain. We would be compelled to receive all the products of the Argentine, while the Argentine would receive none of our products unless the Argentine merchants could buy those products cheaper than they could buy them of Europe. What possible damage would be done the Argentine I can not see.

Now, one other remark and I am done. We hear a continual complaining of the injustice of the high duties of the United States as compared with the duties of the Argentine. I have had but a moment to look up that subject, and I will occupy their attention for only a few minutes. I have merely looked at the duties of the Argentine so far as I can obtain them at present, and at the duties in our own country.

In 1887 the total importations of foreign merchandise into the United States was over \$683,000,000 in value. The duties collected amounted to \$214,000,000 upon this \$683,000,000, showing an average rate of duty of 31.34 per cent. In 1888 our importations were over \$712,000,000. The duties which we collected upon the \$712,000,000 were \$216,000,000, showing an average rate of duty of 30.33 per cent. In 1889 we imported over \$741,000,000 of foreign products, collecting duties amounting to \$220,000,000, showing the average rate of duty charged to be 29.75 per cent. These figures indicate a continual reduction in the average rate of duty.

Now, I have not been able to obtain the exact state of trade in the Argentine Republic since 1887. The Annual Statistician and Economist, published at New York and San Francisco, estimates the imports into the Argentine Republic in 1887 at \$121,342,960, and the total revenue collected for that year was \$52,091,716. I admit that it is not stated in this statistical work what proportion of this revenue is derived from customs duties, but I hold in my hand a statement from the South American Journal, reprinted in the River Plate Times, showing the entire revenue of the Argentine for 1889 to have been as follows:

Customs duties at the capital.....	\$46,569,700.16
And in the provinces	9,705,331.32

Making a total from customs of..... 56,275,031.48

Now, to make up the balance of the revenue for the year 1889, they collected:

From stamped paper	\$4,171,018.46
From business permits	1,500,000.00
From direct tax	3,500,000.00
And from fines	30,000.00

Making a total revenue in 1889 of..... 65,476,049.94

If this be correct, and it bears the impress of authority upon its face, and does not differ from the statistical information I have obtained, the customs duties in the Argentine Republic yielded over \$56,000,000, while all other sources yielded only a little over \$9,000,000.

Assuming, then, that the taxes were in 1889 the same as in 1887—that is, without change of law—the importations in 1889 amounted to, say, \$151,000,000. Now, if \$151,000,000 of importations yielded \$56,275,000 of revenue, the average rate of duty can not be less than 37.26 per cent., which is a much larger average rate of duty than that imposed on importations into the United States for three years. And if we take the Argentine commerce of 1887 the same result is disclosed. If in the total revenue of 1889 of over \$65,000,000 the revenue other than import duties was \$9,000,000, it may be assumed that in a total of \$52,000,000 all of it came from impost duties except \$7,000,000, to wit, \$45,000,000 from impost duties in 1887. Hence, if an importation of \$121,000,000 in 1887 paid \$45,000,000 duty into the Treasury, the rate per cent. must have been 37.19, largely over the duty paid upon the average importations into this country in the years 1887, 1888, or 1889.

Now, Mr. President, I have, unless figures speak incorrectly, and I am sorry my friend (Mr. Saenz Peña) is not present to-day to correct me if I am in error, shown the condition existing in both countries. And I find it necessary, inasmuch as he has made me a physician ministering to the diseased condition of the United States, to say to him: “Physician, heal thyself.”

Now, Mr. President, the honorable gentleman has found that duties are alarmingly high in this country, and that

he can not profitably trade with us. Therefore he rejects the idea of making a single reduction upon a single article of exportation or importation. While I can not see the logic of this reasoning, my friend may possibly see it in some light in which it has not been presented to me. But he insists upon arraigning these heavy duties. Now, I have shown that, so far as the impost duties are concerned, they are higher on the average in the Argentine Republic than they are in the United States.

Now, Mr. President, do you ask me if I indorse everything in the tariff policy of the United States? I assuredly do not. I have distinctly shown what has produced the tariff policy of the United States. I made that, I hope perfectly clear a few days since. I am not a devoted advocate of high tariff duties; I never was. But when these invidious comparisons are made between the policy of the Argentine and that of the United States, I deem it my duty, Mr. President, to array the figures before this Conference, and show my friend that we are not so unjust and harsh in our policy as he would imagine.

And now let me say, as was truthfully said nineteen centuries ago: "And why beholdest thou the mote that is in thy brother's eye, but perceivest not the beam that is in thine own eye?"

Mr. QUINTANA. Mr. President, the honorable delegate from the United States has been given in the discussion of this subject a special position and one which the Argentine delegation has in no wise tried to deny him. Far from this, Mr. President, when the honorable delegate stated that he must know *in extenso*, and have a translation in English, to study and prepare himself to reply to the address of my honorable colleague, Mr. Saenz Peña, the latter was the first to arise and ask that the wishes of the honorable delegate, Mr. Henderson, be acceded to. This honorable gentleman has just replied to the last observations of Mr. Saenz Peña, adducing a large num-

ber of considerations and citing statistical data even from anonymous and malicious publications, which it is a pity to have been brought into the debate. I refer to the article from the River Plate Times quoted by the honorable delegate, and I say to myself that when this situation has presented itself, when my colleague, who belongs to the committee charged with this subject, is absent, it is not possible for us to be contented with a mere hurried translation, which can not give us any clear idea of the speech of the honorable delegate and much less afford us all the statistical data which he has just cited in the presence of the Conference.

I request, Mr. President, that his speech be translated and delivered to the Argentine delegation, because that delegation must needs in the presence of the Conference impeach the correctness of that anonymous and, I repeat, malicious publication which has been distributed to the honorable delegates. The Argentine delegation places at the disposal of the honorable General Henderson all the statistical data of its country which it has in its possession and which is that relating to the year 1889. I would demonstrate to the honorable delegate, my colleague will demonstrate it, and he himself may see that those reports are incorrect and that there is not a single commodity from the United States which is burdened in the Argentine Republic with duties such as burden articles from the Argentine Republic imported into the United States.

To those assertions, so informally brought into the debate, I might reply, Mr. President, were it necessary, with the statistics I hold in my hand, and the

honorable delegate may see them, that, for instance, olives have a duty of 30 cents per kilogram, that refined sugar has one of 9, starch 5, meats 30, preserved fruits 5, and that there is a multitude of free and most important articles, such as machinery of the United States, which is, happily, so much used in my country for the rapid development of agricultural interest there noted. All that machinery, and especially the agricultural, have been free of duty up to 1888, and to-day are only burdened with a 5 per cent. duty; that is to say that the Argentine Republic only burdens this important branch of the exports of the United States with a duty so low that it hardly merits notice, and this includes not only raw material but the manufactured article.

Therefore, Mr. President, I move that the speech of the honorable delegate, Mr. Henderson, be translated *in extenso*, as all the others made in this Conference have been.

THE FIRST VICE-PRESIDENT. The Chair sees no objection to the speech of the honorable delegate from the United States being translated in full and placed at the disposal of the Argentine delegation.

MR. ESTEE. Mr. President, is there any objection to future communications or addresses on this subject being submitted after a vote? I presume we have already made up our minds upon this subject. Of course, it is perfectly proper that the honorable gentleman from the Argentine should have an opportunity to respond, but let him present his speech whenever he is ready, at any time before adjournment.

MR. QUINTANA. Mr. President, the Conference has

resolved heretofore that the discussion on this subject should conclude and that it should be voted on at this session; but the debate has not really terminated; there is pending an untranslated speech, and which consequently can not be replied to. However, Mr. President, that speech having been made by one of the United States delegates, and another of that country's delegates having made the motion to take the vote on this subject, I am willing that the Conference vote immediately, if there be no objection.

MR. ESTEE. Mr. President, I would not ask the vote to be taken, except that the honorable delegate from the Argentine may respond hereafter. I do not desire that he should be prevented from making a response. The question, perhaps, is that if the gentleman from the Argentine wants to address this Conference again upon this subject he may do so. Then, perhaps, another gentleman may want to reply, and my suggestion was only for the purpose of coming to a vote, as we have already made up our minds, and at the same time permit the gentlemen to carry on this discussion after we dispose of the subject. This discussion does not seem to touch upon the report at all. The discussion now seems to be upon the question as to which is the best country, the Argentine or the United States. That question has no more to do with this report, in my poor and humble judgment, than the next total eclipse of the moon.

MR. MENDONÇA. I was just remarking that we can not close the discussion with a vote—for that is the general way of winding up all the discussions—and

at the same time permit discussion by speeches that would be communicated to the Chair. I think when this Conference was considering whether, as soon as the discussion was ended to-day, the vote should be taken, that the case was a very different one from the present. The discussion is not ended. Our colleagues from the Argentine Republic are not satisfied in finishing the discussion now, so they avail themselves of the privilege of answering the speech of Mr. Henderson and sending the answer to the Chair. That I do not think is a proper way of discussing a matter. I think we ought to translate and give to the honorable delegates from the Argentine Republic the speech of the honorable Mr. Henderson. Of course that will take time, but we can not take a vote upon a matter and then afterwards continue the discussion of the same matter.

Mr. HENDERSON. Mr. President, it is quite unnecessary for me, I think, to assure this Conference that if the honorable delegate from the Argentine desires time to make any reply to the few remarks that I have made, intended simply to vindicate the United States and answer what I suppose was intended as an invidious comparison with the tariff policy of the Argentine, the United States delegation would certainly not vote against the proposition to give the gentlemen any time they choose to ask. I was not aware that I said anything which would excite any discussion; what I said was simply defensive, and not of an aggressive nature, and only in response to the speech of my friend from the Argentine. There were other points which I might have answered, but I thought it unnecessary to continue a discussion in

that direction. I simply wanted to vindicate the United States.

If the statistics are incorrect, of course they ought to be corrected. The gentleman is mistaken if he thinks I read from a newspaper. I read from a book published by the English Government, giving the statistics of the Argentine. It is true that for the report of 1888 I did give the newspaper report. I merely submitted it, and stated that it corresponded very nearly with the report as given by the English Government for the preceding year, and I supposed, and suppose yet, that it is correct. Not that I wish to put before the Conference any newspaper reports, but they are very frequently the only reports we can get of a late date; in fact, these statistics appear first in the newspapers and afterwards in books of statistics. I was taking the latest possible reports that I could get.

Of course, Mr. President, it is needless for me to say that if time is desired the United States delegation will give any time the gentleman requires. We were not pressing a vote at all to-day. I did not desire the vote to be taken until my friend, the other gentleman from the Argentine (Mr. Saenz Peña), should be present. He seems to be absent to-day. I do not know the cause. I regretted, and expressed that regret, that it was necessary for me to say a word upon this subject in his absence; but, inasmuch as a vote was pressed, I availed myself of the opportunity simply of vindicating the policy of the United States upon this vexed question of the tariff.

Mr. QUINTANA. When the honorable President stated that the majority report would be put to the

vote because no one asked the floor, the honorable delegate from the United States preserved silence, and I understood, as I naturally would understand, that he would not have any reply to make, thinking it inopportune, to the speech of my honorable colleague, Dr. Saenz Peña; but to withhold the making of that speech until the Conference had decided to terminate the discussion to-day—my colleague being absent, and I myself being unable to understand his speech, because unfortunately, not knowing English, I can not correct those statistics—is something, Mr. President, which, in all frankness, I had not anticipated when I stated that the vote might be taken on the subject.

I have not objected to the data taken from official statistics by the honorable Mr. Henderson; what I have objected to is, that at the same time he should have quoted in the Conference an entirely unauthorized article from a publication, whose contents show at first sight what a little friendly spirit towards the Argentine Republic guided the pen that wrote it—an article which betrays on its face the nationality of the author. Never, Mr. President, would the Argentine delegation have brought into the debate, to judge the economic policy of the United States, articles from publications unfavorable to them and inspired by such sentiments, because it believes that such an action would be contrary to the duties of the reciprocal courtesy, politeness, and deference we all owe each other.

Furthermore, Mr. President, I have stated that I have no objection to the vote on the question being taken, acknowledging, as I should, very sincerely, the

courtesy which has urged the honorable delegate from the United States to ask that the vote be not taken, because really the discussion on a subject terminated by a vote can not continue; but the Argentine delegation will know how and when to reply.

Very well, respecting the trade of the Argentine and its duties, brought into the debate by Mr. Henderson, and which I have not been able to memorize, he will permit me to say to him that I understand he has the statistics of that country for the year 1887, placed at his disposal by my colleague himself; and if this recollection of mine be not incorrect, Mr. Henderson will have seen by those statistics that the Argentine Republic has no duties as high as those on the tariff list of the United States.

In the Argentine Republic there are a great many articles admitted free of all duty, others are taxed at 5 per cent., the greater part at 25, and only in very rare cases certain manufactured articles pay 50 per cent. But if Mr. Henderson has read the article in the River Plate Times with care (seeing he has cited it in the debate), he must know that the excise duties in the Argentine are now paid in paper money; that the Argentine Government only charges an exchange of 50 per cent., from which it appears that all these statistics still fail to give the exact state of the case to the honorable delegate. The exact state of the case is, considering the present depreciation of paper currency in my country, those 50 per cent. duties are really 20, those of 20 are not more than 10, and those of 5 barely amount to 2 per cent. Which of the products of the Argentine Republic, capable of compet-

ing with like products of the United States, do not pay higher duties than these?

I do not wish, Mr. President, to carry this comparison further, which is unsatisfactory, which is unpleasant, which is even odious; but I have been forced, although totally unprepared, in the absence of my colleague, who should have replied, as he belongs to the committee—I have been forced, I repeat, not to judge the economic policy of the United States, but to correct the erroneous statements just made by the honorable delegate concerning the duties which commodities from the United States pay in the Argentine Republic, and in making these corrections I do not appeal to unauthorized publications nor to newspaper articles, but to the official statistics of my country.

Mr. PRICE. At the start of this last discussion the honorable delegate from the Argentine said that there is pending before the Conference a speech in English which has not been translated, and as long as this is not done that speech is not in order, and the discussion can not be considered as closed. This I believe to be right and in accord with our rules, and besides all that it may be regretted to see our discussion drifting into a sort of international exchange of recriminations. It is true that common courtesy makes it a duty to listen to any member of the Conference who cares to make a reply to something that has been said. For these reasons I believe that we should come back to the proposals made by the honorable delegate from Chili at the commencement of our session, and postpone the vote and further discussion of the matter to the session of to-morrow.

The FIRST VICE-PRESIDENT. The honorable delegate from Brazil has presented the following motion, which the secretary will read.

The SECRETARY read as follows :

I move that the discussion of the report be continued until there is no other member desiring the floor.

SALVADOR DE MENDONÇA.

Mr. PRICE. To my mind the motion of the honorable delegate from Brazil is in substance the same as that decided upon at the session of Wednesday, when Mr. Henderson moved that the matter be discussed from session to session until disposed of.

Mr. MENDONÇA. Mr. President, I withdraw my motion, as my honorable colleague from the Argentine has expressed a desire to have the vote taken.

Mr. QUINTANA. I am extremely grateful to the honorable delegates from Brazil and Hayti for the attitude they have assumed, but it is not the desire of the Argentine delegation to prolong this debate. The vote can be taken, and the delegation will see in what manner the erroneous data of General Henderson can be corrected.

Mr. ESTEE. Mr. President, I suppose the idea of my distinguished friend from the Argentine in having the vote taken to-day arose from the fact that I have urged the vote to-day. Now, if the distinguished gentleman from the Argentine, or anybody else, wishes to address the Conference, of course I do not wish to press the vote. But if no one wishes to speak or discuss the question, why not settle it? That was the only point I made, and I make that statement because the distinguished gentleman from the Argentine seemed to think, after my colleague had spoken,

that I was trying to press a vote without any reply being made, which would be entirely contrary to my wishes and entirely unfair. Therefore I suggest that we adjourn, and I make that motion, until to-morrow at the usual hour.

Mr. QUINTANA. I again insist on my motion to vote on this question. The motion of the honorable Mr. Estee leads to nothing advantageous in the end. Mr. Saenz Peña is not in Washington, but in New York; he will return, at the earliest, to-morrow and, perhaps, Mr. Henderson's speech will not even be translated, and even if it were, he could not reply from memory to statistical data. There is, therefore, no object in leaving this question pending until to-morrow, and if the vote is to be taken at the next session, it is preferable to take it now.

Mr. HENDERSON. Mr. President, I do not understand that my colleague, Mr. Estee, made any motion that the vote be taken to-day. He has so explained, and my understanding was that if any motion came from any United States delegate it would be simply upon the request of the honorable delegate from the Argentine. Of course we stand in this attitude so far as this matter is concerned; we are anxious to get through, but as long as the Argentine claims that it wants time to reply to anything that is said, or which may be said by any delegate from the United States, so far as we are concerned we shall vote as a unit to extend that time. We shall vote as a unit to give any time that may be required by any one.

Mr. TRESCOT. Mr. President, I for one am not willing to accept the proposition to take a vote at once. I do not propose to request of the Argentine delegation

to say that they will not make a reply, or will submit to a vote being forced upon them. I regret very much the course of this debate. I have had no opinion to express and have expressed none. I think the discussion between the Argentine delegation and my friend Mr. Henderson has been a side issue and does not belong properly to the report, but the debate has taken place and I think that the honorable delegate from the United States was bound to reply to the speech of the delegate from the Argentine Republic; it is also the right of the gentleman from the Argentine to be heard before we take any action. I therefore move, in deference to the wishes of the Argentine delegation that this discussion be suspended until Thursday, so that the gentleman from the Argentine will have a chance to be heard.

It is better, now that the discussion has been entered upon, that both parties give their opinions upon the matter, and I hope that the debate will end satisfactorily. I do not see how Mr. Henderson gave any offense, but if the Argentine delegation desires to reply I do not see why they should not be heard. I therefore move that the matter be suspended until Thursday, and if at that time neither party desires to discuss the matter further, the vote can be taken.

The FIRST VICE-PRESIDENT. The honorable delegates have heard the motion to suspend this debate until Thursday next.

If there be no objection the motion will be considered as carried.

The Chair hears no objection.

The motion is carried, and pursuant thereto the discussion is laid over until Thursday next.

SESSION OF APRIL 10, 1890.

The PRESIDENT. The order of the day is the continuation of the debate upon the report of the Committee on Customs Union. What order will the Conference take?

Mr. SAENZ PEÑA. Mr. Chairman and Gentlemen, I shall say but a few words in reply to the last speech of my distinguished friend General Henderson.

In the course which this debate has taken it has lost its general character and the interest which it awakened in the nations of America. Since it has left two nations, or rather two tariffs, disputing with each other as to the spirit of liberality which inspires them respectively, I should not take too great advantage of the attention with which my distinguished colleagues have favored me, and shall limit myself to mere rectifications.

Mr. Henderson seems to object to the disagreeable comparisons between the tariff systems, and I must decline to be responsible for their having been compared. I was forced into undertaking it by the invitation of Mr. Flint, and it is therefore on his colleague that the blame should fall, which, however, seems to point towards me. As to the question of statistics, I should also make some explanations.

I have spoken of the commerce of the United States in relation to America, and Mr. Henderson argues with me on the figures of general commerce, which have not entered into my calculations except on par-

ticular occasions, and which are not concerned with the matter I have now in hand. With reference to these facts he brings up the tariffs of the United States, placing a duty on their trade only to the extent of 45 per cent., but it is this same proportion which contrasts it with the 80 per cent. levied on the importations from Central and South America. In that way the question is carried beyond the bounds within which it should be discussed by the honorable Conference, and applied to interests foreign to this continent and to the nations here represented. Let us for a moment look at the Argentine tariffs, since the comparison seems, in the present instance, to please the honorable delegate. I have here the statistics of the years 1887 and 1888, which give us this result:

Year.	Dutiable importations.	Duties.
1887.....	\$104,598,562	\$33,906,874
1888.....	105,165,887	34,476,630

We see, then, that in 1887 the dutiable articles have been subjected to a duty of 31 per cent., and in 1888, 32 per cent., which shows a notable difference when compared with the 45 per cent. levied on the United States' general commerce and the 80 per cent. with which the products of America are burdened.

These figures are taken from the official statistics of the Argentine Republic; those of 1887 are already in possession of the honorable delegate, as I have had the honor to send them to him privately, and those of 1888 are now here before me, and I place them at his disposal. I will state that I do not accept as authentic statistics those which are drawn from

articles published in the daily press, or from loose circulars issued anonymously.

The honorable delegate makes another calculation, taking as a basis the total free and dutiable importations, and arrives at the conclusion that the United States has levied a duty on them in 1889 of 29.75 per cent. On this he bases the assertion that the Argentine tariffs are higher, but I can prove to him through the same books that in 1887 we only reached 28.8 per cent., and in 1888 we had gone down to 26.9 per cent.

I have examined these statistics only to please my distinguished friend, and for the purpose of having it well understood that the Argentine customs have not amounted to the \$51,000,000 that he supposes. But these facts prove nothing whenever we have to consider the tariffs with relation to America, and it is there that liberality leaves much to be desired. There is no necessity for me to repeat that goods from the United States enter our custom-houses with a duty of 5, 10, and 25 per cent., a substantial difference from the 80 per cent. levied here on the dutiable products of Central and South America.

The substantial difference in these tariffs is not exactly in the number of dutiable articles, but in the amount of the duty, which is heavy even to prohibition, on those articles which are the cause of domestic protection. Thus we see that the Argentine tariffs, with a greater number of dutiable articles (82 per cent.), bring in a revenue proportionately inferior to that received by the United States, with a fewer number of dutiable articles.

I, for my part, would prefer to end a debate which

has already been too long drawn out and which diminishes in interest to the Conference, since it has ended by individualizing itself in two tariffs. They, like the treaties of reciprocity, are subjects for governments rather than for a conference, since they do not influence the entire continent.

I end the discussion, then, hoping that my illustrious friend, General Henderson, may be willing to accept the assurances of the pleasure I have experienced in listening to his defense of his convictions, and stating the reasons which gave rise to the debate which he has carried on so ably on his part.

Mr. ALFONSO. I have asked the attention of the Conference in order to affirm my opinion, heretofore expressed, upon this subject, and to explain my reasons for voting contrary to the majority report of the committee.

It is well known that there was no disagreement in opinion as regards a Customs Union. All the members of the committee were of opinion that such a plan was not practicable. The division was upon the point of recommending reciprocity treaties. While the majority were in favor of this, the minority, composed of the delegate from the Argentine Republic and myself, considered the idea as out of place.

I have believed, and continue to believe, that this assembly has not the power to make this recommendation.

The International American Conference was convened for the purpose of discussing measures of common interest to all the nations here represented, but by no means to interfere with subjects which might raise questions between the several nations of the

continent. It would serve no purpose to advise a nation to make reciprocity extradition treaties, because, for example, this enters into the natural order of affairs of each country. The International Conference could not have had such an object; consequently recommending the celebration of treaties of one or another kind between nations does not enter into its functions. Yet I do not wish to be understood as pronouncing against these treaties; they may be very useful, but I think there is a mistake in believing that this recommendation will lead to the establishment of the desired Customs Union.

Therefore, I am of opinion that the Conference should decide against the majority report of the committee.

The PRESIDENT. What order will the Conference further take? Is the Conference ready for the question? The resolution of the majority will be read in both languages.

(The resolution was read, as directed.)

The resolution of the minority will be read.

(The minority resolution was read.)

The question is first upon the report of the majority. The vote will be taken by States.

The roll-call resulted as follows:

VOTE.

AYES—12.

Nicaragua,	Costa Rica,	United States,
Peru,	Brazil,	Venezuela,
Guatemala,	Honduras,	Salvador,
Colombia,	Mexico,	Ecuador.

NOES—3.

Argentine Republic,	Bolivia,	Chili.
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NOT VOTING—1.

Paraguay.

The PRESIDENT. The report of the majority is adopted. Is it desired to have the roll-call upon the minority report?

Mr. SAENZ PEÑA. One delegate having abstained from voting, I ask that the minority report be voted on.

Mr. ROMERO. I think it is wholly irregular to have the minority report voted on after that of the majority has been adopted. But to meet the difficulty pointed out by the honorable delegate from the Argentine Republic, it seems to me that an opportunity should be given to the honorable delegate from Paraguay to express his views as to the report of the minority. It is clear that he ought not to be denied the chance to express his opinion; but we who have voted for the majority report would be placed in an embarrassing position; for if we vote *against* the minority report, we shall appear to be acting inconsistently, that report being practically identical with a part of the majority report, though it does not cover as much ground; while, on the other hand, if we vote *for* the minority report we shall seem to be contradicting our vote for the report of the majority.

Mr. SAENZ PEÑA. The reason which I mentioned to the Conference, based upon the fact that the delegate from Paraguay had abstained from voting, was a merely incidental reason, and not the only one. I ask that the minority report be voted on because the majority report does not define the attitude of the Conference towards a Zollverein. What has been adopted is simply the recommending part of the report of a committee which, having been appointed to consider the subject of a Customs Union, recommends

the negotiation of reciprocity treaties, but says absolutely nothing as to a Customs Union, the one subject which was referred to it.

I think, therefore, that the Conference ought to express its opinion as to a Customs Union, and, as that is not covered by the majority report, the minority report must be voted on in order that the Conference may have an opportunity to express its opinion upon the fundamental point involved. For this reason I insist that the minority report be voted on.

The PRESIDENT. While there is some embarrassment about it, it is sometimes conceded in bodies of this character, for the reason that voting "no" upon the majority proposition does not touch the minority proposition. Therefore, when they have desired to have their names recorded in the journal as supporting that report, it has been allowed to have the roll called, and in such a case there need be no negative vote because it is merely to record the vote on the minority report. The Chair would suggest to the honorable gentlemen that they would attain their object by simply asking that their names be recorded on the journal as voting for the minority report. That would be the more direct way of stating it. The gentlemen who are supporting the minority report want their support recorded; merely voting "no" on the majority report does not give them the advantage of that. *Non constat*, the vote "no" means a vote in the negative; they want the positive affirmation for the negative vote. That can be readily obtained if they will pass their names up as in favor of it.

Mr. DECOUD. Accepting with thanks the President's

suggestion, I beg that I may be reported as voting in favor of the minority report.

MR. ARAGON. Mr. President, I think there is a very peculiar question before us now. For instance, the minority report states that we do not consider practicable a Customs Union. We all admit that, and the fact that we agree to that, is indicated by the affirmative vote advising the exchange of reciprocity treaties because we can not come to a Customs Union. Now, for instance, I would have no objection to approving the report of the minority of the committee for the reason that I understand that the Customs Union can not be made now. I agree to that entirely; but the difference between the reports of the minority and the majority is this: the former do not advise the celebration of reciprocity treaties, for the reason that they consider it out of the province of this Conference, while I do not consider it so. I agree to the main point that a Customs Union is impracticable at present, but do not find inadvisable the celebration of reciprocity treaties. The reason why I have no objection is that I consider this is not the case. I do not find that both opinions conflict. For, in this case, one would say "white" and the other would say "black." There would be an apparent conflict, but these reports are based on different grounds. They both consider a Customs Union as impracticable. We all agree to that; even the majority report states that plainly. I also agree that it is impracticable at present to organize a Customs Union. Under these circumstances I want my vote to be recorded in this peculiar way: That though I consider a Customs Union as impracticable at present, agreeing in that

respect with the minority report, I also advise the celebration of reciprocity treaties, because they can be made in the recommendations of the majority and can be made without coming in any way in conflict with of the jurisdiction of the Governments.

Mr. VELARDE. I have voted against the report of the majority for two reasons: First, because I deem it inadequate, inasmuch as it says nothing upon the point which was referred for consideration, namely, whether or not a Customs Union is advisable; the resolutions of the report are absolutely silent upon this point. The second reason is, that, in common with the others who voted in the negative, I hold that the recommendation that reciprocity treaties be negotiated is one which it is not competent for this Conference to make, inasmuch as the nations, in the exercise of their legitimate powers and according to their own needs, take good care to negotiate reciprocity treaties when they find it expedient so to do; and I do not believe that the vote of the Conference can either increase or diminish the influence of each nations' own interests in the determination of the question. Now, coming down to the question as to whether or not the minority report should be voted on, I believe that the Conference ought to express its opinion thereon, for the reasons urged by my friend, the delegate from Costa Rica, and also because the report of the majority is inadequate, and the Conference ought to state its opinion as to whether or not a Customs Union is practicable. For these reasons I think that the report ought to be voted on.

Mr. SAENZ PEÑA. There being four delegations which ask, each in the name of its Government, that the Con-

ference give its vote upon this point, it seems to me that there is no reason, or rule, which should be insisted on against it.

The honorable delegate from Costa Rica has clearly shown that the majority of the committee deals, in the resolutions of its report, with everything except the one subject which was referred to it for consideration, namely, the Customs Union. We would thus adopt a report which treats of reciprocity treaties, but does not say one word about a Customs Union. If the majority report had contained an article upon that point—the one which it was essential that it should have declared upon—this difficulty would not have arisen. We could have voted upon it, and the opinion of the Conference would have been made known as to the question of a Customs Union, as well as upon that of reciprocity treaties. But this one vote will accomplish but an incomplete result; the Conference has determined in favor of reciprocity treaties, but says nothing as to a Customs Union. There being accordingly no incompatibility between the vote already had upon the majority report, and that for which I ask upon the report of the minority, I believe that the proper course is to proceed to the taking of the vote.

Mr. CAAMANO. While I regret being in opposition to the honorable delegate from the Argentine Republic, I wish to say two words.

In the first place, in the explanatory portions of both reports mention is made of the subject of a Customs Union, as that which gave occasion for their being written, and the conclusions of each report are but corollaries of the preliminary statements therein.

In every law the preamble, while it is not itself the resolution, sets forth the reasons for the resolution, and especially in a case like the present, in which there is no resolution, but only a recommendation, the expository part of the report can not be dispensed with. I believe, accordingly, that although no mention is made in the explanatory portions of the majority report as to the object of the report, yet it is so involved therewith that it can not fail to be considered in the final clause upon which the proposition is based.

On the other hand, in no deliberative body is the minority report voted upon, no matter what the considerations may be for the presentation thereof.

I believe, therefore, that to vote at this time upon the report of the minority is tantamount to compelling the delegates to contradict themselves; the report of the minority declares Customs Union to be impracticable, not only at the present but at any time, whilst the majority report says that reciprocity treaties may be made which, in my humble opinion, means the practicability of Customs Union now or in the future, and according to my views, if both reports are voted upon they would contradict each other absolutely.

The PRESIDENT. The Chair wishes to make a remark. The Chair suggested to both of the gentlemen who were opposed to the majority report, that they have their names recorded in the journal as favoring their views, which were not directly voted upon. In that the Chair aimed to protect the rights of the minority, but in no deliberative body can the

minority coerce the majority. The motion is out of order.

MR. SAENZ PEÑA. It appears to me that when the minority demands a vote of the Conference, it makes use of an indisputable right. It has the right to know the opinion of the Conference upon those subjects which are confided to it for study, and without reference to the members of the majority or to the nations which they represent. This is a right which may be exercised under that of equality, which places us all on a level.

The honorable delegate from Ecuador says that he discovers an inconsistency in voting on both of the reports; saying that when the majority advises the celebration of reciprocity treaties it is clear that it considers Customs Union as practicable.

It seems to me that this inconsistency does not really exist. Reciprocity treaties are practicable and are acts entirely distinct from Customs Union. They may exist whether the minority report be accepted or rejected, and when the Conference shall have voted upon the recommendation relating to reciprocity treaties it will not have expressed an opinion upon Customs Union, which is the point it is called upon to decide.

The same delegate adds that the Conference ought not to lose sight of the fundamental principle of the report; not the explanatory part, but that part which suggests an explanation of the preamble, and apropos of this he mentions the principles laid down in laws passed by all legislative bodies.

I must remind your honor that the laws themselves are not debatable; the only thing debatable is the

sentence under the law, which is accompanied by the reasons therefor or opinions thereon. I think, therefore, that there is no objection to the Conference expressing an opinion upon the subject of Customs Union and this is the right of the minority; it has studied the question and it desires to know the form in which the Conference accepts or rejects it.

I therefore insist that the minority report be voted upon.

MR. PRESIDENT. The honorable delegate from the Argentine Republic moves that a vote be taken on the minority report. That vote will be ordered by nations. The roll will be called. Those in favor of having a vote taken upon this proposition, will answer aye; those opposed, no.

MR. CAAMANO. Before the motion is put to a vote, I desire to say a few words in respectful reply to the honorable delegate from the Argentine Republic.

The majority report, in its explanatory part, explains the situation to Customs Union, and its conclusion, which is simply a recommendation, is made upon the arguments which serve as a basis. Therefore we should consider that the recommendatory part refers to the subject of Customs Union, although it is otherwise explained. As for the rest I have simply cited the practice of some countries which explain the basis of their laws as a whole, as is the case in Salvador and in Colombia; and this is done because some laws need explanation, and also, because, as a general principle, not only has the legislature this right, but it ought, also, to give its reasons for making the laws, and therefore it is necessary to explain them.

MR. SAENZ PEÑA. I ask the privilege of the floor in order to remind the Conference of the importance of the explanatory parts of the reports from the committees which frame the projects; that this is a subject which has already been disposed of by the Conference when the subject of weights and measures presented by my friend, the delegate from Salvador, was discussed. It was necessary at that time to introduce some reforms in the recommendatory portion of the project, because the Conference declared that it would not vote upon reports nor arguments, but simply upon resolutions. It is therefore out of the question for the Conference to vote, according to its rulings, upon the reasons or arguments upon which the majority and minority base their resolutions; and if this is so, in the present case, the vote of the Conference upon the subject of Customs Union would be null and void. I recall this precedent, therefore, which has hitherto served as the basis for our debates; no reasons or basis have been voted upon, but the conclusions or resolutions which have been brought before the Conference.

For these reasons I insist that this assembly decide this point, accepting the suggestion of the president, that each delegation express its opinion, yes or no.

THE PRESIDENT. The question is whether the minority report shall be voted upon. Those in favor, will answer aye; those opposed, no. The roll will be called.

MR. HENDERSON. It really occurs to me that if a vote of this sort is taken, the proper way is to reconsider the vote by which the majority report has been adopted, and let the minority report come up as a

substitute for the majority report. In a deliberative body there is no other way by which a minority can get a direct vote upon their report. That is the usual way in such bodies to get a direct action upon the minority.

The PRESIDENT. The motion to reconsider will precede the motion of the honorable gentleman from the Argentine.

Mr. HENDERSON. Then I wish to state that if the vote is to reconsider, the minority may offer their report as a substitute. The question then is the choice between the minority and majority reports. Those who wish to substitute will vote for the minority report. Why, Mr. President, these are antagonistic reports. The idea of adopting first one, and then the other, seems ridiculous. The adoption of one is the exclusion of the other. They are at great angles, one to the other. How is it possible that we can adopt both? That is the argument submitted by several delegates, and I can not understand how that is possible. Now, I desire that the minority have a way of expressing themselves, and with that view, having voted affirmatively for the majority report, I am perfectly willing, with the concurrence of those voting, that we may have a reconsideration and let the minority offer their report as a substitute for the majority. We cannot adopt both. We are acting under rules, and those rules must govern this body.

To say that a minority and majority report can be adopted seems to me a most extraordinary idea. Why, the idea of the majority is that a Customs Union may be reached gradually through these means. The minority report rejects absolutely all approaches in

that direction. Now, it is a mere choice of means for accomplishing an end. You must fight under one banner or the other. You must take your choice, but you can take but one. That is my idea about it. I therefore move, Mr. President, in order to give the minority an opportunity of expressing their views here, that the vote be reconsidered. I hope there will be no objection to it, and then let the minority of the Conference offer their report as a substitute.

The PRESIDENT. The honorable delegate from the United States, Mr. Henderson, moves that the vote whereby the majority report was adopted shall be reconsidered. That motion is a privileged motion, and takes precedence to all others pending.

Mr. VELARDE. I find no contradiction between the report of the majority and that of the minority. Both are included in that of the first, and to prove it it is sufficient to refer to a few paragraphs of this report. In the first place it will be necessary to read the title of this committee which reports and the object of its study, which reads as follows:

COMMITTEE ON CUSTOMS UNION.

The Committee on Customs Union has made a careful study of the questions submitted to its consideration by the International American Conference in reference to forming a Customs Union among the several nations of this Continent.

There follows a review of the various systems, and then in page 8 there appears—

But while the committee believes that such a union is at present impracticable as a continental system, etc.

What else does the minority report say? It simply “rejects the project of a Customs Union.” There may

be a slight difference as to words, but as I understand it the idea is the same.

I am quoting from the majority report.

Mr. VALENTE. The recommendation for reciprocal treaties has been approved, but nothing has been said with regard to the second report, and this is the reason why the vote has been requested. I apprehend that if the explanatory part of the majority report had been put to the vote no question would have arisen; but what has been voted upon is the resolution. If this is the idea of the Conference then we are all agreed.

Mr. ESTEE. Mr. President, are these questions debatable?

The PRESIDENT. Questions of order are debatable within certain limits.

Mr. ESTEE. Do these reports agree? If this is so, I would like to know what we have been talking about for the last month. Now, if they agree, I would like to know why the whole committee did not sign the same report instead of making two reports. I think we are either all right or we are all wrong, and I appeal to my colleagues here as to whether we have been talking for the past month about nothing or about something. We have made a tremendous mistake some way, but we are coming to a happy conclusion if we find out that we are all on one side of this question. Mr. President, after having kept the translators and printers and everybody else busy for a month translating opposing speeches, at last we have come to one conclusion and discovered that there was not a bit of difference between the reports which have inspired this discussion.

Now, there is some difference in the reports. The

majority report means one thing and the minority report means another. We all know that is so. The majority want their views expressed one way, and the minority want their views expressed another way. Any way by which it will be so expressed upon the record is the honest way. Let us not talk about it, but let us vote.

The PRESIDENT. The question pending is the reconsideration of the vote by which the majority report was adopted. If the motion to reconsider prevails, then one of the minority may move the minority report as a substitute.

Mr. ANDRADE. Before voting, Mr. President, I should like to know if the English verb "to reconsider" can be translated into Spanish "to withdraw," or if it only means to consider the report as not voted upon?

Mr. DAVIS. I would like to inquire of the Chair what would be the effect to lay on the table the pending question? Would it dispose of the whole question?

The PRESIDENT. A motion under debate cannot have one part laid upon the table without the other part. You would have to carry the entire matter to the table.

Those in favor of reconsidering the motion by which the majority report was adopted will answer aye upon the roll-call; those against it no.

The roll-call was commenced, but was interrupted by—

Mr. HENDERSON, who spoke as follows: I do not wish to be placed in the attitude of having made a motion not sustained by the United States delegation. A majority of them have expressed themselves

so as to compel me to vote against my own motion. Therefore I ask the unanimous consent of the delegations here that I be privileged to withdraw the motion.

The PRESIDENT. Strictly speaking, the honorable gentleman could not do so after one name had been called upon the roll. The honorable delegate asks the unanimous consent to withdraw his motion to reconsider. Is there objection?

Mr. ZEGARRA. I object.

The PRESIDENT. As there is objection, the roll-call will proceed.

The roll-call was continued, but was interrupted by

Mr. QUINTANA, who spoke as follows: Mr. President, before proceeding with the vote, I would rise to a question of order, and ask whether or not a delegate can, against the majority of his delegation, make a proposition?

As General Henderson declares that the majority of the United States delegation does not support his motion it ceases to exist, and in consequence there is nothing to be voted upon.

The PRESIDENT. That is a point of metaphysics upon which the Chair himself declines to rule. The roll-call will proceed.

THE VOTE.

The roll-call resulted in the defeat of the motion to reconsider by a vote of 11 negative to 4 affirmative.

AFFIRMATIVE 4.

Argentine Republic,
Costa Rica,

Bolivia,

Chili.

NEGATIVE 11.

Nicaragua,
Peru,
Gautemala,
Salvador,

Colombia,
Brazil,
Honduras,
Ecuador,

Mexico,
United States,
Venezuela.

The PRESIDENT. The motion to reconsider is lost. The Conference declines to re-open the question in order that the minority may move the amendment, and therefore the amendment is removed from the cognizance of the Conference. The motion to reconsider is very often made, the Chair would remark, for the purpose of defeating it. It is the constant practice in the Congress of the United States to make the motion to reconsider for the purpose of defeating it and closing the matter.

MR. SAENZ PEÑA. The vote upon the proposition offered by General Henderson has nothing to do with my motion, upon which I desired the vote of the Conference.

The PRESIDENT. The honorable delegate from the Argentine Republic moves again that the Conference permit the vote to be taken upon the minority report. The Chair directs that the roll be called, and as many as are in favor of a vote being taken upon the minority report will answer aye.

MR. ARAGON. I said that I had taken the floor because it was, perhaps, the last opportunity which I would have to rectify some ideas expressed by Messrs. Henderson and Estee with regard to whether or not the vote ought to be taken on the minority report. These reports are entirely different; the minority declares that Customs Union is impracticable, whilst the majority, though it does not decide this question in the affirmative, it tends to that opinion. Now, then, as what the minority says in its report is a fact, viz, that a Customs Union is impracticable, and as, on the other hand, the proposition of the majority report is perfectly acceptable, I can not see any conflict what-

ever between one and the other of these reports, because, in my opinion, they are not contradictory.

For this reason, therefore, I believe that, without detriment to the vote already taken upon this subject, the minority report may be taken into consideration.

The PRESIDENT. Is the Conference ready for the question?

Those in favor of ordering that a vote be taken on the minority report will answer aye as the roll is called. Those opposed will answer no.

The roll-call resulted in a defeat of the motion to vote upon the minority report by a vote of 11 to 5.

AFFIRMATIVE 5.

Argentine,
Costa Rica,

Paraguay,
Bolivia,

Chili.

NEGATIVE 11.

Nicaragua,
Peru,
Guatemala,
Colombia,

Brazil,
Honduras,
Mexico,
United States,

Venezuela,
Salvador,
Ecuador.

The PRESIDENT. The Conference declines to vote upon the minority report. The subject is disposed of. What further order will the Conference take?

SESSION OF APRIL 12, 1890.

The FIRST VICE-PRESIDENT. The honorable delegate from Guatemala has presented his views upon the report of the Committee on Customs Union.

At the request of Mr. Romero, a delegate from Mexico, the written statement of Mr. Cruz was read, as follows:

THE VOTE OF MR. CRUZ, DELEGATE FROM GUATEMALA, ON
CUSTOMS UNION.

Owing to the circumstance that there is a division of opinion among the members of the committee charged to

study and report on the subject of Customs Union, and taking into consideration what has been said by both parties during the long and enlightened debate just ended, I am led to think that it would be convenient to leave a statement explaining the meaning and reasons of the vote I gave on this subject. Wishing this declaration to be spread on the minutes, I shall make it as brief as possible.

In giving my assent to the report of the majority, whose direct recommendation to the Governments is limited to the celebration of reciprocity treaties with one or more of the American nations with whom it should be convenient to make them, and on bases that in each case could be considered acceptable, I have understood that rather than being at present practicable, the establishment of a Customs Union has been clearly stated to be the opposite. Otherwise the recommendation would have been made to enter into a Customs Union, and not to do something that is a great deal less than that, as would be the case if treaties of reciprocity were only made; but even this is so mildly recommended that it does not in the least compromise the liberty of action of the nations to whom it is sent, and who are to decide upon it in the manner and under such circumstances or opportunities as they may see fit.

The actual condition of the United States and the Latin American Republics, as the report of the majority so well expresses it, is not such as would permit the establishment of a Customs Union, and for that reason, and as a consequence thereof, the committee, who could not recommend it, limited itself to suggest only that which it considered practicable at present. In the same way that I believe that the committee would have clearly and expressly proposed the adoption of a Customs Union if it had been found practicable, I do not understand why said committee, just because it is impracticable now, should declare it impossible. The Conference has been convened to study all matters of general interest to the Nations of America, and with the view of recommending to their respective Governments for final adoption, the matters that will tend to bring said nations closer together, to prevent war be-

tween them, to establish close and friendly relations, to develop commerce and reciprocal exchange, and do away with those differences which constitute the main obstacles to their more cordial, free, and frequent communications. In addition to the fact that the declaration that a Customs Union is impracticable is something more than a recommendation, and is not limited to the present time, the said declaration could not respond, in my opinion, to the spirit of the act of Congress. By merely not recommending the Customs Union, and recommending instead the negotiation of reciprocity treaties, the purposes of the act of Congress are fully accomplished. No undue obligation is imposed upon the countries represented by us, nor is a declaration made which if conducive to something could certainly be to something different from the purposes of the invitation.

I believe that a committee called upon to act in this matter, especially in an assembly which is purely consultative, has a greater amplitude of action than a judge to whom a case is submitted and whose decision must embrace all the essential points of the controversy. The idea of the Conference is without any doubt to do everything possible in order to respond to the great purposes had in view, and if in any matter the whole thing can not be done, it is lawful and proper to do something at least. This without taking into consideration that the act of the Congress of the United States which authorized the President to call this Conference together states the matter herein referred to with sufficient clearness.

True it is that the difficulties for the establishment of a Customs Union are at present great, and probably insurmountable; but the advantages which treaties of reciprocity, limited to certain articles and concluded upon especial bases to be established in each case, could afford are manifest.

The foregoing considerations explain well the reason why I had not the pleasure to accede to the proposition that the minority report should be voted upon. The recommendation of the majority acknowledges the present impracticability of the Customs Union, and besides this I

do not believe that two different reports on one and the same subject can ever be accepted. One having been accepted, and with it the recommendation which it makes, all others are thereby excluded.

I think that at the proper time all the amendments and modifications deemed to be proper can be introduced in the report of the majority, but after the said report is approved all other votes are, in my opinion, improper.

In recapitulation the delegation of Guatemala will say that, although in its opinion the especial declaration made by the minority ought not to have been made, it nevertheless concurs in the idea that a Customs Union between all the nations of America is at present impracticable; but for the same reason it thinks that it is proper to recommend at least the negotiation of reciprocity commercial treaties.

This meaning of the report of the majority is also the meaning of my vote on this subject.

FERNANDO CRUZ.

RECOMMENDATIONS OF THE CONFERENCE AS ADOPTED.

To recommend to such of the Governments represented in the Conference as may be interested in the concluding of partial reciprocity, commercial treaties, to negotiate such treaties with one or more of the American countries as it may be in their interest to make them, under such a basis as may be acceptable in each case, taking into consideration the special situation, conditions, and interests of each country, and with a view to promote their common welfare.

COMMUNICATION ON THE ATLANTIC.

REPORT OF THE COMMITTEE ON COMMUNICATION ON THE ATLANTIC.

[As submitted and adopted by the Conference.]

To the President of the International American Conference:

The Committee on Communication on the Atlantic has the honor to address itself to the President in order that he may be pleased to make known to the honorable Conference the agreement arrived at by the respective delegations concerning the encouragement of navigation on the Atlantic.

The committee hopes that the honorable Conference will view with pleasure the success of these labors, and moves the adoption of the following resolution:

The International American Conference, etc., would see with satisfaction the Governments interested in communications on the Atlantic give their assent to the plan subscribed to by their representatives.

It salutes the President with its most distinguished consideration.

T. JEFFERSON COOLIDGE.
SALVADOR DE MENDONÇA.
ROQUE SAENZ PEÑA.
JOSÉ S. DECOUD.

PLAN.

First.—The Committee on Communication on the Atlantic resolves to recommend to the respective Governments the aiding of one or more lines of steam navigation between ports of the United States and those of Brazil and Rio de la Plata.

Second.—The companies receiving Government aid shall establish a fast bi-monthly service of steam navigation between the ports of the United States, Rio Janeiro, Montevideo, and Buenos Ayres, and the vessels shall have the accommodations and capacity necessary for the transportation of freight and passengers, and shall carry the mails.

Third.—These steam-ships shall only touch at one port of the intermediary countries on the trips to and from Buenos Ayres; but during the quarantine season they shall only discharge mails and passengers and shall not embark anything subject to infection. In the countries of clearance and ultimate destination, they may touch at two ports.

Fourth.—The speed of the fast steam-ships shall be at least 16 knots per hour and they shall be of not less than 5,000 tons, and a time schedule of arrivals at and departure from the ports shall be established in conformity with the speed required.

Fifth.—Your committee recommends also an auxiliary line of freight steam-ships which shall sail twice a month making not less than 12 knots an hour, and touching at ports of the United States and Brazil. The United States of America and the Republic of Brazil shall pay one-half each of the amounts paid to these vessels, taking into due consideration the contract of the existing line with the latter Government.

Sixth.—The awarding of the contract with the steamship companies shall take place in the city of New York; bids being solicited of the companies by advertisement in at least five daily newspapers having the largest circulation in each contracting country. The advertisement shall designate a time within which proposals may be presented, which time shall not be less than ninety days. The bids are to be opened in the presence of the representatives appointed for this purpose by the Governments interested.

Seventh.—Bidders must state the tonnage of the vessels, in accordance with article four, and the amount of Government aid required, calculating the latter at the rate per ton for every 1,000 miles, and also the amount of payment for the round trip.

Eighth.—The Governments reserve the right to reject all bids if, in their judgment, they should be excessive.

Ninth.—The States shall have the right to impose their flag and register upon the vessels to a number proportionate to the percentage of the aid they pay. In that case it is understood that the quota of each nation shall be paid directly to the vessel or vessels carrying its flag. In case of war, each State may use as transports and arm as cruisers, upon payment therefor, the vessels carrying its flag.

Tenth.—The vessels receiving Government aid, whatever flag they may carry, shall enjoy in the ports of the contracting Governments all the rights and privileges accorded to national vessels for the sole purpose of international commerce, but not including rights to coastwise trade.

Eleventh.—The contracting Governments shall contribute aid to the fast line in the following proportion:

	Per cent.
The United States.....	60
The Argentine Republic.....	17½
Brazil.....	17½
Republic of Uruguay.....	5

Twelfth.—The contracting States shall accept only vessels constructed in the United States, in consideration of the higher aid paid by that Government.

Thirteenth.—The term of the contract shall be ten years.

Fourteenth.—The committee recommends to the Governments interested the encouragement of direct cable lines to connect the countries represented in said committee with regular service and equitable rates.

Fifteenth.—The Republic of Bolivia and of Paraguay hereby agree to the plan of the committee, and will contribute to the payment on condition that the companies agree to establish subsidiary lines of river navigation that shall reach their ports.

T. JEFFERSON COOLIDGE.
SALVADOR DE MENDONÇA.
ROQUE SAENZ PEÑA.
JOSÉ S. DECOUD.

DISCUSSION.

SESSION OF MARCH 24, 1890.

The PRESIDENT. Is the Conference ready for the consideration of the report of the Committee on Communication on the Atlantic?

REMARKS OF MR. SAENZ PEÑA.

MR. SAENZ PEÑA. I should make some explanations to the honorable Conference in the name of the Committee on Communication on the Atlantic, of which I have the honor to be chairman.

It will be observed that the signature of Mr. Laforestrie does not appear on the report. It is well known that our esteemed colleague was compelled to leave the Conference and return to his country because of ill health; but he had time to take part in the sessions of our committee, aiding it with his intelligence and his labor, and I believe I express the sentiment of all my colleagues when I make this declaration of proper acknowledgment of his services.

Upon distributing the quota of the subsidy which each State should pay to the lines to be created we have assigned 5 per cent. to the Republic of Uruguay, and, as that is the only nation interested whose representative has not signed the report, I should state that Mr. Nin was invited to take part in the meetings of the committee, and he indicated that his country would be willing to contribute in that proportion; and if his signature does not appear in the report it is because the delegate from Uruguay has retired from the Conference.

Regarding the last paragraph of the seventh article, I would submit a substitute. The paragraph authorizes the States giving Government aid to use as transports or cruisers, in case of war, the vessels carrying their flags. This provision might be understood to be contrary to the sentiment of fraternity and of peace which animates all and each one of the nations here represented, and this point was raised and sustained in the meetings of the committee

by my distinguished friend, the delegate from Paraguay, Dr. Decoud.

The committee agreed entirely with the honorable delegate ; and if the article was inserted it was due to the fact that in this Conference all the nations with whom we maintain political relations were not represented, and that it was difficult for us to know whether the others would be disposed to disarm themselves and put aside the means of defense offered by the vessels which will plow the seas under the national flag ; but the Committees of the Pacific and the Caribbean Sea have resolved the problem as against this belligerent reservation, and that over which I have the honor to preside accepts those conclusions.

I ask, then, that the paragraph to which I refer be substituted by the following :

In case of war the vessels carrying the flag of one of the belligerents shall be registered in another of the contracting States, which shall maintain itself neutral.

To these explanations, made as chairman of the Committee on the Atlantic, I should add a few more, not in this character, however, but as the representative of my Government.

From the very beginning of the debates in the committee I took occasion to declare that the Argentine Government, while it agreed to the subsidizing of these lines, was not moved to it by commercial interests for reasons which are not unknown to my honorable colleagues. Our commerce with the United States is most limited ; the Argentine ports send to New York only \$5,000,000 for \$10,000,000 which New York exports to Buenos Ayres. This is not commerce for either of the nations, but the figures serve to indicate the relative interest which animates the two Governments in the subsidy. The cause of this situation I have gone into exhaustively in my remarks on the Customs Union, and I deem it unnecessary to repeat them ; the Argentine Republic can not bring to these markets more than wool and hides ; but fine wools such as are ours have a duty of 60 per cent., and consequently only our mixed wool can enter, which has neither weight nor value, and which is about to disappear because of improvements in the

breeds. The wool which we introduce into the United States represents \$908,000 on a production of \$46,000,000, and the hides introduced represents \$3,750,000 on an annual exportation of \$23,000,000.

These figures reveal the depression which marks our commercial relations with the United States, and I do not believe that vessels are the agents to be employed to remove the obstruction; nor does the Argentine Government believe that maritime communication is going to re-establish custom-house relations; but it seeks and hopes for intimacy and firmer bonds with all the nations of America, and to attain such a generous end it will not economize sacrifices. By binding its ports to those of Rio Janeiro and New York it realizes an act of friendly significance which its delegation obeys and is ready to sustain. This is the true inwardness of my signature at the end of this report; we shall not vote it, however, without an explanation, which should be noted by the Secretaries.

The honorable delegates can not be ignorant of the fact that in these moments there exists at the Capitol a tariff bill which has seen the public light and has been discussed by all the national press, notwithstanding the fact that it is as yet in the Committee on Ways and Means, where it originated; this bill increases the duty on wool $1\frac{1}{2}$ cents per pound, and also increases $1\frac{1}{2}$ cents that on hides, which were before free. If that bill becomes a law Argentine importations will be unknown in the custom-houses of North America. Hides and wool are the only products which we bring, and they will go to Europe in search of free markets. If the tariff was already prohibitory on fine wools it will be to-morrow on ordinary wools, and in that case there will be neither extensive nor restricted commerce.

I look at the question in a different light. The Latin-American Governments must study the moral significance of this measure in its relation to the courteous invitation which has called us together. It is not the Argentine delegates alone who find themselves embarrassed by this act; it affects the interests of all the Governments represented

in this Conference, as I can prove by the documents of the Treasury itself.

See how and in what proportion the Spanish-American States are represented in the importation of hides:

Argentine Republic.....	\$3,749,170
Brazil	2,225,000
Central America	420,000
Ecuador	120,000
Hayti	40,000
Mexico	1,526,915
Peru	170,000
Colombia	927,000
Venezuela	860,000
Uruguay	1,907,000
Chili	25,567
	<hr/>
	11,970,652

There is no necessity to examine the proportion of these importations; it is enough for me to know that this measure has the effect on all and each of the Spanish-American delegations to lead them to the perfectly justifiable belief that the commercial purposes of this Congress have been *contra producentes*, and that their dispositions and their attitudes have not been met with reciprocity. We have been called to encourage American commercial relations, and when we shall return to our country to give an account of our laborious mission we shall be forced to say to our Government, "We went to Washington with a product on the free list, and we have obtained a law which burdens it with a duty; another product was taxed at six, but when the Conference was over we found it taxed at seven per cent."

Such will be the commercial outcome of the Conference of the three Americas, judged without irony but also without admiration.

Would it be logical, sensible, and explicable for us to make pecuniary sacrifices and to people the seas with vessels in ballast when such a tariff situation confronts us?

Would the union of our ports be justified at the same time that the disunion of our custom-houses is decreed? To what end would we create means of transportation

when at the same time we suppress international commercial relations?

Such a situation would be proper for the encouragement of and interchange of ballast, but not of products; and if there is to-day in New York a vessel which secures \$14,000 of freight and does not secure in all the Argentine ports \$1,800 for the return voyage, as I was told not long since by the honorable Mr. Flint, we may be assured that the vessels which are to sail under our flag will float with empty holds, sustained only by the generosity of two Governments who have the means but do not seek the end.

To facilitate transportation and at the same time to raise the tariff is to create the means to afford one's self the pleasure of strengthening resistance. Tariffs were resorted to as a consequence of the establishment of communications. They constituted the national defense against the invasion of foreign products. Tariffs and communications represent two tendencies and two forces antagonistic to each other, which never were fostered by the same government. A noted economist, Mr. de Molinari, has just explained to us in a brilliant article published in the *Diario de los Economistas*, which he edits, how Europe defended itself by tariffs when the United States perfected their means of transportation and became able to carry on the Atlantic all the products of the west to cross the seas and invade the markets of the Old World. The transportation represented the attack and the tariff the defense, as in the everlasting struggle between the projectile and the armor. But my confusion will be explicable if the spectacle is given me of defense and attack being combined under the protection of the same and identical governments. To lower the duties in favor of exporters and raise them against importations is to combine two acts in one contradiction.

The Argentine delegation respects, as much as any other, the sovereign acts of a friendly nation, but it has the right to judge them when they affect the international relations of commerce, which we have been bidden to consider, and especially when they require national sacrifices and assistance. Our Government does not subsidize a

single steamer of all those which connect us with Europe, and meet, however, all the demands of transatlantic commerce—eighteen to twenty steam-ships entering our ports daily and a total of 13,500 vessels entering annually. This is not the effect of subsidies, it is the result of freight; and there is freight because there are no high tariffs to prevent or impede interchange. But we desire communication with our friends of the North, and now that the tariff policy does not aid commerce or sustain freights, we accept the sacrifice of sustaining it artificially, but upon the following declaration, of which the secretaries will please make note:

The Argentine delegates give their vote in favor of the plan under discussion upon the basis of the present tariff, but they will recommend to their Government not to approve it if the tariff should be altered to the injury of the Argentine products.

This vote is the result of a formal agreement I arrived at with my honorable colleague, and should be inserted in full in the minutes, with all the explanatory remarks.

At the conclusion of Mr. Saenz Peña's speech the President left the chair, which was then occupied by Mr. Zegarra, of Peru, the first vice-president of the Conference.

Mr. HENDERSON. Mr. President, if I understand the interpretation of the honorable gentleman's speech, he indicates that there is a bill pending before Congress now to tax raw hides. I am not aware that there is such a bill pending before Congress. I am not aware that the committee on the tariff has reported at all. There has been no report made to the House of Representatives whatever upon the subject as yet, and I do not really know what that report will be. There is an intimation in the press that the committee had agreed to report in favor of taxing raw hides, but I saw this morning that a manufacturer of boots and shoes had gone before the committee and spoken against that. The committee has not made any report

whatever, and I think it is quite unfair for the gentleman to claim that the impressions of a committee, consisting of eleven members, should be considered an act of Congress. I do not understand that any bill has been reported upon the subject of the tariff at all.

MR. SAENZ PEÑA. I did not say that the bill had been reported to the House of Representatives. Had that been already done, you may depend upon it that the Argentine delegation would not vote conditionally but negatively and finally.

The Committee of Ways and Means has prepared this bill; this bill is public property; the press has discussed it and some protests have been made by parties interested in the free entry of these articles. When such demonstrations are made within this country itself, the Conference will understand why the Argentine delegation, whose interests are deep in this bill, should take note of it, comment upon it, and enter its exceptions thereto.

If this bill is not passed by the Federal Congress no damage will be done either to the Argentine delegation or to the United States, because our conditional vote would do no harm; but should the bill become a law, then our conditional vote will prove to have been necessary.

THE FIRST VICE-PRESIDENT. If no delegate desires to take the floor, the vote will now be taken on the report. The vote will be had upon the report as a whole, as required by the rules, the proposition to be passed upon being that formulated in the communication of the honorable chairman of the committee.

The Secretary will read that communication.

The SECRETARY read the same as above printed.

Mr. ALFONSO. I desire simply to ask the Chair whether what has just been read is all that is to be adopted upon this subject, or whether it is intended to proceed as in other cases of reports consisting of more than one article, which were discussed and voted on article by article. I believe the present report contains fifteen articles, each embodying a distinct provision.

The FIRST VICE-PRESIDENT. The Chair proposed to take first a vote upon the report as a whole, in the form presented by the chairman of the committee, because the Chair is not authorized to change that form; but after that there will be no difficulty in discussing and voting on article by article, as has been done in the case of other reports.

Mr. ALFONSO. Then I have no objection to interpose.

The PRESIDENT. The Secretary will read the report as presented by the committee.

(The Secretary reads.)

The PRESIDENT. The vote will be taken.

VOTE.

The vote being taken, resulted in the approval of the report as a whole, by 16 affirmative votes, as follows:

AFFIRMATIVE.

Nicaragua,	Chili,	Honduras,
Peru,	Guatemala,	Bolivia,
Costa Rica,	Argentine,	Venezuela,
Brazil,	Colombia,	Salvador,
Mexico,	Paraguay,	Ecuador.
United States,		

The PRESIDENT. The resolution presented by the committee has been unanimously adopted.

COMMUNICATION ON THE PACIFIC.

REPORT OF THE COMMITTEE ON COMMUNICATION ON THE PACIFIC OCEAN.

[As submitted to the Conference March 14, 1890.]

TRANSPORTATION COMPANIES.

The Committee on Communication on the Pacific has the honor to propose that it be recommended to the Governments represented in the Conference whose territories border on the Pacific Ocean, with reference to transportation companies :

First. That the nations lying along the western coast of the American continent, and represented in this Conference, agree to subsidize one or more lines of steam-ships of the first-class, which shall make regular voyages between the port of San Francisco, in the State of California, United States of America, and that of Valparaiso, in the Republic of Chili, and the intermediate ports. Said vessels shall make bi-monthly round trips, at least, to each port ; shall be of not less than 4,000 tons capacity, with triple expansion engines of not less than 3,500 indicated horsepower, and a minimum speed of 15 knots an hour. The vessels so employed shall be suitably constructed for the transportation of passengers as well as freight, and first-class in every respect, with all modern improvements.

Second. That the companies or individuals owning said vessels shall transport both passengers and freight thereon between all the ports of said coast which can be safely visited ; and that they shall not enter directly or indirectly into any arrangement or combination with any other company or individual to increase the rate of passage or freight by sea or land, and no preference shall be given one ship over another.

Third. That the nations named shall pay annually, directly to the company, companies, or individual owners of said lines, as a compensation for the services rendered them and in the terms and under the conditions established, a subsidy, the total amount of which shall not exceed thirty cents per gross registered ton of said vessels, for each 1,000 miles sailed, outward and homeward.

Fourth. That the subsidy provided for in the preceding article shall be distributed among the subscribing nations in proportion to their population, as determined by their last census, and in default of such data, by the most reliable official sources. As an approximate proportion the following figures are indicated :

United States.....	65,000,000
Mexico	12,000,000
Guatemala	1,300,000
Salvador.....	750,000
Honduras.....	500,000
Costa Rica	250,000
Nicaragua	500,000
Colombia	4,000,000
Ecuador.....	1,000,000
Peru	3,000,000
Bolivia	2,500,000
Chili	3,000,000
	<hr/>
	93,800,000

Fifth. That the bids shall be presented in Washington, before the Federal Government of the United States; and the proposals therefor shall be published in not less than three daily newspapers among those having the largest circulation, and also in each of the countries contributing to said subsidy. The advertisement shall describe the service required; the frequency of the proposed voyages; the dimensions, speed, and conditions of said vessels, and such other details as the subscribing nations may deem proper to enumerate. The period of one hundred and twenty days shall be allowed for the presentation of bids, and the same shall be opened in the presence of the representatives of said nations, authorized to this effect; the

bidders shall conform to the rules prescribed by said representatives, who shall have the right to accept or reject the bids which may be offered.

Sixth. That the vessels of the subsidized line or lines shall register in the merchant marine of the countries referred to in these recommendations, whenever the Government interested shall require it, in proportion to the quota of subsidy paid by each.

Seventh. That in the event of war between one or more of the countries subscribing to the subsidy with any of the nations represented in the Conference, the vessels of said line registered in such merchant marine shall register under the remaining countries, in the proportion indicated, until a state of peace shall be established.

Eighth. That whatever be the flag of the subsidized vessels they shall enjoy in the ports of the contracting Governments, in all that pertains to international commerce, the rights and privileges of national vessels, including the coasting trade in those countries in which it is or may hereafter be declared free.

Ninth. That this convention shall last ten years, at the expiration of which it shall be considered extended ten years, provided that twelve months before the expiration of said period formal notification of its dissolution shall not have been given. Such dissolution may be partial; and in such event the nation or nations separating shall be exempt from the payment of said subsidy.

J. M. P. CAAMAÑO.

E. C. VARAS.

MORRIS M. ESTEE.

JACINTO CASTELLANOS.

E. A. MEXÍA.

TELEGRAPHIC COMMUNICATION.

The Committee on Communication on the Pacific has the honor to propose that it be recommended to the Governments represented in the Conference and whose countries

border on the Pacific Ocean, with respect to telegraphic communication:

First. That Government aid be given to the company which shall connect the principal ports of the nations bordering on the Pacific by means of a submarine telegraphic cable, whose termini shall be, for the present, the port of San Francisco, in the United States of America, and that of Valparaiso, in Chili; taking as a basis, for the purpose of determining the total amount of aid, that the cost of transmission for each word shall be less than the minimum amount now charged by the existing companies, at whatever distance the city or locality to which the cablegram is addressed may be situated.

Second. That the total amount of aid agreed upon shall be paid by the Governments interested, in the proportion established for the payment of the aid to the steam-ship transportation companies; proceeding, with respect to the presentation and acceptance of bids, in accordance with the fifth article of its report on Communication on the Pacific.

J. M. P. CAAMAÑO.
E. C. VARAS.
MORRIS M. ESTEE.
JACINTO CASTELLANOS.
E. A. MEXÍA.

POSTAL COMMUNICATION.

The Committee on Communication on the Pacific has the honor to propose that it be recommended to the Governments represented in the Conference, and whose countries border on the Pacific Ocean, with respect to postal communication:

That the Governments with which this committee is concerned, and all of which have accepted the convention entered into in Paris on the 1st of January, 1878, for a "Universal Postal Union," adopt the conventions as to postal drafts and as to the exchange of postal money-orders, respectively entered into, at the said city of Paris, on the

4th of June, 1878, and 3d of November, 1880, or, that they enter into special conventions, having the same ends in view.

J. M. P. CAAMAÑO.

E. C. VARAS.

MORRIS M. ESTEE.

JACINTO CASTELLANOS.

E. A. MEXÍA.

APPENDIX A.

MR. ESTEE'S REPORT ON THE COMMERCE ON THE PACIFIC COAST.

Few subjects can come before this Conference of graver importance to the American Republics than the Pacific coast trade.

This trade should be fostered by all these countries, if for no other reasons, because of their contiguous location, the abundance and variety of their products, the interchangeable character of what they produce, the large demand of some of these nations for what the others have for sale, and, above all, for the good neighborhood which frequent communication and successful trade relations necessarily creates, one with the other.

The American Republics are producing countries and it is to their interest to follow the pursuits of peace; none of them maintain large standing armies, or seek for territorial conquest; international jealousy does not exist among them; all are great producers of raw material; some carry on successfully extensive manufacturing, but in every view their foreign trade is the main source of their prosperity. New enterprises have recently been built up, so that the march of progress has left its imprint all over the continent, and while it is true that parts of Central and South America were among the first settled portions of the western world, still they are now but just coming to the front as great producers of what the world most needs, and what it must have. The wisdom of a liberal commercial policy on the part of the United States towards the other American states needs no argument to sustain; and while our interests vary as do our productions, yet there is a common ground on which all can meet; whatever may be done to cheapen or increase the opportunities of these countries to send their products to market or whatever will aid in opening new markets, will be a permanent benefit to all, and must be favored by all.

Trade creates a bond of union between nations as it does between individuals, and when lines of traffic are once marked out, they can not be easily changed, because the habit of people to go to a certain market for what they buy, in time becomes a custom of every day's experience, and thus that habit is not easily changed. Fair dealing is

the rock on which all trade relations rest; it inspires confidence and builds up and sustains personal and national friendships. Add to this the fact that one of the great causes of commercial success among neighboring peoples depends on getting acquainted with each other, and in letting each other know what each has for sale, and we can not fail to note the importance of securing and maintaining rapid and cheap steam communication one with the other.

Indeed, no one can long maintain the confidence and respect of the business world, when he seeks a competing market by sending his products to that market on vessels sailing under a foreign and a competitor's flag. In this case the ship is not an advertisement for the goods it carries. In foreign commerce the nation must stand behind, and in some sense indorse the shipper, and thus it is that commercial success depends largely in sending one's goods to market on ships carrying the flag of the country that produces the goods. Individuals can not maintain, even if they could build up, a foreign commerce.

To sustain a foreign trade you must be prepared to deliver what you have for sale at stated and regular periods—at convenient and usual localities—and for a reasonable price; for trade is only an exchange with your neighbor for some commodity of which you have a surplus, and which he wants, but which he will not want unless he can get it at the time, and at the price that pleases him.

That country which produces something the world must have, but which only a small portion of it can raise, occupies a most advantageous position, like China with its tea culture, South America with its coffee, India rubber, etc.

To maintain trade relations on the Pacific between the United States of America, Mexico, the Central and South American Republics there must, therefore, be frequent, regular, and cheap steam communication between all the ports of these respective countries. To show that a sufficient trade may be built up and maintained between them, I need but add that the trade of the countries south of us, including Cuba and all the West Indies, for 1888 was as follows:

Total exports, \$564,000,000. Of this sum the United States took \$212,000,000, or 36 per cent. For the same year the imports were \$522,000,000, of which the United States only sent them the sum of \$80,000,000, or 15.6 per cent. It will thus be seen that trade between the United States and the countries south of us is largely against the United States. I have therefore made, as a part of this report, a statement showing the population, imports, and exports of all ports on the Pacific side of the continent, so far as I have been able to obtain them; the present price of passenger and freight transportation to all of them; the population of most of the cities on the Pacific side of the continent; the character of our goods sent them and the kind of products brought from them; the number of ships necessary to carry on this trade; the frequency of the trips, and such other information as within the time allotted me I could obtain.

MEXICO.

The United States of Mexico has an area of 742,148 square miles, and its population is 10,447,974.

The chief cities are: City of Mexico, with a population of 350,000; Guadalajara, 83,122; Puebla, 78,530; Guanajuato, 52,112; San Luis Potosi, 37,314; Merida, 32,000; Zacatecas, 60,000; Querataro, 36,000; Oaxaca, 27,856; Colima, 23,579; Saltillo, 26,000; Leon, 120,000.

Most of these cities have direct steam or rail communication with the United States and the Republics of Central and South America.

Pacific ports—San Francisco to Valparaiso.

Ports.	Population.	Total trade, 1887.		Trade with United States, 1887.	
		Imports.	Exports.	Imports.	Exports.
Guaymas (by sea).....	5,000	\$598,000	\$535,000	\$411,000	\$535,000
Mazatlan.....	14,000	1,664,000	3,700,000	.....	.....
San Blas.....	2,000	525,000	250,000	.....	.....
Manzanillo.....	5,000	.....	95,000	.....	.....
Acapulco.....	4,500	140,000	140,000	80,000	127,000
Salina Cruz.....	.....	.....	130,000	30,000	48,000
Soconusco.....	.....	50,000	373,000	50,000	324,000
Tonalá.....	6,000	65,000	130,000	.....	.....
Puerto Angel.....	.....	12,000	43,000	.....	.....
Atlanta.....	3,000	48,000	18,000	.....	.....
La Paz.....	2,500	140,000	550,000	120,000	536,000
San Lucas.....	1,500	3,000	20,000	.....	18,000
Bahia de Magdalena.....	.....	13,000	82,000	.....	.....
Santa Rosalia.....	.....	60,000	.....	.....	.....
Ensenada.....	.....	8,000	5,000	.....	.....

It is safe to estimate the imports from the United States into the ports left vacant, for want of statistics, at 70 per cent. of the total imports. Nearly all the exports come to the United States, with the exception of a small amount that goes to Europe through San Francisco, Cal.

Total exports of Mexico by countries for the year 1887.

Whither exported.	Precious metals.	Merchandise.	Total.
United States.....	\$13,261,000	\$8,922,000	\$22,183,000
Great Britain.....	8,898,000	1,792,000	10,690,000
France.....	3,521,000	560,000	4,080,000
Germany.....	1,032,000	709,000	1,741,000
All others.....	137,000	513,000	650,000
Total.....	26,849,000	12,505,000	39,354,000

There are no Mexican statistics in relation to the imports into Mexico. We must therefore reach an approximation thereof by consulting the official statistics of the leading countries having commercial relations with the Republic.

Statement showing the exports to Mexico from the principal countries during the year 1888.

United States.....	*\$19,265,000
England.....	6,978,000
France.....	8,471,000
Germany (estimated).....	3,000,000
All others (estimated).....	5,000,000
	<hr/>
Total (imports of Mexico).....	42,714,000

Of the exports from France a little over \$3,000,000 were composed of foreign goods shipped from France. It is more than likely that a larger portion of these were made of German products, say \$1,500,000, which, added to the \$3,000,000 directly credited to Germany, fully covers German trade with Mexico. It may be safely assumed that the total imports into Mexico do not exceed \$45,000,000.

GUATEMALA.

The latest official figures covering the foreign trade of Guatemala are for 1885. The trade of that year was: Imports, \$3,800,000; exports, \$6,090,000. In that year the imports from the United States amounted to \$392,000; in 1888 our exports to Guatemala had risen to \$888,000. The trade of England and France with Guatemala is about the same now as it was in 1885. The total foreign trade of the Republic may be estimated as follows: Total imports, \$4,300,000; exports, \$6,200,000. Exports from the United States to Guatemala, \$888,000; imports from Guatemala into the United States \$2,085,000.

Champerico.—Exports to the United States (1889), \$1,400,000.

San José.—Exports to the United States (1889), \$600,000.

According to official returns of the consul-general at Guatemala the total exports declared from the United States during the year 1889 amounted to about \$2,700,000. As will be seen, the greater portion thereof was shipped through the Pacific ports. Applying the same ratio to the whole trade of the Republic, the exports through the Pacific ports would be: Imports, \$3,200,000; exports, \$4,500,000; say three-fourths of the total trade.

SALVADOR.

Commerce of Salvador in 1888: Imports, \$4,002,000; exports, \$6,658,000. Imports from the United States, \$701,000; exports to the United States, \$2,092,000. According to consular returns the exports

* These are Mexican official figures showing the imports from the United States into Mexico.

declared for the United States during the year ending June 30, 1889, for the whole Republic amounted to \$1,913,819, but the consul at San Salvador does not designate the ports of shipment. From former reports—a few years back—we can, to a certain extent, place the trade, viz :

Acajutla.—Population, about 5,000. Imports from the United States, \$240,000 ; exports to the United States, \$817,000.

Sonsonate.—Population, 10,000. Exports to the United States, \$674,000 ; imports from the United States, \$200,000.

San Salvador.—Population, 24,000. Exports to the United States, say, \$500,000 ; imports from the United States, \$160,000.

HONDURAS.

Amapala would seem to be the only port on the Pacific. Population, 1,500. Total exports, \$1,265,000 ; exports to the United States, \$1,128,000. The total exports of Honduras amount to \$2,332,000, of which \$1,956,000 go to the United States. The total imports of Honduras may be estimated at \$1,200,000, of which more than one-half is from the United States. It can therefore be calculated that more than one-half the foreign trade of Honduras is conducted through the port of Amapala.

NICARAGUA.

The Pacific ports of Nicaragua in which we have consular representatives are Corinto and San Juan del Sur.

Corinto.—Population, 5,125. Exports to the United States, \$340,000.

San Juan del Sur.—Population, 4,720. Imports from the United States, not reported; exports to the United States (1889), \$38,000.

The trade of the United States with Nicaragua in 1888 was as follows: Imports from Nicaragua, \$1,473,000; exports to Nicaragua, \$861,000. Taking these figures as a basis, it would seem that somewhat more than one-fourth the total trade of Nicaragua is conducted through the ports of Corinto and San Juan del Sur.

COSTA RICA.

The total foreign trade of Costa Rica is estimated as follows: Imports, \$3,716,000; exports \$4,081,000. Imports into the United States from Costa Rica, \$1,609,000; exports from the United States to Costa Rica, \$1,064,000. Puntas Arenas is the only Pacific port where we have a consular representative.

During the six months ended September 30, 1889, the exports from the United States into Puntas Arenas amounted to \$440,000, or nearly double the exports declared for the same time at Port Limon, on the Atlantic side of the Republic, the only other port at which we have a

consular representative. It will thus be seen that the greater portion of the trade of Costa Rica with the United States is conducted through Puntas Arenas.

COLOMBIA.

The foreign trade of the Republic of Colombia may be estimated as follows: Imports, \$22,000,000; exports, \$15,000,000.

Statement showing the trade of England, France, and the United States, with Colombia in 1881 and 1888.

Countries.	Imports from Colombia.		Exports to Colombia.	
	1881.	1888.	1881.	1888.
England	\$4,073,000	\$1,807,000	\$5,220,000	\$5,574,000
France	5,632,000	3,879,000	5,782,000	7,882,000
United States.....	5,991,000	4,244,000	5,383,000	5,023,000
Total	15,636,000	9,930,000	216,385,000	18,659,000
All others (estimated).....	4,374,000	5,070,000	2,615,000	3,341,000
Grand total.....	20,000,000	15,000,000	219,000,000	22,000,000

The great falling off in the exports to England and France is noteworthy. The increase in the nine years in the exports from France to Colombia (over \$2,000,000) is made up principally of foreign goods shipped via France and Germany.

Our minister at Bogota estimates the foreign trade of Colombia for 1887 at the following figures: Imports, \$8,714,000. This does not include the imports at the free ports of Panama and Colon, which are embraced in the trade statistics of foreign countries with Colombia. It is therefore apparent that more than one-half the foreign trade of Colombia is transacted through Panama and Colon. The greater portion of this, however, is transit trade.

The minister of the United States at Bogota estimates Colombia exports, Panama and Colon not included, at \$9,015,000 for the year 1888, thus leaving \$6,000,000 to be cleared from the two free ports.

Panama seems to be the only port on the Pacific at which we have a consular representative. Population, 35,000. Exports declared from the United States in 1889, \$227,282. This represents Colombia products, and does not include the transit goods over the Isthmus for the United States.

Buenaventura, at which we formerly had a consular agent, is a Pacific port. The tonnage entering and clearing thereat is about 100,000 annually, nearly all steam.

ECUADOR.

The total foreign trade of Ecuador through the several ports of the Republic is as follows:

Ports.	Imports.	Exports.
Guayaquil.....	\$4,385,000	£5,970,000
Manta.....	45,000	272,000
Bahia de Caraquez.....	11,000	544,000
Bsméraldas.....	15,000	224,000
St. Elena.....		76,000
Callao.....		1,000
Total.....	4,456,000	7,007,000

It will be seen that nearly the whole trade of the Republic is conducted through the port of Guayaquil.

Guayaquil.—Population, 22,000. Exports declared from the United States in 1889, \$765,000.

Total imports into the United States from Ecuador in 1888, \$1,120,000; exports from the United States to Ecuador in 1888, \$900,000.

Bahia de Caraquez.—Exports to the United States in 1889, \$45,000.

PERU.

In the absence of definite official statistics, the trade of Peru may be estimated as follows: Imports, \$17,000,000; exports, \$22,000,000.

The trade of England, France, and the United States with Peru, in 1888, was as follows:

Countries.	Imports from Peru.	Exports to Peru.
England.....	\$9,525,000	\$9,277,000
France.....	8,030,000	1,360,000
United States.....	309,000	865,000
Total.....	17,864,000	11,502,000

Payta.—Population, 5,000.

Cevro de Pasco.—Not reported.

Chuklago.—Not reported.

Mollendo.—Not reported.

Piura.—Not reported.

Truxillo.—Not reported.

Tambez.—Not reported.

Callao.—Population, 34,000. Imports in 1886, from Europe and the United States, \$1,543,000; exports to same, \$1,300,000. Imports from the United States in 1886, \$203,000; exports to United States, \$50,000.

CHILL.

Foreign trade of Chili in 1888: Imports, \$55,400,000; exports, \$66,700,000. Imports from the United States, \$2,978,000; exports to the United States, \$1,910,000.

Foreign trade of Chili, in 1885, by ports, from Chilean official returns.

Ports.	Population.	Imports.	Exports.
Arica	5,000	\$4,600,000	\$862,000
Iquique.....	16,500	2,162,000	13,800,000
Antofagasta.....	8,000	944,000	1,820,000
Taltas	3,000	622,000	1,888,000
Valparaiso	100,000	30,300,000	13,300,000

The total imports into Chili in 1885 amounted to \$38,500,000; and the exports to \$48,760,000. The trade of 1888 shows an increase, as compared with 1885, of nearly \$17,000,000 in imports, and of nearly \$18,000,000 in exports.

According to our customs returns, our trade with Chili in 1888 was: Imports from Chili, \$2,896,000; exports to Chili, \$2,430,000.

England.—Imports from Chili, \$14,132,000; exports to Chili, \$10,400,000.

France.—Imports from Chili, \$3,454,000; exports to Chili, \$3,394,000.

Iquique.—Exports to the United States for six months of 1889, \$1,741,000.

Arica.—Exports to the United States, first quarter of 1889 (tin bars), \$1,500.

Valparaiso.—Exports to the United States in 1886, \$665,000.

PASSENGER AND FREIGHT RATES FROM SAN FRANCISCO AND NEW YORK TO ALL THE PORTS ON THE PACIFIC.

There is one leading American line of steamers running between New York, San Francisco, and intermediate points, namely: The Pacific Mail Steam-ship Company's steamers, which leave New York on the 1st, 10th, and 20th of each month for Aspinwall. Freight and passengers are sent thence by the Panama Railroad to Panama, thence up the coast to San Francisco, and down the coast to Valparaiso, connecting at Panama with the Pacific Steam Navigation Company's steamers, and the South American Steamship Company's steamers, and the steamers of other steam-ship lines, which leave Panama at regular periods for the southwest coast of South America, calling at the ports hereinafter named.

The rates of cabin passage from New York to these ports are as follows:

Ports.	Cabin.	Forward cabin.	Ports.	Cabin.	Forward cabin.
New York to—			New York to—		
Buenaventura	\$129.00	\$55.00	Pisco	\$224.00	\$80.00
Tumaco	136.00	57.00	Mollendo	246.00	87.00
Esmeraldas	151.00	62.00	Arica	250.00	88.00
Manta	158.00	64.00	Pisagua	254.00	90.00
Ballenita	158.00	64.00	Iquique	254.00	90.00
Guyaquil	180.00	67.00	Cobija	259.00	93.00
Payta	202.00	72.00	Antofagasta	262.00	95.00
Pimentel	207.00	74.00	Caldera	267.00	95.00
Eten	207.00	74.00	Huasco	271.00	97.00
Pacamayo	207.00	74.00	Coquimbo	275.00	97.00
Salaverry	209.00	75.00	Valparaiso	282.00	98.00
Callao	216.00	78.00			

The rates of cabin passage from San Francisco south to Panama are as follows:

Ports.	Rate.	Ports.	Rate.
San Francisco to—		San Francisco to—	
Mazatlan	\$65.00	San José de Guatemala.	\$100.00
San Blas	70.00	Acajulta	100.00
Manzanillo	75.00	La Libertad	100.00
Acapulco	85.00	La Union	100.00
Port Angel	90.00	Amapala	100.00
Salina Cruz	90.00	Corinto	105.00
Tonala	90.00	San Juan	105.00
San Benito	90.00	Punta Arenas	105.00
Ocos	100.00	Panama	115.00
Champerico	100.00		

While the passage from San Francisco to New York is \$80.

The rates of freight charged by the Pacific Mail Steam-ship Company from San Francisco to Mexican, Central American, and South American ports are as follows:

The average price of freight charged on agricultural implements, machinery, cotton goods, flour, fruit, furniture, groceries, hardware, iron, leather, and liquors from San Francisco south to Mazatlan is \$8 per ton; to San Blas, Manzanillo, and Acapulco the average on all class of freights is about \$12; to Port Angel, Salina Cruz, Tonala, and San Benito freight is about \$15 a ton, while other articles shipped to these points in Mexico are charged more or less according to the character and value of the goods. To Central America the freight by the Pacific Mail Steam-ship line on the same goods above described to Ocos, Champerico, San José de Guatemala, Acajulta, La Libertad, and La Union is from \$15 to \$27 a ton, depending on the character and value of the goods.

To Amapala, Corinto, San Juan del Sur, and Punta Arenas the freight is substantially the same as to the last points indicated.

From San Francisco freight on all the articles above stated to Panama averages from \$12 to \$32 a ton. To Buenaventura and Tumaco, in the United States of Colombia, the average freight is of from \$12 to \$40 a ton.

To Esmeraldas, Bahía, Manta, and Guayaquil, in Ecuador, freight averages from \$20 to \$40 a ton, depending on the character of the goods shipped.

From San Francisco to the various ports in Peru, by the same line of steamers, the average price of freight is from \$24 to \$40 a ton. To all the ports in Chili the price is substantially the same, for instance: To either Iquique or Valparaiso freight is from \$24 to \$50 a ton, the average price being about \$28.

No bills of lading to Mazatlan, San Blas, Manzanillo, or Acapulco, are made for less than \$3 nor less than \$4 to Panama and \$8.50 to the other South American ports. All freight is payable in United States coin.

The lines of steamers which connect with the Pacific Mail at Panama for the west coast of South America are four in number, namely:

The Pacific Steam Navigation Company.

South American Company.

The "Kosmos" German Company, running between Corinto and Hamburg by the Strait of Magellan.

"The French Line" between Panama and Bordeaux by the Strait of Magellan.

The number and character of vessels now engaged in the Mexican, Central and South American trade on the Pacific are as follows:

The Pacific Mail Steam-ship Company, an American line of steamers, before referred to, has five steam-ships, which are engaged in transporting freight and passengers from San Francisco to Panama, touching at all American and Central American way ports. This line forms connection with an Atlantic line of the same company at Aspinwall by the Panama Railroad. It carries the United States mail, and during the coffee season makes three trips a month each way between San Francisco and Panama and way ports, and for the rest of the year performs fortnightly service. The distance traversed between San Francisco and Panama is about 2,600 miles.

This company runs also three coasting steamers from Central American ports to Panama. The Pacific Coast Steam-ship Company, another line—also an American company—runs one steam-ship monthly to Mexican ports from San Francisco. It also carries the mail between San Francisco to these ports. There is also a small Mexican steam-ship running to and from San Francisco to Mexican ports. It makes monthly trips, and it receives as a bounty from the Mexican Government \$2,700 for each trip, and an abatement of \$650 monthly on port charges, and

American shippers by this steamer have a rebate of 2 per cent. of customs duties for patronizing this vessel. The annual subsidy to this ship is about \$40,000, which is paid by the Mexican Government.

There are also a number of steam-ships sailing regularly from Panama south—down the west coast of America—and which form the four lines of steamers before referred to. The trade of Central and South America is most largely and rapidly increasing, because the productions in those countries are every year becoming greater. True, a certain class of traffic which was created by work on the Panama Canal has ceased since the work ceased, but in all other respects the trade is increasing.

GOVERNMENT AID TO STEAM-SHIPS ENGAGED IN THE FOREIGN TRADE.

There are many reasons why the United States should aid American vessels engaged in foreign trade, but the one great reason is that European nations, which are our commercial competitors, are sustaining their foreign trade by means of governmental monetary assistance, and so long as this is done America cannot successfully compete with theirs unless our shipping interests are sustained by our country to the same extent as European countries sustain theirs.

In view of these facts, I submit for consideration a statement showing the amount of money which the leading European commercial nations pay each year to sustain their shipping interests.

I find the facts bearing upon this question very fully stated in a report made by a commercial conference held at San Francisco August 29 and 30, 1889. This conference was composed of the Board of Trade of Portland, Oregon; the Chamber of Commerce of Tacoma, Wash.; Chamber of Commerce of Astoria, Wash.; all the various chambers of commerce and boards of trade of all the leading cities and ports of California; the San Francisco Produce Exchange; the Board of Trade of San Francisco, and the California State Board of Trade, where these matters were elaborately and carefully prepared and reported upon, and from which I venture to make the following quotation:

England has built up her vast shipping interests by liberal subsidies paid to steam-ship companies for postal and other services. France, Germany, and Italy are following England's example with marked success.

England paid \$5,950,000 in steam-ship subsidies in 1854. After our civil war the payment of subsidies was reduced to \$4,000,000, but it soon increased to \$6,107,000, and thereby England succeeded in checking the attempt at competition by America. American bottoms now barely carry 14 per cent. of American foreign trade, while in 1855 75½ per cent. of our foreign commerce was carried in American ships.

France is now quite in the lead among the commercial nations, seeking to push trade into new channels, and is subsidizing her vessels in proportion to her trade even greater than England. France adopts the bounty system.

The French bounty system is as follows:

France pays \$11.58 per ton for iron and steel hulls; \$7.72 per ton for composite vessels; \$3.86 per ton bounty for wooden vessels. A further

sum of \$3.52 bounty is paid for every 225 pounds of boilers and machinery placed on board; also a navigating bounty of 29 cents per ton for each 1,000 miles traversed, the payment being reduced 1 cent per ton for every year the vessel floats.

In addition to this, iron or steel vessels built according to the marine department plans receive a further bonus of 15 per cent; France also pays heavy postal subsidies. The Messageries Maritimes Company, in the Australian and China trade, receives in all about \$2,500,000 a year.

Italy pays a construction bounty of \$5.70 per ton for iron and steel; also a bounty on engines and boilers, a navigation bounty and other specific advantages are given.

Germany aids liberally in construction and pays heavy postal subsidies, the North German Lloyds in the Australian and American trade receiving \$1,100,000 a year.

Spain pays very liberal postal subsidies, and is extending its commerce, a new Spanish Steam-ship line from Genoa to Colon having been announced recently. Spain pays to its postal route to Mexico, the West Indies, and the United States \$1,022 640 per annum, and the line from Havana to the United States receives \$20,687 per voyage.

In view of these facts, the man is not a close observer who does not see:

First. That the United States must maintain its foreign commerce, if we expect to secure a market for our surplus products; and

Second. That this can not be done unless the Government assists in building up and maintaining our merchant marine.

The experience of other nations should be a lesson for us. Indeed, there can be no rational reason why the Congress of the United States should not aid American owners of American vessels engaged in the foreign trade, to the same extent as the owners of vessels of other nations are assisted by their Governments. If it does not do so it will be impossible for American ships to be built and navigated so as to compete with foreign vessels in foreign commerce. As an illustration: Of the total grain fleet last season, at San Francisco, numbering 289 vessels, only 60 were American, while 199 were English; the remainder belonged to other nationalities. Estimating the freight at 30 shillings per ton, foreign ship-owners must have received \$5,165,304 freight from that State alone, last season, for transporting wheat; while American ship-owners only earned \$929,838. In this connection a resolution adopted by the Chamber of Commerce of the city of San Diego, Cal., expresses the sentiment of the people of the Pacific portion of the United States of America. It is as follows:

Resolved, That we recommend that the International American Congress petition the United States Congress to grant such subsidies to owners of vessels and steam-ship lines as will insure regular trips to and between all important points of Mexico and South and Central American states to the harbors of the United States most convenient to their trade until such time as these trading lines shall become self-supporting.

The next question is what governmental aid is needed to maintain ample steam communication on the Pacific with Mexico and Central

and South America. There should be, at least, weekly communication with all the chief ports of the Pacific side of the continent, and to that end I venture to submit the following:

NUMBER AND TONNAGE OF VESSELS REQUIRED FOR THE PACIFIC COAST, CENTRAL AND SOUTH AMERICAN SERVICE, AND COST.

Through the politeness of Mr. J. M. Lachlan, general manager of the United States and Brazilian Mail Steam-ship Company, I have been furnished with the following facts bearing upon the above points, and after a careful comparison with all the other reports submitted this statement seems to be the most conservative and most carefully prepared of any of them, and I hence present it in his own language:

The distance from San Francisco to Valparaiso is 5,158 miles; at 13 knots is $396\frac{1}{3}$ hours, or 16 days 13 hours; time under steam on voyage *both ways*, 33 days 2 hours. Stays 10 days in foreign ports and 12 days in San Francisco.

This service requires 6 steam-ships of 3,800 tons gross; estimated cost, \$465,000, each fully fitted. First-class ships with accommodation for 200 passengers; triple expansion 160 pounds steam; no occasion to coal for round voyage in United States,

As Lota coal is very good, but is 20 per cent. less in value as to steaming qualities, hence you require engines 3,400 indicated horse-power at $1\frac{1}{2}$ pounds per horse per hour; say 5,100 pounds of coal per hour, or $54\frac{1}{2}$ tons per twenty-four hours, or 926 tons of coal per passage; add 25 per cent. for contingencies, 1,157 tons coal for permanent bunker room, but you must add to that 20 per cent. more Lota coal, for reasons above given. A bunker capacity of 1,391 tons would leave available for cargo 3,900 tons dead weight and measurement. But there are appliances in vogue which save 28 per cent. of coal, and which, if adopted, would reduce coal consumption to 1,003 tons, which would increase your carrying cargo capacity by 383 tons, or equal to 4,288 tons dead weight and measurement.

The capital required for the five ships would be \$2,790,000 and 10 per cent. upon same for establishing of plant.

Agencies, buoys, moorings, etc., would be \$3,022,500.

The maximum of the ship's speed would be 15 knots. The actual average would be about 13 knots. It would not pay *as a commercial speculation* to increase the speed, as your ship would simply be a mass of machinery; it is the extra speed above 13 knots average that eats all profit, unless you have a large passenger traffic and heavy mail pay to justify the speed.

To make the investments necessary for this service I have before stated the United States Government should grant most ample aid for that purpose, and it should be continued for a term of not less than ten years, because temporary assistance would be worse than none and would serve no useful purpose.

Provisions should be made so that the vessels receiving Government assistance would forfeit all claim to it if the owners of such vessels enter into combinations or agreements as to price of freight and passage with any other transportation companies on land or sea. The serv-

ice should be first-class and freight and passage reasonable. American trade will be destroyed if this is not done.

Traffic on the Pacific route is no experiment. It can be made to pay and pay well.

IS THERE BUSINESS TO MAKE THIS LINE PAY?

It is estimated that a first-class line of steam vessels running weekly up and down the west coast of the American continent, charging reasonable freight and passenger rates, could soon quadruple the present business done there; those countries are progressing; their productions are multiplying even more rapidly than the population; great cities are becoming greater; the market for coffee, India rubber, rare woods, dye-stuffs, sugar, tobacco, hides, etc., can not be supplied, and many of these articles are produced only in Central and South America. Very soon there will be an inter-oceanic canal; if not constructed in one place it will be in another; but in any event it will be made to cross the Isthmus. This will give a new impetus to western trade. The future of these countries can not be measured by any examination into their past history. We can not look at events of the nineteenth century through the clouded vision of the fifteenth century and judge what is to be in the near future.

The introduction of new industries has given new business life to these people, and very soon they will equal if they do not outstrip the rest of the world in the amount and variety of their productions.

The United States of America is at the north of these republics, both on the Atlantic and Pacific side of the continent, and we must now build up our commerce with the nations adjoining us, or we will lose it for all time, and this would be of mutual disadvantage to all the American nations. Indeed, the period in the world's civilization has been reached when foreign commerce must be maintained by all the great producing and manufacturing nations. A market must be had for surplus products, because every civilized people of necessity buys so much that is made beyond the limits of their own country that they have to sell a great deal to foreign peoples in order to balance their accounts, and that nation which finds the best market for what it has for sale is the wisest. To find this market there must be rapid, cheap, frequent, and regular communication between the producing and consuming peoples. The strife to find new markets and to maintain old ones has been so strong within the past thirty years that individual enterprises can not alone maintain steam communication with foreign markets, and especially has this been the case since England and other European countries have entered the commercial field with subsidized vessels.

In a word, whatever may have been the experience in the past as to subsidizing American vessels to-day, with the lights now before us, and in view of the fact that other nations are doing this, and by reason of which have already nearly driven the United States from the field of competition, only one thing is left for this country to do, and that is

to aid American vessels, so that an American dollar when invested in American shipping will have the same opportunity to earn as fair interest on such investments as an English, German, or French dollar has in the same class of investments.

I therefore recommend that a tonnage bounty shall be paid by the United States of America to any vessel, whether sail or steam, constructed and wholly owned in the United States, and which shall be engaged in the foreign trade, plying between the ports of the United States and foreign ports, or between foreign ports and other foreign ports, the sum of 30 cents per gross registered ton for each 1,000 miles sailed outward and inward, and pro rata for any distance traveled less than 1,000 miles on any voyage or voyages.

I do not venture to make any suggestions as to the assistance which may be rendered by the other nations represented in this Conference, and with whom mutual trade relations should be encouraged, because I do not sufficiently understand their wishes; nor is it known to me that under their laws monetary assistance to foreign-built ships can be granted, or if allowable that they would deem it advisable to do so, nor do I know but they wish to sustain steam-ship lines of their own, and therefore I do not refer to that question, but leave it rather for the consideration of my associates on the committee who represent our sister republics on the south of us, feeling assured that they will most gladly do all that can be done to promote trade and advance the common interest of all the Pacific coast nations represented in this Conference.

MORRIS M. ESTEE,

United States Delegate to the International American Conference.

DISCUSSION.

SESSION OF MARCH 24, 1890.

The FIRST VICE-PRESIDENT. The next thing on the order of the day is the report of the Committee on Communication on the Pacific.

Mr. CAAMAÑO. I take the liberty to send the following note to the Chair, reading it first that it may serve as a motion.

To the President of the International American Conference:

The Committee on Communication on the Pacific Ocean presents to the Conference the result of its labors relative to this important subject, and proposes the following:

The International American Conference, etc., would see

with satisfaction the Governments interested in communication on the Pacific give their assent to the plan subscribed to by their representatives.

J. M. P. CAAMAÑO.

In case this should call for any vote it will be that of the representatives from the Republics bordering on the Pacific who have not taken part in the deliberations of the committee.

(Mr. ROMERO takes the chair.)

MR. ZEGARRA. I would ask the honorable chairman of the committee who has just had the floor, if all the delegates from the interested nations have agreed upon the terms of this report.

MR. CAAMAÑO. I reply by stating that their opinion in the premises is unknown to us; seven nations have not given their assent expressly, but their representatives have had the report, with all its details, before them, and for this reason I ask that my motion be put to a vote, and if it is not agreed to then the plan will be discussed article by article.

MR. ZEGARRA. I arise, Mr. President, not for the purpose of altering the substance of the report presented by the committee, but rather with the object of facilitating its prompt adoption—which to my mind is very advisable. Considering that several of the honorable delegates representing some of the nations in interest have not expressed their opinion, it seems that the situation is different from that just passed upon by the Conference, and that there is no objection to the taking of a vote of recommendation pure and simple, in case the phraseology can be made to cover, up to a certain point, the situation in which

the delegates who do not represent one of these nations find themselves.

To this end I have had the honor to frame a short resolution which has met the approval of some of the honorable representatives of these nations and which is expressed in these terms:

The International American Conference resolves: To recommend to the Governments of the countries bordering on the Pacific Ocean to promote among themselves maritime, telegraphic, and postal communications, taking into consideration, as far as compatible with their own interests, the propositions formulated in the report of the Committee on Communication on the Pacific.

This resolution is signed by the honorable delegates Messrs. Juan Francisco Velarde, Fernando Cruz, Horacio Guzman, Manuel Aragon, Jerónimo Zelaya, and he who has the floor.

MR. VARAS. I rise merely to ask the honorable delegate who has presented this resolution by agreement, whether it means that the detailed stipulations are approved by the honorable delegates signing that resolution as well as some of the other nations which have not had a voice in the committee and are not included in the draught of agreement. I hope the honorable delegate will explain the scope of his resolution.

MR. ZEGARRA. I can not reply since I am ignorant of the opinion of the honorable delegates who have not signed the resolution; but I understand that from the very fact of signing and having their names appear there, these who have signed have expressed their approval. Of the other honorable delegates I

am sorry that I am unable to say the same because I do not know their opinions.

Mr. VARAS. They were the only ones to whom I could refer, as the honorable delegate from Peru will understand—those who have not signed, because it is clear that those who signed it have agreed to it, and in such case, Mr. President, the draft of resolutions, be it that sent to the Chair by Mr. Caamaño, or that read by Mr. Zegarra, have the same character and the same scope as the resolution previously approved by the Conference; that is, being limited to general terms and leaving the details to the agreement, solely and exclusively, of the delegations by them affected. Therefore, the Conference can not enter upon the examination of the plan, but only the delegations in interest, according to the vote taken a moment since. Thus I understand the scope of the vote which is to be taken.

Mr. CAAMAÑO. As of the twelve nations on the Pacific, five sign the report and six give their assent to the proposition of the delegate from Peru, making a total of eleven, it seems that only the Colombian delegation has to manifest its opinion on this question; in which case, should it be in the affirmative, the plan would be adopted.

Mr. MARTINEZ SILVA. Mr. President: Probably the Colombian Government would not subsidize a steamship line on the Pacific, as far as its ports are concerned, so long as the basis for the distribution of the subsidy is the total population, as appears from this table, for the simple reason that the Republic of Colombia has very little or no communication by the Pacific. Probably its trade by these ports rep-

resents a sixth part of its total commerce.. Consequently it could not take as a basis for the subsidies the total population.

Mr. ESTEE. Mr. President, may I ask the gentleman from Peru a question? I am a little in a quandary. I would like to know whether the gentleman's resolution just presented means an indorsement of the report of the committee or a rejection of that report? I confess I could not tell.

Mr. ZEGARRA. I am sorry to enter into an explanation of this kind with the gentleman from the United States, because I find it rather difficult to express in clearer words than those of the resolution the meaning conveyed. The resolution says plainly that the recommendation is on the same basis as that presented by the committee, but it also says that every State is not to be compelled to accept all the propositions of the report in detail, but so far as each State may find them conformable with its interests. Now this, I believe, is not a rejection of the report. In fact it is an indorsement as ample, as unconditional as the honorable delegate could desire. It is very far from being a rejection. On the contrary, I began by stating and acknowledging that the committee's report was a very ample and fair one upon the question submitted to their consideration, but as the proposition has to be couched in such terms as may cause the least embarrassment in the vote, I took the liberty of drafting the phraseology which, in my opinion, would satisfy all those requirements.

Mr. VELARDE. I find myself in the necessity of making an explanation respecting the matter under debate.

I have signed, together with my honorable colleagues, the resolution which was last presented and which is a substitute for that of the committee, for I find it exactly fits the present situation of my country.

It is proposed to subsidize steam-ship companies which are to run on the Pacific Ocean. Undoubtedly the idea is a laudable one, purposing, as it does, to facilitate communication and the carrying of passengers; but it is to be regretted that the members of the committee did not consult the opinions of the other delegates, representatives of the nations bordering on the Pacific, in order to exchange ideas and views and avoid misunderstandings.

With regard to the plan under discussion, I find that it fixes the quotas of the subsidy to companies upon the basis of the population of each country, and that basis is adopted as final and ending the matter.

We have thought it would be more advisable to leave the several governments to determine this quota, for, as regards my country, it behooves me to state that, as bordering on the Pacific, since it has not renounced its territorial rights to the coast it possessed, but which unhappily is not at present under its control, and is temporarily governed in accordance with a treaty of truce with a neighboring nation—Bolivia—I repeat, who claims always a right to this territory, which it has declared many times, and which has been recognized. The Government of Chili finds herself in the case of coming into this agreement, as a nation that borders on, that has a population, trade and business connected with the Pacific Ocean. But shall the proportion payable by

it be left to its government, which will undoubtedly enter into an agreement with the bordering nations.

The substitute resolution says in so many words :

The International American Conference resolves : To recommend to the Governments of the countries bordering on the Pacific Ocean to promote among themselves maritime, telegraphic, and postal communications, taking into consideration, as far as compatible with their own interests, the propositions formulated in the report of the Committee on Communication on the Pacific.

I accept this wording, and find it advisable. Hence I explain my vote and desire that it be recorded in the minutes.

Mr. ESTEE. Mr. President, in reply to the distinguished gentleman from Peru, who spoke a few minutes ago, I wish to say that in connection with this report on Commerce on the Pacific I prepared a report which, of course, is not the report of the committee. However, I prepared a report containing information of the Commerce of the various ports and countries of the Pacific, showing the necessity for lines of steamers stopping at those ports, and recommending what, in my judgment, ought to be done. In that report, sir, I did not suggest that any of those countries should pay anything, and that I may place the gentleman from Peru (if he will give me his attention for a moment) right in the matter, I will read the last part where I say :

I do not venture to make any suggestions as to the assistance which may be rendered by the other nations represented in this Conference, and with whom mutual trade relations should be encouraged, because I do not sufficiently understand their wishes; nor is it known to me that

under their laws monetary assistance to foreign-built ships can be granted, or if allowable that they would deem it advisable to do so, nor do I know but they wish to sustain steam-ship lines of their own, and therefore I do not refer to that question, but leave it rather for the consideration of my associates on the committee who represent our sister republics on the south of us, feeling assured that they will most gladly do all that can be done to promote trade and advance the common interest of all the Pacific coast nations represented in this Conference.

Those were the closing sentences of a report I made covering some sixteen pages on the subject of the Commerce on the Pacific. That report is in print in English, but it has never been printed in Spanish. I venture to ask the Conference to make it an appendix to the minutes, not as a part of them. I ask this because I think there are some facts there that may be useful to this Conference. Speaking for myself, and I think for the American delegation, I can say there is no desire on the part of the United States to impress our views upon any nation that does not desire to contribute to this enterprise. We gladly agreed to the proposition that whenever a nation did wish to come in it should be done in the ratio of population, and that was a recommendation made by another member of the committee and not by myself. It seemed to be fair and we agreed to it. It was also suggested that whenever a nation wishes to participate upon these terms the flag of that country should be carried on the vessels of that line in proportion to the subsidies paid by that country. This seemed to be just. I can say that as far as the United States were concerned and so far as every member of the committee were concerned their action in this matter

was prompted by the highest regard for the commercial interests of all these nations and for the advantage to the Pacific coast trade. There was no effort made, and there will be no effort made as far as I know, and as far as the country which I in part represent is concerned, to impose upon Bolivia or any other nation any contribution it does not desire to make. I think it is the duty of the United States, with its vast and unlimited resources, with its great coast line upon the Pacific, to contribute very largely for a steamship line of the kind recommended. I think it is the duty of Mexico, owning more coast line than either the United States or any other nation on the Pacific, to contribute also.

I would suggest to the honorable delegate from Peru that we do not ask that any one nation fronting on the Pacific shall contribute any amount unless it wishes so to do, but it is believed that it would be a matter of pride to all the nations to be contributors to a steamship line of the character recommended. They would thus feel they had a common interest in this new commercial enterprise, and this would lead to good neighborhood and good fellowship among the contributing nations; that when one of these vessels came into a Chilian, or Mexican, or Peruvian port every Chilian, or Mexican, or Peruvian would feel interested in that vessel and in the business it did.

It is also provided in the report that in time of war these vessels shall not be used for war purposes; especially against the contributing nations. The object which prompted the committee in doing what it did was to promote the common interest of all the

nations of the American continent, and especially on the Pacific slope. There are twelve nations thus interested. And so in my report, which I submitted to the committee of this Conference, I did not recommend the payment of any money as a subsidy by any one of these nations.

I will read from my report:

I therefore recommend that a tonnage bounty shall be paid by the United States of America to any vessel, whether sail or steam, constructed and wholly owned in the United States, and which shall be engaged in the foreign trade, plying between the ports of the United States and foreign ports of Central and South America, or between foreign ports and other foreign ports, the sum of 30 cents per gross registered ton for each 1,000 miles sailed outward and inward, and pro rata for any distance traveled less than 1,000 miles on any voyage or voyages.

I did not recommend the payment by any nation except the United States, for at the time I wrote that report I was not aware that the other nations were desirous of contributing. But I at once saw, sir, the necessity, because there is a national pride in this matter which affects all alike, and being left out would carry with it the idea of unfriendliness, and so we inserted the clause which states that those vessels, whatever the flag they might carry, should be received, and occupy the same position, as national vessels in the various countries whose ports they entered. I ventured to make this explanation because it might seem that the United States was desirous of getting the other countries to contribute to lines of steamers in which they had little or no interest. I therefore ask to have the report which I made attached to the minutes as an appendix.

The SECOND VICE-PRESIDENT. The report of the gentleman will be added to the minutes of the session.

MR. ARAGON. I wish to take the floor simply to answer a few remarks made by my friend, the honorable delegate from the United States, Mr. Estee. Mr. Estee must not understand that those countries wish to evade the payment of aid for a line of steamers. It is only that we do not wish to be bound to those special terms of the report. We wish to attain that end by some means suitable for creating that service. I would mention that some of those countries, although small and insignificant, were perhaps the first to initiate the subsidizing of steam-ships; and perhaps at the present moment we are paying more than the United States is for the maintenance of such service. Costa Rica is paying \$12,000 for a subsidy on the Pacific coast. Mexico is paying largely; although I do not recollect just the amount Guatemala, Salvador, Nicaragua, and other countries are all paying for the maintenance of the same line.

Now with regard to the concrete terms devised by the committee, I would only wish that they could be carried into effect in the manner you propose, for this reason: We are now paying \$12,000 on the Pacific to steamers that call once or twice a month. You propose to create a service of steamers that will call twice a month, and according to the proportion suggested by the committee, it imposes upon Costa Rica the obligation of contributing only \$1,000 a year. Just notice the difference between \$12,000 and \$1,000. You will see that it is not in a selfish point of view that we have looked at this report. I think it gives us more liberty of action. My country

may not feel bound to the special suggestions made by the committee, but we may contribute largely. Instead of contributing \$1,000 we may give \$6,000 for the creation of this service, and it may be my country will require special concessions. That is what the proposition which we have presented is meant to convey; to give liberty to our countries to deal with those matters without special relation to this report. However, it is a suggestion to be taken into consideration. We consider perfectly well that the United States does not wish to impose upon us this obligation of contributing. This obligation we have already assumed and are contributing largely to the same purpose.

Mr. CAAMAÑO. By way of concluding this debate, as far as I am concerned, I must reply to the honorable delegate from Bolivia that we ought not to enter into the question of whether or not Bolivia should be included in the list of contributing nations; but we did do it, and it was done, I should state, with the consent of the honorable representative from Chili. Regarding the calculations made by Mr. Velarde touching the subsidy, I think there is an error in his basis. The third article of the report says:

That the nations named shall pay annually, directly to the company, companies, or individual owners of said lines, as a compensation for the services rendered them and in the terms and under the conditions established, a subsidy, the total amount of which shall not exceed 30 cents per gross registered ton of said vessels, for each 1,000 miles sailed, outward and homeward.

This committee, then, establishes only a maximum, the minimum remaining at from one cent up to thirty.

This is a sphere of action too extensive; there is no limit. As to not having consulted the other delegates representing countries bordering on the Pacific, it was taken into account that they were greater in number than the members of the committee, and would have the printed plan before them before they were asked to vote, and even the honorable delegate from Bolivia has signed a resolution due naturally to a study of the report, and agreeing to some extent with the views of the committee.

This said, I declare that of the five members composing the committee, four of us, representing a part of South America and Mexico, are agreed on the resolution presented by the honorable delegate from Peru.

The SECOND VICE-PRESIDENT. The Chair understands that the chairman of the Committee on Communication on the Pacific accepts the amendment to the report, submitted by the honorable delegate from Peru.

Mr. CAAMAÑO. Of the five members composing the committee, four are in favor of it. I know not the opinion of Mr. Estee.

The SECOND VICE-PRESIDENT. Four members are a majority of the committee.

Mr. ESTEE. Of course I always vote with my committee. I will do just as my committee does.

Mr. CAAMAÑO. Then, Mr. President, the committee is unanimous.

Mr. ALFONSO. Naturally, sir, as my honorable colleague on the delegation has signed this plan I approve it in its entirety, but I desire to record one fact which is interesting to me and which I deem should be spread upon the minutes.

This report, undoubtedly, proposes a very laudable plan, that of increasing communication on the Pacific; but as regards Chili, I should state that on all the coast of that country the steam-ship service is perfectly well executed. It is a service to-day which gives the greatest satisfaction and meets the necessities of trade and passenger travel; it is done by two companies, one English, which has existed for at least fifty years, and was the first to have steamships on the Pacific, and the other a South American line, subsidized by Chili, which has existed probably from fifteen to twenty years.

These two companies have improved their service, increasing the number of their vessels, and having them constructed on the most modern plans, for which reason, as I have had occasion to state on another occasion, the service on the Pacific is far better than that from Aspinwall to New York.

So that, Mr. President, the plan in question would, so far as Chili is concerned, meet a necessity which is only theoretical and by no means practical, especially as the experience of the past, and very recent past, demonstrates that these two companies, which to a certain degree are competitors, have an especial interest in improving their service, as has happened, since within the last few years the improvements obtained have been enormous.

The necessities of trade are increasing, and it is to be expected that those companies will go on improving, without their being any necessity on our part of appealing to foreign elements to furnish the service which the Government as well as trade needs.

Mr. VARAS: I had asked the floor merely to explain

my vote in acceptance of the plan formulated by the Hon. Mr. Zegarra, at the moment my honorable colleague made the statement which was to form a part of the explanation which I thought of making. Therefore, I shall be briefer than I anticipated.

I accept with pleasure the plan formulated by the honorable Delegate from Peru at once, since it does not call for any amendment to the basis of the plan submitted by the committee. In the second place, I should state that I accept it because if I have signed the report of the committee, and now accept another, it has not been for any special interest of my country, but for the general interests of commerce among our American nations.

As my honorable colleague has so truthfully stated, there are in Chili two companies which (in passing I may add) the Government subsidizes, one in the sum of \$50,000 and the other \$225,000 yearly. Besides these companies there are other steamers doing the regular service of our trade with the nations on the Pacific coast.

These facts alone suffice to show the truth of what I have just said; that is, that I have signed the report of the committee not for individual benefit, but in the general interest of the American countries, and, as the plan of the honorable delegate from Peru goes even further as regards the individual interests of the countries, it will be easily understood that I should accept it, making, however, the declaration that the adoption of this plan does not imply necessity, since as far as Chili is concerned it does not exist.

Mr. MEXIA. Regarding Mexico I must repeat what

has just been said by Mr. Alfonso regarding Chili. The service on the Mexican coast of the Pacific is perfectly well done. The Government has established there three lines, among them an American line, which meet all the demands as far as can be desired. My acceptance, then, of the plan of the committee on behalf of Mexico had a sentimental motive, so to speak; we have no other object than to bring us closer to the Republics of the South with whom we have no trade.

Therefore, I repeat, with the desire solely to make those relations closer and bring ourselves into communication with our neighbors, we are going to pay an amount larger than any other Republic except the United States.

The SECOND VICE-PRESIDENT. Does any other of the honorable delegates desire the floor? The vote will be taken on the plan of the honorable delegate from Peru, accepted by the committee.

THE VOTE.

(The secretaries read the same in Spanish and English.)

The vote resulted as follows :

AFFIRMATIVE 14.

Peru,	Bolivia,	United States,
Colombia,	Salvador,	Venezuela,
Argentine,	Costa Rica,	Chili,
Honduras,	Paraguay,	Ecuador.
Mexico,	Brazil,	

NEGATIVE 0.

The SECOND VICE-PRESIDENT. By the unanimous vote of the delegations present the plan has been approved.

SESSION OF MARCH 25, 1890.

Mr. GUZMAN. I had to leave the Conference yesterday before the vote was taken on the resolution presented by Mr. Zegarra. I desire to have it stated that Nicaragua is in favor of it.

Mr. CRUZ. Mr. President, I ask the same with regard to Guatemala.

The PRESIDENT. It will be so entered.

Mr. ZEGARRA, a Delegate from Peru, said that he wished to put on record the reasons for which he had voted on his proposition, and for that purpose sent to the Chair, to be read by the Secretaries, the following document :

The undersigned Delegate in voting on the project which he had the honor to submit deems it advisable to set forth that the purposes of the modification therein suggested is not by any means to reject the ideas formulated by the Committee on Communication on the Pacific, or declare thereby that the system of subsidies recommended as the only means of promoting maritime, telegraphic, and postal communication is in all cases unadvisable. Without detaining himself in examining that system, it seems to him beyond doubt that the measure of granting subsidies is not the only one capable of accomplishing the desired end, nor is it the most necessary or advantageous for his country under the present circumstances of its foreign commerce. It has been stated by several Delegates that the maritime service on the Pacific leaves nothing to be desired. As far as the necessities of commerce are concerned, this fact, which is a matter of notoriety, embraces all the Republics bordering on that Ocean, and for the same reason it seems to be best that the Government of Peru should be in full liberty to decide either to grant the subsidy or to resort to some other means for promoting maritime communication between the American Republics, with which purpose the

said Government heartily desires to co-operate in such manner as may be consistent with its own interests.

There is another remark to be made in support of the project. The ideas formulated by the committee, although many in number and well presented in their form, are not complete. One omission to be introduced among others refers to the service which the subsidized companies shall render to the respective Governments. Another omission is to establish a limit in the rates of freight and passengers. It is evident, therefore, that the most natural plan is to accept a form as that which the undersigned, together with several of his honorable colleagues, has had the honor to present for the consideration of the honorable Conference by which each interested Government remains in full and absolute liberty to decide whether the system of subsidies is or is not advisable, and in case it is accepted, to amplify or restrict the subsidy suggested by the committee.

Washington, March 24, 1890.

F. C. C. ZEGARRA,
Delegate from Peru.

THE RECOMMENDATIONS AS ADOPTED.

The International American Conference resolves: To recommend to the Governments of the countries bordering on the Pacific Ocean to promote among themselves maritime, telegraphic, and postal communications, taking into consideration, as far as is compatible with their own interests, the propositions formulated in the report of the Committee on Communications on the Pacific.

COMMUNICATION ON THE GULF OF MEXICO AND CARIBBEAN SEA.

REPORT OF THE COMMITTEE ON COMMUNICATION ON THE GULF OF MEXICO AND THE CARIBBEAN SEA.

[As submitted to the Conference January 27, 1890.]

The President of the International American Conference :

The committee appointed to consider and report upon the best means of extending and improving the facilities for commercial, postal, and telegraph communication between the several countries represented in this Conference that border upon the Gulf of Mexico and the Caribbean Sea, has the honor to submit to the Conference the following report :

TELEGRAPHIC COMMUNICATION.

Telegraphic communication is carried on between the different countries by means of lines which connect the principal cities of the several countries. It seems that the service meets all requirements, and is to be considered satisfactory.

Cable communication is carried on by means of two lines between the United States and the republics of the South. One of them connects Galveston, Tex., with Mexico, Guatemala, Salvador, Nicaragua, Costa Rica, and the countries on the west coast of South America. The other goes from Tampa, Fla., to Havana, round the south coast of Cuba to Kingston, Jamaica, and from there to Ponce de Leon, Porto Rico ; thence by way of the Windward Islands to Trinidad, and across to the coast of Venezuela. The rates charged by both of these companies

make it impracticable to do much business over their lines, and all but the most imperative messages are reserved for the mails.

We recommend that steps be taken to secure a moderate scale of charges over the present cable lines, and in the event that this can not be accomplished, would suggest the necessity of granting charters to one or more independent cable companies under the auspices of the several Governments representing the countries at interest; the said companies to be incorporated with the provision that cable tolls shall in no case exceed reasonable maximum rates to be fixed in their charters. We further recommend that large systems may be used as far as possible. Short single sections between two isolated points can never pay. It is nearly as expensive to maintain a short as a long circuit, and with a system of several cables the only additional expense is the salaries of the staff of operators at the stations.

POSTAL COMMUNICATION.

Postal communication between the United States and the countries bordering on the Gulf of Mexico and the Caribbean Sea is governed by the provisions of the Universal Postal Union, and is carried on by several lines of steam-ships, which sail more or less frequently, and carry the mails under the direction of the post-office authorities of the respective Governments.

A statement from the Post-Office Department, hereto attached, will show the number and character of these lines, the amount of mail transported, and the compensation paid by the United States Government during the fiscal year ending June 30 1889.

COMMUNICATION WITH HAYTI.

The facilities for commercial and postal communication between the United States and Hayti are fair, being furnished by the Clyde Steam-ship Company, whose steamers sail under the United States flag.

VENEZUELA.

The facilities for communication with Venezuela are ample, through the enterprise of the managers of the "Red D" line of steamers, running between New York and the ports of that country. During the last few months this company has added to its fleet three fine new steamers, equipped with modern improvements, namely, the *Venezuela*, of 2,800 tons; the *Carúcas*, of 2,600 tons, and the *Maracaibo*, of 1,260 tons. This line was established by Messrs. Boulton, Bliss & Dallet, of New York, as a necessity to transport the merchandise of that firm. For many years they employed sailing vessels alone, but in 1879 it was decided to substitute steam for sail, and three German steamers were chartered until vessels could be built especially for the trade. All of the steamers are provided with accommodations for passengers, and modern improvements for safety, convenience, and comfort. The main line runs from New York to the Island of Curaçoa, from there to Puerto Cabello, and thence to La Guayra, in Venezuela, with a branch line to Maracaibo. Steamers now leave New York every ten days, but it is desired that the service be increased to four sailings per month.

The effect of the establishment of this line of steamers upon the trade of the United States and Venezuela has been very great. But a few years ago the commerce with that Republic was only \$3,300,000; now it amounts to about \$14,000,000, and comprises nearly one-half the total foreign trade of that country. The value of the trade that has been built up by this line of steamers is confirmed by the fact that 10,000 bales of cotton goods were shipped from the United States to that country in 1888, while in 1880 but 1,200 bales were shipped.

There is also a line of steamers sailing once a month from New York to Ciudad Bolivar, on the Orinoco River.

COLOMBIA.

The commercial and postal communication between the United States and the Republic of Colombia is furnished by the Pacific Mail Steam-ship Company, which sails three

times a month from New York to Colon (Aspinwall), the average length of the voyage being from eight to nine days. The Pacific Mail steamers carry mail not only for Colombia, but for the west coast of Central and South America, making connection at Panama with the various lines of steamers on that coast. The Pacific Mail steamers sail under the United States flag. The mail for Savanilla and Cartagena is carried by the Atlas Line of steamers, sailing under the British flag, twice a month, the average length of the voyage being thirteen days. Both of these lines would give a more satisfactory service if the sailings were increased to one per week.

There is also another line, under the Spanish flag, which sails between New York, Cuba, Venezuela, and the United States of Colombia, and is said to receive from the Spanish Government a subsidy of \$243,687.60.

These three lines furnish six sailings a month between New York and the ports of Colombia.

CENTRAL AMERICA.

The mails to Central America are carried either by the Pacific Mail and the Atlas, steamers or by the small lines sailing from New Orleans, and, while they are rendering as good service as is practicable under present conditions, it is very desirable that the facilities shall be increased in order that better service may be secured.

MEXICO.

Steam-ship communication between the Gulf ports of the United States and Mexico is limited to the Morgan Line between New Orleans and Vera Cruz—average time three and one-half days, sailing twice a month. By reason of railway communication between the two countries they are not dependent upon steam-ships for mail, passenger, or freight service. Their rapidly increasing commerce, as the result of railroad connections, is an evidence of the benefits that will arise from the establishment of proper means of communication between other countries.

It will be observed from the study of the annexed report of the United States Post-Office Department, that the earnings of all of these lines of steamers are derived almost exclusively from the intercourse and trade that these countries maintain with the United States. Very little could be derived from the commerce between the several nations on the Gulf of Mexico and the Caribbean Sea outside of the United States. This is due to a great extent, if not wholly, to the fact that none of these countries are engaged in manufacturing. They all produce similar raw products, and their importations are composed of similar merchandise. Manufactured cotton goods, machinery, and provisions compose the bulk of the imports of these countries from the United States, and in their turn they export to the same markets of the United States the same raw materials and tropical fruits. Consequently there is no reason for active trade between the Central American States, and no direct lines between them could be successfully maintained unless they were extended to the United States. They are now in communication by coasting steamers, which almost all of these countries have established, and which call periodically at their ports. We consider, therefore, in view of actual conditions, that we shall have to accept the existing local service as the only one that is practicable at present.

While the present lines of steamers between the ports of the United States and those of the countries bordering on the Gulf of Mexico and the Caribbean Sea furnish a tolerable service, an objection is found in the length of time consumed in making the voyages; and as much could be gained by the establishment of faster lines of steamers, or the substitution of faster steamers for the slow ones now on the existing lines, we recommend that the number of sailings be increased, and the rate of speed heightened, so that the round trips, or at least the home voyages to the ports of the United States be made in the shortest possible time, in order that perishable freights may be preserved.

At present a letter mailed on the 1st of the month in St. Louis will not arrive at Colon before the 15th. It requires

two days to reach New York and then, if the steamer sails immediately, the time is reduced to twelve days; but, as the sailings are only three a month, it is oftener twenty days in making the passage, and freight requires a much longer time, in some cases thirty or thirty-five days. By the establishment of faster and more direct lines of steamers time could be shortened at least one-third, and the expense of freight transportation reduced in a corresponding degree.

But trade is no longer done to any extent by correspondence. The buyer and seller must meet each other. Acquaintance fosters confidence, and confidence is the foundation of all trade. Wherever foreign merchants have obtained mastery in the market of Latin America it has been by sending agents to study the tastes and the wants of the buyers, and to lay before them samples of the merchandise they have to sell, and by furnishing prompt and cheap transportation facilities. Commercial travelers from the United States are seldom, if ever, seen in the mercantile cities of the Southern countries, and the buyers for those markets seldom visit the warehouses of the merchants of the United States. This is in a large part attributable to the lack of proper means of communication. The merchant of any of these countries can take his state-room upon a swift steamer, and after a comfortable and restful voyage spend a month in examining the manufactures and show-rooms of European countries. He can make the acquaintance of those who are seeking his custom, and establish his credit and buy whatever he finds suitable for his customers, but he has no such facilities in his trade with the United States.

It will doubtless be several years before quick lines of communication would become self-supporting; and in order to induce capitalists to invest their means in such enterprises they must be assured of stated assistance for a term of years.

It is impossible to estimate the increase of trade that such facilities for communication and transportation would at once bring to the American republics. The purchasing power of the countries of Central America and the Spanish

Main is not alone to be considered, but the west coast of South America has a commerce far above \$100,000,000 a year. The distance from the ports of Chili to those of Europe through the Straits of Magellan is nearly 9,000 miles, and the voyage requires more than thirty days, while from Peru and Ecuador the distance is much greater. A line of fast steamers from the United States to Colon, in connection with a similar one down the west coast of South America, would bring Valparaiso within eighteen or twenty days of Chicago and St. Louis. London could be reached from Valparaiso by way of New Orleans or New York in much less time than by the direct voyage through the straits, and the journey would be so much more agreeable that the passenger as well as the freight traffic would be to a great extent diverted in this way.

From official data before the committee it is plain that the countries bordering on the Gulf of Mexico and the Caribbean Sea appreciate the necessity for direct and quick communication with foreign ports, and for its control in the interest alike of their producers and consumers, and they indicate in their public policies and general convictions that governmental assistance, whether in the form of mail contracts or otherwise, is essential to the service demanded by public interests. Mexico pays the Pacific Mail Steam-ship Company for the western coast service \$30,000 yearly; Guatemala, \$24,000; Salvador, \$24,000; Nicaragua, \$6,000; Honduras, \$5,000, and Costa Rica, \$12,000, in the form of postal compensation.

Plans have been proposed by capitalists in this country for the establishment of a direct and rapid steam-ship service between Tampa, Fla., and Mobile, Ala., and the ports of Colon, Port Limon (Costa Rica), and Greytown, Nicaragua. The town of Tampa is situated on the west coast of Florida, 666 miles from Havana and 1,200 miles from Colon, by the measurement of the United States Navy Department. It has a safe and commodious harbor, sufficient to float the largest ships, and without bar or other obstruction at its entrance. The natural advantages of this port have been supplemented by the construction of wharves, docks, hotels and driveways, and freight can be

transported from the railroad cars to the ships at the minimum of time and expense.

The Government of the United States has already established a fast railway mail service between New England, New York, and Pennsylvania, and Tampa, to connect them with the Havana steamers, making the distance from New York City in thirty-six hours, and touching the principal cities of the Atlantic coast, where mails from the west are collected, as the trains pass daily. The distance from Chicago, St. Louis, Cincinnati, and other great cities of the West to Tampa is about the same as that from New York to Tampa and from those cities to New York, and the railway connections are such that a letter from Chicago via Tampa to ports of the Caribbean Sea would have the same advantage of speed and transportation as a letter from New York, and freight from the Western cities for such port would be carried by rail to Tampa as quickly and as cheaply as to New York.

The distance from Tampa to Colon, taking that port as an illustration, both as to time and mileage, is much less than from New York, the time being five and a half days, while the steamers at present in use between New York and Colon make the journey in eight to nine days. It could not be expected that the exporters of New York would avail themselves of this advantage of time in the shipment of heavy merchandise, for the cost would be much greater if sent part way by rail, but for mail and passengers it would be found very convenient; while the merchants and the manufacturers of Cleveland, Cincinnati, Chicago, St. Louis, and other cities of the West, who produce most of the articles shipped to South America, would not only be able to place their merchandise upon the docks of Tampa in the same time and at the same cost that is required to deliver it in New York, but with much greater convenience and less cost, so far as wharfage and handling at the terminal points are concerned.

The same holds true of merchandise imported into the United States from the Southern republics for consumption in the Southern and Western States. The merchants of Chicago, some months ago, sent to the President of this

Conference a memorial for the establishment of steamship facilities at Tampa, which is in accordance with the foregoing facts. The merchants and manufacturers of the Southern portion of the United States would derive great benefit by the establishment of the proposed line, and the rapidly developing industries from that section seem to be entitled to special consideration. At the same time, in addition to the advantages already pointed out, all those engaged in trade between the United States and the countries bordering on the Gulf of Mexico, the Caribbean Sea, and the Pacific Ocean would enjoy the great benefits of competition.

With properly constructed steamers the proposed line would be of incalculable service to those engaged in the shipment of fruit and other perishable articles, which suffer severely from long voyages and bad weather at sea. A very large portion of the fruit coming to the United States from Central and South America is consumed in the Southern and Western cities of the United States, and the same is true of coffee, hides, and other merchandise, while the principal articles of export from the United States come mainly from the same cities; the flour from Richmond and Minneapolis, provisions from Chicago, refined petroleum from Cleveland, and furniture from Grand Rapids, while Georgia and the Carolinas, as well as other Southern States, are largely interested in the shipment of cotton goods.

But the greatest advantage to be derived from such a line would be the improvement in mail and passenger transportation between the United States and the ports east, west, and south of Colon, the time from New York to the latter port being shortened to five and a half days or six days, if, as suggested, the proposed steamers make a deviation from a direct line from Tampa to Port Limon and Greytown. The voyage from Tampa to Colon, 1,200 miles, would be made by fast steamers in less than five days, and by rapid railway trains either New York or Chicago could be reached from the latter port in six and a half days. Such an improvement upon present facilities for travel is worthy of the careful consideration of the

Delegates to this Conference and of the Governments they represent.

The plan above suggested for a line of steamers from Tampa to Colon proposes that the steamers, if established, shall visit the city of Mobile regularly to deliver and receive freight, after having landed their mail, passengers, and freight at Tampa.

There are also many considerations in favor of New Orleans as an outpost. The geographical position of New Orleans at the mouth of the Mississippi makes it the natural outlet not only to Central and South America, but to other ports of the world, for the products of the great valley this river drains, which constitute the bulk of the exportable commodities of the United States. The breadstuffs, the provisions, the agricultural machinery and implements, the furniture, and petroleum, and the centers of their production are all within convenient distance of water transportation. In many instances the construction of rival railway lines has diverted commerce from natural to artificial channels, but the difference in distance from Chicago and St. Louis to the ports of the Gulf and the Caribbean Sea via New Orleans is so great as to offer advantages over New York as an outpost that could not be overlooked if proper steam-ship facilities to these ports were furnished.

There are already several lines of steam-ships of a comparatively insignificant tonnage between New Orleans and the Central American ports. They represent a growing sentiment and a growing sympathy which should be encouraged and fostered by the several Governments interested. These steam-ships have already done much to increase the exports as well as the imports of New Orleans, but they have been established and sustained by private enterprise, the assistance given them by the United States Government having been so small as to be unworthy of consideration compared with the aid extended them by some of the Spanish American Governments.

It has been maintained before the committee that the portion of the United States most interested in the development of direct traffic between New Orleans and the

ports of the Gulf and the Caribbean Sea is that which suffers most from over-production, and has until now been the least interested in the expansion of foreign trade.

New Orleans is the terminus of six trunk lines of railway and of 20,000 miles of river navigation. It is the largest port of entry in the South. Its imports during the last fiscal year amounted to \$15,400,000. Of that sum \$10,400,000 was composed of five articles, all of which came from Central and South America, namely, coffee, sugar, fruit, hemp, and India rubber.

As before stated, the Central American countries already pay a good deal to maintain the existing transportation facilities on the western coast of the continent.

Mexico, Guatemala, Honduras, Nicaragua, Costa Rica, the Republics of Colombia and of Venezuela bordering upon the Gulf of Mexico and the Caribbean Sea, can be reached by moderately fast steamers from Tampa, Pensacola, Mobile, New Orleans, or Galveston in from three to five days. These countries contain a population of 20,000,000 people, while the population of the United States approximates 65,000,000. It would be difficult to overestimate the benefits that would accrue to all of these States from prompt, regular, and economical means of mail, passenger, and freight transportation.

In view of these facts and of their proximity, and of the small amount required to furnish ample facilities, it seems incredible that the Governments at interest have so long delayed the establishment of such facilities. It is doubtful if anywhere upon the globe there exists an equal opportunity for accomplishing commercial results as beneficial to 85,000,000 people as could be secured at the small cost involved in establishing first-class communication between the ports of these States, and it is confidently expected that at the Governments of the several countries named, when attention is properly directed to this subject, and when the small cost of adequate service is pointed out, will adopt the necessary measures to secure it. Experience demonstrates with reference to transportation facilities:

First. That they should be frequent, rapid, regular, and economical.

Second. That they should be under the control of or friendly to the interests which they are supposed to serve.

And, as before stated, the policy of many of the Governments interested shows that Government assistance for the new lines contemplated is regarded as essential, from the fact that it requires several years before speedy lines of communication become self-sustaining.

In view of the proximity of all the ports of the Gulf of Mexico and the Caribbean Sea, the advantages that would accrue from increased social, commercial, and international intercourse, their dependence upon proper communication, the improbability that this will be established by unaided private enterprise, the duty of Governments to promote public welfare, the small public expenditures required to secure adequate mail, passenger, and freight facilities, and the necessity for their control by the countries whose interests they should subserve, the International American Conference recommends to all the nations bordering upon these waters the granting of Government aid in the establishment of first-class steam-ship service between their several ports upon such terms as they may mutually agree upon with reference (*a*) to the service required, (*b*) the aid it is necessary to extend, (*c*) the facilities it will severally afford them, (*d*) the basis upon which they are to contribute, (*e*) the amount that each is to pay, (*f*) the forms of agreement between the several Governments, and the nature of contracts with steam-ship companies necessary to the successful execution of a general plan for such service.

MANUEL ARAGÓN.
CLIMACO CALDERÓN.
H. GUZMAN.
J. F. HANSON.

APPENDIX A.

Statement showing the means of communication between the ports of the United States and those of the east coast of Mexico, Central America, Colombia, Venezuela, Hayti, and Brazil, the time required by each line of steamers, the frequency of sailings, the sums of money paid annually to each line for transportation, and the amount of mail transported during the fiscal years ended June 30, 1888, and June 30, 1889.

[Foreign lines are marked with an asterisk (*).]

1. TO MEXICO.

- (a) *New York and Cuba Mail.* - *New York to Vera Cruz* (via Havana, Progreso, and sometimes Frontera and Campeche).—Average time, ten days; four times a month.
 Amount paid during fiscal year ending June 30, 1889, \$1,138.97.
 Amount of mail transported, 1889, 4,652 pounds; 1888, 2,938 pounds; increase, 1,714 pounds.
- (b) *Morgan Line, New Orleans to Vera Cruz.*—Average time, three and one-half days; twice a month.
 Amount paid during fiscal year ended June 30, 1889, \$77.05.
 Amount of mail transported 1889, 94 pounds; 1888, 58 pounds; increase, 36 pounds.
- (c) *Thebaud Line,* New York to Progreso.*—Average time not known; sailings irregular; about once a month.
 Amount paid during fiscal year ended June 30, 1889, \$15.35.
 Amount of mail transported, 1888, 216 pounds; 1889, 160 pounds; decrease, 56 pounds.
- (d) *New York and Yucatan Line,* New York to Progreso.*—Average time not known; sailings irregular; about once a month.
 Amount paid during fiscal year ended June 30, 1889, \$2.73.
 Amount of mail transported, 1888, 55 pounds; 1889, 44 pounds; decrease, 11 pounds.
- (e) *Spanish Transatlantic,* New York to Vera Cruz* (via Progreso).—Average time, ten days; twice a month.
 Amount paid during fiscal year ended June 30, 1889, \$28.96.
 This line was not used in 1888; amount of mail conveyed in 1889, 466 pounds.

RECAPITULATION.

To Mexico, five lines; about ten sailings a month.
 Total amount paid during fiscal year ended June 30, 1889, \$1,263.06.
 Total amount of mail carried in 1889, 5,416 pounds; increase over 1888, 2,149 pounds.

1. TO CENTRAL AMERICA.

(a) *Royal Mail, New Orleans to Puerto Cortez* (via Balize and Livingstone).—Average time, six days; five times a month.

Amount paid during fiscal year ended June 30, 1889, \$3,926.91.

Amount of mail transported in 1889, 19,030 pounds; 1888, 18,596 pounds; increase, 434 pounds.

(b) *Morgan Line, New Orleans to Boca del Toro*.—Average time not known; twice a month.

New Orleans to Bluefields.—Average time, six days; twice a month.

Amount paid during fiscal year ended June 30, 1889, \$725.16.

Amount of mail transported, 1889, 2,925 pounds; 1888, 1,891 pounds; increase, 1,061 pounds.

(c) *Oteri's Pioneer Line, New Orleans to Truxillo* (also to Ceiba, Ruatan, and Utilla).—Average time, four days; four times a month.

Amount paid during fiscal year ended June 30, 1889, \$628.71.

Amount of mail transported, 1889, 3,544 pounds; 1888, 2,078 pounds; increase, 1,465 pounds.

(d) *Honduras and Central American Line,* New York to Greytown* (via Kingston, Jamaica).—Average time, seven days; twice a month.

Amount paid during fiscal year ended June 30, 1889, \$390.12.

This line was not used in 1888. Amount of mail conveyed in 1889, 5,713 pounds.

(e) *Atlas Line,* New York to Port Limon* (via Kingston and Colon).—Average time not known; three times a month (see also under 3, Colombia).

(f) *Costa Rica and Honduras Line,* New Orleans to Port Limon*.—Average time, seven days; three times a month.

Amount paid during fiscal year ended June 30, 1889, \$602.62.

Amount of mail transported, 1889, 8,160 pounds; 1888, 4,790 pounds; increase, 3,370 pounds.

(g) *New Orleans and Central American Line,* New Orleans to Truxillo*.—Average time, four days; twice a month.

Amount paid during fiscal year ended June 30, 1889, \$50.15.

Amount of mail transported, 1889, 637 pounds; 1888, 221 pounds; increase, 416 pounds.

RECAPITULATION.

To Central America, seven lines; about twenty-three sailings a month.

Total amount paid during fiscal year ended June 30, 1889, \$6,322.67.

Total amount of mail carried in 1889, 40,009 pounds; increase over 1888, 12,460 pounds.

3. TO COLOMBIA.

- (a) *Pacific Mail Steam-ship Company, New York to Colon*.—Average time, eight days; three times a month.
 Amount paid during fiscal year ended June 30, 1889, \$24,160.84.
 Amount of mail transported, 1889, 148,630 pounds; 1888, 116,408 pounds; increase, 32,222 pounds.
- (b) *Atlas Line, New York to Savanilla (via Colon and Cartagena)*.—Average time, thirteen days; three times a month.
 Amount paid during fiscal year ended June 30, 1889, \$2,140.79.
 Amount of mail transported in 1888, 27,336 pounds; in 1889, 26,532; decrease, 404 pounds.
- (c) *Spanish Transatlantic, New York to Savanilla (via Santiago, Cuba)*.—Average time, thirteen days; once a month.
 Not used during fiscal year ended June 30, 1889.
- (e) *Booth Line, New York to Para, Maranham, Ceara, Manaòs*.—Average time not known; about once a month.
 Amount paid during fiscal year ended June 30, 1889, \$165.70.
 Amount of mail transported in 1889, 1,511 pounds; 1888, 1,004 pounds; increase, 507 pounds.
- (d) *Sloman's Line, Baltimore to Rio de Janeiro*.—Average time not known; about once a month.
 Amount paid during fiscal year ended June 30, 1889, \$643.45.
 Not used in 1888; amount of mail conveyed in 1889, 10,257 pounds.

RECAPITULATION.

To Brazil, four lines; about four sailings a month.

Total amount paid during fiscal year ended June 30, 1889, \$14,642.52.

Total amount of mail transported in 1889, 82,632 pounds.

N. B.—Mails for Uruguay, the Argentine Republic, and Paraguay are conveyed by the above lines to Rio de Janeiro and thence to Montevideo and Buenos Ayres by steamers of foreign lines.

There are occasional sailings from New York for Montevideo and Buenos Ayres direct, but they are so rare and occur at such irregular intervals as to be practically of no value to the mail service.

Nothing is known at this office regarding the number and character of the steamers employed on any of the above lines, nor as to their accommodations for passengers.

APPENDIX B.

SPECIAL REPORT ON COLOMBIA SUBMITTED TO THE COMMITTEE BY THE
DELEGATE, MR. CLIMACO CALDERÓN.

Hon. MANUEL ARAGÓN,

*Chairman of the Committee on Communication
on the Gulf of Mexico and the Caribbean Sea :*

SIR: I have the honor to present to the committee of the International American Conference, of which you are chairman, the following information relative to Colombia, requested by you in your note dated the 23d of last December. At the same time I beg to submit to the consideration of the committee some observations which I deem necessary for the proper understanding and appreciation of said information.

The maritime communication between Colombia and the United States is at present carried on by the following steam-ship lines: Atlas, Pacific Mail, Spanish Transatlantic, and Red D line.

The first is an English line, established some time ago, whose steamers call regularly at the ports of Cartagena and Savanilla, which are the principal ports of Colombia on the Atlantic. This line dispatches two vessels regularly every month from New York, and in them is carried the greater part of the goods exported from this country to Colombia destined for the Atlantic coast and the markets of the departments of Antioquia, Tolima, Cundinamarca, Boyacá, and part of Santander, in the interior. On the return voyage they bring the greater part of the articles imported from Colombia into the United States, which they take on board at the ports of Savanilla and Cartagena.

The American line, called Pacific Mail, dispatches a steamer regularly on the 1st, 10th, and 20th of each month to the port of Colon. The only articles of American production carried by this line to Colombia are those consumed in the department of Panama, which includes the entire Isthmus, and the department of the Cauca on the Pacific. The importations of this latter department are entered at the ports of Buenaventura and Tumaco, to which all the merchandise transshipped at Panama is carried by the vessels of the Pacific Steam Navigation Company and of the recently established South American Steam-ship Company.

The Spanish Transatlantic Company only sends one vessel a month to Colombia. The steamers of this line touch at Havana and other ports of the island of Cuba, and carry merchandise to the Colombian ports of Cartagena, Savanilla, and Santa Marta.

The steamers of the American line, known by the name of Red D line, sailing regularly between New York and the Venezuelan ports of La Guayra and Puerto Cabello, do not put in at any Colombian port, but they carry the American products which are imported into the northern part of the department of Santander in Colombia, and carry

to New York the articles which that region exports to the United States. These steamers touch at Curaçoa, and from thence the merchandise destined to a considerable part of Venezuela and the department of Santander are transported to the port of Maracaibo in steamers of the same line. At Maracaibo the same vessels take on board the products exported from this part of Colombia to the United States, and those sailing between New York and La Guayra and Puerto Cabello take them on board at Curaçoa, together with those which, in a more limited quantity, are sent to the same market from the province of Padilla in the Colombian department of the Magdalena,

The postal service between Colombia and the United States is carried on by these same lines of steamers, although the Spanish Transatlantic line does but little of it on account of the length of its route and the slowness with which they necessarily carry the mail. Colombia also has a postal system well established and organized, but subject to the obstacles naturally offered by the undeveloped condition of its interior means of communication.

With regard to telegraphic communication, Colombia has all that is at present needed, considering its present commercial and industrial condition. The length of the telegraphic lines now in operation measures more than 4,600 kilometers, and it may be said that all the towns of any importance, no matter how small they are, can communicate with each other and with all the countries of Europe and America by means of the cable which touches at the ports of Colon, Panama, and Buenaventura. The telegraphic system of Colombia connects at the north with that of Venezuela, and at the south with that of Ecuador; so that Colombia is at present in possession of easy, frequent, and rapid communication with those two Republics.

The latest statistics published by the Government of Colombia on the exterior import and export trade of the country refer to the year 1887. We find therein that the exports, not including those of the department of Panama, which enjoys freedom from import duty, reached in that year the sum of \$14,000,000. The export of natural products from the Isthmus may be estimated at \$1,200,000; and it may therefore be said that the exports of Colombia reached in the year 1887 the sum of \$15,200,000. According to official documents published by the United States Government,* the exports of Colombia to that country in the fiscal year ending June 30, 1889, amounted to \$4,263,519, without including in this sum the gold and silver, coined or in bullion, imported from Colombia in the same year, which appear in the said documents and amount to \$1,642,795. It also appears therein that the exports of the United States to Colombia in that fiscal year amounted only to \$3,703,705, or \$1,194,298 less than those of the year ending June 30, 1888, in which they amounted to \$4,923,259. With respect to the imports brought from Colombia, precious metals not included, it may be

* Annual report of the Chief of the Bureau of Statistics on the foreign commerce of the United States for the year ending June 30, 1889.

observed also that in 1889 they were less than the previous year. It appears, in fact, that in 1888 they amounted to \$4,393,258, or \$129,739 more than in the year following.

Unlike what has been said of Colombia, Mexico, the Central American Republics, and Venezuela figure in the statistics as having exported more to the United States in 1889 than 1888. With regard to Mexico it would perhaps not be exaggerating to say that, taking into consideration the total amount of its export trade, the increase is somewhat remarkable, for it appears that in 1889 Mexico sent to this country products to the value of \$21,253,601, or \$3,923,712 more than in the year 1888, in which it only exported to the United States \$17,329,889. The Central American Republics, which in 1888 exported to the United States \$7,623,378 worth, are put down in 1889 for \$8,414,019; that is, with an increase of \$790,641. The increase of the exports of Venezuela is less noticeable, because in 1888 they were \$10,051,250 and \$10,392,569 in 1889, making a difference of \$341,319 in favor of the latter year. The difference between the exports of Colombia in 1888 and those of 1889 is, however, of slight amount (\$129,739), and may be easily and satisfactorily explained by the decrease of value in this market of some of the principal articles which Colombia exports. The difference is certainly of value and not of bulk.

According to the recent report of the United States Treasury Department, the exports of Mexico, the Central American Republics, Colombia, and Venezuela to this country during the last ten years are as follows:

Year.	Mexico.	Central America.	Colombia.	Venezuela.
1880	\$7,210,000	\$3,310,000	\$8,440,000	\$6,040,000
1881	8,320,000	3,160,000	5,960,000	6,600,000
1882	8,460,000	4,740,000	4,960,000	5,750,000
1883	8,180,000	5,120,000	5,170,000	5,900,000
1884	9,020,000	6,160,000	3,890,000	6,670,000
1885	9,270,000	6,410,000	2,340,000	6,310,000
1886	10,690,000	5,910,000	3,010,000	5,790,000
1887	14,720,000	7,640,000	3,950,000	8,260,000
1888	17,330,000	7,620,000	4,390,000	10,050,000
1889	21,253,601	8,414,019	4,263,789	10,392,569

Upon examination of the above table it is evident that the exports of Mexico, Central America, and Venezuela to the United States have increased notably in the last few years, while those of Colombia have decreased. With regard to Mexico, it is seen that the exports in 1889 exceeded those of 1880 by \$14,040,000, which means an increase of two-thirds. The exports of the Central American Republics, which in 1880 were only \$3,310,000, amount in 1889 to \$8,414,000, making an increase of \$5,104,000 in the course of ten years. Venezuela, which in 1880 exported \$6,040,000, increased its exports \$4,352,000 in 1889, since in that year they amounted to \$10,392,000. On the other hand, Colombia,

which in 1880 exported to the United States products to the amount of \$8,440,000, saw its exports reduced in 1889 to \$4,263,000, which marks a falling off of \$4,177,000, equivalent to one-half.

With regard to the importation of American merchandise, comparing that of 1880 with that of 1889, it is also observed that while those of Mexico, the Central American Republics, and Venezuela have steadily increased, those of Colombia have decreased in a marked manner. Mexico, which in 1880 only imported \$6,070,000 worth, imported \$10,890,000 worth in 1889, and there was one year (1883) in which its imports amounted to \$14,370,000. Those of the Central American Republics, which in 1880 only amounted to \$1,730,000, reached \$4,150,000 in 1889. Those of Venezuela, which were only \$2,270,000 in 1880, passed \$3,000,000 in 1888, and in 1889 amounted to \$3,700,000. Those of Colombia were \$5,230,000 in 1880, \$5,180,000 in 1881, \$6,230,000 in 1882, \$6,720,000 in 1883, \$6,170,000 in 1884, \$5,400,000 in 1885, \$5,290,000 in 1886, \$5,970,000 in 1887, \$4,920,000 in 1888, and \$3,730,000 in 1889. There was, therefore, a decrease of \$1,500,000 in the importations of the last-named year as compared with those of 1880.

The decrease of exportation from Colombia to the United States began to be felt in a marked manner in 1881. In fact, from \$8,440,000, the sum reached in 1880, they fell to \$5,990,000 in that year, showing a decrease of \$2,450,000. They were still less in 1882, since they only reached \$4,960,000; and although a slight rise of \$290,000 is noted in 1883 over the previous year, the decrease is still more notable in 1884, in which they only reached \$3,890,000, or less than half of the amount reached five years before. The marked diminution of the exports of 1885, in which year they only amounted to \$2,340,000, and those of 1886, which scarcely reached \$3,010,000, is explained by the civil war in which the country found itself at that time; for, after order was re-established, it is seen that they not only recovered their previous level, but underwent an increase, although but a slight one, over the exports of 1884, the year immediately preceding the civil war.

Upon comparing the importation of American merchandise entered at Colombia during the years 1885-'87 with the exports made from Colombia to the United States in the same period, a considerable inequilibrium is observed. It is moreover to be noted that the excess of imports over exports reached the sum of \$1,270,000 in 1882, \$1,550,000 in 1883, \$2,280,000 in 1884, \$3,060,000 in 1885, \$2,280,000 in 1886, \$2,020,000 in 1887, and \$530,000 in 1888; making a total of \$12,990,000 in seven years. The year 1889 already exhibits a difference of \$530,000 in favor of exports; and everything leads one to believe that in the current fiscal year they will exceed the imports. The inequilibrium observed is, however, easily explained.

At the same time that the decrease of exportation commenced in Colombia the work of excavating the canal was begun at Panama, and the Isthmus increased considerably its importation and consumption, paying for them not with its own products, but with the money belong-

ing to that enterprise. The difference between the importation and exportation above noted was not liquidated with specie sent out by Colombia, nor by the sale of Colombian articles in European markets; it was paid from the funds of the French stockholders. This explains why, while the exports of the years 1885-'86 fell to so low a figure on account of the disturbances in the peace of the country, the imports did not decrease in those years in the same proportion. The consumption of the Isthmus increased while that of the rest of Colombia diminished. But the diminution of the work on the canal in 1888, and its final suspension in 1889, brought with it a reduction in the amount of consumption. This explains the notable decrease of importation during those years. The exceptional circumstances in which the Isthmus of Panama found itself from 1881 to 1888 increased the consumption of foreign goods in an extraordinary manner; but they in no wise contributed to augment either the exports of the rest of the country or of that region itself. Since the imports of the country are at present reduced to what can be paid by exports, the figures of both in the year 1889 show us what is the amount of commerce between Colombia and the United States in normal conditions.

Among the intertropical countries of America, Colombia has perhaps been the most deeply affected by the decline of commerce and industry which, with variable intensity, has made itself felt all over the world during the last fifteen years. None of them have seen, as Colombia has, their exports so greatly diminished, nor found themselves, as she has done, on account of her peculiar topographical condition, surrounded by so great obstacles to utilizing the forces which the decay of her ancient industries has left idle. With regard to tobacco, which was previously cultivated in abundance and exported to the value of several millions of dollars, it may be said that at present only a sufficient quantity is produced for home consumption, since exorbitant customs duties, which might be called prohibitive, have driven it away from the former markets.

The exportation of cinchona bark has entirely ceased. In order to appreciate properly the importance which this product had in the external trade of Colombia, it must be borne in mind that on account of the immense quantities of it exported from that country, her exports to the United States amounted to \$12,284,063 in 1875, or \$8,021,000 more than in 1889; and in order to estimate the influence which the production of Colombia had in the market of that product, it is sufficient to recollect that quinine (which is extracted from it), that in 1876 was only sold at the rate of 6s. 9d. per ounce, in 1877, on account of an interruption in the exportation of cinchona from Colombia occasioned by civil war and obstructions to the navigation of the Magdalena River, went up to the unheard-of price of 16s. 9d. (\$4.70) per ounce. The price of this chemical product began to fall in 1879, and from 1883 onwards it declined with such rapidity that the current price in Europe in 1887 was only 1s. 6d. (\$0.30) per ounce, or even still less. The last quotations

of the London market give this same price in the present month to English quinine, and 1s. 3*d.* to that of German production.

The decline in price of an article of such general and constant consumption as this is not difficult to explain. It is a well-known fact that ten or twelve years ago the production of cinchona was a kind of monopoly with some countries of the northern part of South America, where the tree producing the bark grows wild in surprising profusion. But the carelessness, lack of method and system in the collection of the bark gave rise to the fear that the production of so necessary an article would greatly decline, and perhaps even become exhausted, and actuated by this fear, the Governments of Holland and Great Britain decided to attempt the cultivation of the cinchona tree in their colonies of Java and the East Indies. The first seeds and plants were carried thither from South America in 1861, and the first exportation of bark from that region to Europe, consisting of only 28 ounces, was made in 1869. The production of it in the island of Ceylon was growing so enormously from year to year that in the year of 1882-'83 6,925,000 pounds of it were exported from that place; from 1883 to 1884, 11,500,000 pounds; and from 1885 to 1886, 15,364,912 pounds.* The exportations of Java have been smaller in quantity, but not less important, since in 1887 they exceeded 2,200,000 pounds. The necessary result of such an immense production was the rapid decline in the price of this raw material and of the article extracted from it. To this depreciation further contributed two other causes, the influence of which it is impossible to ignore. In the first place, the South American bark generally yielded but 2 per cent. of sulphate, while that of Ceylon and Java, due to the cultivation of the tree, produced from 8 to 12 per cent. In the second place, because of the discovery and employment of new and more economic processes, there can actually be obtained, with less expense and in the course of three or five days, a greater quantity of quinine than was before extracted in twenty days by means of the processes which were then employed.

The exportation of cinchona bark from Colombia having entirely ceased, a greater impulse was given to the cultivation of coffee, until this product became the principal article of export. But coffee, like hides and all the natural products which Colombia exports, has suffered an enormous decline in the market because of competition with other countries which produce them with greater advantages; and thus is explained why an increase in the volume of exports does not signify for Colombia a proportional increase in the value of the same.

Colombia, like other Spanish American countries, contends with the difficulties which nature has opposed to convenient, rapid, and economi-

* According to the last statistics the production of Ceylon has been diminishing since 1886. It appears that from 1886 to 1887 it was 14,389,184 pounds; from 1887 to 1888, 11,704,932 pounds; and from 1888 to 1889, 10,798,487 pounds.

cal communication in its own territory, and which make the transportation of its products to the sea-coast extremely difficult and expensive. It is this lack of ways of communication and of transportation which constitutes the most powerful obstacle to the economical and industrial development of those countries.

Because of the imperfect and backward state of the means of transportation employed the exports are limited to articles which, of small volume and little weight, are intrinsically valuable; and with respect to said articles they are compelled to challenge the competition of producers who, disposing of abundant capital and provided with improved implements of labor and easy, economical, and rapid means of transportation, offer these same articles in the market at prices which are occasionally ruinous for the producers who do not possess identical advantages for their production and transportation. "Railways and steam-ships," said the French economist, Leroy Beaulieu, "are the levelers of prices; there is no influence so potent as theirs." The general depreciation of articles of universal consumption confirms this opinion, should such statement need demonstration. Wheat, wool, cotton, silk, petroleum, linseed-oil, coffee, and tea, copper, lead, iron, quicksilver, silver, tin, coal, quinine, paper, nitrate of soda, beef, sugar, hides, cheese, and fish are articles of universal consumption, and their actual price is much less than fifteen years ago, due to a greater and more economical production, stimulated by the increase of consumption, caused by the facilities and low rates of water and land transportation.

The decline in the price of some of these articles is really surprising. Thus, for example, refined petrolum which in 1873 was worth 23 59 cents a gallon, fell in 1887 to 6½ cents. Refined sugar, in bond for export, which in 1880 was only worth 5.08 cents a pound in New York, declined still more, and there was a time (July, 1887) when it only brought 2.37½ cents a pound. Salt beef for export, which averaged in the United States in 1884 only 8.2 cents a pound, dropped to 6 cents in 1886. Salt pork declined during the same period from 8.2 to 5.9 cents; bacon and hams from 9.6 to 7.5 cents, and lard from 9.4 to 6.9 cents.

The immediate and necessary effect of the present system of transportation by railway and steam-ship has been uniformity in the prices of the necessary commodities and the final disappearance, in all civilized countries, of local markets with enormous differences in the prices of such articles. It does not happen to-day, as formerly, that the loss of the crops in a province, or even in an entire country, will expose the inhabitants to the horrors of famine. An eminent American economist has well said that the railway and steam-ship have already decided that in the future there will be but one market for cereals—the world; and he adds that abnormal prices in one country or market, or excessive reserves in one center or another, will be surely and rapidly neutralized and controlled by the influence of all countries and markets.

But the improvement and progress in the means of communication which produce these results, and by bringing together the remotest regions make the world a single market, and level and equalize prices, far from diminishing, widen and deepen the line which separates civilized countries from those which have not reached an equal degree of prosperity and development. Doubtless these less-favored countries participate also, although in a very limited way, in the benefits which such transformation has produced. Considered in their relation to the rest of the world, it is observed that those countries which lack railways actually obtain, at a lower price than formerly, foreign articles of necessary consumption. The reduction in the cost of production and in maritime fares explains the reduction in prices.

But, as producers and exporters, the only influence which might help to lower the cost of transportation of their commodities to foreign markets and allow them to contend with the competition of those who produce them under better and more favorable conditions, is not always felt, because their limited trade offers no field to competition and generally falls into the hands of steam-ship lines which monopolize it and impose upon it excessive burdens, thus reducing to the least figure the earnings of the exporter. Undoubtedly, the countries which are found in such condition possess great advantage in the fact that the maritime communications at their service may be more rapid and convenient and, especially, cheaper. But, more than new lines of steam-ships and greater facilities for maritime communication, these countries need railways, which shall develop their domestic trade, and shall enable them to import the heavy and bulky apparatus which their industry lacks, and transport to the sea-coast their agricultural products and the fruits peculiar to their soil; the dye, cabinet, and timber woods, which abound in their forests, and the ores of their inexhaustible veins.

The export trade of these countries is not limited by the lack of maritime transportation, but by the production which finds in the absence of railways the principal obstacle to its development. The day in which it shall increase there will be no lack of steam-ships to contend in the ports for the freight which will arrive there for foreign markets, and that will bring from the latter the products which shall be sent in return. New lines of steam-ships which may be established now will divide the existing traffic, but will not increase it. Colombia desires to possess better and more convenient means of communication with the United States than she actually has, but her foreign trade can not support more steam-ships than those employed now. She desires cheaper and better means of transportation, but not in greater number. If her production and export trade increase, her maritime communications will surely improve, just as Venezuela has seen hers improve, with the growth which her exports have lately experienced.

CLÍMACO CALDERÓN,
Delegate from Colombia.

WASHINGTON, *January 27, 1890.*

DISCUSSION.

SESSION OF MARCH 21, 1890.

The PRESIDENT. The order of the day is the report of the Committee on Communication on the Gulf of Mexico and the Caribbean Sea. The report having been printed and distributed, the Chair will direct simply the reading of the concluding paragraph, which includes the question to be voted upon.

The conclusions of the report were read in Spanish and English.

The PRESIDENT. What order will the Conference take?

Mr. ROMERO. I take the floor only to correct a statement contained in the committee's report. In speaking of Mexico, mention is made only of one of the lines of steamers connecting the Gulf ports of Mexico with the United States, ignoring the fact that there are two other lines of steamers subsidized by the Government of Mexico for the service between New York and several Mexican ports.

I, of course, recognise that the port of New York is not in the Gulf; but the Committee on Communication on the Atlantic has likewise omitted to mention these lines, perhaps for the same reason as the Committee on Communication on the Gulf, as we have no ports on the Atlantic Ocean. So that these lines are really out of the scope of all three of the reports of the committees charged with the study of these subjects; but, as the lines in question are ren-

dering what, in the opinion of Mexico, is an efficient service, and one which it would be difficult to improve, there being competition between two of the lines, there is no objection on the part of Mexico to make the specific recommendation presented in the report.

I have, then, taken the floor simply to correct the statement of fact in the report, since otherwise—were no account to be taken of the two other existing lines—the means of communication between the Mexican Gulf ports and the United States would seem very insignificant and inadequate.

I will say, in passing, that there are important differences between the three reports of the committees named by the Conference to report upon this subject ; but, as the orderly course will be to deal with one report at a time, and determine the attitude of the Conference as to each, I abstain from pointing out these differences, and will make the comments I desire to offer as occasion may arise.

Mr. ARAGON. When the Committee on Communication on the Gulf of Mexico and the Caribbean Sea, whose report is under discussion, began to collect the data for that report, it applied to each of the nations concerned, begging it to furnish the desired information, so that nothing should be overlooked in the committee's statement. With reference to Mexico in particular, such a request was addressed to Mr. Romero, who replied that he could not immediately furnish the data requested, as he would have to procure it from his Government ; but that he would supply it at the earliest opportunity. Probably the collection of the data required too much time, but the days were

passing by, the facts were not forthcoming—to this day the committee has not received them—and on the other hand it was being urged that as many reports as practicable be submitted to the Conference for consideration. In view of this the committee deemed it best not to wait any longer, and presented a report based upon the data which it had been able to secure.

Besides, as Mr. Romero himself has just told us, the lines in question connect directly with the port of New York, so that, as the scope of the subject referred to the committee included only the Gulf of Mexico and the Caribbean Sea, these lines did not properly fall within the committee's jurisdiction.

In any event, however, I take pleasure in assuring Mr. Romero that there has been no desire on the part of the signers of the report to omit the facts referring to Mexico, facts which are very interesting and which it would have given them pleasure to put on record in the report.

MR. ROMERO. Mr. President, I did not mean to censure the Committee on Communications by the Gulf of Mexico for not having made any mention of the lines of steamers connecting the Mexican ports of that gulf with the ports of the United States outside of the Gulf of Mexico, and far from that I stated the reasons why the report had taken no notice of those lines. My object was only to inform the Conference that we have an efficient steam service between this country and our gulf ports.

I bear witness to the correctness of the statement of the chairman of the committee in having asked me for such information as I might have on the subject.

I expect to receive before long the data called for, and as soon as I obtain it I will be most happy to place it in the hands of the chairman of the committee.

MR. ALFONSO. There has been distributed a report by a member of the committee, the honorable Mr. Calderon, and I should like to have it taken into consideration in the debate, as it is one of the essential documents upon this subject. And, if practicable, action should be taken upon the conclusions of that report.

MR. ARAGON. Mr. President, the report of the honorable delegate from Colombia, to which reference has been made by the honorable delegate from Chili, does not embody any recommendation; it was in response to the committee's request for particular reports that the honorable delegate from Colombia sent in the one referring to his country. In it he made no recommendation, but even had he done so, he, Mr. Calderon, has signed the report offered by the committee. I think, accordingly, that the propositions of that personal report need not be separately considered, inasmuch as the committee's report includes or sums up all that it was thought expedient to state upon this subject.

This is clear from the difference in date between the particular report of the honorable delegate and the report of the committee in charge of the matter. Besides, the committee has no objection to the consideration either of this or any other statement which there may be; but I hasten to state that on the special point mentioned by the honorable delegate from Chili that report throws no light, since Mr. Calderon him-

self, who signed the separate report, signed the committee report, and had he made any recommendation not to be found in the report of the committee he would have made it known; but Mr. Calderon asked nothing and only stated his conformity with the conclusions of the committee report.

I would like to add a few words, Mr. President, to what I have just said. The partial report of the delegate is dated January 27, and the report of the committee is dated the 6th of March. Of course it is understood that the former was taken into consideration in framing the report of the committee.

Mr. ALFONSO. I recognize, because it is most true, that the reports, that of the honorable delegate from Colombia as well as that of the committee to which he belongs, are distinct, but that does not prevent the conclusions arrived at by the honorable delegate from being somewhat different from those of the committee. Between the two there are substantial differences, and when I asked the reading of the former it was because it has been distributed to the delegates composing this Conference for their information, and I believe it should be taken into account by all this body, as I have taken it into account; but I raise no question on this point, and I am going to say a few words in support of the committee report, for, if between this and that of the honorable delegate from Colombia there should be a contradiction, I shall favor the report which proposes improvements and greater facilities for communication between the Gulf of Mexico and the Caribbean Sea.

In this regard the Conference will allow me to briefly relate the trip I made.

I embarked at Valparaiso and went as far as Panama, crossed the Isthmus, and re-embarking at Aspinwall, I took passage for New York.

From the first I was able to appreciate the fact that in the matter of steam vessels the South Pacific lines are far ahead of and afford better accommodations than the Pacific Mail line, which connects Aspinwall and the United States; but this is not the worst feature, for I had to stay six days in Panama so as to take the steamer which had to carry me from Aspinwall to New York.

As can be readily seen the sojourn of six days at that point is veritably a great annoyance; it might be fatal, and I know that many travelers and many merchants do not make the trip by this route because of this circumstance. The trouble consists in the fact that instead of two or three steamers touching at Panama there is but one, from which it results that connections are practically impossible.

Because of this, which I have personally experienced, and in consequence of which my health still suffers, I favor the scheme of the committee, and it is not, Mr. President, for the purpose of putting it in juxtaposition with the committee report that I asked the reading of the individual report of the honorable delegate from Colombia—exactly the contrary: To demonstrate that the committee has much reason and is perfectly correct in asking an improvement of the service.

Mr. ARAGON. I never supposed that there was a hostile intention on the part of the honorable delegate from Chili in asking for the reading of the report, nor have I thought so, since we are here met to

express our opinions upon the several matters to be discussed. What was said by the honorable delegate from Chili might have been favorable or unfavorable to the committee. He may rest assured that I would hear with pleasure any suggestion he might make, for because of his great experience and wisdom that would lead us to the greatest results and to the solution we seek in this matter as well as in others; but I must close, thanking him for the way in which he has been pleased to judge the report submitted by the committee.

The PRESIDENT. Is the Conference ready for the question? Shall the recommendation made by the committee in the concluding paragraph be adopted? The Chair hears no objection. The Chair directs that it be voted on by calling the States.

The roll-call resulted in the unanimous adoption of the recommendation of the committee, the following States participating in the vote:

AFFIRMATIVE—13.

Nicaragua,	Venezuela,	Paraguay,
Colombia,	Salvador,	Mexico,
Costa Rica,	Peru,	United States,
Honduras,	Argentine,	Chili.
Bolivia,		

NEGATIVE—0.

The PRESIDENT. By the unanimous vote of the delegations present the recommendations of the report are adopted.

THE RECOMMENDATIONS AS ADOPTED.

In view of the proximity of all the ports of the Gulf of Mexico and the Caribbean Sea, the advantages that would accrue from increased social, commercial, and international

intercourse, their dependence upon proper communication, the improbability that this will be established by unaided private enterprise, the duty of Governments to promote public welfare, the small public expenditures required to secure adequate mail, passenger, and freight facilities, and the necessity for their control by the countries whose interests they should subserve, the International American Conference recommends to all the nations bordering upon these waters the granting of Government aid in the establishment of first-class steam-ship service between their several ports upon such terms as they may mutually agree with reference (*a*) to the service required, (*b*) the aid it is necessary to extend, (*c*) the facilities it will severally afford them, (*d*) the basis upon which they are to contribute, (*e*) the amount that each is to pay, (*f*) the forms of agreement between the several Governments, and the nature of contracts with steam-ship companies necessary to the successful execution of a general plan for such service.

NOMENCLATURE OF MERCHANDISE.

SESSION OF JANUARY 2, 1890.

The PRESIDENT. The order of the day is exhausted. What order of other business will the Conference take?

Mr. ROMERO. I ask that the resolution I have offered be read.

The PRESIDENT. The delegate from Mexico offers a resolution. He desires that the same shall be read in full in Spanish.

(The Secretary read the resolution and comments in Spanish.)

The PRESIDENT. The resolution will be read in English.

The Secretary read the same as follows:

I think that one of the most efficacious measures to secure the unification of the customs rules and laws is the adoption, by all the nations represented in this Conference, of the uniform nomenclature of foreign merchandise, which will serve as a basis for the collection of impost duties and for all other customs operations, such as the preparation of manifests, consular invoices, etc. This naturally will not affect the rates which each country may see fit to collect on each class of merchandise, and will only refer to the definition of such merchandise.

I do not conceal from myself the difficulties which such a unification will present, principally on account of the

different bases for the collection of import duties which exist between the United States of America on one part, and the greater part of the Spanish-American Republics on the other, because as a general rule here the duties are collected according to the invoice value, which system is considered more equitable and would certainly be so if there were not great abuses in the valuation of merchandise; while as a general rule in the Spanish-American Republics the duties are collected according to a fixed rate on the quality, weight or measure, and only in cases of an absolute difficulty in establishing a fixed rate, the rate is collected ad valorem.

It does not appear to me easy for the United States to depart from its system of collecting duties on importations, adopting the specific duties which are prevalent in the Spanish-American countries, nor that these on their side should depart from the system which they follow at present, in order to adopt in all cases the invoiced value. But without any of them being obliged to make this change, if not radical, at least of transcendental importance in their respective legislations, I think that it would be possible to arrive at a unification of the tariff. The different systems of weights and measures, which are used in this Republic and the other Republics of America, constitute another difficulty in this case.

This unification would not restrict, of course, in any sense the right of each State to modify its duties on importations whenever it might deem it necessary, either on merchandise comprised in the tariff or on other new articles, and in case that an agreement on this subject was reached it would be necessary to agree from time to time, that is, say, every two or more years, that the tariff should be revised in order that the modifications or additions which had been made to the former edition should be included.

In order that this subject may be studied by the respective committees I offer the following resolution:

Resolved, That the proper committee of this Conference be requested to examine and report upon the convenience and practicability of adopting a common schedule of for-

foreign goods to be used by the several nations represented in this Conference, for the purpose of collecting import duties, making invoices, bills of lading, etc., each country having the exclusive right to fix the amount of duties to be levied on each article, but the schedule of the articles to be common to all.

M. ROMERO.

WASHINGTON, *January 2, 1890.*

Mr. ROMERO. I ask that the resolution go over until the next session.

The PRESIDENT. At the suggestion of the delegate from Mexico, the resolution will go over until the next meeting.

SESSION OF FEBRUARY 19, 1890.

FIRST REPORT OF THE COMMITTEE ON CUSTOMS REGULATIONS.

NOMENCLATURE.

MOTION.

Resolved, That the proper committee of this Conference be requested to examine and report as to the convenience and practicability of adopting a common schedule of foreign goods, to be used by the several nations represented in this Conference, for the purpose of collecting import duties, making invoices, bills of lading, etc., each country having the exclusive right to fix the amount of duties to be levied on each article, but the schedule of the articles to be common to all.

M. ROMERO,
Delegate from Mexico.

WASHINGTON, *January 2, 1890.*

REPORT OF THE COMMITTEE.

[As submitted to the Conference, February 10, 1890.]

The Committee on Customs Regulations has considered the resolution presented by Mr. Romero, Delegate from Mexico, with a view to the adoption by the nations represented at this Conference of a common nomenclature which shall designate in equivalent terms, in English, Spanish, and Portuguese, the commodities on which import duties are levied, and also be used in shipping manifests, consular invoices, entries, clearances, and other customs documents, without restricting thereby the right of each nation to maintain the duties levied at present or to change them in any way which may be most convenient to their respective interests.

The committee favors this resolution in the belief that one of the objects for which this Conference has been convened is the assimilation of the customs laws and regulations of the American nations, in order that simplification may facilitate the mercantile operations between them and promote the development of their reciprocal trade. The committee will formulate the nomenclature contemplated in said resolution, if the occupations of the members thereof allow it, and if they are able to obtain the necessary data and expert help therefor, and if unable to do this will report to the Conference the manner in which, in its opinion, this labor can best be performed.

This is not the only subject with which the committee has had to deal. The committee is carefully considering all the other important and complex matters which the Conference has intrusted to it, and as soon as its labors are finished it will submit them to the enlightened decision of the Conference.

While such results will be presented later, the committee now submits to the Conference the following resolution:

Resolved, That the International American Conference recommends to the Governments represented therein the adoption of a common

nomenclature which shall designate in equivalent terms, in English, Portuguese, and Spanish, the commodities on which import duties are levied, to be used respectively by all the American nations for the purpose of levying customs imposts which are or may hereafter be established, and also to be used in shipping manifests, consular invoices, entries, clearances, and other customs documents; but not to affect in any manner the right of each nation to levy the import duties now in force or which may hereafter be established.

J. ALFONSO.

CHARLES R. FLINT.

M. ROMERO.

H. G. DAVIS.

SALVADOR DE MENDONÇA.

CLIMACO CALDERÓN.

DISCUSSION.

SESSION OF FEBRUARY 19, 1890.

The PRESIDENT. The report of the Committee on Customs Regulations on Mr. Romero's resolution is the next thing in order according to the order of the day.

By direction of the President the motion and report were read as originally submitted. The resolution is as follows:

Resolved, That the International American Conference recommends to the Governments represented therein the adoption of a common nomenclature which shall *designate in equivalent terms*, in English, Portuguese, and Spanish, the commodities on which import duties are levied, to be used respectively by all the American nations for the purpose of levying customs imposts, which are or may hereafter be established, and also to be used in shipping mani-

feasts, consular invoices, entries, clearance petitions, and other customs documents, but not to affect in any manner the right of each nation to levy the import duties now in force or which may hereafter be established.

The PRESIDENT. The report and resolution are before the Conference. What order will the Conference take? Is the Conference ready to vote upon the resolution?

Mr. ZEGARRA. The resolution offered by the Committee on Customs Regulations is, in my opinion, likely to raise a doubt which I should like to have settled in advance in order to know how I should vote. If the report of the committee means by a "common nomenclature" such a classification by schedules as is usually found in tariffs I would ask the committee to consent to a slight change, so as to make it clearly appear that the proposed "common nomenclature" is only a sort of dictionary or alphabetical manual of foreign merchandise upon which the various nations may impose import duties. If this is the signification which the committee attaches to the phrase I have no objection to make, and I shall give my vote in favor of the report; but if it is otherwise, the vote of the Peruvian delegation will be in favor of restricting the phrase so that it shall mean only an official dictionary, giving the equivalent terms in the several languages, English, Spanish, and Portuguese, of the foreign articles imported into the various nations.

I have made the suggestion to the committee, but I do not know whether the committee will accept it. If the committee should accept the amendment, that would save a great deal of time; but if the committee

will not accept it, I shall be obliged to submit it to the Chair as a motion.

Mr. ROMERO (Mexico). The committee understands the recommendation precisely as does the honorable delegate from Peru, and it believes that its resolution is sufficiently explicit; but if the honorable delegate thinks that some other phrase would more clearly express the idea, the committee will gladly accept the amendment.

Mr. ZEGARRA (Peru). I believe that if after the words "common nomenclature which shall designate," in the resolution as drawn, we should insert these other words: "in alphabetical order," the statement would be explicit, for then the resolution would read as follows: "The International American Conference recommends to the Governments represented therein the adoption of a common nomenclature which shall designate *in alphabetical order*," etc.

The PRESIDENT. Does the committee accept the suggestion? Is there objection? The Chair hears none, and it will be inserted. As amended upon the motion of the honorable delegate from Peru—is the Conference ready for the question?

Mr. DAVIS. I presume that the Conference understands or knows that this is an advance report, and that there will be a subsequent report by the committee covering a good many other points.

The PRESIDENT. As a preliminary report and resolution, is there objection to its being considered as adopted? The Chair hears no objection. It is agreed to.

Mr. ROMERO. I request the ayes and noes by States.

VOTE.

The roll was called, with the following result :

AYES—12.

Nicaragua,	Paraguay,	United States,
Peru,	Brazil,	Chili,
Colombia,	Honduras,	Salvador,
Argentine Republic,	Mexico,	Ecuador.

NOES—0.

ABSENT—6.

Hayti,	Uruguay,	Bolivia,
Guatemala,	Costa Rica,	Venezuela.

The recommendations as amended were then declared adopted, as follows:

RECOMMENDATION AS TO NOMENCLATURE AS ADOPTED.

Resolved, That the International American Conference recommends to the Governments represented therein the adoption of a common nomenclature which shall designate in alphabetical order in equivalent terms, in English, Portuguese, and Spanish, the commodities on which import duties are levied, to be used respectively by all the American nations for the purpose of levying customs imposts which are or may hereafter be established, and also to be used in shipping manifests, consular invoices, entries, clearance petitions, and other customs documents; but not to affect in any manner the right of each nation to levy the import duties now in force, or which may hereafter be established.

CLASSIFICATION AND VALUATION OF MERCHANDISE

SECOND REPORT OF THE COMMITTEE ON CUSTOMS REGULATIONS.

[As adopted by the Conference in session of March 29, 1890.]

The Committee on "Customs Regulations," appointed by resolution passed at the sitting of the twelfth day, has the honor to submit the following report. The subjects designated for consideration by this committee, as appears in the printed minutes of the Conference, are the following:

A.—Formalities to be observed in the importation and exportation of merchandise.

B.—The classification, examination, and valuation of merchandise.

C.—Methods of imposing fines and penalties for the violation of customs and harbor regulations.

The committee has already made a preliminary report to the Conference, recommending the adoption of a plan for the assistance of importers and exporters by means of an official and uniform nomenclature and classification of merchandise, in alphabetical order, which is intended to furnish equivalents in the English, Spanish, and Portuguese languages.

In continuation of its labors, the committee now presents the following suggestions:

A.—*Importation and exportation of merchandise.*

1. The committee has not been authorized to take into consideration the varying rates of duties imposed upon exports and imports by the countries represented in the Conference, and such recommendations as are made in this report are intended to be applicable alike to the present and the future rates of duty.

2. The committee has given due weight to the fact that each of the countries represented depends upon customs duties as the chief source of national revenue, and that the productiveness and security of this revenue must not be threatened nor impaired under the guise of simplification or improvement of regulations for its collection.

3. It is recognized that each country should regulate and administer its own system of customs revenue, and that differences of race, habit, condition, and environment prevail among the conferring nations. The committee, therefore, proposes nothing that does not take cognizance of these important considerations.

4. The committee realizes that an active and desirable international commerce can be established only by the energy and skill of private enterprise, and can not be created and maintained by the cultivation of mutual sentiments of amity and good will. The true bases of such intercourse can be found only in parallelism of interests and in satisfactory profits derived from the supply of material wants.

5. Convinced that an increased commerce amongst the American Republics would be mutually beneficial to the citizens of those Republics, the committee has considered the customs regulations of the several countries for the purpose of devising means of reducing some of the existing burdens of labor, time, expense, and risk.

6. The committee is gratified to find that, in a general sense, the revenue laws and regulations of the several Republics are reasonable and moderate in their provisions; that their administration is, upon the whole, considerate of the rights and interests of the citizen, and that as a rule those who conduct the international navigation and commerce of the American continent are candid and honest in their relations with the revenue laws.

7. Nevertheless, it is apparent that the laws and regulations, as well as the administration thereof, are, in some respects, susceptible of important improvements, and it is proposed in part to effect these improvements by establishing certain uniform rules and practices, without attempting to regulate minor local details.

8. Commerce is now carried on mainly by the instrumentality of the steam-ship, the railway, and the telegraph. These agencies have created necessities and conditions which often conflict with administrative arrangements which are preserved only because they are traditional, and which do not accord with modern methods.

9. Excessive formality in administration is a serious evil, for the reason that it introduces expense, risk, and uncertainty in commercial transactions in such degree as to discourage commercial enterprise. It leads to the multiplication of agents in the business of importation, exportation, and transportation, and thereby reduces the legitimate profits and reasonable expectations of merchants and carriers, and increases the expenses of government.

10. A ship's manifest is a marine document universally required of vessels arriving from foreign ports as a basis for determining their cargoes, and in the time of war to furnish the evidence of non-contraband goods. No vessel should be allowed to clear from any customs port before the master has lodged in the custom-house a manifest of his cargo; but consular certification of such manifests should not be required. Vessels belonging to regular lines of steamers, which are advertised to sail on schedule time, are usually compelled to take in cargo up to the last moment of their departure, and it is therefore impracticable before the hour of sailing to complete the manifest for clearance at the custom-house. The resident agents of such vessels should therefore be allowed to lodge in the custom-house, within twenty-four hours after the sailing of the vessel, such supplementary manifests as may be required to account for the whole cargo.

Before entering a foreign port the master of every vessel should prepare, for surrender to the customs authorities, an inward manifest containing all the facts shown by the outward manifests, together with a list of the passengers and crew and an account of surplus ship-stores remaining on board. This manifest should be lodged at the custom-house, together with the register and any other documents required by the local regulations, and should be verified

by the master's personal declaration before the proper customs officer. The inward manifest may be used in verifying the cargo, but should not be accepted in lieu of an invoice. The committee will present for the consideration of the Conference a proposed international form of manifest, and supplementary manifest. On the exportation of merchandise every shipper should be required, under penalty for failure, to lodge at the custom-house a special manifest of the goods sent by him out of the country, containing full particulars respecting the character, quality, value, and destination of the goods, so that the Governments may have authentic data for statistical records and reports. (See Recommendation 1.)

11. Invoices for customs purposes should be made out in the language of either the country of import or of export, and should declare the wholesale market value of the goods at the date of exportation in the market whence imported, and all amounts or quantities should be expressed in figures only. The value so declared should be accepted, *prima facie*, as a basis for estimating *ad valorem* duties. It is recommended that the fee for consular certification throughout republican America be established at the uniform rate of \$2.50 for each invoice; but that no fee be required for duplicates of an original invoice, nor in any case where the value does not exceed \$100. (Rec. 2.)

12. Entries of imported merchandise should be made out in the language of the country of importation, and should name the vessel and the importer; entries should agree with bills of lading and with invoices in all material particulars, and the bill of lading and invoice should be lodged with the customs authorities at the time of entry. In case any of the packages covered by an invoice should fail to arrive by reason of short shipment, entry should be allowed of the missing packages by means of a properly verified extract or copy of the original invoice. Wherever oaths are now required in customs procedure they should be abolished, because they entail needless hardship and loss of time upon the importer in requiring his personal attendance at the custom-house. The signature of the importer to his declaration for entry should be invested with all

the penal responsibilities now attached to his affidavit. (Rec. 3.)

13. Special facilities without the imposition of unnecessary charges should be accorded to goods in transit by railroad or water transportation through one country to another, provided they be kept in bond during such transit, and that the transit be made under the supervision of the customs authorities, but without any verification of contents of packages. (Rec. 4.)

14. The hours and regulations for the lading and unloading of vessels should be made as liberal as local circumstances will permit, and special means should be provided for their entrance and clearance before and after the regular hours for business at the custom-house, and on all days when general business is suspended. (Rec. 6.)

15. The abolition of all fees and charges in the customs service is desirable, and none should be exacted except such as are fixed and published by due authority; whenever they do exist, they should be limited to the actual cost of the service rendered, and never be imposed for the purpose of raising public revenue. (Rec. 7.)

16. In cases where the rate or amount of duty is doubtful or disputed, the importer should be permitted to deposit, under protest, the amount claimed by the customs authorities and to take possession of his goods; his duties should be liquidated, as promptly as practicable, in accordance with the final decision on his protest, and any excess of deposit refunded without abatement. (Rec. 8.)

17. The committee earnestly recommends the adoption, in the principal ports of the countries here represented, of a system of bonded warehouses similar to that which wherever it has been tried has demonstrated its convenience to importers and its advantage to the national revenue. By availing himself of this system the importer can delay the payment of duties until he has effected the sale of the articles imported, or if he prefers to export them he can do so without payment of duty. To secure this privilege he must store the imported merchandise at his own risk and expense in some designated warehouse which is kept under the special supervision of the collector of customs, and

must furnish satisfactory bonds for the payment of the duty or the exportation of the merchandise within a prescribed period. The importer, under this system, may withdraw his goods in lots of one or more packages, or if the merchandise be in bulk, in stated quantities according to the demands of his business, upon paying all duties and costs of labor and storage which have accrued upon the portion withdrawn for consumption.

The Government is thus absolutely protected against loss, while the importer is relieved from the necessity of forcing his goods upon an unsatisfactory market. (Rec. 9.)

18. Peculiar hardship is suffered by importers in some of the countries from the revision of invoices by the supreme authority at the capital. In case of doubt or controversy, where a deposit of the maximum duty is exacted and the amount is paid under protest, this revision by the central authorities is necessary in the interest of justice, but in all other cases, except where fraud or culpable negligence appears, the merchant, upon paying the assessed duty at the custom-house, should receive his goods exempted from further liability for reclamations which may absorb his apparent profits. (Rec. 15).

19. Internal duties upon imported commodities which have paid duty at the frontier are intolerable burdens upon and obstructions to international commerce. As soon as the legally assessed import duties are paid, on arrival, the goods become a part of the general stock of commodities, and should thereafter be treated in the same manner as domestic products. An increase of import duties at the frontier is preferable to the vexatious system of internal duties. There should be no interior control nor supervision of duty-paid imported goods. A custom-house delivery of goods should entitle them to all the privileges and exemptions accorded to domestic merchandise. (Rec. 15.)

20. In the general interest of the American peoples, it is urged that prompt information be circulated by the governments of the outbreak or prevalence of contagious diseases among cattle or other live stock, in order that such importations may be subjected to a proper quarantine.

B.—*The classification, examination, and valuation of merchandise.*

21. With regard to the customs examination of merchandise, it need only be said that it should be conducted with as little delay, expense, and damage as possible, and should be limited to a reasonable verification of the statements of the entry and invoice. This suggestion applies as well to examinations conducted for the purpose of verifying the dutiable value of ad valorem merchandise as to examinations for ascertaining weights and quantities for the assessment of specific duty. The committee has interpreted the phrase "Valuation of merchandise" as meaning its invoice valuation, and where duties are specific this valuation should be received without question or the necessity of verification, except in case of suspected fraud. (Rec. 10.)

22. Merchandise contained in the baggage of tourists and immigrants, not exceeding a limited amount, should be admitted to entry and payment of duties without bill of lading or invoice, and tools of trade or occupation and other articles brought by passengers in reasonable quantities, for their own personal use and not for sale, should be exempted from duty. (Rec. 11.)

23. Actual samples of merchandise consigned, in reasonable quantities, solely for inspection, or contained in the baggage of bona fide commercial travelers and intended to be used in the prosecution of their business, should, in the interests of commerce, be admitted duty free, under such restrictions as may be deemed necessary. (Rec. 11.)

24. The system of appraisement for ad valorem duties is so intricate and voluminous in its details, and is so little likely to be practiced *in extenso* by many of the countries represented in the Conference, that the committee has decided not to recommend the consideration of that system.

25. The assessment of duty upon the gross weight of dutiable products seems onerous, but where the rate has been adjusted with due regard to the insignificant value of the taxed materials used for packing any particular class of goods, the duty upon the "gross weight" has the

great advantage of certainty and simplicity, and avoids troublesome questions about tare and weight. Through carefulness in packing and the use of light, strong coverings, importers can minimize the tax. Whenever "net weight" is required the tares should be regulated, as far as practicable, by schedules officially prepared and published. (Rec. 16.)

26. Merchandise which has been recovered from a wrecked or stranded vessel should be allowed to be entered without invoice at the custom-house, by either the salvors or importers, for appraisement by the proper authorities, duties to be paid on the appraised value. The importers should also be accorded the privilege of abandoning to the Government merchandise included in any invoice, and seriously damaged by sea transportation, free of liability for duty, provided such merchandise represents ten per centum of the total value of the invoice, and whenever goods have been surrendered to the insurance companies the latter should be recognized as the rightful owners of the same for all customs purposes. (Rec. 13.)

C.—*Methods of imposing fines and penalties.*

27. Against the imposition of fines and excessive duties there should be granted the right of appeal to some tribunal which would promptly investigate all the facts and take into account the good or bad faith of the importer, as may appear in evidence. The importer should be allowed to appear personally or by representative before such tribunal, and the decision should in such cases be made without delay. Clerical errors, minor inaccuracies, and informalities in the entry or invoice, or in any customs proceedings which do not affect the amount of collectible duty, should not, in themselves, be deemed sufficient ground for imposing fines and penalties. (Rec. 17.)

28. The committee is deeply impressed with the belief that equity and regularity of administration are in constant danger of infraction whenever officers of customs are allowed to participate in any share of penalties or forfeit-

ures. A pecuniary interest in fines and penalties has a tendency to bias the judgment of the officer, and incline him toward undue exactions for his own benefit. The committee therefore recommends, to all the countries represented, the adoption of laws (where these do not already exist) providing for the deposit in the Government treasury of all the moneys received by customs officers, and the substitution of a system of rewards for specially meritorious service. (Rec. 17.)

D.—*Additional suggestions.*

29. The committee has been convinced of the advantages to be derived from a periodical compilation, publication, and distribution of official statistics of the navigation and foreign commerce of the countries represented in the Conference. These statistics are often the indispensable bases for legislative enactments affecting international interests. (Rec. 18.)

30. In addition to the adoption of common statistical forms, the committee recommends the establishment of an international bureau for the systematic collection and distribution of useful information relating to the exterior navigation and commerce of the conferring powers, and to the changes in their customs laws and regulations.

The expense of maintaining such a bureau would be inconsiderable and its benefits inestimable. As one example of the practicability and economy of such a bureau, the bureau of universal postal union, conducted by the Government of Switzerland, may be cited. A more cognate instance is to be found in the plan for an international union for the publication of customs tariffs, etc., formulated by the conference held at Brussels in May, 1888, in which most of the commercial nations of the globe were represented, and it is urged that a union be effected between the Republics represented in this Conference, which would insure a prompt and accurate publication at the common expense, for the common benefit, of important commercial information. To accomplish this purpose the proposed international bureau might with advantage be

maintained under the supervision of one of the represented countries and charged with the translation into English, Spanish, and Portuguese, and the publication and distribution of all the American tariffs, and such modifications of the same as may occur in due course. The countries comprised in this Conference should each engage to send to the bureau without delay copies of—

- (1) Their respective customs laws, including tariffs corrected to date.
- (2) Explanations of the effect of modifications which are made in the original laws.
- (3) All circulars of instruction which have been addressed to their respective customs officers concerning the exaction of duties on, and the classification of, merchandise under the tariff laws.
- (4) All commercial and parcel post treaties in force or subsequently adopted.
- (5) All available statistics relating to external commerce and domestic productions.

The annual expense of maintenance would properly be assessed in due proportion to the amount of the foreign commerce of the countries interested.

A common form adapted to the uniform exhibition of the desired facts will, if desired by the Conference, be prepared and submitted hereafter. (Rec. 18.)

MEASURES RECOMMENDED.

In accordance with the conclusion thus carefully set forth, your committee asks the Conference to recommend to all the countries here represented the adoption of the following measures:

1. That forms be adopted for outward manifests of vessels, which shall be lodged at the custom-house by masters of vessels at the time of clearance, and for supplementary manifests of steamers belonging to established lines to be made by the resident agents thereof, and lodged by them in the custom-house within twenty-four hours after the sailing of the vessels, which manifests shall be used only for the determination of the cargo, etc., and shall not re-

quire consular certification. That every such manifest shall show the name of the vessel and of her master, the ports of departure and destination, a description of her cargo by marks, numbers, and supposed contents of packages, with names of consignees and consignors, but no statement of values.

On the exportation of merchandise each individual shipper shall make and lodge at the custom-house for statistical purposes a special manifest stating quantities, character, and values of the goods exported by him; and for a failure so to do, he shall be subjected to a penalty. The master of any vessel may, within forty-eight hours after the entrance at the custom-house and before any of the cargo shall have been landed, change her destination and proceed on his voyage. On entering a foreign port the master of every vessel belonging to one of the represented countries shall lodge with the customs authorities an inward manifest, containing all the facts shown by the outward manifest, including a list of the passengers and crew and an account of surplus ship stores remaining on board. This manifest must be verified by the master's personal declaration at the custom-house. It shall not be accepted in lieu of an invoice and no consular certification shall be required. Forms for outward, inward, and shipper's manifests are herewith submitted.

With a view that each Government shall have official record of its export trade by rail with adjoining countries, any persons delivering to a railway or other transportation company commodities for export to an adjoining country shall also deliver a manifest thereof, showing the kind, quantity, and value of such commodities; and this manifest shall be delivered to the customs officer of the exporting country nearest to the borders thereof.

2. For the entry of imported merchandise, invoices shall be made out in the language and currency of either the country of import or of export, or in any currency actually paid for the merchandise. They must declare the contents and value of each package and state the quantities and the values of the goods in figures and not in words, and the amounts so expressed, with any additions which the

importer may make in his entry, shall be accepted at the custom-house as the basis for preliminary estimates of duty. Wherever consular certification of manifests has heretofore been required the certification of invoices shall be accepted in lieu of the same. The consul's fee for legalization and certification shall be fixed at the uniform rate of \$2.50 for each invoice, but no fee shall be required for duplicates of an original invoice, nor for any invoice the value of which does not exceed \$100; provided that such invoice shall not have been subdivided for the purpose of reducing its total value.

If, by the reason of delay in the mails or other satisfactory cause, a certified invoice can not be produced, entry shall be allowed on a statement in the form of an invoice, and when the amount exceeds \$100 the execution of a bond shall be required for the subsequent production of an invoice duly certified.

In case any of the packages covered by an invoice shall, by reason of short shipment, fail to arrive, entry may subsequently be made of the missing packages by means of a properly verified extract or copy of the original invoice. (Par. 11.)

3. That all imported merchandise shall be entered at the port of arrival on a prescribed form, which shall be a declaration or petition signed by the importer and giving the ship's name, port of departure and date of arrival, the particulars of the packages, including the weight or quantity and the supposed dutiable or free class of contents; also their values expressed in the currency of the invoice and reduced to the currency of the country of importation. The entry must agree in all essentials with the invoice and the bill of lading. That in all proceedings relating to the importation and entry of merchandise the declaration of the importer over his signature shall be received in lieu of his oath, and that any false declaration so signed shall subject him to such penalties as may be provided by the respective countries. (Par. 12.)

4. That every reasonable facility shall be afforded for the unobstructed transit of merchandise through one country to an adjacent country, especially where transporta-

tion can be directly affected by railway or water routes and where bonds can be furnished for the delivery of such merchandise, intact, within the jurisdiction of the adjoining country. That in no case shall the contents of such packages be made subject to duty or to examination by customs officers while in transit, or to any onerous requirements and exactions, but they shall be held amenable to such supervision only as shall be incidental to proper safeguards against their unlawful introduction into the markets of the country through which they may be transported. (Par. 13.)

5. That technical defects in the form of any document which has been duly authenticated before the consul of any one of the countries shall not, in that country, be deemed sufficient cause for the imposition of fines or penalties, and that all other manifest clerical errors may be corrected, after entry at the custom-house, without prejudice to the consignee or the owner. (Par. 9.)

6. That every facility shall be granted in the various ports of entry for the entrance and clearance of vessels and the discharge and lading of cargoes; and, on all days when other official business may be suspended, that the custom-house shall be open during some part of each day, for the prompt entrance and clearance of vessels. (Par. 14.)

7. That the scale of duties shall be so arranged as to avoid the necessity of additional fees and charges, and that every country in which they continue to be exacted shall establish and publish a list of all fees and charges which are statutory in its ports, and that such exactions shall be respectively adjusted, so far as it is practicable, to cover the actual cost of the service rendered therefor. (Par. 15.)

8. That in all cases of dispute as to the legal rate or amount of duty, the importer shall be allowed to deposit under protest the maximum duty demanded by the customs authorities and to take possession of his goods; the entry in such cases to be liquidated as promptly as practicable after the final decision is reached, and the excess of duty (if any) refunded to the importer. (Par. 16.)

9. That in the principal ports of the countries here rep-

resented, a system shall be adopted as soon as practicable, whereby an importer who desires to place his importation temporarily in the custody of the Government before payment of duty shall be enabled to store it at his own expense and risk, under the supervision of the customs authorities. For this purpose, warehouses shall be provided in which such goods may remain on storage under bond during one or more years, and from which they may be withdrawn at any time by the importer, in quantities of not less than one package, or if in bulk, not less than one ton in weight, upon payment of the duty and charges upon the portion withdrawn for consumption, or, if withdrawn for export, upon payment of the expenses of storage and labor. (Par. 17.)

10. That customs examinations shall be made solely for the verification of the declarations of the invoice and entry, and be conducted with the least possible delay and expense to the importer. Where the duties are specific, the invoice valuation shall be accepted for statistical purposes without verification. (Par. 21.)

11. That actual samples of merchandise of no commercial value sent by foreign dealers, or brought by bona fide commercial travelers, solely for inspection, and personal effects and tools of trade or occupation, brought by passengers for their own use and not for sale, shall be admitted without payment of duty, under such restrictions as may be provided. (Par. 22.)

12. That the countries here represented shall agree to circulate prompt information of the existence, within their respective borders, of contagious disease among cattle and other live-stock, and to establish proper precautions where importations of this character are threatened. (Par. 20.)

13. Merchandise which has been recovered from a wrecked or stranded vessel may be entered without invoice at the custom-house by either the salvors or the importers for appraisement by the proper authorities, and duties shall be paid in accordance with such appraisement. Importers shall also be accorded the privilege of abandoning to the Government, without liability for duty, any damaged mer-

chandise included in any invoice, provided that the portion so abandoned shall amount in value or quantity to ten per centum of the entire invoice, and whenever recovered goods have been surrendered to an insurance company, the latter shall be recognized as the rightful owner of the same for all customs purposes. (Par. 26.)

14. That when importers have paid at the frontier the full amount of import duties assessed, they shall be exempted from all further liability for duties within the limits of the country of importation. (Par. 18, 19.)

15. That where the rate or amount of duties is dependent upon the weight, gross weight shall generally be used, and that in case net weight is required, allowances for tare shall be made according to schedules officially published. (Par. 25.)

16. Against the imposition of fines or excessive duties importers shall be granted the right of appeal to a tribunal by which their good or bad faith, as it may appear from the evidence, will be taken into account; and the decision of said tribunal upon the facts shall be final and shall be made as promptly as practicable, and whenever the good faith of the importer is satisfactorily shown, no penalty shall be incurred. Customs officers shall have no participation in any of the customs receipts, but shall deposit them intact, including moneys derived from fines and forfeitures, into the treasuries of their respective governments. (Par. 27, 28.)

17. That the governments here represented shall unite for the establishment of an American international bureau for the collection, tabulation, and publication, in the English, Spanish, and Portuguese languages, of information as to the productions and commerce, and as to the customs laws and regulations of their respective countries; such bureau to be maintained in one of the countries for the common benefit and at the common expense, and to furnish, to all the other countries represented, such commercial statistics and other useful information as may be contributed to it by any of the American Republics. That the Committee on Customs be authorized and instructed to furnish to the Conference a plan of organization and a

scheme for the practical work of the proposed bureau. (Par. 29, 30.)

18. The acceptance of foregoing recommendations shall not require any change in the present legislation of any of the American Republics, in so far as it may contain more liberal provisions, as the purpose of the Conference is not only to propose uniform rules, but to establish more liberal provisions than are now in force.

Washington, March 10, 1890.

J. ALFONSO.
M. ROMERO.
CLÍMACO CALDERÓN.
CHAS. R. FLINT.
SALVADOR DE MENDONÇA.
MANUEL ARAGÓN.
N. BOLET PERAZA.
H. G. DAVIS.

APPENDIX.

[*Inward manifest.*]

MANIFEST OF CARGO FROM FOREIGN PORT.

Report and manifest of the cargo laden on board of the ———, of ———, whereof ——— is master, and which is of burthen ——— tons; built at ———, in the State of ———, and owned by ———, of ———, as per register granted at ——— the ——— day of ——— and bound for ———, which cargo was taken on board at ———.

Marks.	Numbers.	Packages and conten.s.	By whom shipped.	To whom consigned or if to order.	Places of consignees' residence.	Ports of destination.

Returned cargo,
Return of passengers and packages belonging to them respectively,
Vessel and cabin stores,

_____,
Master.

WITHDRAWAL DELIVERY PERMIT.

Port of _____,
 Custom-house, _____, 189 .

To the Storekeeper :

Duties having been paid, you will deliver to _____ the merchandise described per entry as follows:

And which was imported into this district _____, 189 , by _____, in the _____, _____ master, from _____.

_____,
Deputy Collector.

WITHDRAWAL FROM BONDED WAREHOUSE.

Bond No. _____

Per _____
 From _____, 189 .

WITHDRAWAL FROM BONDED WAREHOUSE.

Bond No. _____, 189 .

Entry of merchandise intended to be withdrawn from warehouse by _____, which was imported into this district on _____, 189 , by _____ in the _____, from _____.

Marks.	Numbers.	Package and contents.	Total.	Dutiable value of each package.

Authorize
 to withdraw from warehouse the goods described in this entry.

DISCUSSION.

SESSION OF MARCH 27, 1890.

The FIRST VICE-PRESIDENT. Taking up the order of the day the Secretaries will read in Spanish and English the conclusions of the report of the Committee on Customs Regulations.

(The Secretaries read the conclusions.)

The debate on the committee's report, as a whole, is now in order.

Mr. ALFONSO. Before beginning, gentlemen, I should state that this report should have been signed by the chairman of the committee, the honorable Mr. Nin, delegate from Uruguay, but the Conference is acquainted with the reasons which have prevented this honorable delegate from attending the sessions of the Conference for some time; they are well known.

In the second place and as an act of justice, I, who happened to succeed as chairman of the committee, should state that the work which is to-day submitted to this Conference has been prepared and arranged, almost if not in its entirety, by the honorable delegate from the United States, Mr. Charles R. Flint. I deem it a duty and an act of simple justice to make this acknowledgment.

Thirdly and lastly, Mr. President, I shall read a few brief remarks which I have thought necessary to make as reservations to the conclusions of the report. I sign the report because I accept it as a whole. I consider it as a step forward, but at the same time I notice that it does not go far enough, and, as the Conference in this particular proposes to simplify customs

regulations as far as practicable, it is necessary that I should record my views, for, otherwise, I should not be complying with the wishes of my government nor with those of the Conference.

The remarks I have to make are as follows:

REMARKS OF MR. ALFONSO OF CHILI.

The undersigned, a delegate from Chili, has signed the report of the Committee on Customs Regulations, reserving the right to make the observations which follow, and which he asks may be attached to the minutes of this session.

The Conference was called to study the means best calculated to improve and to simplify the customs regulations in the several ports of the countries therein represented. The Government of Chili joins with pleasure in this proposition whenever its execution shall have for a standard a system more liberal than that which now exists in Chili.

Animated by the same feeling, the committee has studiously examined this question, and it has essayed to obliterate, by means of a well conceived plan, the inconveniences which to-day exist, such as great labor, loss of time, heavy expenses, and great risk.

Notwithstanding this purpose of the committee, in full keeping with the nature of the duty imposed on it, there are in the plans submitted to the Conference some points in which the customs regulations of Chili impose on commerce fewer obstacles and less expense, or establish measures, in the opinion of its delegation, more advantageous.

Consequently, the undersigned, in full accord with the provisions of the report relative to the approval of the measures proposed, not making it obligatory to modify legislation which is more liberal, has thought best to make some explanations, for did he not do so he would act at variance, in so far as Chili is concerned, to the end sought by the Conference in this behalf, and which is to simplify customs regulations.

On the other hand it is proper that the progress made

should be recorded, it being allowable to state that in customs regulations and provisions Chili for a long time past has had nothing to learn even from the most advanced countries.

Referring to the first recommendation of the report, it should be observed that the customs legislation of Chili does not demand that the master of a vessel carrying foreign merchandise shall make a personal declaration before the custom-house officials to verify the inward manifests.

The production of this latter document is sufficient, and, in default thereof, the original bill of lading, with a detailed statement of the cargo not included in them and the surplus ship stores on board. The personal declaration of the master has no object; it may be said that it is a useless requirement. What is called an outward manifest in the same first recommendation exists in Chili under another name.

As regards the second recommendation, the said legislation does not demand that the declarations made for the entry of imported merchandise shall be accompanied by the original invoices.

In the delivery of goods for home consumption these documents are not required. It is considered that the invoices, with or without consular certification, can not serve as a basis for the preliminary estimates of duty. In Chili to import merchandise it is only necessary to present a petition, called a custom-house permit (*póliza de despacho*), which shall contain a reference to the manifest of the cargo, the vessel bringing it, the port of lading, the consignee, and a list of the merchandise in detail, specifying its class and quantity. No other document is required. Consequently consular certification and the fees incident thereto are unknown.

It is not required that the document referred to in No. 3 should express the value of the merchandise, nor that the declaration shall conform to the invoices; this conformity is only required with the inward manifest, and especially the contents of the packages.

The defects of form to which No. 5 refers are not subject

to the rule therein set down, because the consular intervention referred to is not recognized. There exists a general rule which protects the good faith of commerce, and which is to the effect that whenever it is manifest an error has been committed there is no room for the application of penalties.

When cases of dispute as to legal rate or amount of duty arise, subject-matter of No. 8, the Chilian law provides that the dispute be settled by the collector of customs, without appeal, after hearing two experts, one named by the custom-house, and the other by the importer and the custom-house inspector.

It is well to have in view that the dispatch of goods for home consumption is done in the following manner: The permit (*póliza de despacho*) presented, a custom-house inspector proceeds to the examination of the packages mentioned in the permit. This examination is conducted in the presence of the importer, who may make at the time any explanations he may see fit. If the importer is satisfied with the valuation made by the inspector, he takes his goods and the matter is ended. If he be not satisfied, the course already indicated is followed, and the collector decides the matter without appeal. The proceeding is verbal and brief, and the importer takes part therein, he having the right to express before the collector what he considers as best serving his interests.

As will be seen, both in the act of appraisement and in the proceedings before the collector when disputes arise, the importer is heard, and may make all the explanations the case may demand.

This system has been in force for many years. Commerce is satisfied with it, undoubtedly, because it protects all its rights.

In the other cases in which the dispatch of goods gives rise to a dispute; for example, when the petition (*póliza*) does not agree with the contents of the packages, be it because the contents are of a class of greater value than those called for, or be it because they are of a class demanding higher duties, the question is tried by the ordinary civil courts, with but one appeal, the proceedings in both cases

being brief and summary, and, naturally, the importer being heard in both cases.

The warehouses recommended in No. 9 have existed in Chili for more than half a century. The State provides commerce with all the accommodations necessary to this end. The storage may continue for three years, it being allowable to renew it for three years more at the request of the importer.

Bonds are not demanded for this storage. The charges demanded by the State are moderate. Thus, for example, when the charge is upon the gross weight, the rate is four cents per month for each hundred kilograms. The importer may remove his goods for home consumption or re-export them at the times and in the quantities he wishes, it is understood, of course, within the periods indicated. The storage in the custom-house warehouses is, as a general rule, obligatory. The President of the Republic may make exceptions, in order that some goods shall be dispatched immediately upon their discharge from the vessel, and that others be deposited in private warehouses, in consideration of the special character of the said goods.

The remarks concerning No. 2, relating to the invoice, are equally applicable to No. 10, it being necessary to add that the examination referred to in the latter has for its only object the verification of the invoice and the contents of the packages therein specified.

The provisions of No. 14, relating to the exemption from liability for duties within the limits of the country of importation when the full amount of import duties shall have been paid at the frontier, is the rule observed in Chili, and a very old one. The delivery once made, the goods are considered as domestic for the effects of this number.

Referring to the recommendation contained in No. 16, concerning the right of appeal, it has already been seen, in treating of No. 8, what guaranties the importer enjoys; guaranties which long practice has demonstrated are all that commerce can wish for, and with which it has expressed itself as satisfied.

Naturally, upon making the preceding remarks, with the object of their being annexed to the minutes, the un-

dersigned extends them so as to include the premises or preamble of the report of the committee in so far as they relate thereto. He has only, however, taken up the conclusions which set forth the subjects upon which the Conference is to pass.

Mr. ROMERO. The chairman of the committee has already stated what took place therein when the report now before the Conference was under consideration. He has also stated, as this assembly has heard, that in his country there are more liberal regulations than those set forth in this report, at least in some respects, and to the end that this may not be an obstacle to the delegate from Chili signing the report, as well as for other honorable delegates who may find themselves in a like situation, I proposed an additional article which stated that no country having more liberal regulations would be obliged to accept these provisions. But I find that upon inserting this article among the recommendations of the committee, it has been placed in the explanatory part, whereas it should have been included in the resolutions. Therefore I move that it be stricken out of the explanatory part, where it now appears, and be appended as a special article, thus removing all difficulties.

The resolution reads:

RECOMMENDATIONS.

In accordance with the conclusions thus carefully set forth, your committee asks the Conference to recommend to all the countries here represented the adoption of the following measures, the acceptance of which need not imply a change in such legislation of any of the American Republics as already contains more liberal provisions, should be the subject of a speedy article.

After what I have just read these recommendations should follow in this sequence: Beginning first by saying that a common form be adopted, etc., and then insert what I have just read as article 18 at the end of the report.

THE FIRST VICE-PRESIDENT. The secretaries will take note of the remarks of the honorable delegate.

MR. ROMERO. I should bring to the attention of the Conference the fact that after the report was signed and submitted I noticed that no provision is made in the conclusions for the case of exports between neighboring nations by their frontiers; this is an important matter, and its omission has been the cause for erroneous statistical data respecting the trade between Mexico and the United States. There is no law in this country providing for the collection of statistics of exports by the frontier; and the greater part of the trade between Mexico and the United States being carried on by land, because the countries are connected by several railroad lines, the United States Bureau of Statistics ignores, as it cannot collect those statistics, the greater part of the trade between the two countries. On several occasions a bill has been introduced in Congress providing for the collection of these statistics; but either because Congress was much engaged upon graver questions, or for other reasons, no decision upon this matter has been reached.

I move, therefore, an addition, which is taken almost literally from the recommendations submitted to Congress by the Treasury Department. It reads as follows:

With a view that each Government shall have official record of its export trade by rail with adjoining countries, any person delivering to a railway or other transportation company commodities for export to an adjoining country shall also deliver a manifest thereof, showing the kind, quantity, and value of such commodities; and this manifest shall be delivered to the customs officer of the exporting country nearest to the borders thereof.

It appears to me that this is essential, and I believe it will meet no objection, and the committee did not take it up because it was not suggested to my mind until after the report had been formulated.

I should state in conclusion that the committee has here adopted provisions generally far more liberal than those at present existing in several countries. As regards Mexico, for example, these provisions are far more liberal than those there in force.

The fact that the Republic of Chili has enjoyed peace for a long time, and has had a liberal and able administration, has made it possible for her to construct warehouses and to improve in a great measure the internal administration, and in fact it is in this respect further advanced, comparatively, than even the United States themselves. These latter demand, for instance, a consular certification to all invoices of goods sent to this country, while Chili does not require any.

Therefore, Chili has very liberal provisions, but unfortunately it would not be possible for the other American nations to adopt them, because they would require as a condition precedent the construction of warehouses and other things which it is not easy to improvise.

For these reasons the majority of the committee

only recommends the adoption of these principles, in so far as it be possible, in each of the countries represented. Notwithstanding this the committee believes that a great stride in the path of simplifying customs regulations will be taken by the adoption of the present report, and if the honorable delegates have no objection to make, it might be agreed to approve it as one article, but in case of any amendment it will be discussed, of course, and the report will be voted on, article by article, as prescribed by the rules.

Mr. DAVIS. The Railroad Bureau of the United States, as well as the Interstate Commerce Commission, is, I believe, successfully attempting to get the information so much desired by my colleague on the committee, but there is one impediment to making it obligatory. That the railroad companies should stop their cars at the border and deliver a manifest of the contents of each of the cars is almost impracticable in the form in which it is moved. Of course, we desire this information, but I think that the railroad companies are now getting at it probably in a better form than we shall prescribe by saying that they will deliver at the border a manifest of the contents of each car. However, there is a manifest accompanying the sealed car in many cases.

Mr. ROMERO. That would not be enough.

Mr. DAVIS. But that is not quite your resolution.

Mr. ROMERO. The regulations are likely to be different. Mexico might have regulations which would seem obnoxious in other countries, and *vice versa*. It would be better to adopt a general form. If any of the honorable delegates will suggest any other better than this I will be glad to accept it.

Mr. DAVIS. The only objection I have is that we would appear to be making a special and too exact a recommendation—"that at the border of the country there is to be there delivered a manifest." I think it should be delivered elsewhere. However, the railroad part I know little about.

The FIRST VICE-PRESIDENT. I want to remark that the mere question of form, I think, would be a matter between the gentlemen, and I hope and think they will not find any serious difficulty in coming together and accepting a common phraseology, and then the Conference will have a proposition before it which has already been assented to beforehand by the committee.

Mr. DAVIS. There is no difference in the desire to come to an understanding. The only difference here is the question as to how far we should go. Now, we could cover the ground very well by striking out a little. Of course, this is only a recommendation that each State should so regulate its interstate commerce by law that it will inform the other of the amount of commerce carried on between them. Both the Interstate Commission of the United States and the Railroad Bureau have this subject under consideration, and they have arrived at a plan which they believe will bring a proper result. Now, I suggest to the Conference that when we get a little time Mr. Romero and I will arrange and present a recommendation which will be just what is desired by all the countries, but we must not be too specific in the instructions or we will hamper the railroads.

Mr. CASTELLANOS. I ask the floor, Mr. President, not to make any objection to the report submitted,

for I have only words of encomium and congratulation for the illustrious members signing it, but simply to make it known that the printing of this report appears to me to be incomplete. The report says that inward and outward manifests are attached to it, and I do not see them in the printed report.

I ask that the Executive Committee, if it have no objection, be good enough to order that those forms be added, so that the Conference may have the benefit of the knowledge of the honorable members of the committee.

Mr. DAVIS. Mr. President: This report, it will be noticed, is a unanimous report, signed by all the members of the committee except Dr. Nin, who, as you know, had left the country before it was signed. It was carefully gone over more than once and carefully to, with a view of securing better and more uniform customs regulations; that is, in manifests and bills of lading, and all things relating to facility in shipping. It was given special thought, and was prepared, as has been said, by Mr. Flint, of New York, assisted by perhaps the most experienced man in this country on customs regulations, and that is Mr. Comstock. He has been a week or two in going over this report and remodeling it, with a view always of making things more uniform and simple than they had been before. I am glad to say that I believe that object has been, to a great extent, accomplished in this report. Of course it is only a recommendation, but it will be furthered by some of the countries and good come from it.

Mr. HENDERSON. Mr. President, I desire to state, in reference to this matter, that my object in saying

anything at all—for I am not quite familiar with this subject—was to secure a better condition of things with reference to statistics. I have appreciated for many years the difficulty of getting together statistics in case of exportation from this country by rail. Now I did not know, I must confess, that the Interstate Commission and the railroad companies had entered upon any general plan to facilitate this matter. I was not aware of that and I thank my colleague for informing me upon that subject. But I must say, in explanation of my interference in the matter—for I did not intend to interfere except so far as might touch the question of exportation—that for many years I have labored under great difficulty in trying to ascertain the trade between the United States and other countries where the trade was carried on by rail. Of course, if it is an importation our tax collectors can give us statistics, but in case of exportation we have never had statistics. Now it is a very important matter to us, for I think this matter of statistical information is important to direct the attention of legislation. It is important in every respect. We can not know ourselves and our neighbors until we have correct statistical information. Now my object of referring to the matter was this: that notwithstanding my colleague's view of the situation that the railroads were combining to give us information, it seemed to me that it ought to come from higher authority than from the railroad officials; it ought to come through the United States officials. And if my colleague can arrange it without trouble to the railroad officials, if it can be done, they ought to be compelled to supply that statistical information

to the customs officers. Necessarily there must be a customs-house official on the border of a country from which goods pass, and, if so, we ought to get the information desired. I consider the report a very able one, but I desire to call to the attention of the Conference the difficulty, and even impossibility, of getting statistics of goods going by rail to other countries.

Mr. DAVIS. Mr. President, I had no wish to intimate to my friend and colleague from the United States that his remarks were in the nature of an interference. My thought was, and is now, that we were going too much into detail. We had to leave a large portion to those in charge and make only general recommendations. I will say further to my friends that the information now being received is of an official character, for this reason: both the Railroad Bureau and the Interstate Commission are official bodies of the United States.

Mr. HENDERSON. The Interstate Commission is not authorized, by the law under which they are acting, to collect and report these statistics.

Mr. DAVIS. But the Statistical Bureau is arranging, and will in fact get them from this source. The Interstate Commerce Commission now requires all railroads to report on not only this trade, but on all others, even between the States of the Union. The simple explanation of this is that the information is very desirable, and if it were not in a way of being collected and published I should probably be fully as anxious as any member here to receive it. I think such an amendment as is now proposed by my colleague on the committee, Mr. Romero, of Mexico,

will cover the ground in a general way and not be objectionable to any one.

Mr. HENDERSON. Mr. President, I desire to call my colleague's attention to the fact, as suggested by another one of my colleagues, that his argument applies only to the United States. If the Interstate Commission here requires this information, of course, that is good for the United States; that is all right so far as the United States is concerned, and we will have the information in some form. Whether it is authentic is another thing. But I call his attention to the fact that this is a recommendation for all the countries here represented. Now, there are railroads running into Central America from Mexico, and I hope the railroads will soon extend to South America. This, then, is intended not for the United States alone and for Mexico, but is intended, as I understand it, for all the Republics. Mr. Romero's proposition, as I understood it, covered the whole ground, and was intended not only to apply as between the United States and Mexico, but between any and all of the countries connected with each other by rail.

Mr. DAVIS. Mr. President, I do not wish to prolong the discussion. The amendment, as now proposed by the delegate from Mexico, covers the whole ground more generally than the first. It is not that I do not wish the amendment; I only wish it to be more general and not so much in detail. I do not think there is a single Republic south of us that has a railroad running into an adjoining one, but I hope the day is not far distant when they will all be connected.

Mr. ARAGON. The honorable delegate from Salva-

dor has raised an objection to the effect that the manifests to which the report makes reference are not annexed thereto. As these manifests are only to give a general idea of the form which they are to follow, and as they could not be got ready in time, I do not think this should be an obstacle to taking a vote on the report, at least as a whole. Those documents, the honorable delegate may rest assured, conform in everything to the provisions of the report. It is a paper ruled, with spaces to fill in, on one side with the marks of the goods and on the other the particular details concerning the same goods.

Thus, then, that form of manifests is nothing more than an illustration, and I think it will not be the subject of objections because it will follow the general plan laid down and set forth in the body of the recommendations.

MR. CASTELLANOS. The remark I took the liberty of making was not for the purpose of deferring the taking of the vote, but simply for the purpose of manifesting that the report appeared to me to be incomplete because those documents were wanting. I repeat, I have not objected to the taking of the vote; I have simply suggested this omission in order that the Executive Committee may determine the course to be followed, to the end that those forms be attached.

MR. HURTADO. I have asked the floor merely to state that, although I do not consider it necessary to have those forms at hand, I hope, however, their publication will not be omitted, and I say this with reference to a remark made by the honorable Mr. Henderson. He has stated that he did not think that these

propositions should enter into details, but lay down general principles.

I think it is indispensable that the greatest possible details be entered into and that that form of manifest be published to the end of designating and avoiding the defects and inconveniences under which those very manifests labor in several Republics, some of which forms have as many as twelve columns besides those containing the marks and number of packages; twelve columns of specifications in which the custom-house almost asks that the duties be paid by the shippers of the goods, these being under the necessity of designating even the section of the tariff list taxing the goods, and where there is a failure to do this fines, and heavy fines, are imposed.

Therefore it is necessary to dwell upon this idea: that the manifests be simple, and this can be secured only by entering into all possible details.

SESSION OF MARCH 28, 1890.

The FIRST VICE-PRESIDENT. Taking up the order of the day, the discussion of the recommendations made by the Committee on Customs Regulations will continue.

Mr. ROMERO. I proposed at yesterday's session an addition to the report now under discussion, and which was objected to in part by the Hon. Mr. Davis, a member of the committee, wherefore I have modified it in terms which meet with the approval of that delegate and of the other members of the United States delegation, as I have drafted it in general terms, without specifying the means of obtaining the necessary data to collate export statistics.

Mr. DAVIS. Mr. President, my colleague on the Committee on Customs Regulations has stated, what I verify, that I have looked over the amendment offered by himself. It substantially covers the ground that we discussed yesterday. It is simple and, I think, will answer the whole purpose that was defined in the discussion yesterday, and that is to obtain statistics of the export trade from each country to adjoining countries or to foreign countries. At present, in the United States, the system of obtaining statistics of imports by sea is very perfect; that by rail is very imperfect. I myself prepared an amendment, and if I had been left to myself I would have adopted the one I prepared; but the one offered by my colleague on the committee, I think, will cover all the grounds.

Mr. ROMERO. Some of the honorable delegates from the United States propose an amendment to the additional article I had signed, which consists in setting forth the class, quantity, and value of the goods exported through the frontier. I have not, of course, any objection to accept this suggestion or even the whole of the article as it was worded by the Hon. Mr. Davis. That article commences thus:

With a view to each Government obtaining official data, we recommend, etc.

So that with these modifications, which will take me five minutes to write out, the article could be accepted.

I shall read the article as it now stands:

With a view to each Government obtaining official data for the collation of statistics respecting its export trade by rail with bordering countries, the manner of obtain-

ing such data embracing the quantity, quality, and value of the goods, shall be regulated by said country, and we recommend to said Government; that on making these regulations they would not burthen trade with any more obstacles or delays than those absolutely necessary to that end.

To the end of at once presenting the article in the terms in which it is to stand definitely, I would ask the Conference, if there be no objection, to suspend the session for five minutes, so that, during this interval, the article may be put in form and presented to its consideration.

The FIRST VICE-PRESIDENT. If there be no objection on the part of the Conference a recess for five minutes will be taken as moved by the honorable delegate from Mexico.

The Chair hears no objection.

The session is suspended for five minutes.

This interval having expired, the First Vice-President announced that the session would continue, ordering the secretaries to read in Spanish and English the amendment proposed by the delegate from Mexico, which is as follows:

With a view to each Government obtaining the data of its export trade by the frontiers with bordering countries any person delivering to a railway or other land transportation company goods for export to an adjoining country, shall deliver with the goods a manifest thereof, verified by oath or affirmation, showing the class, quantity, and value of the goods, and this manifest shall be delivered to the customs officer of the exporting country nearest the frontier thereof.

The FIRST VICE-PRESIDENT. The chair supposes this addition to be accepted by the members composing the committee.

Mr. ALFONSO. I must make an explanation as a member of the committee.

I accept the article in every particular except in that wherein the oath is demanded. I think this leads to no practical results. The manifest delivered simply as the declaration of the shipper is, to my mind, all sufficient, without any necessity of adding the oath. I confide in the men's words, and if a man is capable of deceiving me he will deceive me whether under oath or not.

Mr. ROMERO. I agree entirely with the honorable delegate from Chili, and more so since in Mexico the oath was abolished by law upon the separation of the church and state. The oath is to-day considered as part and parcel of a special religion, and I repeat, when the separation took place it was expressly provided that an affirmation or assertion should take the place of the oath in every civil act.

I spoke of this circumstance in the committee, as the honorable delegate from Chili will remember, and for this reason several propositions contained in the report prepared by Mr. Flint were modified in the sense of striking out the oath and substituting it by affirmation or protest.

The fact of the hurry in which this article was prepared and to retain as far as possible the form presented by the honorable delegate from the United States, was the reason for its presence, but I have no objection to its being framed so as to agree with the others of the report in which the oath formerly figured.

I am authorized to make an explanation on behalf of the honorable delegates from the United States who have taken part in this discussion.

They consent to the striking out of the phrase "by oath," so that the article is modified by striking out the phrase "by oath" and substituting it by the phrase "by affirmation or declaration."

The FIRST VICE-PRESIDENT. The article is amended in this sense. The discussion will continue.

Mr. DAVIS. Mr. President, my understanding is that the words "verified by oath or affirmation" be stricken out.

(The Second Vice-President, Mr. Romero, here takes the chair.)

Mr. HURTADO. I was merely going to remark or state that these manifests should be verified by oath or affirmation, but since the committee has stricken out those words substituting them by others I have nothing to say.

Mr. BLISS. Mr. President, I spoke to my colleague with regard to this matter, because it is simply a practical question. I think it is utterly impossible to require of every shipper of packages of goods of any kind to make a sworn statement upon every occasion. I think it is impracticable, and this is the reason I took the suggestion of the honorable delegate from Chili. It is the custom now in shipping goods by steamer to certain ports that the shipper shall sign the manifest of the goods which he ships. That I do when I am at home every day, and it is very easily done; but it would be utterly impossible every time a merchant, for instance, sent off a few packages of goods for a dozen different towns that he should be compelled to make out sworn manifests. I think, as a matter of business, these manifests are always correct. There is no object in making them otherwise,

and I do not believe that it is possible to do it in the way suggested. That was the reason I suggested that these words be stricken out.

MR. DAVIS. Mr. President, when it was suggested that the words "verified by oath of affirmation" be stricken out, I readily consented as a member here because what we are doing is simply recommending, and whatever is done hereafter by any of the Governments will come under their general law now in force or which may be in force at that time. For that reason I readily said to myself that we ought not to prescribe here just what should be done, but leave it to the general trade in which the exports or imports of the country go or come.

MR. ZEGARRA. Mr. President, not for the purpose of tiring the attention of the honorable Conference, but simply to touch lightly upon all the points suggested by the committee, and to conclude by qualifying the vote of approval which I shall give, do I propose to say a few words upon the subject under debate.

It is somewhat difficult, Mr. President, when treating of a number of provisions more or less secondary that the acceptance of all, without any exception, should be very practicable.

Countries change essentially in their general conditions, in their habits, in their laws, so that any of these details which at first sight it appears easy to put into practice might, being so put, offer difficulties which can not at the present time be adequately measured. It is in this view of the case that I propose to examine very rapidly some of the provisions proposed by the committee. The first point will be one which

I consider fundamental, which is founded upon the form of the first paragraph of the recommendations, which reads:

La aceptación de ellas no obligará á las Repúblicas Americanas á modificar su legislación cuando esta contenga disposiciones mas liberales.

As this idea is here expressed it might be implied that in case more liberal provisions do not exist, the nations of America, upon approving these recommendations, are obliged to modify their customs legislation.

If this is the sense attributed by the committee to their words I am sorry not to be able to give it my vote.

In the first place, the merely consultative character of the invitation, so clearly defined, is well known to all the Conference, and in the second place, treating of recommendations of this class so much in detail, it is impossible for a Government to have given instructions on each to its representatives, nor much less foresee all the points affected by these recommendations. Wherefore, Mr. President, I do not wish the affirmative vote I shall give, although recognizing the intelligence, care, and accuracy with which this honorable committee has acted, to be understood as in any way binding the Peruvian Government to accept all and each of these recommendations.

Continuing, I do not understand what is meant by liberal or illiberal provisions, speaking of customs regulations——

Mr. ARAGON: Will the honorable delegate permit me to interrupt him.

Mr. ZEGARRA. With pleasure.

Mr. ARAGON. It is for the purpose of calling his attention to the words at the beginning of these recommendations. It there says:

In accordance with the conclusions thus carefully set forth, your committee asks the Conference to recommend to all the countries here represented, the adoption of the following measures.

Their adoption is all that is recommended by the Conference, and, therefore, the sense is obvious. Even if these recommendations were adopted by the Governments, it does not bind them to modify their legislation, if it contain more liberal provisions.

It is clear that each Government, before adopting these conclusions, will determine whether or not they are desirable. I thought it proper to call the attention of the honorable delegate to the committee's understanding of the recommendation.

Mr. ZEGARRA: I have heard with the greatest pleasure, Mr. President, the explanation of the honorable delegate from Costa Rica, and I understand that in this way we have the advantage of having the sense in which the words of the committee should be taken more fixed and determined —

The SECOND VICE-PRESIDENT: In the English text the idea is better expressed.

Mr. ZEGARRA. The President is right; in the English text it is clearly expressed.

I was saying that at times it can not be determined what customs provision is liberal and what is not; for example: in the very first recommendation of the report, speaking of manifests, at the top of page twelve, it says:

On the exportation of merchandise each individual shipper shall make and lodge at the custom-house for statistical purposes a special manifest stating quantities, character and values of the goods exported by him; and for a failure so to do, he shall be subjected to a penalty.

Is or is not the lodgment of this document for statistical purposes, when it is not required in a country, a liberal measure? When the duty or obligation to lodge this document is not required in a country, will the rule recommended by the committee be applied, or will it be considered that the legislation of such country is more liberal because it does not require the filing of this document?

THE SECOND VICE-PRESIDENT. There is a provision for the collection of statistics in all the countries.

MR. ZEGARRA. This is at least a matter of doubt. It is a more liberal requirement according to the way you look at it; it may be more liberal looking at it from the point of view of the merchant, it may be more liberal from the stand-point of the fiscal interests. Then, at the end of page twelve there is a slight error, or better said, an omission. Upon referring to the charge to be made for legalization, it is fixed at two *pesos* and a half for each invoice.

I would ask the committee to put it "dollars" so that there will be harmony between the English and Spanish texts, since, as the honorable delegates well know, the word *pesos* is somewhat indeterminate because of the different value of the coin.

On page 13, the paragraph immediately preceding the third recommendation provides that:

In case any of the packages covered by an invoice shall, by reason of short shipment, fail to arrive, entry may

subsequently be made of the missing packages by means of a properly verified extract or copy of the original invoice.

There is a reference here to paragraph 11, preceding; either I have not read it carefully, or have not been able to discover, or there does not really exist in that eleventh paragraph the explanation of the reasons which urged the committee to recommend this class of correction for the omission in the original invoice.

To my mind—of course I have no technical knowledge of this subject; I have tried, as is natural, and as the honorable delegates should expect, to study it as far as I could, but I recognize, and am the first to acknowledge, my incompetency—but at first sight it appears to me that this recommendation, under given circumstances and when certain customs are already followed, might give rise to facilities for defrauding the treasury. I state and declare that this is not the general rule, but it might become the exception, committed with certain frequency, I repeat that this may be an erroneous interpretation, and, therefore, I merely suggest it.

In number three, which follows, it speaks of declarations or petitions, and says :

That all imported merchandise shall be entered at the port of arrival on a prescribed form, which shall be a declaration or petition signed by the importer, etc.

It appears to me that this is what we call *póliza de despacho*. In my country, as in the greater number, I believe, of the American Republics, it is prescribed that this document be triplicated and even quadruplicated for various purposes. Here it speaks of but

one and I do not know if I should understand that the rest should be dispensed with or the present rule followed.

At the end of page 13, referring to the course to be followed in the transportation of merchandise from one custom-house to another without charge, it says:

That in no case shall the contents of such packages be made subject to duty or to examination by custom officers while in transit, or to any onerous requirements and exactions, but they shall be held amenable to such supervision only as shall be incidental to proper safeguards against their unlawful introduction into the markets of the country through which they may be transported.

I think that this question affects, as a general rule, only two bordering countries, which may also find themselves in very special circumstances, and that, perhaps, to neither one or the other would it be advisable to accept a series of uniform measures to guard their respective interests in the transportation of merchandise imported into one country by the other.

For example, the existing conditions of Mexico and the United States are, perhaps, not of the same nature as those existing between Bolivia and Peru, and it might be better, perhaps, to leave each of these countries, which as a general rule are not more than two, in entire liberty to regulate in their own way the proceedings and all the precautions which should be taken to guard their interests. This also is a mere suggestion.

I do think to discover an omission in the recommendations under discussion, and it is: Would it not

be advisable to recommend that the custom-house collectors of bordering states communicate to each other directly information, or statistical, or other data which might contribute, as well to the better dispatch of business as to the guarding of the interests to them commended. Neither can I judge definitely whether or not this is possible, but I think that some trial has been made on the Pacific Coast between Peru and Ecuador or between Peru and Bolivia; unfortunately I have not had sufficient time to search for the data.

For all these reasons, Mr. President, I, upon giving my vote, and upon recognizing, I repeat, the intelligence and accuracy which has marked the committee, desire that the affirmative vote I give on the recommendations signifies nothing more than that I accept the suggestions of the report as the basis of the measures which, in view of the very high purposes of this Conference, it would be well for the Peruvian Government to take into consideration, so as to accept these recommendations gradually and as far as its interests, legislation, and, in general, the special circumstances of its actual state will permit.

Mr. ARAGON. Undoubtedly the remarks made by the honorable delegate from Peru respecting what he proposes to reserve by them, and the manner in which he has qualified his vote, I think relieve me of the duty of replying to the criticisms he has made upon some of the recommendations submitted by the committee, and as these recommendations are always open to the criticism of each Government in the light of its own interests, perhaps we would not make much headway, because even if we succeeded in overcoming these objections, we would not be cer-

tain, notwithstanding, that in the end the Government would approve what is here debated. Therefore, I shall not reply, one by one, to the observations made by the honorable delegate from Peru, because, undoubtedly, he looks at it from the stand-point of his country and its legislation, and it would be even unadvisable to enter into that field; but there is one point to which I shall take the liberty of calling his attention, because I was, perhaps, one of those who chiefly contributed in the committee to the making of that recommendation, which says:

In case of any of the packages covered by an invoice shall, by reason of short shipment, fail to arrive, entry may subsequently be made of the missing packages by means of a properly verified extract or copy of the original invoice.

I shall take the liberty of calling the attention of the honorable delegate to the following fact:

I have often, both in this country and in England, devoted myself to investigating the way in which these offices where the freight which is shipped on the transatlantic steam-ships are organized, and what is done is as follows: There is an agency where the freight is received, and that agency already has a large quantity of bills of lading which it signs as soon as the freight is delivered. The freight is delivered to that office, but the shipper is not certain that the freight has been sent on board the steam-ship.

The freight is sent, but either because the steam-ship can not take more, or because the goods were delivered at the hour of departure, the fact remains that many packages are left, the record of which sails. So that by the invoice it appears that twenty packages

have been remitted, while only ten go on the steamer, the others having remained behind, and as in one of the preceding provisions of the report it states that the manifest should agree with the bill of lading, there being no agreement because of the absence of packages, it is necessary to provide in some way for this. And let it not be believed that this is of rare occurrence, but that it happens frequently. Often it happens that the steamers upon discharging cargo find that a package has been kept or placed in a compartment with cargo destined to some other point, and notwithstanding as far as the custom-house is concerned the result is the same, for the documents have already been presented, some day after that package reaches the point, and in such case it is necessary that its entry be regulated in some way.

This article provides for such a case. I am a merchant and have many times had occasion to experience such a case, not only with respect to my private business, but to many others, and it is easy to see, without being a merchant, that such a case can easily occur.

Another of the substantial observations made by the honorable delegate from Peru, refers to the interchange of reports respecting the administration of custom-houses. I think that is the idea.

Mr. ZEGARRA. It is a mere suggestion.

Mr. ARAGON. Well, I think the committee has foreseen that simple suggestion, going a little further, even. It says in the seventeenth recommendation :

That the Governments here represented shall unite for the establishment of an American international bureau for the collection, tabulation, and publication, in the English, Spanish, and Portuguese languages, of informa-

tion as to the productions and commerce, and as to the customs laws and regulations of their respective countries; such bureau to be maintained in one of the countries for the common benefit and at the common expense, and to furnish, to all the other countries represented, such commercial statistics and other useful information as may be contributed to it by any of the American republics.

Does not the honorable delegate from Peru believe that this provision of the report would be sufficient for the purposes he proposes? Because it would be a question, if there be anything not comprehended in this general denomination, of making it more ample; but the idea is already expressed, and it is that whatever may relate to the customs legislation of these countries shall be made known to all the others, and that each country amending its customs legislation shall give notice thereof to that central office, which is charged with transmitting the information to the countries ignoring it.

This provision of the report, it appears to me, amply covers the matter; but I believe and repeat, that it is a question of making it ampler yet in case the honorable delegate from Peru believes that what he proposes is not comprised in this idea of the committee. The committee judged the question of statistical data of great importance, thus better to estimate trade in general, and for this reason made the recommendation which reads:

That every such manifest shall show the name of the vessel and of her master, the ports of departure and destination, a description of her cargo by marks, numbers, and supposed contents of packages, with names of consignees and consignors, but no statement of values.

So important, indeed, did the committee consider this that it even said that upon a failure to comply with this provision a penalty would be imposed.

As I have said, all the observations made by the honorable delegate from Peru do not deny us the honor, as he has stated, of relying on his vote of approval for this report, and as to the rest, it appears to me that the reservation by him made is so just and so natural that it is understood as a right conceded to all those who wish to exercise it, even when they do not so do, for the object of the committee has been to make mere recommendations to the Governments for them to consider.

THE SECOND VICE-PRESIDENT. No one asks the floor, but the Chair finds that, according to the rules, the presence of two-thirds of the delegations is necessary to a decision upon a report, and that number not being present the session is adjourned.

SESSION OF MARCH 29, 1890.

THE FIRST VICE-PRESIDENT. The order of the day is the continuation of the discussion of the report of the Committee on Customs Regulations.

MR. ROMERO. As the Conference will remember, when the discussion upon this report began I stated that for the purpose of procuring the adhesion of the delegates from Chili, I had proposed in the committee an additional article which did not bind any of the Governments accepting the recommendations to change their legislation in so far as it might be more liberal than the provisions included in the report, and that, probably because of a misunder-

standing on the part of the person who copied the report, he did not insert this article among the recommendations of the report.

To the end of preventing difficulties, I now submit the article in the same form, more or less, that I presented it to the committee and which was accepted, proposing it as article 18 of the report, and which should read thus :

The acceptance of the foregoing recommendations shall not require any change in the present legislation of the American Republics, in case it should contain more liberal provisions than here proposed, as the purpose of the Conference is not only to adopt uniform rules, but to establish more liberal provisions than are now in force.

Before concluding with this matter I shall make some remarks in answer to those submitted yesterday by the honorable delegate from Peru.

As I had stated before, this which figures as article 18 of the report requires the striking out of the equivalent paragraph in the first article, of the recommendations, so that the latter shall read as follows :

In accordance with the conclusions thus carefully set forth, your committee asks the Conference to recommend to all the countries here represented the adoption of the following measures:

At the end of the recommendations, and as one of them, will be inserted the articles I propose and which the honorable delegates already know. I should state in this regard and in reply to the honorable delegate from Peru that this addition appeared to us advisable, for the reason that some states, at least Chili, had more liberal regulations. In Chili, as the honorable delegate representing it has affirmed, no

consular certificates are required on invoices of foreign merchandise, and this is a measure which is not even practiced in the United States, and, consequently, it could not be expected that Chili should change its legislation by inserting therein a provision not previously existing and more onerous to merchants than those at present in force. In the form in which I propose the article, Chili and any other American Republic having more liberal provisions can have no objection to accepting the report, inasmuch as they will not have to alter their legislation by establishing restrictions.

Respecting the vagueness of the phrase "liberal provisions," alluded to yesterday, I think it is very clear; but if there be another phrase I would willingly accept it. Liberal provisions are such as impose fewer obstacles, fewer burdens, or less expenses on the merchant.

Yesterday an exemple was adduced to demonstrate that the phrase "liberal provisions" was ambiguous because of the conditions exacted to collect statistical data of exports; but, to my mind, no one can qualify the suppression of statistical data as a liberal provision. The first necessity of a country, after collecting the revenue necessary to pay the public expenses, is to have data sufficient to form its fiscal statistics, which, as is known, are the basis of operations, financial, economic, political, and even social.

This is an imperative and absolute necessity, and the nation which does not wish to collect these statistics fails to comply with one of its more pressing duties, and in no case can it be said that it is liberal as regards this phase of its legislation. But, I repeat, if

there be any other phrase that will better convey the idea, I will accept it with pleasure.

I will add that the additional article proposed yesterday should form a part of the first article of the report, because it merely prescribed the steps necessary to form the statistics of merchandise bound out from ports, and, as the object of the addition is to have the data of merchandise going over the frontiers, it should follow the part which refers to statistics of merchandise exported by way of said ports.

At the suggestion of an honorable delegate I ask that the phrase *liberal provisions* be amended by substituting for it "more simple and convenient measures."

The FIRST VICE-PRESIDENT. The phrase will be amended as asked by the honorable delegate.

Mr. ALFONSO. I rise to a point of order, and it is that, to my mind, it is advisable that this matter be voted on as a whole. The discussion has been carried, as the Conference has noted, upon all and each of the measures included in the report; but this report is of such a nature that it is impossible for each one of the honorable delegates to enter into the examination of details or particulars which require a certain degree of technical knowledge, or that of persons versed in these matters. For this very reason I think the vote by paragraphs will lead to no practical result, and moreover, as each delegate already has knowledge of the report, he will see, upon giving his vote on the report as a whole, whether or not he approves it. In this way we shall gain time, and I make this motion in the sense that if the slightest opposition is made it shall be understood as withdrawn.

The FIRST VICE-PRESIDENT. The two motions of the honorable delegate from Mexico, the Chair understands, have been incorporated in the report by assent of the committee. So that the report is amended in that respect, and we thus avoid taking two votes.

If the honorable delegate from Mexico has no objection, that course will be pursued.

If there be unanimous consent to vote on this subject as a whole only, without the vote by paragraphs, it will be so done.

The Chair hears no objection whatever.

Mr. GUZMAN. Mr. President, I abstain from voting on this question, not because I wish to disapprove of the report of the committee, but because I have not had sufficient time to study it. I wish to be so understood.

VOTE.

The vote being taken, the following delegations voted in the affirmative:

AYES—12.

Colombia.	Honduras.	United States.
Costa Rica.	Salvador.	Venezuela.
Paraguay.	Mexico.	Chilé.
Brazil.	Bolivia.	Ecuador.

And upon the delegation from Peru being called it voted "aye, in the terms already expressed."

The FIRST VICE-PRESIDENT. The report of the Committee on Customs Regulations is approved by all the delegations present except that of Nicaragua, which abstains from voting.

There is no other matter ready to be discussed by the Conference.

Mr. HURTADO. I have asked the floor merely to indicate that the distribution; at least so far as I know, of the printed forms, which should accompany the report and which are very important, has not been made.

As in the original form I noticed that there were several columns which had no heading, and as, in accordance with the plan, each column, or each space corresponds to a certain item, I would suggest that in the printing to be done these headings be inserted, but that nothing I have said be considered as any disapproval of the report.

BUREAU OF INFORMATION.

THIRD REPORT OF THE COMMITTEE ON CUSTOMS REGULATIONS.

[As adopted by the Conference, April 14, 1890.]

At the meeting of the Conference, held March 29, 1890, the following resolution was adopted :

That the Governments here represented shall unite for the establishment of an American International Bureau for the collection, tabulation, and publication in the English, Spanish, and Portuguese languages of information as to the productions and commerce, and as to the customs, laws, and regulations of their respective countries ; such Bureau to be maintained in one of the countries for the common benefit and at the common expense, and to furnish to all the other countries such commercial statistics and other useful information as may be contributed to it by any of the American Republics. That the Committee on Customs Regulations be authorized and instructed to furnish to the Conference a plan of organization and a scheme for the practical work of the proposed Bureau.

In accordance with said resolution the committee submits the following recommendations:

1. There shall be formed by the countries represented in this Conference an association under the title of "The International Union of American Republics" for the prompt collection and distribution of commercial information.

2. The International Union shall be represented by a Bureau to be established in the city of Washington, D. C., under the supervision of the Secretary of State of the United States and to be charged with the care of all translations and publications and with all correspondence pertaining to the International Union.

3. This Bureau shall be called "The Commercial Bureau of the American Republics," and its organ shall be a publication to be entitled "Bulletin of the Commercial Bureau of the American Republics."

4. The Bulletin shall be printed in the English, Spanish, and Portuguese languages.

5. The contents of the Bulletin shall consist of—

(a) The existing customs tariffs of the several countries belonging to the Union and all changes of the same as they occur, with such explanations as may be deemed useful.

(b) All official regulations which affect the entrance and clearance of vessels and the importation and exportation of merchandise in the ports of the represented countries; also all circulars of instruction to customs officials which relate to customs procedure or to the classification of merchandise for duty.

(c) Ample quotations from commercial and parcel-post treaties between any of the American Republics.

(d) Important statistics of external commerce and domestic products and other information of special interest to merchants and shippers of the represented countries.

6. In order to enable the Commercial Bureau to secure the utmost accuracy in the publication of the Bulletin, each country belonging to this Union shall send directly to the Bureau, without delay, two copies each of all official documents which may pertain to matters having relation to the objects of the Union, including customs tariffs, official circulars, international treaties, or agreements, local regulations, and, so far as practical, complete statistics regarding commerce and domestic products and resources.

7. This Bureau shall at all times be available as a medium of communication and correspondence for persons applying for reasonable information in regard to matters pertaining to the customs tariffs and regulations, and to the commerce and navigation of the American Republics.

8. The form and style of the Bulletin shall be determined by the Commercial Bureau, and each edition shall consist of at least 1,000 copies. In order that diplomatic representatives, consular agents, boards of trade, and other preferred persons shall be promptly supplied with the Bulletin, each member of the Union may furnish the Bureau with addresses to which copies shall be mailed at its expense.

9. Every country belonging to the International Union shall receive its quota of each issue of the Bulletin and

the quota of each country shall be in proportion to its population.

Copies of the Bulletin may be sold (if there be a surplus) at a price to be fixed by the Bureau.

10. While it shall be required that the utmost possible care be taken to insure absolute accuracy in the publications of the Bureau, the International Union will assume no pecuniary responsibility on account of errors or inaccuracies which may occur therein. A notice to this effect shall be conspicuously printed upon the first page of every successive issue of the Bulletin.

11. The maximum expense to be incurred for establishing the Bureau and for its annual maintenance shall be \$36,000, and the following is a detailed estimate of its organization, subject to such changes as may prove desirable:

One director in charge of Bureau, compensation.....	\$5,000
One secretary.....	3,000
One accountant.....	2,200
One clerk.....	1,800
One clerk and type-writer.....	1,600
One translator (Spanish and English).....	2,500
One translator (Spanish and English).....	2,000
One translator (Portuguese and English).....	2,500
One messenger.....	800
One porter.....	600
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	22,000
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Office expenses.

Rent of apartments, to contain one room for director, one room for secretary, one room for translators, one room for clerks, etc., and one room for library and archives.....	3,000
Lights, heat, cleaning, etc.....	500
	<hr/>
	3,500
	<hr/> <hr/>

Publication of Bulletin.

Printing, paper, and other expenses.....	10,000
Postage, express, and miscellaneous expenses.....	500
	<hr/>
	10,500

12. The Government of the United States will advance to the International Union a fund of \$36,000, or so much of that amount as may be required, for the expenses of the Commercial Bureau during its first year, and a like sum for each subsequent year of the existence of this Union.

13. On the 1st day of July of the year 1891, and of each subsequent year during the continuance of this Union, the director of the Commercial Bureau shall transmit to every Government belonging to the Union a statement in detail of the expenses incurred for the purposes of the Union, not to exceed \$36,000, and shall assess upon each of said Governments the same proportion of the total outlay as the populations of the respective countries bear to the total populations of all the countries represented in the Union, and all the Governments so assessed shall promptly remit to the Secretary of State of the United States, in coin or its equivalent, the amounts respectively assessed upon them by the director of the Bureau. In computing the population of any of the countries of this Union, the director of the Bureau shall be authorized to use the latest official statistics in his possession. The first assessment to be made according to the following table :

Table of assessments for Commercial Bureau.

Countries.	Population.	Tax.
Hayti	500,000	\$187.50
Nicaragua	400,000	150.00
Peru	2,600,000	975.00
Guatemala	1,400,000	525.00
Uruguay	600,000	225.00
Colombia	3,900,000	1,462.50
Argentine	3,900,000	1,462.50
Costa Rica	200,000	75.00
Paraguay	250,000	93.75
Brazil	14,400,000	5,250.00
Honduras	350,000	131.25
Mexico	10,400,000	3,900.00
Bolivia	1,200,000	450.00
United States	50,150,000	18,806.00
Venezuela	2,200,000	825.00
Chili	2,500,000	937.50
Salvador	650,000	243.75
Ecuador	1,000,000	375.00
Total	96,000,000	36,000.00

14. In order to avoid delay in the establishment of the Union herein described, the delegates assembled in this Conference will promptly communicate to their respective Governments the plan of organization and of practical work adopted by the Conference, and will ask the said Governments to notify the Secretary of State of the United States, through their accredited representatives at this capital or otherwise, of their adhesion or non-adhesion, as the case may be, to the terms proposed.

15. The Secretary of State of the United States is requested to organize and establish the Commercial Bureau as soon as practicable, after a majority of the countries here represented have officially signified their consent to join the International Union.

16. Amendments and modifications of the plan of this Union may be made, at any time during its continuance, by the vote, officially communicated to the Secretary of State of the United States, of a majority of the members of the Union.

17. This Union shall continue in force during a term of ten years from the date of its organization, and no country becoming a member of the Union shall cease to be a member until the end of said period of ten years. Unless twelve months before the expiration of said period a majority of the members of the Union shall have given to the Secretary of State of the United States official notice of their wish to terminate the Union at the end of its first period, the Union shall continue to be maintained for another period of ten years and thereafter, under the same conditions, for successive periods of ten years each.

JOSÉ ALFONSO.

M. ROMERO.

N. BOLET PERAZA.

SALVADOR DE MENDONÇA.

H. G. DAVIS.

CHAS. R. FLINT.

DISCUSSION.

SESSION OF APRIL 14, 1890.

Mr. DAVIS. I desire to say, as a member of the committee, that there are two or three pages of the report which simply recite the details of a commercial bureau, which is recommended. After all, the matter is left to the countries or to the bureau when established. It is to be a commercial bureau for the purpose of collecting and publishing statistics of trade.

Mr. BOLET PERAZA. I do not rise to make any objection to the report, which meets my approbation. I rise solely to remind the committee presenting it that it should correct a part of its statistical table.

Where it refers to the population of Nicaragua it says it has 200,000 inhabitants and it is notorious that that country has double that number.

I take the liberty of drawing the committee's attention to this that they may make the correction.

Mr. GUZMAN. I thank the honorable delegate for having drawn attention to the matter. I, myself, had noticed the error, but as it was a mere matter of detail, did not consider it of sufficient moment to be brought up for discussion. I think the best course to be followed, and I make a motion to that effect, is that errors such as this, not affecting the general idea or scope of the report, should be corrected after the approval of the report, for the very reason that they have no bearing of any importance on the subject-matter, being merely details.

The PRESIDENT. The honorable delegate from Nicaragua moves that the corrections in matters of detail shall be made after the report is approved. The Chair hears no objection to this being done.

Mr. ZEGARRA. Mr. President, it is not exactly for the purpose of opposing the wise organization agreed upon by the very competent committee for the proposed Information Bureau that I take the floor, but rather to suggest that it would be, perhaps, more advisable for the Conference to resolve that this report be considered as an appendix to the original report submitted by the committee, since this is nothing more than a model for the organization so as to give a correct and better idea of the object of the office to the different Governments.

I do not nor can I see what objections the Governments here represented can have to accepting the organization proposed by the committee; but, on my own part, I find myself in a rather difficult situation on voting upon details as are such questions as whether there shall be ten subaltern employés and if they are to have such or such salary. Therefore, I suggest to the committee, for the purpose of gaining time and preventing debate, and if it is willing to accept the measure, that the Conference resolve to accept this report as an appendix to the other already submitted by the same committee without the necessity of taking an approving vote on this organization in all its details.

Mr. FLINT. In explanation I desire to say that in adopting this report it does not fix the salaries. It states, in one of the clauses, that the maximum expense will be \$36,000; and the salaries named are

only an estimate to show how the amount will be divided.

The PRESIDENT. Is the Conference ready for the vote? If no one claims the floor the vote will be taken.

The delegations voting were the following:

VOTE, AYES 14.

Peru.	United States.	Costa Rica.
Argentine.	Chili.	Brazil.
Paraguay.	Nicaragua.	Mexico.
Honduras.	Guatemala.	Venezuela.
Bolivia.	Colombia.	

The PRESIDENT. The report is agreed to by a vote of fourteen delegations, all voting affirmatively.

HARBOR FEES AND REGULATIONS.

REPORT OF THE COMMITTEE ON PORT DUES, CONCERNING PORT CHARGES.

[As submitted to the Conference March 5, 1890.]

According to the data and information obtained by the committee the dues or charges at present imposed as port charges by the nations represented in the Conference are the following:

Mooring, anchorage, pilotage, bill of health, lighterage, port, receipt and manifest, captain of the port, sealing, taking and discharging cargo, telegraphing, entry, tonnage, light-house, sanitary inspection, toll for passing forts, fine for lack of papers, hospital, fine for the absence from the ship of any officer of the national marine, crew list, and wharfage.

The table annexed to this report sets forth specifically which and how many of the charges included in the foregoing list are demanded by the nations respectively, and the amount of each of them.

It is obvious that there is no uniformity either as respects the kind of charges imposed upon ships or as to the amount which has to be paid.

Thus, for example, while in the ports of one country vessels must pay wharfage, pilotage, tonnage, anchorage, light-house dues, admission fee, crew list fee, bill of health charges, port charges, and the fees of the captain of the port; in another country only the entry fee and tonnage are exacted.

The inequalities in respect to the amount of charges of the same kind are likewise considerable. Thus, for example, the tonnage charges in the several American nations varies from one dollar to three cents per ton.

The committee believes that port charges could be made uniform, without injury to the services to which

they relate, by reducing them all to a single kind, tonnage.

Almost all the charges imposed being based upon the capacity or burden of the ship, and the compensation for the various services rendered to the latter being proportioned to its registered tonnage, the varied and inconvenient nomenclature now in use not only makes it necessary to ascertain (not always without difficulty) which and how many of the charges are exacted in a given country, but likewise makes it difficult for merchants to estimate the expenses of a ship in the execution of a charter-party.

The committee is furthermore of opinion that it would greatly stimulate navigation and promote the interests of commerce, without seriously affecting the public revenues of our respective countries, to fix the charge which we have specified at ten cents per ton; such charge to be paid only once during the year.

The payment of these dues would of course not cover expert or other services rendered to a ship by private persons, such services being provided for by private contracts or by schedules arranged with reference to the laws or ordinances of the country particularly in question; nor would such tonnage cover such services as those of wharfage or dockage or docks not open to general use without compensation; for the charge in question includes only the payments exacted from vessels by the authorities by way of dues.

The committee would have asked the Conference to recommend the complete abolition of all port dues or charges in the interest of navigation and commerce, believing that the exactions so dispensed with would be more than made up in the cheapness of transportation and the reduction of the price of merchandise; but it (the committee) having been commissioned only to indicate a method for making port charges uniform, it has not felt authorized to formulate such a recommendation.

The committee, accordingly, has the honor to propose that it be recommended to the Governments of the several nations represented in this Conference—

First. That all the charges imposed upon vessels as port

dues shall be reduced to a single one, to be known as tonnage dues.

Second. That the amount to be so charged shall not exceed 10 cents per registered ton, payable once a year. For the purposes of such payment the year to be deemed as beginning on the 1st day of January and ending on the 21st day of December.

Third. That a ship which shall have paid tonnage dues in one port shall be exempt from such dues in every other port of the same nation, on presenting a certificate of payment issued by the authority concerned.

Fourth. That the following shall be exempt from tonnage dues:

1. Ships of war and transports.
2. Ships of less than 25 tons burden.
3. Ships which have been obliged to enter port, owing to damages received at sea.

NICANOR BOLET PERAZA.

EMILIO C. VARAS.

CLEMENT STUDEBAKER.

APPENDIX.

PORT CHARGES OF THE UNITED STATES, MEXICO, CENTRAL AND SOUTH AMERICA.

ARGENTINE REPUBLIC.

Wharfage of the Riochuelo, from 4 to 5 cents per ton.

Port dues of entry, 10 cents to 60 cents per ton only for entrance. Steamers pay one-half.

Pilotage (compulsory), \$40 to \$130 and \$50 to \$150, according to distance.

Light-house, 8 cents per ton.

Captain of port, \$20.

Health visit, \$25.

Bill of health, \$25.

Port dues, national or nationalized, \$3; foreign, \$4.

NOTE.—The Argentine Congress made many important changes in 1888.

BRAZIL.

Port and custom-house regulations are very explicit and rigorously

enforced, not only to prevent disorder and preserve health, but to check smuggling.

Consular legalization for vessel of 200 tons and under, \$6.75.

The maximum charge is \$15.75.

Authenticating crew list and bill of health, \$2.25.

Consular passport, \$2.25.

No vessel is allowed to remain in port more than fifteen working days unless for some good reason, when she is granted an extension of ten days, after which she must pay a fine of 200 milreis per ton.

Anchorage, 25 cents per Brazilian ton, which is an increase of 33 per cent. over an American ton. Vessels in free pratique only pay 20 reis per metrical ton.

The general charges in the principal ports of the Republic are as follows:

Rio de Janeiro.—Light and anchorage dues are collectible only six times in any one year.

Port dues: three-masted vessels, 12,800 reis; two-masted vessels, 9,600 reis.

Seal dues, 40 reis for each mast.

Hospital dues: vessels of three masts, 600 reis; vessels of two masts, 400 reis. Each man on board, 400 reis. Visit of doctor, 8,200 reis. If vessel is sent into quarantine when it enters into free pratique, 8,200 reis.

The official charges on a foreign vessel of 220 tons is about 210 milreis.

Pernambuco.—Pilotage compulsory: Varies, according to capacity of the vessel, from 11,000 to 34,000 reis, and 1,000 reis more for each additional 50 tons.

Light-house dues, from 20,000 to 50,000 reis, according to tonnage of vessel.

Fort pass, 6,000 reis.

Hospital charges: Vessels of three masts, 6,000 reis; vessels of two masts, 4,000 reis; each person of crew, 640 reis.

Stamp dues: On outward freight to Brazilian ports, on each 1,000 milreis 2 milreis; from ports of Brazil, 4 milreis.

Translation of manifest: First three pages, 5 milreis; each additional page, 3 milreis.

Notarial signature, 5 milreis.

Bill of health, 2 milreis.

Wharfage: For each meter of vessel's length, 400 reis per diem while vessel is loading; when idle, 200 reis per diem.

Mooring compulsory: Mooring boats, 8 milreis; pay of crew, 4 milreis.

Rio Grande do Sul.—The official charge of vessels of 245 tons, including pilotage, would be about 255,380 reis.

Chili.—Crew list, \$2.

Hospital, 10 cents per registered ton, payable but one time yearly; but if port is entered after December, 10 cents additional per ton.

Colombia.—Tonnage, \$1; pilotage, \$5 to \$10; harbor dues, \$6; light-house, 5 cents per ton register for first 100 tons, and 2½ cents per ton additional.

Vessels that come from other ports of the Republic only pay one-half. Mail steamers do not pay port dues. In Panama wharfage ranges from 75 cents to \$3.75 per ton, according to tonnage of vessels.

Costa Rica.—Foreign steamers are free of tonnage, and only pay \$25 for entering and clearing. Sail-vessels pay 25 cents per ton register and \$10 for entry and clearance.

Ecuador.—Wharfage, from \$8 to \$10 per day; pilotage, from \$2 to \$2.50 per Spanish foot. Tonnage, 50 cents per ton. Anchorage, \$10. Light-house, 37½ cents per ton. There is, in addition, captain of port, \$4; permit of entry, \$6; crew list, \$1; bill of health, \$8; harbor dues, \$4.

Guatemala.—Anchorage, \$2; tonnage, 25 cents per ton.

Haiti.—Tonnage, \$1 per ton, if there is a reciprocal treaty; if not, \$1.50. Wharfage, 1 per cent. on total dues payable by vessels. Telegraph, \$2 to support the line. Pilotage varies. Health visit, \$5; bill of health, \$1. Entry, 6 cents per ton. Loading vessel, 50 cents per ton. Anchorage, \$25 if leaving port within twenty-four hours, and from \$200 to \$300 for privilege of going to a second port. Hire of coach, \$2 per day. Interpreter, \$4.

Honduras.—Manifest, \$2. Tonnage, 25 cents per ton.

Mexico.—Sail-vessels, \$1 per ton; steamers, no charge; vessels loaded with coal, no charge. Light-house: Sail-vessels, \$25; steamers, \$100 each entrance and \$100 each clearance; vessels loaded with coal, \$25.

Nicaragua.—Tonnage, 10 cents per ton. Lighterage, \$1 per ton. Pilotage, \$3 per foot draught.

Paraguay.—Manifest of discharge of vessels coming from foreign ports:

Not exceeding 50 tons.....	\$5
From 51 to 100 tons	10
From 101 to 200 tons	20
Entry and clearance for vessels of 200 tons	25
And for each additional 50 tons.	5

Vessels navigating between ports of the Republic pay one-half of the preceding charges.

Bill of health.....	\$2
Legalization of documents.....	1

There are no port, pilot, anchorage, and light-house charges.

Peru.—Wharfage, 12 cents per ton entry, and 75 cents per ton on all cargo discharged or embarked.

Tonnage, 25 cents per ton every six months. Light-house, 1½ cents per ton each time vessel enters. Hospital, 4 cents per ton register every six months.

Salvador.—Entry, \$5 to \$15. Tonnage, 15 cents per ton.

United States of America.—Tonnage, 3 to 6 cents, not to exceed 15 cents in any one year. Entry fee: Vessels of 100 tons and upwards,

\$2.50; vessels under 100 tons, \$1.50. Clearance: Vessels of 100 tons and upwards, \$2.50; vessels under 100 tons, \$1.50. Bill of health, 20 cents.

Uruguay.—Tonnage, 10 cents per ton; vessels coming regularly, 4 cents per ton. Pilotage, conventional but compulsory, varies from \$50 to \$100; vessels from Buenos Ayres must carry pilot to Port Indio; the price varies according to draught, from \$6 to \$9. Anchorage: Tonnage from beyond seas foreign vessels, 30 cents; national vessels, 20 cents. Pratique: Foreign vessels, \$8; national vessels, \$2. Light-house, 4 cents per ton on every vessel from or to places outside the capes. Hospital, \$2 for vessel, 40 cents for captain, 20 cents for each seaman, and \$1 for each passenger.

Paysandu.—Pilotage from Montevideo, \$60 to \$100. Light dues, 15½ cents per ton. Custom-house charges varies from \$24 to \$60; notarial, \$4.80; bill of health, \$4; stamps, \$4 to \$5. A foreign vessel will probably pay \$70 to \$80.

Venezuela.—Tonnage, 50 cents per ton, payable on entry and on clearance. Pilotage, \$4 per draught foot entry and on clearance. Light-house, 6 cents per ton. Wharfage, \$4 to \$40. These charges vary according to port. There are other charges, such as measuring, interpreter, doctor's visit, bill of health, sea-pass, etc.

DISCUSSION.

SESSION OF MARCH 18, 1890.

The FIRST VICE-PRESIDENT. The order of the day is the discussion of the report of the Committee on Port Dues. The secretary will read the conclusions of the report, unless some honorable delegate desires that the entire text of the report be read.

The secretary read the conclusions in English and Spanish.

Mr. HURTADO. For the better understanding of the second recommendation of the last part of the report I think it should read:

That the amount of dues should not exceed 10 cents on each registered ton, to be paid once a year upon each vessel, etc.

Mr. VARAS. I did not quite catch the remark of the honorable delegate from Colombia. If I understand

aright, the honorable delegate asks whether the provision that the dues shall not exceed 10 cents for each registered ton, should not be followed by the statement that this must be paid by each vessel.

Mr. HURTADO. No, sir; my idea is this: I asked whether it was not necessary, in order fully to express the sense of the article, to have it read: "which should be paid but once a year by the same vessel." Otherwise the article appears somewhat indefinite.

Mr. VARAS. It seems to me, sir, that as the fee affects the vessel entering the port, it can only be paid by such vessel. This is explained in the latter part of the recommendation; it is also set forth in that recommendation that for the payment of this fee the year shall be counted as beginning on the 1st of January and ending on the 31st December. So that a vessel which enters the port of New York, for instance, on the 1st day of January shall pay this fee upon that day, and may continue entering and leaving that port until the 31st day of December without making any other payment, because it is provided that this fee shall be paid but once a year, the year being understood to extend from January 1 to December 31. I think the wording of the recommendation is sufficiently clear.

Mr. HURTADO. It did not seem clear to me, and therefore I asked for an explanation. The phrase, "*the same vessel*," which I propose to insert, seems to me to complete the sense.

The PRESIDENT. Does the honorable delegate propose any modification?

Mr. HURTADO. No, sir; I merely asked for an explanation,

Mr. ROMERO. I have a few unimportant amendments to propose to this report; but in order to save time, I prefer to consult privately with the members of the committee, and if the report is not put to a vote to-day, I shall do so; but I have one observation to make at this time, and before I do so, I would ask the committee to be kind enough to tell me if by "registered ton" is understood to mean gross tonnage or net tonnage.

Mr. VARAS. The committee has taken as a basis what is generally understood by "registered ton," that is to say, the capacity of the vessel, according to the registry of its tonnage capacity. I think that when we say "registered ton," we mean exactly what is understood by the term.

Mr. HURTADO. The result of the measurement of the vessel shows the number of tons entered in her register; but there are two kinds of registered tonnage, the old and the new, and it would be well to explain which of these two systems is taken as a basis, because some countries have adopted one and others the other system.

Mr. VARAS. It appears to me that a slight explanation will remove the difficulty raised by the honorable delegate from Colombia as regards the recommendation. When we employ here the term *registered ton*, we mean the capacity which is given by each country to a vessel when it is officially registered; therefore, when a vessel sails from the United States it carries with it a statement of its official tonnage capacity, and this is what we take. Each vessel is obliged to carry with it its register, which sets forth its capacity stated in tons. Now, then, we are not

going to establish, nor do we think ourselves authorized to establish, any one method of ascertaining this, but to accept that register or tonnage capacity which each country establishes for its vessels. So that when a vessel which sails from New York with its tonnage capacity registered, be it by the old or the new method, that measurement is the one which is accepted as official and upon that the tonnage dues are assessed. I think that this explanation removes the difficulty upon this point.

Mr. ROMERO. The chairman of the committee having been good enough to reply to my question, I will proceed to discuss the point. I will commence by stating that I have read the report with great satisfaction, because it seems to me that the committee has studied the subject very carefully and that it has treated it properly.

Now, then, the honorable chairman of the committee has informed us that article second refers to the ship's register; but the register expresses both the gross and the net tonnage; and if nothing is said as to which kind of tonnage should be charged with this duty of 10 cents the point remains ambiguous. I must call attention to the remarks made by the honorable delegate from Colombia that, among the maritime nations of the world, and especially England, as I am informed, in order that only small dues should be collected upon her ships there has been established a system of measuring vessels, in virtue of which the register shows a relatively minimum capacity.

There are, as I am informed, three systems for measuring the capacity of a vessel; one called the English method, in use in England and in other na-

tions; another called the German method, and yet another, the result of a convention concluded in Constantinople which was signed by various European nations; this method was subscribed to by the United States, France, Holland, Belgium, Spain, and Greece and is called the Danubian.

In view of this it seems to me that it would be preferable, for the sake of uniformity in the measurement of tonnage capacity, to collect these dues upon the gross tonnage, imposing a smaller quota than that fixed for the net tonnage, even if it be 7 or 5 cents; but if this is impossible perhaps it might be better, in accordance with the suggestion made by the honorable delegate from Colombia, to state the system under which the measurement should be made, so that there should be uniformity in the system of tonnage measurement. For these reasons I asked the committee to be kind enough to inform me what is understood by tonnage register, whether it is gross tonnage or net tonnage; but be it what it may it seems to me worth while to take into consideration the suggestion I made to the Conference.

Mr. VARAS. I regret to be compelled to occupy the attention of the Conference upon the subject of the report offered by the committee and I hope that it will excuse me. I had the honor to say, Mr. President, and I again declare that the committee in saying tonnage register intended it to be understood as the official measurement of the capacity of the vessel made by the country to which it belongs.

That for fixing this official measurement there are several systems is for us a matter of secondary importance; no matter which of these systems is used,

the vessel still will have some registered tonnage, and the country to which the vessel sails is bound to accept the registry basis given it by the country to which it belongs, and which has fixed, let us suppose, a capacity of 4,000 tons. According to another system, for example that in use in Russia, this same ship might be given a capacity of 10,000 tons. Now, then, the foreign country to which this ship sails should take as a basis of computation for the tonnage dues this official capacity measurement, which has been given by the Russian Government.

We thought, Mr. President, that we should not depart from this rule, because any other system whatever might produce grave difficulties as can be easily shown.

The honorable delegate from Mexico, as I understand, calls net tonnage what we call the official or registered tonnage; and he calls gross tonnage a greater carrying capacity than what is called net or registered tonnage. Now, then, a vessel which arrives at a Chilian port with its official registered or net tonnage, as the honorable delegate from Mexico calls it, would have to submit to an examination by the maritime authorities of Valparaiso in order to test the measurement and see whether this tonnage is the real carrying capacity of the vessel.

It will be easily understood that this one circumstance might be sufficient to create not only embarrassment but make the estimate of the dues a very costly matter, and then to what demands might this not lend itself? Would the captain of the vessel, who carries an authentic official tonnage registry of the

capacity of his vessel, accept a different estimate made by the Chilean authorities?

It will be seen that even if this did not bring about diplomatic controversy it would at least give rise to lasting, disagreeable, annoying, and costly complications.

For this reason we set aside the distinction between net and gross tonnage and used instead registered tonnage, understanding by this the official capacity assigned to the vessel by the nation to which it belongs.

I believe, sir, even though it might happen, at times, that a vessel paid a little less, this circumstance is of much less account than the conveniences which would result from accepting the official data and affording facilities for navigation.

Because of these considerations the committee insists that we should adhere to the present wording of the report, which embodies this idea, an idea which after discussion must remain clearly defined and established.

Mr. BOLET PERAZA. Mr. President, I beg to be allowed to say a word in addition to what has been said by my honorable colleague and fellow committeeman, Mr. Varas. We adopted the phrase "registered tonnage" without determining the system to which it belongs; but as, according to the statement made by the honorable delegate from Mexico, there are three distinct systems which are recognized, the following conclusion may be drawn: If this honorable delegate desires that there should be uniformity in the system this will come of itself, because one of the three systems must be more advantageous than the other two,

and, in such case, the nations seeking the best terms for the payment of these dues by their respective ships will proceed, *motu proprio*, to secure this advantage, and at last they will come to adopt that system which is the most advantageous.

Mr. ARAGON. As regards the question which is pending upon the subject of the phrase "registered tonnage," used in the report, it seems to me that it is perfectly correct.

Registered tonnage is simply that shown by the ship's register. That there are various methods of measuring the tonnage of vessels, and that one method is different from another method in nothing affects the object sought. Upon the ship's register her number of tons burden is entered, and this is the tonnage that should be taken into consideration, and for this reason I think that the phrase is properly used.

As regards the system of measuring the carrying capacity of vessels I would simply say that in the Maritime International Conference, which has just met in this city, this point was discussed, without coming to any agreement because the delegate from each nation said that in his country the registry was estimated upon the number of meters of the carrying capacity of the vessel in order that the cargo should not exceed the capacity, as the tendency of captains was to load more than the vessels were able to carry.

But it is unnecessary to enter into a discussion of the point. I must ask to be allowed to respectfully make an observation to the committee relative to a phrase used by it in the exceptions embraced in its report.

The exception reads: "The vessels of war and transports, etc."

It appears to me that the word transport is not sufficiently clear, because, as I believe, the committee only excepts transports of war, and in our language the word *transport* has not the same significance as in English. In our language the word *transportes* (transports), if I am not mistaken, has an extensive signification, meaning transportation of provisions, merchandise, and other things. Therefore I would ask of the committee, if I am not in error, to have the goodness to add another word defining the full significance of the word used.

I take the liberty of reading the definition of the word from the dictionary, because it is necessary that I show whence I got the idea that this expression needed some explanation. The Spanish dictionary says:

Transport: a ship, galley, or vehicle of any kind, whatever, specially destined to the carrying from one place to another provisions, troops, and other things.

Therefore, all that serves to transport is a transport, and I do not suppose that this was the idea of the committee. It seems unnecessary to read the English definition of the word transport.

Mr. VARAS. I hasten to comply with the request of the honorable delegate from Costa Rica, giving him the explanation or rather illustration desired on this point, and I will furthermore forestall it by saying that I am in perfect accord with the gentleman with regard to the meaning of the word "transport," as employed by the committee, and not with the general acceptance of the word as defined in the dictionary;

which includes all vessels, whether war-ships or others, used for the transportation of merchandise, passengers, or soldiers. This article says : " War-ships and transports." The word, therefore, refers directly to the principal term of the resolution, that is, war-ships. For this reason, when the words " war-ships and transports" are used together the latter should be understood, technically, as referring to naval ships. Notwithstanding this explanation, which seems to be convincing, if the Conference permits it, the phrase might be amended by couching it in these terms, "ships and transports of war." I think the object can be attained in this manner. If the honorable delegate deems it best, and the Conference permits, I would suggest this amendment in the body of the report.

MR. QUINTANA. Mr. President, from the slight discussion already had, it appears that the report as a whole is not affected substantially by the remarks, and the Argentine delegation will vote for it with much pleasure. The remarks which have been made concern details upon particular points, and in this case it would seem to be better to treat them separately and apart in order to attain to the most accurate conclusions. When we come to that, the Argentine delegation also will offer some amendments.

Proceeding as we have done, up to the present, is not in compliance with the rules, and, therefore, I propose that we vote upon the report in general and then proceed to the discussion of each of the resolutions contained therein.

MR. ROMERO. I am entirely in accord with the motion of the honorable delegate from the Argentine

Republic, and the Mexican delegation will also give its affirmative vote to the report as a whole ; but before this subject is put to the vote, and before passing to a discussion upon the details, I desire to state, not for the purpose of insisting upon the resolution offered, because it does not seem to meet with approval, and therefore I think it unnecessary to insist upon it, but in order to make an explanation which, in my opinion, is indispensable.

In the register of a vessel there is entered the gross and net tonnage and, as the honorable Delegates will know, on every vessel there is a great effort to show the gross tonnage, because, the larger the tonnage the greater are the accommodations offered ; as, for example, the *City of New York* is 6,500 tons burden (I mean gross tonnage) ; but when net tonnage is treated of, which is that upon which the dues are estimated, each nation is interested in securing for its shipping the lowest possible dues, and they lower, in consequence, the tonnage.

On the other hand, as regards the gross tonnage there are no different measurements ; there is one system in use—a uniform method ; but with regard to net tonnage it is very different—there are various ways of estimating it and, as I have said, a system is used by various nations which tends to diminish the dues by reducing the tonnage as much as possible.

In order that the estimated dues should rest upon some solid basis and not upon the scale each Government chooses to fix, I propose, not to change the basis, but that instead of collecting proportional dues upon gross tonnage, that is to say, instead of ten cents, five cents should be assessed per gross ton ; this rate

is less, but it is collected upon a surer and more regular basis.

As the committee does not accept this, I shall not insist further upon the amendment, which in a certain sense might be considered as secondary, although I am altogether certain that it is preferable to fix the rate upon the gross tonnage.

I must make a few other remarks, with regard to the articles in detail, but I will do so when these come up for discussion.

I would ask the Conference to permit me to make another explanation which will better elucidate my idea. In collecting the import duties upon merchandise the system adopted is that of charging according to the net tonnage; but experience has demonstrated the advisability of collecting the dues upon the gross tonnage, because it is not easy to weigh, in each case, the vessel in which the merchandise is contained, and, although there may be difficulties in the way of collecting upon the gross tonnage, because some tariffs impose duties at fixed rates, it has been, nevertheless, demonstrated that this is the best system. What I proposed was a similar provision; that instead of collecting dues upon the net tonnage capacity of the vessel, or upon the net weight, it would be preferable to collect upon the gross tonnage of ships, which also appears upon the registers.

SESSION OF MARCH 19, 1890.

The PRESIDENT. The continuation of the debate upon the report of the Committee on Port Dues is in order.

The honorable delegate from Brazil has the floor.

Mr. MENDONCA spoke in Portuguese, and interpreted his remarks as follows :

I avail myself, Mr. President, of the privilege of translating my remarks in regard to this matter. With all due deference to my friend, Mr. Studebaker, who signed the report, I would propose some changes in the conclusions. From the first conclusion to the last, I see that the report is liable to improvement. In the first conclusion, as the report has referred more than once to dues in the ports of departure and entry, and the committee has only to consider the dues at the port of arrival of the vessel and not the dues at the ports of departure, in order that the conclusion may be improved, I would insert a few words saying, "consular fees excepted." Dues are paid at the port of departure, even after a captain enters a port and unloads, and when he comes back to his country and has anything to do with the consuls he is already in the same position as he was before. So I would separate the two kinds of dues ; the ones at the port of departure and the others at the port of entry. They were evidently mixed in the report.

As I said before, the report speaks of two, our own consular dues at the ports of departure, and not ports of entry, and I do not think the first resolution ought to be kept as it is. The two kinds of taxes should be separated, the taxes at the port of departure and the taxes at the port of entry. Moreover, when we were in the committee the other side of the question was considered. In order that this Conference may properly consider it, and not mix one with the other, I would insert just the words "except consular

fees," as the report has been speaking of both kinds of dues.

In regard to the second clause, my remarks were to two different points; first in regard to the serious difficulty that will always arise if you do not mark whether it is the gross or net tonnage to be considered.

The recommendation of the committee that we say registered ton does not advance very much our affairs, because the tonnage of the vessel can be registered with gross and net tonnage, can be registered only the gross, or registered only the net tonnage; so the difficulty would be just the same.

I do not want to take up the time of the Conference and go over the matter and make a long discussion about the way tonnage is considered, but refer to the book of Professor Wilson which tells us what tonnage is, and how many kinds of tonnage we have, and how they are classified, and how they are registered in the different commercial nations. What is necessary is just to select one single tonnage, and I propose the gross tonnage, and I will tell you why. The net tonnage is not a just one and would do great injustice to the sailing vessels. I want to tell my American friends that we have not a very large national steam-ship marine, and we depend upon our sailing vessels in both North and South America. So I do not want to see our little merchant marine suffering from discrimination in favor of English steamers which cover all the waters of the world. And I would recommend this point of view, that the sailing vessel's gross tonnage is almost equal to the steamer's net tonnage because of the additional tonnage for machinery, coal, etc.

The gross tonnage of a sailing vessel is only a difference of 5 per cent. The same net tonnage in the steamers, proportionately, is different. Thirty-five per cent. is the difference between gross and net tonnage. So in order that the sailing vessel will not suffer any injustice in the port dues I would recommend that the gross tonnage be taken as the proper one to collect upon. Moreover, what is paid in the ports is not the net tonnage, but the space that the vessel occupies inside of the ports on the place of the anchorage, and that is the displacement of the vessel. The displacement is much nearer to the gross tonnage of the vessel than to the net tonnage. It is so near that in some cases it is almost the same. So I would recommend, for just reasons, that the gross tonnage would be the tonnage we would accept in this report. Moreover, the second conclusion does away with the payment of the tonnage after it is made once a year; that is, no charge can be added after the report is made. That is not just. The sailing vessels will lose even then.

A sailing vessel can make two or three trips a year to a port, but a steamer will make more. Still the steamer, no matter how many trips it makes, pays the tonnage but once. It is a great injustice to the sailing vessels which do not transport voluminous cargoes. I do not see why we should allow a vessel to pay only once a year the duty on tonnage instead of every time she comes to a port. What is the foundation of this duty? The foundation of this duty is one given by the International Maritime Law to every country; that is, such as our life-saving stations, light-houses, hospitals, and all the other con-

veniences for the commerce and navigation of the world. The International Maritime Law allows a collection of some duty to defray part of such expenses. Well, we will be just acting out a fiction without collecting any duty at all if we make the reduction proposed by the committee.

I would rather have the committee recommend to do away entirely with the collection of any port dues than to recommend in a way so unjust as it has done, making discriminations against the sailing vessel, and making discriminations against the very right of receiving such dues for sustaining the things referred to. I have the same foundation when I urge the suppression of conclusion three. There is no reason why, after a vessel pays a tonnage in the first port, she shall not pay in the others, because the large number of ports obliges or compels the country to have larger expenses in sustaining such service—light-houses, pilots, docks, and employés, and a larger number of life-saving stations. If the number of ports is larger, the larger the expenses, and the greater the necessity to secure for each port the same amount of tonnage dues. My idea can be expressed in these few words: I want each vessel entering each port to pay a duty on gross tonnage every time it enters the port.

In regard to the last conclusion I would add to the list of vessels not to be charged any tonnage yachts and pleasure boats, together with the men-of-war, and transports of war mentioned in the report. That is perfectly right, and I would also take out the small boats of less than 25 tons, leaving only the merchant to pay for such service. I have not the

least fear of the difficulty of measuring the tonnage, as mentioned by the chairman of this committee yesterday, because that is a very simple problem. The law is well known in regard to the water line and cargo line, etc. It is a simple matter to arrive at. An employé of the custom-house will, in five minutes, figure it out. We have been doing that for some eight or nine years in Brazil, and we do not pretend to be very smart. In regard to the translation made from number three of the fourth clause, I do not think the English conveys perfectly the idea of our friends as they have expressed it in Spanish. A case could arise that a vessel, from the very fact of suffering stress of weather outside the bar of the port to which it was destined, might avoid the payment of the tonnage.

Mr. CRUZ: I have asked the floor to remark that, according to my understanding, upon motion of the honorable Mr. Quintana, delegate from the Argentine, it has been agreed to first discuss the plan as a whole, and afterwards enter upon the debate on the articles, and undoubtedly this should be done because as the resolutions framed by the committee comprehend several points, if observations are made generally on one of these points, it is impossible to get a full idea of the several points touched upon.

Pursuant to the motion that has been made, and to the rules, I now move that the question be put whether the plan shall be adopted as a whole, in order that we may take up the discussion of the articles, and consider in order the amendments proposed by each of the honorable delegates, be it by the honorable

representative of Brazil, or by any other delegation proposing them.

The FIRST VICE-PRESIDENT. The motion of the honorable delegate from Guatemala is whether the Conference considers the committee's report as a whole sufficiently discussed.

If the Chair hears no objection the debate on the whole will be considered as ended.

The Chair hears none.

The general discussion is ended and the debate in detail will be entered upon.

The Secretary reads the first article as follows :

First. That all the charges imposed upon vessels as port dues shall be reduced to a single one to be known as tonnage dues.

Mr. MENDONÇA. I move to amend as follows : To insert the words "consular fees excepted" after the word "dues," so that it will read as follows :

First. That all the charges imposed upon vessels as port dues, consular fees excepted, shall be reduced to a single one, to be known as tonnage dues.

The FIRST VICE-PRESIDENT. The article is in discussion with the amendment of the honorable delegate from Brazil.

Mr. VARAS. Although at this moment the discussion is already entered upon, the first article, or the first resolution proposed by the committee being up for debate, the honorable delegate from Brazil in the remarks which the Conference has heard, touched not only upon this point but went into the examination of the entire plan in all its parts, and expressed ideas under the influence of which I do not wish the Conference to rest without expressing myself, it will

permit me, for this reason, not to limit myself to the proposed amendment to the article now under discussion, but to touch, as lightly as possible, upon the other reasons, which the honorable delegate was pleased to advance.

The honorable Conference has noticed that the substance of the speech of the honorable delegate from Brazil has not been other in its net results than to suggest an increase in the charges.

The observations and the motions made, have not, from what may be logically deduced from them, any other scope or other result than to make the charges provided for in the report more onerous to navigation, and it is easily apparent from the beginning.

The principal suggestions of the honorable delegate may be reduced to these :

First. To take as a basis, not what we call the net tonnage, but the actual, or, as others call it, the gross tonnage, that is to say, a carrying capacity greater than that which the vessel is legally declared to have after receiving cargo, and, consequently, the charge or impost of 10 cents is multiplied by a number of tons not contemplated in the plan.

Second. That this charge be required of vessels not once a year, but each time they enter a port.

It is easy to see that this latter suggestion or conclusion tends, much more than the first, to make more burdensome the charge of 10 cents per ton provided for by the committee, for, if a vessel, say of 4,000 tons, must pay once the charge of \$400, if what is now proposed be adopted, that same vessel, if it should enter the same port three or four times, would have to pay so much more, the charge thus being quadru-

pled, and as this actually happens, the suggestion at once brings about the result of re-taxing the charge of 10 cents per ton.

Finally, there is another remark which emphasizes still more the conclusion necessarily to be drawn from the result which would be reached in case what the honorable delegate proposes is accepted, and it is that the charge be paid in each of the ports of the nations the vessel visits. So that if a vessel enters three, four, or five times into eight or ten different ports of the same country, it will be charged the same contribution three, four, or five times in those eight or ten different ports.

It may be seen, then, from what I have just stated, that the necessary, the inevitable result of these proposals, would be to make more onerous the charge suggested by the committee.

In this connection, Mr. President, I shall take the liberty to make, at this time (also bearing on the general aspect of the question) an observation on this point, and it is as follows :

I think it an economic error to assume that the country which collects these dues is benefited thereby. I believe that as an economic result it receives rather an injury, because of the form in which the contribution is imposed, than it would by striking it out entirely, as suggested by the committee, and this is very apparent.

The honorable Conference knows that this charge on the vessel has to be considered as a part of the freight charges on the merchandise carried; that this charge, imposed in a general way on the vessel, falls on all the cargo she carries, as well on luxuries as on

articles in general use, on ordinary commodities, and on absolute necessities.

A cargo, then, enters a national port in a vessel burdened from the richest commodity to the poorest, from the most indispensable to the most luxurious and unnecessary. Take off the tax and in place of imposing this contribution, which is paid directly by the commodity, and consequently by the consumer—take off this impost, I say, and distribute and collect it in the form of custom-house entry dues, and then the country, changing the basis of the tax, has this considerable economic result, that the burden will fall upon luxuries and not upon necessary and indispensable commodities, thereby benefiting the classes most needing it and causing this class of contributions to be paid by those who should more properly pay them, by those who consume unnecessary articles and those of luxury.

It appears to me, Mr. President, that this observation alone is sufficient to discredit, or, better said, to lead us to reject the deductions to be drawn from remarks made by the honorable delegate from Brazil.

This, as a general idea, I repeat, and permit me to insist upon the suggestion made by the committee in this regard, to wipe out all charges or port dues, aiming at this result I have just mentioned; that is, that what the treasury of a country fails to receive from a charge affecting all commodities, can be replaced to the advantage and benefit of its population by letting it fall on luxuries and making all other commodities carried on shipboard cheaper, thus stimulating generally the public well-being and wealth.

From these general considerations I find myself

forced, and I beg the Conference will bear with me if I occupy its attention too much, to enter into the detailed examination of the principal points touched upon in his speech by the honorable delegate from Brazil.

He says that he thinks it necessary to add to the first conclusion, "consular fees excepted."

Right here I must call the attention of the honorable gentleman to the fact that the report deals solely and only with port dues; that the matter submitted to the study of the committee by the Conference is solely and exclusively that which relates to what is called port dues, and that it has limited its report to this point, for although the same committee has also received instructions to report upon the point relative to making consular fees uniform, it has not yet made its report upon this subject. There is not, then, any *raison d'être* for that amendment which relates to consular fees, when treating only of port dues.

Mr. MENDONÇA. Why, then, the reference made in the report?

Mr. VARAS. I am coming to that, Mr. Delegate, if you will kindly allow me to reach that point.

The Hon. Mr. Mendonça has discovered this matter of consular fees in the circumstance that in the explanatory appendix accompanying the report there appears a charge for bills of health. Is that it, Mr. Delegate?

Mr. MENDONÇA. No; it is not that; it is in the body of the report itself.

Mr. VARAS. If the honorable gentleman to whom I am replying has discovered that in the body itself of the report consular fees are included, I must state

that we have been very unfortunate in our choice of language. We have not wished, nor much less have we entertained the purpose of including in our report the subject of consular fees, but solely and exclusively that of port dues, and I think the report confines itself to them.

In our opinion, then, there is no reference in our report to consular fees, but solely and exclusively to port dues. Very well; if this is, as it seems, the only foundation for the amendment, the honorable delegate may see that it does not exist after the statement I have just made, and if in any sense it could be thought that the report includes the subject of consular fees, it does not, because the committee has not included it; at least that is the object, the sense, and the idea of its report. All reference to consular fees having been wiped out by this statement, the exception is wanting in object and reason. Moreover, this matter cleared up, if for any other motive or any other consideration the honorable delegate should insist upon it, it appears to me that the advantage he seeks might convert itself into inconveniences and difficulties.

We all know the meaning of the expression "port dues;" it has even entered into the technical terms of the language. We know that they are all the charges specified and classified in the report itself which affect a vessel on entering port.

If we begin making exceptions, that is to say, if we include consular fees, may not a doubt arise that there may be other dues that are not excepted? Which, then, are those it is wished to include here,

since in this general classification we make an exception of consular fees ?

The honorable delegate still insists that consular fees are included in the report, because in some portions of the explanatory appendix mention is made of some fee which properly belongs to the consul and not to the port ; but as has been said by me and by some of my honorable colleagues, that appendix contains illustrative matter which does not constitute an official document, not being taken from direct official sources, nor special classifications, but from books, data, and documents which were not carefully authenticated ; but this data, I repeat, is not the report, and if it is there that the honorable delegate has seen that reference, I beg he will consider it as——

Mr. MENDONÇA. It is included in the report of the committee.

Mr. VARAS. For that very reason I am telling the honorable delegate that if that can be gleaned from the report, he may consider it as eliminated.

Now, it appears that this does not satisfy the honorable delegate. If by this classification it is thought a charge having the character of a consular fee is included, I repeat again the report has not taken into consideration consular fees, and consequently it should be considered as expunged. This explanation made, I think that the honorable delegate will agree that the foundation for his amendment is wanting, an amendment which, I may say further, if insisted upon, I would not object to accepting, as well as any other which may be made.

Therefore, any correction, any improvement made, will be welcomed by the committee, because it has not

sought to frame a special work, nor an individual result, but a common thing for all, for, properly speaking, it may be said that here we hardly discuss, we converse; we do not engage in controversy, we seek simply the aid of all to reach a more satisfactory result. This is the way I have understood, and I believe all understand our position in this Conference.

Mr. MENDONÇA having spoken in Portuguese, said in English: I will give a *résumé* of my remarks for the benefit of the delegation from the United States. I stated that it was my desire that the port dues should not be decreased and that it seemed to me that they were small enough already to answer for all the service that commerce received from life-saving stations, light-houses, telegraph stations, the bridging of canals, and so on. I think the foundation of that duty is just and right; that it is a tax allowed by international maritime law, and if you are going to preserve such a tax the best way is to preserve it for the benefit of the State. I would not like to see it reduced to a point lower than that proposed by the committee, that all the taxes of all ports be reduced to the one of tonnage dues and the tonnage dues collected only once a year and only in one single port in each country. I think that is going to reduce the revenue from such tax, and I would not approve of that.

In regard to the other remarks of the gentleman, in favor of the poor and so on, I think they are all right, but I do not think that a small tax is going to make a burden on commerce. I think it is a tax very properly collected, and that some other should be abolished instead of that one; that don't affect it very materially when we consider that the tonnage of large

vessels is so considerable and that the amount paid for it is so inconsiderable. I beg to withdraw my amendment and to say that, as a matter of fact, consular fees were mentioned in the very body of the report, but the honorable gentleman states that it was simply a slip of his pen. I withdraw my proposition, as we are now dealing with port dues and not with consular fees.

The FIRST VICE-PRESIDENT. The honorable delegate from Brazil withdraws his amendment to the first conclusion of the report.

Mr. QUINTANA. Mr. President, in the Argentine Republic, as well as in Uruguay, and I do not know but in some others, the construction and service of light-houses are contracted for by the Government with private companies. By virtue of these contracts, the companies charge special light-house dues, and to abolish those dues or to merge them into the general tonnage dues, would make the States liable to the companies under their contracts; the State can do nothing but assume the light-house dues which the vessels now pay. I am not aware, not being familiar with the subject, whether there are other dues in the same condition. Under the circumstances I can not accept this article without an addition expressed in these or like terms at the end of the article submitted by the committee. I propose that the following be added:

Except in case of light-house dues and other charges, collected by private enterprises under pending contracts made with the Government.

Mr. HURTADO. I take the floor to say, Mr. President, that what has been stated by the honorable dele-

gate from the Argentine Republic is the case in Colombia. Light-houses and wharves are there constructed by private enterprise and, of course, it is impossible to include in the tonnage dues the right already acquired by the owners to tax vessels entering port and each time they enter, a certain amount. It is impossible, I repeat, to deprive them of that right, unless the Government assumes the obligation to re-imburse them for the damages resulting from this article.

Moreover, the legislation of Colombia regarding tonnage is much more liberal than that which it is proposed to establish by the article under discussion. In Colombia dues are not paid according to the measurement of the vessel, but only on the merchandise discharged, and the object is, our country being small and not having an extensive commerce, to attract vessels which may find an inducement sufficient to touch at one of our ports, for otherwise they could only do so when having a considerable quantity of merchandise to carry there or a cargo sufficient to enable them to stand the tonnage dues. A vessel which reaches a Colombian port if it does not discharge more than 10 tons, does not pay for more than those same 10 tons, although it may be of a thousand, and according to the plan presented by the committee, it would have to pay on the full tonnage.

I do not oppose, nor will I make any amendment in this sense, because it would probably not be accepted—we might be the only ones voting in favor of it; but it would be a reason because of which perhaps the Colombian delegation may not support the article. Our tonnage legislation is much more liberal,

all our dues are extremely low ; our entry dues for a steamer are \$5, and this not only includes this duty but it is also the fee or payment to the pilot, whereas in New York the charge is from fifty to sixty dollars.

I shall make, however, a slight amendment only in the wording of the article in debate.

I take the liberty of suggesting that it would be advisable to substitute (in the Spanish text) for the word "cargas" the word "impuestos," so that instead of "*todas las cargas que afectan á las naves por derechos de puerto,*" it read "*todos los impuestos que afectan á las naves, etc.*"

I think this is the idea of the committee as it has been explained.

Mr. ESTEE. May I ask my friend from Colombia a question? We will suppose a vessel goes there and unloads 2,000 tons of freight. I do not mean that the tonnage of the vessel should be 2,000 tons; it may be 5,000; but it unloads 2,000 tons of freight. What will be the port dues?

Mr. HURTADO. It will be a dollar a ton.

Mr. ESTEE. Well, that would be \$2,000. It seems to me that that is about as heavy as you will have under the mode proposed.

Mr. HURTADO. Yes; but we have not any vessels with 2,000 tons. We have vessels with 10 to 50 tons, but not such large vessels.

Mr. STUDEBAKER. What are your pilot dues?

Mr. HURTADO. Five dollars; two and one-half for small vessels.

Mr. ESTEE. If we could agree upon some uniform system, I ask my friend if he does not think it would be better to do so?

Mr. HURTADO. We have no objection at all to accepting the proposals, because they do not bind the Governments, and if they think it proper for them to come in and put a low tax, why, all right.

Mr. ESTEE. We can not any of us bind our countries, of course.

Mr. HURTADO. As a rule our vessels in Colombia are small. I wish we had some of those 2,000-ton vessels. We have never had them since the country came into existence.

Mr. STUDEBAKER. It occurs to me that the object of this Conference is to accomplish results beneficial to all the countries. We have matters of the character here discussed occurring in our commerce through the States of this country. One town has to give aid oftentimes to another. Now, the idea of this is to get uniform results. It seems to me that these nations can very readily afford to assume this charge for themselves in order to stimulate the commerce of the country and make it equal to that of the other nations. Under the rule they propose they would virtually accomplish nothing, because any nation might have some way of getting out of the payment of those dues. The real object of this Conference is to simplify and bring about such reforms as will create more commerce and trade. Therefore, I think that the report of this committee simplifies the matter. We were aware that there were charges of this kind in some of the countries, but we could very easily meet them and equalize the matter with all the countries.

Mr. VARAS. Referring, Mr. President, to the motion which the honorable delegate from the Argentine has

been pleased to frame, I hardly need to recall that in our Conference, we can not dictate regulations, nor can we impose laws, nor establish legislation of an absolute and mandatory character; our end is to make recommendations, formulate suggestions, which may be practicable, which may be accepted by the Governments of the several countries here represented. Since the honorable delegates from the Argentine Republic and from Colombia, without attacking or opposing in any way the idea expressed in this article, present an existing fact, a fact which is a difficulty, which I can not call material, but which I can qualify as real in its immediate application to the subject, I think, coinciding with the ideas expressed by my honorable fellow-committeemen, that the opinion of the Conference which has already undoubtedly expressed itself in favor of this merging of dues, can be sustained, having respect for existing conditions and essaying to solve them so as to reach this principal result.

To this end, the contracts could be carried out, if the honorable delegates were to accept an amendment in this form or in some other similar, "during the continuance of said contracts."

Expressing in this way that the honorable delegates agree that the charges called port dues shall be included in the tonnage dues, but that there being a present difficulty for the Governments of some countries to merge the light-house dues into the single tonnage charge, because of the existence of contracts, those dues will be maintained during the continuance of the contracts upon which the dues are founded.

I know not if this or another similar form will be agreeable to the ideas and purposes we entertain.

Mr. QUINTANA. I shall not reply to the remarks made by the honorable delegate from the United States—let the words of the honorable delegate from Chili, a member of the same committee, serve as a sufficient reply. Our purpose is to promote trade and reduce dues, not by the means a committee may believe possible, but by the means each delegation may think acceptable. Otherwise the honorable delegate from Chili has perfectly interpreted the sentiments and ideas of the Argentine delegation in this matter. It stated at the last session and also in the present, that it would vote for the committee's plan as a whole; which means that we are in favor of the unification of those charges called port dues.

With respect to the proposition to add something in order that it may be understood to apply to contracts now existing and not future contracts, I have to say that the wording I submitted excludes all fear of reference to new contracts.

Mr. VARAS. I did not have the amendment before me and the honorable delegate will be good enough to pardon me.

Mr. QUINTANA. Certainly. I used the word "concluded" which is in the past tense, but with a desire to elucidate still more this idea, because these words which serve as an authentic interpretation will not always be kept at hand, it will be sufficient to strike out the word "concluded" and insert this other, "pending."

As a matter of fact, after a certain number of years, the light-houses must belong to the Government and

I am perfectly sure that this condition once reached, it will not occur to any Government to charge commerce with any light-house dues.

I do not know whether this case is sufficiently clear to the honorable delegate.

Mr. VARAS. It appears to me to be sufficiently full, and perhaps in this connection the idea might be made more clear, providing for the case of another charge which may not come under the head of light-house dues.

Mr. QUINTANA. I have so framed it, Mr. Delegate; the motion says, “* * * light-house and *other*, etc.”

Mr. VARAS. Exactly, Mr. Delegate. I concur.

Mr. ROMERO. I agree entirely with the amendment offered by the honorable delegate from Colombia, and in order that the vote of our delegation may be with that of the majority of the Conference, I shall make an explanation for our benefit and that of some other honorable delegates.

The honorable delegate from Colombia has said that the legislation of his country is more liberal than that which it is intended to establish by this plan. I think that that of Mexico is still more liberal than that of Colombia, without this being intended as comparison at all, because in Mexico no tonnage dues are charged on foreign steamers or vessels arriving at its ports.

In another committee, to which I have the honor to belong—that of customs regulations—a question similar to this arose: The question was whether consular certifications, manifests, or bills of lading should be done away with or not, and as the honorable delegate from Chili, a member of that committee,

stated that in his country consular certification was not required, the result was that a more onerous condition than that existing in Chili was proposed. With the object of obviating this difficulty, the speaker suggested an addition to the plan, in which it was expressed that the report did not take into consideration other nations having or that would accept provisions more liberal than those submitted in the report itself.

I proposed, at the proper time to offer an amendment in this sense, more or less in these words :

The provisions of this report do not apply to nations now having or which in the future may adopt measures more liberal than those here recommended.

It appears to me that with this proviso there can be no objection on the part of the Colombian delegation, as there is none on that of the Mexican, to accept the first article.

MR. HURTADO. The Colombian delegation will vote in favor of the report because its object is to establish a uniform system.

MR. ROMERO. I had understood that the honorable delegate said that the Colombian delegation would not vote for the report.

Before taking my seat, I shall call attention to the fact that I find a great discrepancy between the English and Spanish texts of the first article. The Spanish text, I think, has been corrected by the honorable delegate from Colombia.

MR. HURTADO. Corrected, no ; modified. I offered a slight modification.

MR. ROMERO. Very well ; but there is another phrase I would wish to be corrected so that both texts

shall agree. In the Spanish text it says: “* * * se comprenderán en un solo gravámen” (shall be included in a single charge); while the English text reads, “shall be reduced to a single charge.”

As it is probable that the charges will be reduced from what they are at present, it appears to me that the proper way to put it would be, “* * * shall be reduced,” etc.

Mr. QUINTANA. It appears to me that the best word would be, “merged.”

Mr. ROMERO. Yes, sir; I think it good. But it would be necessary to make the necessary correction in the English text.

Mr. HURTADO. Does it appear well to the honorable delegate to first vote on the article, and when it is approved to make the correction?

Mr. ROMERO. But if the article is approved in the terms in which it is expressed in Spanish, there can be no amendment; this has to be decided before the vote is taken.

Mr. HURTADO. The honorable reporting member of the committee, I think, has said that he accepts the word “merged.”

Mr. ROMERO. He has not as yet expressed any opinion.

Mr. ESTEE. Do not you think it would be of infinite importance to all the nations represented in this Conference to have a higher and possibly uniform system? That would be more advisable than to lower the system.

Mr. ROMERO. By no means; if we have a more liberal system, so much the better for all.

Mr. ESTEE. As I understand it, formerly there

were half a dozen items instead of one. Where you have one item every shipper knows exactly what to pay.

Mr. ROMERO. Very likely I did not express myself well. What I meant to say was that if a country now charges 5 cents per ton she should not be obliged to increase that duty to 10 cents, but be allowed to continue at 5 cents.

Mr. ESTEE. Now, it is true that if a ship of 5,000 tons should enter into a port in Colombia and only land 1 ton it would be cheaper.

Mr. ROMERO. That would not happen, because this is the maximum. If Colombia accepts the report the maximum would be 10 cents per ton. She could not charge over 10 cents per ton.

Mr. ESTEE. But it strikes me that if your resolution was adopted it would make it still more uncertain.

Mr. BALET PERAZA. I am going to say two words, Mr. President, which I do not wish to withhold until later, as I see that a false impression exists concerning the intention of the committee in what it has proposed in its report.

In the first place, we have seen the difference between the points of view of the honorable colleague from Brazil and the honorable colleague from Colombia; a difference which I shall explain.

My honorable colleague from Brazil says that the committee has reduced the dues, and my honorable colleague from Colombia says they have been increased; so much so that the honorable representative from Colombia asserts that his country is more liberal than the committee, while my friend from Brazil discovers that the proposed charges are so low that they

may be ruinous to the service of the ports of his country.

Regarding what has just been said by the delegate from Colombia, I must state the following: It is true that in Colombia there is charged only \$1 per ton to a vessel discharging cargo; that if it discharges 5 tons, \$5 is charged, and if it unloads 100, \$100 is charged; but it should be stated that, according to the plan submitted by the committee, it will have to pay 10 cents per ton, and supposing it had had \$100 to pay, it would pay but once a year, while under the present dues of Colombia each time a vessel reaches one of its ports it will have to pay \$50 or \$100, and if it goes one hundred times it will pay one hundred times \$50 or \$100.

Consequently it can not be said that this charge provided for by the committee is higher than that of Colombia. I could demonstrate, on the contrary, that it is infinitely lower, because the vessel would pay it but once in a whole year on entering port.

We should not, then, for a moment allow the spirit of the proposals under debate being lost sight of, for we shall be tangled up in conflicting opinions and it will be impossible to get a clear insight into matters. The charge is either excessive and should be reduced or the charge is liberal and as such should be accepted.

I fully understand the opposition of the honorable colleague from Brazil. He defends the charges which have been established in his country for port service, and he defends them because he believes them to be necessary to the maintenance of proper port service. For this reason he finds that the committee has

proposed lower charges, which, if accepted by Brazil, will endanger its port service. I fully understand this, I repeat; but that the honorable delegate from Colombia should tell us that the committee is less liberal than the Colombian regulations is something I can not assent to, for it must be one of two things; this resolution is either too liberal, as the honorable colleague from Brazil claims, or it is not sufficiently so, as the honorable colleague from Colombia asserts, for it can not be both at the same time.

I shall take the liberty at the same time to persuade the honorable colleague from Colombia that the charges proposed are neither heavier nor higher than those of his country—I shall take the liberty, also to try to persuade the honorable colleague from Brazil that the good port service of his country will not be endangered by the acceptance of these charges, for our purpose has not been to despoil the several Governments of the resources necessary to maintain a good port service, but rather, as the honorable reporting member of the committee has well expressed it, what is wanting to complete this service may be furnished by the Governments collecting it whence it should be collected, from the consumption of the rich, from luxury, from the unnecessary, from the superfluous, whereas, at present, as that charge exists, it falls upon all the cargo, upon the people, upon wool, upon rags for the manufacture of paper, as well as upon jewels, diamonds, and on everything superfluous on which the rich spend their fortunes.

SESSION OF MARCH 20, 1890.

The PRESIDENT. The order of the day is the continuation of the debate upon the report of the Committee on Port Dues. On this question the delegate from Venezuela, Mr. Bolet Peraza, has the floor.

MR. BOLET PERAZA. In the session of yesterday I was actuated by a desire to clear up a point which was being lost sight of in the debate. I wished to make clear the meaning of the proposition under discussion, because I have observed that on the one hand the delegate from Colombia regarded the rates fixed as less liberal than those collected in Colombia, and on the other hand, Mr. President, the delegate from Brazil discovered that the proposed dues were very low; so much so that in my opinion the object of his discourse was to show that the reduction proposed by the committee jeopardized the existence of the ports, depriving them of the necessary attention and the country of the maritime service. I desire, therefore, to explain the real purpose of this resolution, whether it is, in fact, excessive or whether it is liberal.

I would say that it was the intention of the committee to make the resolution liberal, and I will give the reason: In the first place the committee had received instructions to make these rates uniform. What was the object? To facilitate navigation, which is one of the principal motives of this Conference; and, in the next place, by carrying out this intention, to facilitate and lessen the burdens of navigation in consonance with the purposes we have come here to realize.

The honorable delegate from Colombia did not take

notice that the committee had proposed a tax of ten cents per registered ton upon each vessel that entered a port, collecting this due only once a year; because, perhaps, in this matter of figures and computations it is impossible to give the results in a moment, especially when a discussion is carried on so rapidly. Estimating the amount which a vessel, measuring 3,000 tons, for example, would pay, the result is \$300; but, as in Colombia, a vessel of this size, that should only discharge fifty tons of cargo, which is the average amount, according to the statement of the delegate from that country, pays only \$50, at the rate of \$1 per ton. Calculating the amount in this manner, the duty recommended by the committee seems greater; but if we reflect a little it will be seen that this is not the case, because in Colombia such vessel pays \$50 duty each time it enters the port, so that it pays this amount eight or ten times in the course of the year, amounting to \$400 or \$500 or over, while at the rate agreed upon by the committee it would only pay \$300 a year and might make all the trips it pleased.

It seems to me that I have made it perfectly clear that the idea of the committee was to relieve the burdens of navigation by lessening the charges.

With regard to the objections raised by the honorable colleague from Brazil they are of a very different nature. The committee lowered the rates because it thought they should be lowered. It was instructed to do this and did it, but is it possible that it compromised the service of the ports of the countries represented by the act of lowering these rates somewhat? This is what is feared by the honorable delegate from Brazil. I do not think he should feel

alarmed. The Governments are not obliged to maintain their ports exclusively on the income from port dues. There are other sources from whence to draw funds, and if I were to express myself freely upon this subject I would say that it was as obligatory on the part of the nations to maintain their entrances clear as it is the duty of the citizen to keep the door of his house decent for the reception of his visitors.

The same thing occurs with nations. Harbors are not maintained simply for the owners and officers of ships; they are attractions offered to vessels to bring and carry supplies for the nation, and the income to be obtained from the import duties upon the merchandise they bring. But if these facilities are not afforded them, if the gates are closed and a vessel does not find the bar cleared so that it may enter and anchor, it will seek other ports. Therefore, it is the duty of all nations and of all Governments to maintain their ports in proper condition to facilitate navigation.

But I will go further. I want the Governments to sustain, provide, and care for their ports, by relieving them from burdens which oppress them, and deriving from them a small amount contributed by the vessels. To this end, the committee thought that a moderate charge which did not burden either commerce or navigation, would result from this equitable measure.

Thus we see it on the railways, for instance, and railway cars are land vessels. We make them concessions, and give them not only subsidies but aid them to prepare the stations, which are, so to speak, their ports. These are given them, as well as lands

along the margin of the roads, in order that the companies may be afforded every facility. How much greater is the necessity for conceding these subsidies to the railways of the ocean, which are the ships. What we need at this time is competition and a great concourse of ships at our ports; and this shipping should be developed just as railway enterprises are encouraged, for if progress is to come to a country, it must open its doors and let it in.

With regard to having charged more to sailing vessels than to steamers, I will only say a few words. The article is not under discussion, but I will state for the benefit of the person who makes the argument, at the proper time, that it must be borne in mind that dues imposed upon the ton weight are not as equitable nor as liberal as is supposed by the delegate from Brazil, because machinery, which all the Governments declare free of duty in order to facilitate industrial progress, is the very thing that pays the greatest dues on account of its weight. Any printing, lithographic, or other press weighs at least a ton, while silk goods and other articles of luxury weigh much less. Therefore the result is, according to the established system in Colombia, that the heaviest dues fall upon the very merchandise which we ought to protect most, because of its greater weight.

But, as I have said, this point is not under discussion, and the only thing I desire to do is to make it clear that the intention of the committee was to be liberal.

Mr. HURTADO. I rise to make a few remarks on the observation made by the honorable delegate from Venezuela. To my mind the first point that comes

into the discussion would require a little more attention than I have been able to give to it, but I will repeat in a few words what I stated during the session of yesterday. I believe it will be conceded that this is an important question. What I remarked was that the duty of 10 cents upon each ton when a vessel enters a port would be more onerous than the actual tariff now charged by Colombia. In the first place, in the ports of Aspinwall, Panama, etc., there are some insignificant port dues, but there are no tonnage dues at all. If the different port dues, which, as I said, are insignificant, are merged in a tonnage due of 10 cents, the vessels would have to pay more than they pay now under the present regulations. For the rest of the Republic the exemption from tonnage dues is considerable.

Our foreign commerce is carried on mostly in steamships. Steam vessels from Europe and the United States enter our different ports and it is considered sufficient that they offer to convey the mail free between the ports which they visit, in order to be free from tonnage dues. They receive one or two mail bags and that is all the service they do for exemption from tonnage dues. Vessels bringing in bulky articles; articles of commerce like coal, salt, lumber and building material are free from tonnage dues, and vessels visiting our ports in ballast take cargoes also free from tonnage dues. Vessels starting from one port to another in the Republic are tonnage free. Vessels carrying immigrants, if only to the number of fifty in each vessel, are also free from tonnage dues. The fact is that we have hardly any tonnage dues whatsoever; but we have insignificant port dues in most

of our harbors. I beg to say that in no place the largest steamer pays over \$30 for pilotage, and that covers the service of the pilot; while in many places it is \$5 or \$10.

In some of your ports they pay as much as \$100 for pilotage alone. I therefore continue in the belief that our tonnage dues, such as are collected now, are considerably less than they would be if 10 cents a registered ton were charged, as it is now proposed. This I observe by way of recommendation, not in opposition to the report of the committee which to me seems substantially just; and that so far as the delegation from Colombia is concerned I think that we should vote in favor of it. Mr. Bolet Peraza has used the argument that the delegate from Brazil considered the tariff too low—the tariff proposed by the committee—and that the delegate from Colombia considered it too high. He says that it is a contradiction. Not at all. They are looking at it from a different stand-point. There is no contradiction there at all. I have not the statistical data about the tonnage dues in Colombia, but I have consulted one of my colleagues who has lived there for some time, and he informs me that the figures are so small that they form a very small amount; that they do not form separate articles in our budget; that they are put in among the miscellaneous articles, whereas if we charge 10 cents for every ton coming into our ports, as proposed in the report of the committee, once a year, it would be a great deal more than the tax now paid.

Mr. COOLIDGE. The object of the report on port dues is to take off some of the burdens which are injurious to commerce in the way of taxes levied on

vessels which enter the various ports of the Americas.

This can only be done by the different Governments assuming as a loss, and charging to their own revenues, the port dues that are taken off of the commerce seeking their ports.

The main principle of the report is that all commerce shall be taxed alike in all the Americas, and that all the Governments shall be willing to bear their share of the loss of port dues, expecting to gain in the long run by the increase of commerce.

Some of the Governments, have let out the light-house system to contractors who have a right to collect certain light-house dues to remunerate themselves for the expense of keeping the lights in repair and taking charge of them.

Some of the Governments, instead of letting out the maintenance of the light-houses to contractors, do the work themselves, maintain the light-houses, and collect the dues from the commerce of the port.

There is no difference to commerce whether the Government does the work itself or hires somebody to do it. If they reduce their port dues they both get the same money for the services, and both make a present loss for the prospect of increasing their commerce.

The Governments can not break the contracts. We do not ask them to do so.

They propose that as long as these contracts last they, the Governments, should continue to impose the light-house dues named in the contracts on the commerce of the ports.

But that would not accomplish the purpose sought by this report of the committee, because com-

merce would have to pay higher port dues in the harbors of Argentine and Colombia than in the other countries, viz, the tonnage dues recommended by the committee and the light-house dues payable under the contracts. Commerce in those States would suffer, and the Argentine Republic and Colombia would be better off than the other nations of the Americas, because they would not have to pay anything for maintaining their light-houses, as the contractors would bear the expense.

Now, I know that the Argentine and Colombia wish to bear all their burdens, and do not desire in any way to be favored more than their neighbors. They are here in the spirit of perfect fairness, desiring to treat all other nations with the same justice and liberality with which they desire to be treated themselves.

To place all nations on an equal footing they should of course keep their contracts, but they should remove the burden from public commerce by assuming the light-house dues which the contractors have a right to collect.

This must be the cost to the Argentine and Colombia of the maintenance of the system of light-houses which the other nations pay directly. To make myself clear:

I suppose that two towns own two bridges, and they have been in the habit of charging tolls for the public to pass over those bridges.

Later on they agree that the public shall pass free or at a much reduced rate.

One town takes off its toll, and keeps and repairs its bridge at its own expense.

The other town says I can not take off my toll

because I have contracts with a man to keep my bridge in repair and I allow him to collect tolls for so doing, and I must be excused until the contract is out, because I can not break my contract.

Would not the other town have a right to say we do not ask you to break your contract, but only to let the public pass free. Pay *yourself* the tolls which the contractor has a right to collect, and you will be in the same position as I am.

The public will pass free, and we shall have to bear the maintenance of the bridge, you by paying the tolls to the contractor, I by actually doing the repairs and maintaining the bridge.

If you continue to allow your agent to collect tolls whilst I collect none, you will be saved the expense of maintaining the bridge, and the public will pay for it, which is just what we desire to prevent.

I therefore hope that the delegates of the Argentine Republic and Colombia will withdraw their objections to accepting the first clause of the report without addition.

I beg to add that I have been informed that the delegates from Colombia withdrew their objection; therefore my request would only apply to the delegation from the Argentine Republic.

Mr. QUINTANA. It would be very pleasant to me to oblige the delegate by withdrawing the amendment offered to article 1, which is now under consideration. Unfortunately, it is not possible for me to do so; I must insist upon it, and I will state why.

The honorable delegate, Mr. President, has received the impression that the committee was instructed to reduce the dues now paid in various ports of Ameri-

can nations. I think that there is an error in this statement.

The committee has received no such instructions. The text of the act of invitation and the resolution which created it, is confined exclusively to saying that the committee would present a project to make port dues uniform in the various ports. To make port dues uniform is one thing; to reduce them is another.

Even admitting that the committee had the power attributed to it by the honorable delegate, all the delegations would not be obliged to accept the propositions offered. If the reports have to be accepted by all the delegations as obligatory, then there is no reason for the existence of the Conference. It might have been substituted by a committee appointed upon each subject.

The duty of the committee is simply to propose measures; and when they study the subjects confided to them and arrive at such a solution as appears to them acceptable, their work must be repeated by each delegation in order to see whether these propositions are or not acceptable to each one of the countries represented in the Conference.

Placing the question upon this ground it is easy to be convinced that the position taken by the Argentine delegation is perfectly just. The Argentine delegation did not desire, for a moment, to attribute to the committee, or to a delegate, or to any one, the intention to place a violent and arbitrary restriction upon the contracts held by the nation which the delegation represents upon light-houses, and it was exactly for this reason that in the preceding session I had the

honor to explain that, in virtue of this arrangement, should it be accepted by the Argentine Republic, these companies, to which I have referred, could not continue to collect the dues which they do at present, and that then these dues would fall upon the Argentine exchequer and would be prejudicial to it.

But the honorable delegate says that this is disadvantageous to commerce. He will permit me to show him that this might be prejudicial to the producers and consumers of the Argentine Republic, but by no means to the commerce of other nations.

It is well known that each consumer is obliged to pay the real value of the article, and amongst the factors of this price there is included the cost of freight and portorage, and the other costs incurred, which are paid in the port of the nation in which the products are to be consumed in the same manner as when the products are exported to foreign countries. It is the producers who indirectly sustain these costs and pay the port dues to which the vessels carrying the produce are liable. Therefore the Argentine delegation, without fear of damaging the interests of the other nations represented in this Conference, may, and ought to, insist upon the proposed amendment.

It is equal to saying to another nation that it must endure the consequences of a reduction in rates. What would the honorable delegate say if I answer him, in turn, that it would be better for the United States to remove or lower the duty on our wool. Then, indeed, the commerce between the Argentine Republic and the United States might develop in a manner that surpasses imagination. Notwithstanding the Argentine delegation has been far from proposing

such a thing, much less exacting it, although we are under the painful impression that although the American nations were convened to this Conference to discuss the measures for establishing close-relations and to develop, as far as possible, their commercial interests, not only are there maintained in this country the high duties which fall upon Argentine products, but they are actually about to increase them at this very time.

I hope the delegate will take these expressions in the best and most cordial of intentions. I simply desire to convince him that, just as some difficulties exist for the United States by reason of predominant ideas of the Government, there are also others existing for the Argentine Republic, to prevent the carrying out of the desire for uniformity of port dues, to the extent of injuring its treasury by the payment of lighthouse charges and other expenses contracted for with private companies.

Mr. ROMERO. I beg that the president will order the reading of the article as it will be presented for the vote.

I would say, in passing, that the amendment offered by the delegate from the Argentine Republic is not in the form in which it was offered yesterday, because, after some discussion, he manifested a willingness to say, instead of contracts signed, pending contracts.

Mr. VARAS. I have waited up to the present, Mr. President, to learn whether any other delegate had any suggestions to make in regard to the first article or resolution now under discussion; but, as I believe there is nothing new, I ask that the president will order the reading of the several amendments or ad-

ditions proposed, in order that they may be all taken under final consideration.

Mr. HURTADO. I offer the following amendment:

First, That all the charges imposed upon vessels as port dues shall be reduced to a single one, to be known as tonnage dues.

The FIRST VICE-PRESIDENT. If there be no gentleman asking the floor, the vote will be taken upon the question. I will state that the amendment offered by the honorable delegate from Colombia (Mr. Hurtado) does not change the sense, but only the wording of the text, and in the opinion of the Chair it will be saving time for the Conference to decide which of the two texts shall be accepted, that proposed by the committee, or that proposed by the honorable delegate from Colombia.

Secretary RODRIGUEZ. The amendment proposed by Mr. Mendonça will not be read, because it is withdrawn. That offered by Mr. Hurtado is that

All the charges imposed upon vessels as port dues shall be reduced to a single one, to be known as tonnage dues.

And that offered by Mr. Quintana is that

Except in case of light-house dues and other charges collected by private enterprises under pending contracts made with the Governments.

This was finally changed and made to read, "By virtue of contracts made with the State."

The PRESIDENT. Those are the amendments which have been made to article 1.

Mr. VARAS. My honorable colleague, the delegate from Salvador, has made a suggestion to me, which I think opportune, and I now offer it to the consid-

eration of the Conference. It agrees with the desire which I have always manifested to conciliate, as far as possible, the suggestions of every one, in order to attain the best result in this matter as in others that have been brought before the Conference. The object, therefore, in making express mention in the body of the report, that the exemptions of these payments or dues should not be understood to include those duties payable by private concerns, nor those collected upon wharves not intended for the use of the authorities, nor intended for public use, is to incorporate this resolution in the body of the others, in order that it should appear as what might be termed the text of the law.

I considered this suggestion so opportune and well thought that I perform a duty by transmitting it to the table in this form.

As regards the suggestion made by the delegate from the Argentine Republic, I considered it acceptable and I would add to it the following which I will also send to the table in order that it shall be considered when the vote is to be taken.

Except also pilotage and other dues for services rendered by private enterprise, and for wharfage and dock dues, if not destined for public use without compensation.

In order that it shall not be understood that the wharves destined for the landing of merchandise might be used free, and that the dues paid are not port dues but separate payment for the use of the wharves.

As far as the proposed amendment is concerned, it consists in the substitution of one word for another, and it is with some hesitancy, Mr. President, that I

called the attention of the Conference to an amendment of this kind.

The delegate from Colombia thinks that the word charge (*carga*) should necessarily be substituted by the word duty; and I say necessarily, because if the gentleman had not so deemed it I do not think that he would have advanced an amendment of such nature and importance. The necessity which requires the amendment presented to the Conference imposes upon me, as a member of the Conference, the unavoidable duty, demanded by politeness and courtesy, of explaining the reason why the committee used the word charges (*cargas*) and not the word duty.

Our attention has already been called to the fact that the English word *charges* is equivalent to, and agrees better than any other with, the common meaning of the words in both languages.

On the other hand, the word charges (*cargas*) is Spanish, pure Spanish; it has a legal meaning and acceptation, at least in my country, and when we speak of public charges (*cargas*) we mean a contribution, a tax or duty, in fact, an impost, whatever its nature, which is levied upon the citizens; and if this is the meaning of the word charges, then I think that it is properly used in the report. When the honorable delegate recollects that the object is to comprise under a single denomination all the dues referred to, and if this is the case, how shall we specify and classify this fact? It seems to me by the use of the word charges (*cargas*), which I see has been accepted by the Argentine delegation, as it was left in the report when the amendment offered was accepted.

I think, Mr. President, that this is more than suffi-

cient, without my entering into a critical examination of change of language which results from the form proposed by the representative from Colombia.

MR. HURTADO. In the amendment which I offered, Mr. President, and which was simply one of wording, I substituted for the word charges (*cargas*) the word duty. Charge (*carga*) it is true is a Spanish word; it means the weight of one thing upon another; an attack made by one battalion against another; the quantity of powder used to load fire-arms; in fact it has other meanings not necessary to examine at present; but "charge" as a duty, a tax, an impost, can not be used except metaphorically, and as we are not here speaking figuratively, it seems to me that the word could be replaced by another, such as the *duty*, which gives a correct idea of what it is desired to explain. I do not pretend to say that the wording of the report is defective and imperfect, and I will not examine it further, but it does seem to me that where it reads, "the charges which are imposed upon vessels," it ought to read, "the *duties* imposed upon vessels." This is correct, and therefore I made the motion.

Having made this slight explanation, I will take my seat, saying that as far as I am concerned I have no objections to vote for the article just as it is, because I do not pretend to say that it is imperfect; but only, I repeat, the word charge (*cargas*), used only in a metaphorical sense, might be taken as an indication of the desire of the committee.

THE PRESIDENT. Mr. Hurtado's amendment does not change the idea of the article, but simply modifies the wording, and it seems to me that we would

proceed with greater ease if we decided upon the form in which the article should remain, whether in that as prescribed by the committee or in that proposed by the delegate from Colombia.

Mr. HURTADO. It appears to me, Mr. President, that I made an amendment to an article under parliamentary rules. This amendment is the one which should be voted upon, and I believe it is in order to do so, because an article might be first voted upon and then the amendment offered might be taken up, but if the President thinks that the order proposed is the most adequate, I have no objection whatever; that is to say, that the vote would be taken as to which of the two should be considered, the original article presented by the committee or upon that as amended by the speaker.

The PRESIDENT. The Chair understands that this is not an amendment to the article but simply a question of wording.

Mr. HURTADO. I understand it, Mr. President, as an amendment; because one word changed for another, modifies the subject, if not substantially, as it does in the present case, at least the form.

The PRESIDENT. I have no objection to submit the article to a vote in the manner and form suggested by the delegate from Colombia in order that the delegates may say whether they prefer it in the form presented by the gentleman or in that offered by the committee.

Nevertheless, the Chair still thinks that the amendment offered by the delegate from Colombia does not, in any way, affect the fundamental idea of the article as presented by the committee, and therefore it believes that it is in order to take the vote upon the

idea contained in the first article of the report, leaving for afterwards the vote as to whether the final wording presented by the delegate shall remain or that presented by the committee.

Mr. HURTADO. What I propose, Mr. President, is a question of concordance and nothing more, because the correction is in perfect accord with the English. The president can form a correct idea of this because he knows both languages and the translation made by me is a literal and correct translation from the English. The Spanish text is not in harmony with the idea of the committee because there are no such things as charges; (*cargas*) the word in this sense is not used in Spanish: the (*cargas*) charges made by a landlord; the charge made by my coachman, but the word can only be used in this manner in a metaphorical sense. For greater clearness I will read the definition given to this word in the dictionary. "Carga" (charge): The weight of one thing upon another. The burden carried by a man or a beast, or a vessel * * * a load of grain, salt, etc. A charge of powder * * * the charger used for measuring a charge of powder, etc. * * * All this shows, Mr. President, that it is only in a figurative sense that the phrase can be accepted to indicate the desire of the committee; that is to say, only in this sense can it be taken as tribute, tax, duty.

The PRESIDENT. The Chair thinks, in spite of the remark of the honorable delegate, that his amendment will not affect the fundamental idea offered by the committee.

Mr. HURTADO. It does not alter it, Mr. President.

The PRESIDENT. In that case the honorable dele-

gates who approve the idea of the committee may vote for it, and we will immediately proceed to determine the definite form it is to take, that is, if it is to remain as proposed by the honorable delegate or as presented by the committee.

Mr. HURTADO. Then we will have another discussion, Mr. President.

The PRESIDENT. There is no necessity for it; the Chair does not think that there will be any debate after the profound and prolonged discussion which we have had upon the subject.

Mr. ROMERO. I believe, Mr. President, that it will be easier to proceed according to Rule 13, which reads:

All amendments or amendments to amendments shall be referred to the respective committees unless the Conference decides otherwise, and they shall be voted upon before the resolution or report the text of which they are intended to amend.

Otherwise there would be two votes; one in general upon the article and another in detail upon the terms of the same.

The PRESIDENT. The Chair has not forgotten this Rule, but the difficulty only arises from the nature of the amendment offered by the honorable delegate, which is only a question of wording, and which, if it went to the committee, would suspend the debate. Nevertheless, the Conference can decide as it thinks best, or we may adopt, also, the measure of taking, in a single vote, an expression of the delegates as to the form in which they approve the report. I should like to know the will of the Conference upon this subject.

Mr. QUINTANA. I would ask the president to inform me in what the difficulty consists.

The PRESIDENT. The difficulty is that the delegate from Colombia offers an amendment which does not alter the idea presented in the report about to be submitted to the vote, and in such case, what is the first point to be voted upon? The amendment offered by the honorable delegate from Colombia or the report as presented by the committee?

Mr. QUINTANA. I thank the President for the explanation which he has been kind enough to give me, and I will only take the liberty to remark that the Conference can not waste time upon such things; I think that the honorable delegate could determine the question by suggesting what, in his decision, ought to be done.

Mr. GUZMAN. I ask that the President will order the reading of the amendment offered by the delegate from Colombia.

The FIRST VICE-PRESIDENT. The secretary will read the article in the form proposed by the honorable delegate from Colombia.

(The secretary read the article with the amendment offered.)

Mr. QUINTANA. The Argentine delegation finds itself in a peculiar situation; it will vote against the article, whatever the form given it, whether it have or contain the word "impuesto" (impost), "derecho" (duty), "cargas" (charges), or all that extensive nomenclature gone over, if the addition by it proposed is not included.

Mr. GUZMAN. I ask the floor to express my concurrence in what the honorable delegate from the Argen-

tine has stated. I agree, and I state it now, with the opinion of the honorable delegate. I ask that the article be submitted to a vote with the addition offered by my colleague, the honorable delegate from the Argentine.

Mr. ESTEE. Will you allow me to suggest how I think we can get out of this trouble? I think we should first vote on the proposed amendment offered by the honorable delegate from Colombia and then vote upon the amendment proposed by the honorable delegate from the Argentine.

Mr. QUINTANA. I have no objection to that being done, but then the Argentine delegation will abstain from voting, for it declares it for the third or fourth time. If the addition it offers is rejected, it will vote against the article.

Mr. TRESMOT. Mr. President, I would suggest to my friend from the Argentine Republic that by voting aye or no he is not recommending that. He can vote upon the amendment, and then the resolution upon the whole will be submitted. Then the question comes up as to whether we shall accept the amendment of the honorable gentleman from the Argentine. This amendment does not change the difficulties. They can vote for or against it; but when it is passed they can vote as they please upon that, either with or without the adoption.

Mr. QUINTANA. What I desire, Mr. President, is to curtail this discussion, for we can not continue in this strain.

The attitude of the Argentine delegation can not be clearer, and I beg the honorable delegate will understand it. The Argentine delegation is against the

article, as worded by Mr. Hurtado, or otherwise, if the addition it proposed is not accepted; but if it be accepted, it will vote for the plan and each of its articles.

The FIRST VICE-PRESIDENT. It appears that what is offered by the delegate of the Argentine Republic comes fully under the thirteenth rule, and can, in consequence, be voted on first.

Mr. SAENZ PEÑA. The proper proceeding, to my mind, is to first put the question, if an exception is to be made in favor of the amendment proposed by the delegation of the Argentine Republic.

Mr. ESTEE. Mr. President, I would ask to have the original of the article read, and then the article as amended.

(The article was read as requested.)

Mr. VARAS. Will the honorable President allow me to ask that the amendment offered by the honorable delegate from Salvador, and which has been accepted by the committee, may also be considered?

The FIRST VICE-PRESIDENT. When the vote is taken on this article?

Mr. VARAS. In case the honorable President thinks such a course will simplify the matter; if not, I leave it entirely to his judgment, as I believe every question of order and voting should be left to him.

Mr. HURTADO. I concur in the remarks made by the honorable delegate from Chili. I think it is in order to first vote the amendments, all the more since, in the present case, as I have been able to glean, the motion made by the honorable delegate from Chili at the suggestion of Mr. Castellanos, is generally accepted.

THE FIRST VICE-PRESIDENT. If the question were merely to resolve the point between the honorable delegates speaking the Spanish, the Chair would have no difficulty in acceding to the request; but our colleagues from the United States have not been apprised of the amendment offered by the honorable delegate from Chili.

The vote will be taken on the addition presented by the honorable delegate from the Argentine Republic.

(The secretaries read the said addition.)

MR. TRESHOT. Mr. President, the first clause is before this Conference. Three amendments have been submitted, and it is in your power to submit one of them.

THE FIRST VICE-PRESIDENT. The Chair submits the amendment of the honorable delegate from the Argentine first.

MR. TRESHOT. Mr. President, I do not intend to add anything to this question. I do not understand this question of tonnage very well. But as I understand this amendment I can not vote for it. This is a project to make all port dues uniform under the title of tonnage. Now the amendment goes on to add an exception which may apply to light-house dues, may apply to pilot dues, and to half a dozen other dues. It seems to me a contradiction. Then again, I think the Argentine, as every other Republic here, has a right to say that it can not carry out the project at present. Now, as I understand this question of private contract which is before us it is this: Suppose a ship of any tonnage pays \$200 in the United States ports, and pays \$200 in the Argentine ports. Now

the United States and the Argentine agree that they would like to reduce that tonnage to \$100 because it would improve commerce with more freights and ships. Freely the United States say, we will strike out all other duties and charge \$100 on that ship. The Argentine says, we can not do that, because other duties go to make up tonnage, which are under contract, and we can not and ought not to force those people to give up their contracts. Certainly, but the Argentine Republic can undertake to credit itself with what the contractors receive and put itself on the same footing with the United States.

When the United States is willing to reduce the tonnage \$100 for the benefit of commerce, all the Argentine has to do is, while the \$200 is collected, to say that it will be responsible for the \$100 to the contractors. Now, it has a perfect right to say that they can not accept this article, but to ask us to put in that insertion is, to my opinion, to contradict the whole object of the report.

MR. QUINTANA. Mr. President, I should state that I have not asked anything from any one.

THE FIRST VICE-PRESIDENT. The amendment of the honorable delegate from the Argentine Republic will be voted.

The vote being taken, resulted as follows:

AFFIRMATIVE 14.

Nicaragua.	Venezuela.	Honduras.
Columbia.	Ecuador.	Bolivia.
Costa Rica.	Peru.	Chili.
Brazil.	Argentine Republic.	Salvador.
Mexico.	Paraguay.	

NEGATIVE 1.

The United States.

Mr. HURTADO. The secretaries will be good enough to inform me if this vote included the motion made by the reporting member of the committee?

The FIRST VICE-PRESIDENT. No, Mr. Delegate, we shall vote upon that amendment after the amendment offered by the Hon. Mr. Castellanos shall have been translated.

Mr. Secretary WHITEHOUSE. A further amendment has been added by Mr. Varas to the amendment offered by the Chilian delegation:

Except also pilotage and other dues for services rendered by private enterprises, and for wharfage and dues on docks, if not designed for public service without compensation.

The FIRST VICE-PRESIDENT. Are the honorable members of the United States delegation sufficiently posted on the amendment to vote on it?

Mr. ESTEE. Permit me to say, Mr. President, speaking for myself, I hope the whole article will be voted down. Of course if that article as proposed to be amended is adopted it would be nonsense for us to attempt to regulate port dues. The exceptions would be more numerous than the rule; I think it would be a great mistake for us to attempt to remedy the evils which now exist by adding new evils.

Mr. VARAS. I think that with a slight explanation I shall make to the Hon. Mr. Estee the impression he has voiced before the Conference will entirely disappear.

The idea conveyed in this addition is not new; it is expressed by the committee in its report and is recorded in the body thereof. It reads as follows:

The payment of these dues would of course not cover

expert or other services rendered to a ship by private persons, such services being provided for by private contracts or by schedules arranged with reference to the laws or ordinances of the country particularly in question; nor would such tonnage cover such services as those of wharfage or dockage or docks not open to general use without compensation; for the charge in question includes only the payments exacted from vessels by the authorities by way of dues.

Therefore, what is desired is only to include this part of the report in the resolutions of the committee. In consequence there is nothing new—no innovation, or any addition.

Mr. MENDONÇA spoke in Portuguese and interpreted his remarks as follows: I propose to the chairman that this report, with the amendment, go back to the committee. If this matter or if this subject had any consideration at all before the Conference, it was in accordance with the programme of our Conference, which was to obtain uniformity in the payment of such dues. I am not a believer that this Conference of sovereign nations must be always regulated by the programme that the Congress of the United States opened to us. I think we can make addition to that for the convenience of the different nations. But so far we have not been deviating from that line, and if the mission of this Conference was to bring about uniformity of taxation for port dues, I contend that the first vote of the Conference was to kill it, I think it is high time to send the report back to the committee to see if it is possible that the committee, in regard to the will of the different delegations, can come to some agreement. So far, in my opinion, the report is killed.

Mr. VARAS. Undoubtedly, Mr. President, the Conference must have rested under the impression produced by the remarks made by the honorable delegate from Brazil, which put difficulties in the way of the acceptance of the plan, since, to his mind, it will bring about such a considerable decrease in the charges now imposed that it would not be possible to put it into practice.

The honorable delegate has evidently considered this plan as dead, in view of the amendment offered at the beginning; but, in the mean time, it may be said it is a talking corpse, and it speaks by resolution of the Conference, created and taken through the approbation it received as a whole on yesterday. What is the principal idea expressed by that report? It is no other than to merge all these charges into a single one, and if this be the idea, and it has already received the sanction of the Conference, then, I repeat, this is a living corpse.

Very well, does the circumstance of the offering of the amendment of the honorable delegate from the Argentine Republic kill the idea? By no means. The Conference is aware, for it is a fact, that at the very time the honorable gentleman, the delegate from the Argentine Republic, offered his amendment, he stated that he agreed to the fundamental idea of the plan, and that, in consequence, he accepted this basis as a principle that all charges, imposts, or dues, now required of vessels shall be reduced to a single one—tonnage dues.

Has this idea been amended, has it been attacked? No, sir; never. It is only claimed that there is a temporary obstacle, that there is an objection of de-

tail, not of a permanent character, but of the moment, respecting one of these charges, and all that is desired is that, this momentary difficulty existing, the execution of the idea in so far as it relates to this point be suspended until that difficulty be solved.

According, Mr. President, to the criticism of the honorable delegate from Brazil, there can be no precept, either Divine or human, that can live or exist, wherefore I would ask the honorable delegate what principle, what law, however general, however comprehensive, however absolute, has not some exceptions, be they permanent or transitory? And can it be said for this reason that this conclusion is dead? Can it be said that it does not exist? By no means. I should be very sorry if the honorable delegate, relying on this judgment, should reach the conclusion that there can be no understanding or agreement arrived at by the Conference.

I limit myself, Mr. President, to this point alone, because I believe that it would take too much time to enter into details, which, moreover, I consider unnecessary to the forming of their judgment by the honorable delegates.

Mr. GUZMAN. I do not attempt, although perhaps my profession authorizes me, to express myself as to whether the plan under discussion is alive or dead; but at present I am not speaking as a physician, but rather as a delegate to this Conference, and I speak to second the motion of the honorable representative from Brazil, for, if I am not in error, the honorable gentleman moves that this question return to the committee.

Mr. MENDONÇA. That is my motion.

Mr. GUZMAN. In that case I favor the motion, so that another report may be presented, enabling us to reach unanimity, which is what is desired.

Mr. BOLET PERAZA. Were I to judge this heated discussion to be, upon the essential, the substance of the idea expressed in the plan, I would be indifferent as to whether it were voted or not, whether it were approved or rejected; but it appears that we are all agreed on the general idea. Very well; in questions like the present, which has its importance, and for the purpose of seeking in everything the greatest number of minds, the greatest possible light, and of reaching a full agreement, since that was our first purpose, it appears to me it would be advisable not only to adopt what is proposed by the honorable delegate from Brazil that the plan return to the committee, but that this committee be increased by two or three more members, to be named by the President, who with their knowledge may aid us in clearing up the matter, seeking exactness and wording the plan so that when it be again submitted to the Conference we may know at least what we are going to discuss. I therefore support the motion of the honorable delegate from Brazil, with the amendment that the number of members of the committee shall be increased by three more delegates.

And I should add, Mr. President, that this is the smallest committee of all in the Conference, because it has been reduced to three members, since, as the Conference knows, Mr. Nin has absented himself, as well as Mr. Laforestrie, who were honorable delegates forming part of the committee.

Therefore, if only for the circumstance mentioned, that committee should be increased.

Mr. VARAS. I am merely going to ask the honorable delegate from Brazil to be good enough to explain the scope of the motion he has made, for in my remarks I have only referred to what he said generally regarding the idea of the plan, that is to say, that it could not be practicable, that it ought not to be considered by the Conference.

Regarding the re-reference of the question to the committee, the truth is that I did not understand or did not hear that the honorable delegate moved what my colleague, Mr. Delegate Bolet Peraza, has just stated.

Mr. MENDONÇA spoke in Portuguese in reply to the honorable delegate from Chili, Mr. Varas, but as his previous remarks had been understood by the United States delegation he did not interpret them again.

Mr. VARAS. I beg the honorable President will permit me to say two words.

The honorable delegate who had the floor has been pleased to express with all clearness and precision the object of his remarks, and the purpose and end of the re-reference of that plan to the committee. The substance of his motion, as I have understood, is that all the amendments offered or which may be suggested by the honorable delegates shall be considered. Is not that it, Mr. Mendonça?

Mr. MENDONÇA. Yes, sir.

Mr. VARAS. Then, Mr. President, perhaps it would be preferable before expressing ourselves on this motion that all the amendments or modifications to

which the fundamental idea is susceptible may be made known so as to see if it is possible to carry them into the report.

MR. CASTELLANOS. As only five minutes are wanting before 6 o'clock strikes, I move that the session be prolonged until this point is decided.

THE FIRST VICE-PRESIDENT. The honorable delegates have heard the motion of the honorable delegate from Salvador. If there be no objection it will be considered as agreed to.

The Chair hears none. It is agreed to.

MR. VARAS. I understand, Mr. President, that the motion made by the honorable delegate from Brazil will be agreed to, and in this case I would move the Conference that there be added to the committee the honorable delegate of whom I speak, and those gentlemen who have remarks prepared to make in the debate, for otherwise we will have to begin the debate anew because of other remarks that may be submitted.

Consequently, I am of the opinion that one of the members of this committee should be the honorable delegate from Brazil.

MR. MENDONÇA spoke in Portuguese and interpreted his remarks as follows: I had just remarked to our chairman that I feel very much honored by the invitation of my colleague from Chili, but my engagements would not allow me time enough to attend to my duties as a member of the committee. Notwithstanding, I would furnish all my remarks in writing to the committee as soon as the stenographers send their minutes.

THE FIRST VICE-PRESIDENT. There is a motion to

increase the committee by an addition of three members, but that motion would have to come up after the motion to refer.

Mr. STUDEBAKER. Mr. Chairman, I simply wish to explain to the Conference that our committee was composed of five members originally, but two members of that committee are not present. Therefore we desire it enlarged.

Mr. BOLET PERAZA. I shall make, in passing, a motion, in keeping, of course, with that made by the honorable delegate from Brazil, adding to, or, rather, amending it slightly. I have taken the liberty to put this same motion in other words, but in such a way that it fully expresses the idea of adding to the committee several of the delegates who have taken part in the debate. It is as follows:

That the Committee on Port Dues be increased by the addition of three delegates, selected by the Chair, and that the report should be returned to it for reconsideration, together with the proposed amendments.

At the same time, Mr. President, I move that the rules be suspended so that this motion may not be referred to the committee, but be considered at once.

Mr. HURTADO. I merely desire to propose that among the persons who may be named to increase the number on the committee, Mr. Flint may be designated. He is well versed in this matter; he has knowledge of everything belonging to shipping, port dues and charges; he is an important shipper and there will be on the committee a person with technical knowledge, who would be very useful when treating of the question of port dues, about which I notice there is some vagueness and even want of certainty.

Mr. BOLET PERAZA. The mover accepts the suggestion.

The FIRST VICE-PRESIDENT. The vote will now be taken on the motion of the honorable delegate from Brazil to re-refer this question to the committee.

Mr. QUINTANA. Heretofore, Mr. President, the Argentine delegation stated that a matter might return to a committee but not with the vote of the delegation. In keeping with this precedent it will be sorry to have to vote against this motion if the committee opposes it. This, however, not being so, the Argentine delegation will vote affirmatively with pleasure.

In voting in this way, it will vote on the motion as a whole, excepting that part which refers to one of its delegates being placed upon the committee, not because it shirks work, but rather because, as the Conference will understand, it can not vote for its own candidacy.

The FIRST VICE-PRESIDENT. The vote will be taken on the motion of the honorable delegate from Brazil.

Mr. QUINTANA. I understand, Mr. President, that the committee accepts it.

Mr. BOLET PERAZA. I have not had time to obtain the opinion of my colleague, Mr. Varas. I have barely had time to obtain that of Mr. Studebaker, who agrees. As regards Mr. Varas, I shall have to consult with him to get his opinion.

Mr. VARAS. After the explanation given by the honorable delegate from Brazil, in which he elucidated the object and scope of his objections (which are that all the motions, amendments, additions, or exceptions which have been made and those which may be suggested by the honorable delegates, shall be

considered by the committee before being discussed in the Conference), I have no objection in concurring with the motion, and, above all, in responding to the act of courtesy and deference, to the desire expressed by my honorable colleagues on the committee.

Mr. BOLET PERAZA. In that case, Mr. President, it appears to me that it would be in order to first vote on the motion I have made, since, although it does not oppose that made by the honorable delegate from Brazil, it is, nevertheless, an addition to it.

Mr. MENDONÇA spoke in Portuguese, and interpreted his remarks as follows: I stated that I had withdrawn my motion as the committee had accepted my idea with regard to increasing the committee by three members.

Mr. TRESMOT. I would suggest that the naming of the additional members be left to the Chair. I think it would be much better to leave that to the Chair. He knows the opinion is before us, and I think he has a right to take care of that matter. If the chairman of the committee will agree to that I think we should take the vote just as it is put by the gentleman—to raise the committee by three members—and let the Chair name the additional members.

Mr. BOLET PERAZA. In that case, Mr. President, I renew my first motion, which was in that sense.

The FIRST VICE-PRESIDENT. In what sense, Mr. Delegate?

Mr. BOLET PERAZA. In the sense that the personnel of the committee be increased by three persons in case the matter is to return to it.

The FIRST VICE-PRESIDENT. I take the liberty of drawing the attention of the honorable delegate to

the fact that the committee already has three members, and that by increasing it three more it is very possible for us to have two reports each signed by three members.

Mr. BOLET PERAZA. Very well, then, Mr. President, better more than less; let us say four instead of three.

The SPANISH SECRETARY. The amended motion is as follows:

That the Committee on Port Dues be completed by the addition of four delegates, selected by the Chair, and that having been thus completed the report should be returned to it for reconsideration, together with the proposed amendments.

The FIRST VICE-PRESIDENT. If there be no objection it will be considered as approved. The Chair hears none. The motion is approved.

As the honorable Conference has authorized the Chair to appoint the four members to complete the committee, it names the honorable delegates, Messrs. Mendonça, Quintana, Aragon, and Guzman.

SESSION OF APRIL 10, 1890.

Mr. STUDEBAKER. Mr. Chairman, I move that the report of the Committee on Port Dues be considered.

The PRESIDENT. The honorable delegate from the United States moves that the report of the Committee on Port Dues be taken up. This report is only printed to-day. It will require the suspension of the rules to consider it. It will require unanimous consent. Is there objection to proceeding with the report on port dues? The Chair hears no objection. The report will be read.

The revised report of the Committee on Port Dues was read as follows:

REPORT OF THE COMMITTEE ON PORT DUES AS REVISED.

The committee, after duly considering the various suggestions which have been offered, and also the difficulties raised by certain of the delegations to fixing at present any one common and uniform rate of port-dues in all the nations represented in the Conference (on account of the special conditions at present prevailing in the ports of several of said nations in respect to the services for which the charges are made), and desiring to approach as closely as possible to uniformity, while it is impracticable completely to abolish the charges now imposed upon vessels in the shape of such dues, has the honor to submit the following report :

The International American Conference hereby resolve to recommend to the Governments therein represented—

First. That all port dues be merged in a single one, to be known as tonnage dues.

Second. That this one charge shall be assessed upon the gross tonnage, or, in other words, upon the total carrying capacity of the vessel.

Third. That each Government fix for itself the amount to be charged as tonnage dues, but with due regard to the general policy of the Conference upon the subject, which is to facilitate and favor navigation.

Fourth. That there be excepted from the provisions of article 1 the dues charged or to be charged under unexpired contracts with private companies.

Fifth. That the following shall be exempt from tonnage dues :

1. Transports and vessels of war.
2. Vessels of less than twenty-five tons.
3. Vessels which shall have been compelled to put into port by reason of damages suffered at sea.
4. Yachts and other pleasure boats.

NICANOR BOLET PERAZA.

EMILIO C. VARAS.

CLEMENT STUDEBAKER.

HORACIO GUZMAN.

SALVADOR MENDONÇA.

MANUEL QUINTANA.

WASHINGTON, *April* 9, 1890.

The PRESIDENT. Is the Conference ready for the question?

(By direction of the Chair, the first recommendation was read.)

Is there objection to the adoption of this article?

The Chair hears none.

The first is agreed to.

The second will be read.

MR. ZEGARRA. According to the rules, the roll should be called.

The PRESIDENT. The Chair confesses that he is ignorant of the rule requiring that the roll should be called for every article.

MR. HURTADO. As the Conference is unanimous, I move that the rules be suspended upon the five points to be voted on.

The PRESIDENT. Is there objection to suspending the rules? There being no objection, the first is adopted.

(By direction of the Chair, the second recommendation was read.)

Is there objection to the adoption of the second.

The Chair hears none.

The second is agreed to.

(By direction of the Chair, the third recommendation was read.)

Is there objection to adopting the third?

The President called Mr. Zegarra to the chair.

MR. ROMERO. Mr. President, as the object of the committee as well as of the Conference appears to have been to, as far as possible, reach an agreement on this duty and considering the difficulties in the way of the committee to establish this quota, I think

that all objections would be obviated and at the same time the realization of the idea be expedited, if there were added to this article the following words, "and with a view to reach later a common rate."

This implies no obligation and it does establish an acceptable and very advisable basis for the future realization of this idea when the several Governments study this point.

This amendment in no way changes the article, and if the committee thinks it is acceptable I would ask it to consider it before the question is voted on.

The FIRST VICE-PRESIDENT. Has the honorable delegate his amendment in writing?

Mr. ROMERO. Yes, sir; I will send it to the Chair.

The FIRST VICE-PRESIDENT. The honorable delegate from Mexico moves to add at the end of the third subdivision, "and with a view to reach later a common rate."

Mr. ROMERO. If there is any objection on the part of the committee I shall not insist on the amendment, I simply suggest it that it may be considered.

Mr. QUINTANA. I do not know what the rest of the committee think, but as a member thereof I find that the addition offered by the honorable delegate from Mexico can not be a complement of this article, and it can not be so because it would make it consist of two parts which would be contradictory. To reach an agreement a convention is necessary, and it can not be done by leaving the several Governments free to fix the dues.

Therefore, it appears to me that the addition does not properly follow what precedes it.

Mr. ROMERO. I did not exactly catch the objection

of the honorable delegate from the Argentine Republic, and I beg he will inform me if I have properly understood it. It appears to me that he has said no common rate could be reached except by means of a convention or an arrangement between the Governments. If this is so, I will state that this was precisely my object upon offering the addition.

Mr. QUINTANA. I now fully understand Mr. Romero's idea, but it can not be offered in the form of an addition to this article, but will have to be the subject of another, and I shall take the liberty to state in this connection that the reasons which have caused the committee to refrain from proposing a uniform rate, are reasons of a permanent nature, so that, what can not be done to-day can not be done to-morrow, and this recommendation will be as futile in the future as it has been up to the present. However, if the honorable delegate insists upon his addition, it would be advisable for him to offer it as a separate article.

Mr. ROMERO. Believing, Mr. President, that the honorable delegate from the Argentine delegation expresses the mind of the committee, or at least that of the majority, I withdraw my notion, because, as I stated at the beginning, my object was simply to suggest that idea to the committee and not interpose any difficulty or obstacle to the approval of this matter. The honorable delegate, the same as the other members of the committee, have given this subject more study than I have been able to, and, as he states that there has been great difficulty in agreeing upon a uniform rate and that it is probable that these same difficulties will exist in the future, I have no objection to withdraw my motion.

The FIRST VICE-PRESIDENT. As the motion has been withdrawn, the vote on the third article will be taken.

Shall it be approved?

Approved.

The debate on the fourth article will proceed.

Does any one wish the floor?

Is it approved?

Approved.

The fifth article is in discussion.

Mr. HURTADO. I have asked the floor simply to offer an amendment to the third section of the article under discussion.

For the purpose of making it more general, I move that it read:

Vessels which may be compelled by *force majeure* to enter a port, deviating from their course.

There are vessels entering port not only because of a scarcity of provisions, but because of the captain's death, sickness of the crew, and several other causes. Very well; whenever they enter, owing to this *force majeure*, deviating from their course, I think these vessels should be excepted.

Mr. QUINTANA. The committee accepts the amendment.

The FIRST VICE-PRESIDENT. Is there any objection to accepting article fifth with the amendment of the honorable delegate from Colombia?

The Chair hears none.

It is approved, and consequently the report of the committee is approved in all its recommendations.

SESSION OF APRIL 11, 1890.

MR. COOLIDGE. Before accepting the minutes, I wish to ask what the delegates mean by the words "*fuerza mayor*." The term does not exist in common law. It is entirely a civil law term. It does not exist in any statute of our country, and I am anxious to know what is meant by those words. According to Bouvier's Law Dictionary, it is a term used in civil law which means nearly the same as "act of God." Now, when I turn to the Law Dictionary to find what "act of God" means, I find that it is an accident arising from a cause without interference or aid from man. Now, I want to ask the gentlemen if that is the meaning of the words "*fuerza mayor*" in their understanding. To make myself more clear, I would like to know whether, under the meaning of these words, a privateer escaping from a vessel could come into a port under "*fuerza mayor*." I merely rise to ask for information. I want the gentlemen to explain to us what that word means in the civil law.

MR. HURTADO. Although there are here persons much more competent than I to give an explanation of the meaning of the phrase "*fuerza mayor*," nevertheless, as I was the author of the amendment, I find myself compelled to make a reply, but at the same time I appeal to the lawyers we have in the Conference to rectify any erroneous conception which, as a layman, I may express.

By "*fuerza mayor*" I think is meant all influences of an irresistible nature, and if this definition be applied to the special case under discussion, that is to say, to the case of a vessel compelled to enter a port deviating from its course, it may be said that

they are those influences expressed in the original report, to wit, damages caused by stress of weather or others that might compel a vessel to seek a harbor of refuge, such as want of provisions, death of the captain, contagious disease on shipboard, or other like causes.

The delegate from the United States who has propounded the question asks if a vessel finding itself pursued by a privateer should enter a port would it be considered as compelled so to do by "*fuerza mayor*" in the sense here expressed.

In truth, sir, I do not expect we shall have any more privateers; to-day the plan of arbitration has been presented, and I hope there will be peace, and that we shall not have to consider these questions at any time; but at any rate the example put might be a case coming up in practice, and therefore the honorable delegate from the United States asks if what in English is known as "act of God" should be understood as "*fuerza mayor*."

I understand that in English "act of God" means those acts which depend entirely upon physical laws, those generally attributed to the action of Providence, such as a tempest, lightning, a storm, etc.—all these would be called "acts of God," but, for instance, the want or lack of provisions would not be considered an "act of God," for this evidently would be due to the lack of foresight of the party causing it or obliging the vessel to enter the port. Therefore the phrase *fuerza mayor* is more ample, more extensive than "act of God."

- If the honorable delegate from the United States finds that the words *force majeure* are not English,

which I leave to the more perfect knowledge he must have of the language, then, he is right; but I believe that the phrase *force majeure* can be used and is used in English, and I have certainly seen it in writing many times.

This is all I can say upon the point, and I shall desist, as I have stated before, so that persons more competent than I may discuss the true and exact meaning of the phrase *fuera mayor*, or search for another which shall better express the idea.

Mr. ALFONSO. At yesterday's session when the honorable delegate from Colombia offered the amendment which included the phrase *fuera mayor*, for my part I had no objection in accepting it, since, according to Chilian legislation the meaning of this phrase leaves no room for doubt. I remember that that legislation uses the words *caso fortuito* (unforeseen emergency) and *fuera mayor*, and everybody understands them as synonymous in law. *Caso fortuito* or *fuera mayor* are defined in our law as follows: "Is that which can not be foreseen and which it is impossible to prevent."

I think, Mr. President, that the explanation which the Hon. Mr. Coolidge had the right to ask, having been requested, the phrase might be laid down as having this meaning: "*Fuera mayor* is that which can not be foreseen nor prevented."

I think that this is more or less the sense which all legislation coming from the Latin and afterwards from the French gives to these words. Regarding all the juriconsults or publicists that may be consulted upon this subject, I think the sense they attribute to these words is more or less that which I

have quoted, and in this sense I think the plan approved by the Conference should be understood.

Mr. HURTADO. The honorable delegate from the United States has put the case of a vessel entering a port pursued by a privateer, and asks if it would enter because of *fuerza mayor*, and, in consequence, be exempt from the payment of dues? Mr. Alfonso will be good enough to explain this point with his acknowledged ability.

Mr. ALFONSO. Actually it would be a true case of *fuerza mayor*, legally it would not, because this law applies only to ordinary cases where there is no breach of law, and certainly not to those where an infraction of law incurs a legal penalty, as would the incendiary, the pirate, or the assassin, who, committing a criminal act, would place themselves in the way of suffering a penalty.

As regards every illegal act, *fuerza mayor* is evidently not something serving as a safeguard or a preventive of punishment.

Mr. HURTADO. But we speak of a lawful privateer

Mr. ALFONSO. Then this privateer would come under the head of *fuerza mayor*. A slight correction, Mr. President, for I was confused with the question of the privateer. I thought that the case of the privateer was an illegal one, but being legal, naturally I would include it in the general rule. The same would happen, for instance, when, because of a naval engagement one of the contending vessels should seek refuge in a port, that vessel would enter port driven by overwhelming force and therefore would come under *fuerza mayor*—it was compelled to take this step regardless of the question whether neu-

trality would be infringed or not. But, I repeat, I make a difference between a legal and an illegal act. If the privateer does a legal act taking refuge in the port it is evidently compelled by *fuerva mayor*.

Mr. GUZMAN. I understand this whole question originated in the words *fuerva mayor*, and as they have given rise to this debate it would be better to suppress them, since both the Spanish and English legislation offer many phrases to express this idea. I see no reason for limiting ourselves to that expression which some delegates think does not express enough and others that it expresses too much. For this reason I believe that by substituting for this phrase another, the resolution would become more definite.

Mr. HURTADO. Will the honorable delegate have the goodness to substitute a word?

Mr. GUZMAN. I am not competent to do it, but having so many learned men here in this Conference I am sure some one can do it for me.

Mr. MENDONÇA. I was just saying that, as a member of the committee, I thought it was proper to give my opinion about the matter. I think the words *fuerva mayor*, if they do not correspond exactly in common English law to our definition in Latin law or civil law, you could do what you do in other cases where there is no correspondence in the common law with the civil law. You have to adopt an explanation or definition in the Latin law or civil law. All the authorities give the definition that our colleague from Chili has just given. That is the definition of the law, and I think that is the interpretation given to the word by all Latin nations. But to avoid that and use words easily understood by every one, I pro-

pose that we use the definition and say, instead of *fuerza mayor*, just what *fuerza mayor* means, and that will be understood clearly by all the nations represented in this Conference. We could simply say that it would be an act that could not be foreseen or prevented. If we just insert these words, that will be entirely satisfactory, I think, for all the members.

When my colleague from Colombia presented an amendment yesterday I mentioned to Mr. Quintana that for my part, as a member of the committee, I would accept it on the condition that I could recommend that which I had proposed. I had just proposed something similar. I feared a vessel would go into port under stress of weather, but that port would not be the port of destination of the vessel, and the very fact of the stress of the storm would make that vessel free of the tonnage which it would otherwise have to pay under the law. I recommend, therefore, that vessels under stress of weather, which have been compelled to change their course, be specified. That was, I think, the amendment which I proposed; so when I read the recommendation of my colleague from Colombia, that was my opinion in the matter. For that reason I have just now given the explanation I have. But in regard to the use of the words "*fuerza mayor*," I think we can give the definition in place of the words. I think that the compulsion, resulting from the act of a pirate, needs a distinction, not being a lawful case. It is not, as he very well said, a legal compulsion, but if the victim has not strength enough to resist and no way of avoiding the pirate, I think it is a case against the pirate. I think also that it is a case of "*fuerza*

mayor," although not a lawful case. With that limitation, I am entirely of this opinion with regard to the matter: All lawful acts are acts under the "*fuereza mayor*" compulsion.

Mr. ROMERO. I take the floor simply to say that, carrying out the opinion expressed by the honorable delegate from Brazil, I have written the form the article should have in the following terms:

Vessels which, from any unforeseen and irresistible cause, shall be compelled to put into port, deviating from their course. That is to say, the phrase *fuereza mayor* is substituted by "unforeseen and irresistible cause."

Mr. HURTADO. Following the idea of the honorable delegate from Nicaragua, I have no objection to change the phrase "*fuereza mayor*," and if it is thought that it does not properly express the idea entertained by the Conference, it may be put in this wise:

Vessels putting into port, from whatever justifiable cause or necessity, deviating from their course, shall be exempt from dues.

Mr. COOLIDGE. I would be glad to accept the change suggested by the honorable delegate from Mexico.

SECRETARY WHITEHOUSE. As follows, is article 5, clause 3, of the report of port dues, submitted yesterday:

Vessels which by any unforeseen and irresistible cause shall be compelled to put into port, deviating from their course.

The FIRST VICE-PRESIDENT. The honorable delegate from Mexico, if the Chair is not in error, has proposed that the Conference resolve that by "*fuereza mayor*" is meant what in his motion is expressed.

Mr. ROMERO. No, sir; but rather that in case the vote be reconsidered and the point is put to the vote, the third clause, in so far as its wording is concerned, be substituted by that I have proposed.

The FIRST VICE-PRESIDENT. Then it will be necessary to reconsider, not the whole report, but that part.

Mr. ROMERO. Yes, sir; only that part.

The FIRST VICE-PRESIDENT. The honorable delegate from Mexico moves that the third clause of the fifth article of the report approved yesterday be reconsidered.

The vote will be taken on the motion.

The Chair hears no objection.

This part of the report adopted on yesterday will be reconsidered.

The honorable delegate from Mexico moves that in place of the clause approved there be inserted the following:

Vessels which from any unforeseen and irresistible cause shall be compelled to put into port, deviating from their course.

The discussion of the third clause, so worded, is in order.

If no delegate claims the floor the vote will be taken.

If there be unanimous consent the roll will not be called.

The Chair hears no objection.

Shall the clause be adopted as proposed?

The Chair hears no objection.

It is adopted.

RECOMMENDATIONS AS TO PORT DUES AS ADOPTED BY THE
CONFERENCE.

The International American Conference hereby resolve to recommend to the Governments therein represented—

First. That all port dues be merged in a single one, to be known as tonnage dues.

Second. That this one charge shall be assessed upon the gross tonnage, or, in other words, upon the total carrying capacity of the vessel.

Third. That each Government fix for itself the amount to be charged as tonnage dues, but with due regard to the general policy of the Conference upon the subject, which is to facilitate and favor navigation.

Fourth. That there be excepted from the provisions of article 1 the dues charged or to be charged under unexpired contracts with private companies.

Fifth. That the following shall be exempt from tonnage dues :

1. Transports and vessels of war.
2. Vessels of less than twenty-five tons.
3. Vessels which from any unforeseen and irresistible cause shall be compelled to put into port, deviating from their course.
4. Yachts and other pleasure boats.

CONSULAR FEES.

SESSION OF MARCH 25, 1890.

The PRESIDENT. The order of the day is the report of the Committee on Port Dues, on Consular Fees. The Secretary will read the conclusions.

The Secretaries read the conclusions of the following report:

REPORT OF COMMITTEE ON PORT DUES CONCERNING CONSULAR FEES.

[As submitted to the Conference March 20, 1890, and adopted March 25, 1890.]

The honorable Conference has instructed this committee to consider and propose the most practicable method of establishing a uniform system of consular fees.

The study of the various regulations which the committee has been able to examine, has led it to the conclusion that within the limits assigned to it, the desired result could only be secured in a partial and incomplete manner.

Inasmuch as the fees or compensation allowed to consuls depend upon the nature of the services they render, it is necessary that the acts of the consular agents of the different nations represented in the Conference be of the same nature, in order that the fees charged by them may be equal and uniform.

It is this prerequisite which is lacking in the present consular regulations.

With the exception of acts specially referring to navigation and commerce, respecting which it would be very easy to establish a uniformity of fees, there are many acts which either only exist in the rules of one of the nations

here represented, or else differ in detail or manner of classification so as to prevent the fixing of the amount of the fee.

Your committee does not consider it impossible to establish identical regulations for the consular agents of American nations ; but since on the one hand we have not believed ourselves authorized to undertake it, in view of the scope of our instructions, and on the other, it is probable that the time remaining which the honorable Delegates can devote to the various subjects submitted to their consideration would not suffice for the careful study required by a matter of that nature, we have thought it preferable, with a view to obtaining a precise result, to offer the following resolution :

RECOMMENDATION AS ADOPTED.

Resolved, That the Governments represented in the Conference be recommended to prepare a uniform classification of the acts requiring the intervention of consular agents, fixing the maximum fees which should properly attach to each one of such acts, especially those relating to commerce and navigation.

NICANOR BOLET PERAZA.

EMILIO C. VARAS.

CLEMENT STUDEBAKER.

The PRESIDENT. Is the Conference ready for the question on this resolution ? Is there objection to its adoption ? The Chair hears none. It is agreed to.

SANITARY REGULATIONS.

REPORT OF COMMITTEE ON SANITARY REGULATIONS.

[As submitted to the Conference February 28, 1890.]

To the honorable the International American Conference :

The committee appointed to "consider and report upon the best methods of establishing and maintaining sanitary regulations in commerce between the several countries represented in this Conference" has finished its task, and as the result thereof, has the honor to submit to your distinguished consideration a resolution for your adoption, to which is attached, as accompanying appendices, the full text of the proceedings of the International Sanitary Convention of Rio de Janeiro, of 1887, and the draft of convention agreed upon by the Sanitary Congress of Lima, of 1889.

One of the most important subjects submitted to the honorable International Conference is, without doubt, to decide upon methods tending to prevent the conflict which may arise at the time of epidemic invasions between the diverse sanitary regulations which the American nations have seen fit to adopt in order to shield themselves from such invasions.

If the regulations of sanitary police have in view the harmonizing of the exigencies of public health with the principle of free communication between countries, it is evident that international sanitary conventions are called to put that harmony into practice by means of uniform and impartial regulations, which shall consult the general interests of the countries in their commercial relations.

The committee has carefully examined the work of special conferences and congresses which have met at different times in several parts of the world, and has reached the conclusion that it has duly discharged its duty by

making a selection from among those works which are the result of exhaustive studies made by men eminent in the science of medicine in Europe as well as in America.

Complete isolation, which theoretically appears to be the most effective prophylactic against the invasions of epidemic diseases, does not afford, in practice, satisfactory results as a sanitary measure, but tends, on the other hand, to notably injure the commercial interests of the countries. The distinguished Professor, Dr. Francisco Rosas, president of the Sanitary Congress of Lima, thus expresses himself on this point :

It is scientifically demonstrated by innumerable facts that the closing of ports and frontiers does not prevent the invasion of epidemics; that these enter and develop with greater violence in the countries which pretend to isolate themselves, because, under the mistaken belief that they are free of all danger, they disregard the proper means to restrain the development of the epidemic and, above all, to lessen its severity.

But if absolute isolation as a prophylactic is nothing more than an illusion, the same may not be said of the sanitary means that modern science has placed within our reach for the disinfection of infected localities, as well as to prevent the introduction and development of contagion in those which have remained in a state of health.

The committee did not enter deeply into this branch of the subject, because the Rio de Janeiro Convention, as well as the draft of the Lima Congress, the adoption of which is recommended, start with the fundamental principle that the absolute closing of ports and frontiers should be renounced, for the reason that if this were put in practice international sanitary conventions would be unnecessary.

The Rio de Janeiro Convention and the draught of the Congress of Lima are works which have exhausted, so to speak, the subject which engages our attention, and because of the accuracy, clearness, and care with which they have been edited, they may serve as a model, with respect to form and general idea, for sanitary conventions. Therefore, the committee thinks it should recommend them to the consideration of the honorable International American Conference.

RECOMMENDATIONS OF THE COMMITTEE.

The International American Conference, considering:

That under the existing state of the relations between the nations of America, it is as practicable, it is advisable, for the promotion of these relations, to establish perfect accord with respect to sanitary regulations;

That the greater part of the ports of South America on the Atlantic are guided and governed by the decisions of the International Sanitary Convention of Rio de Janeiro, of 1887;

That although it does not appear that the plans of the Sanitary Congress of Lima, of 1888, have passed into the category of international compacts, it is to be hoped that they will be accepted by the Governments that participated in the said congress, because those plans were discussed and approved by medical men of acknowledged ability;

That the Sanitary Convention of Rio de Janeiro, of 1887, and the draft of the Congress of Lima, of 1888, agree in their essential provisions to such an extent that it may be said they constitute one set of rules and regulations;

That if these were duly observed in all America they would prevent, under any circumstances, the conflict which usually arises between the obligation to care for the public health and the principle of freedom of communication between countries;

That the nations of Central and North America were not represented either in the Sanitary Convention of Rio de Janeiro or the Congress of Lima; but that they might easily accept and apply to their respective ports on both oceans the sanitary regulations before cited:

Recommends to the nations represented in this Conference the adoption of the provisions of the International Sanitary Convention of Rio de Janeiro, 1887, or the draft of the Sanitary Convention of the Congress of Lima, of 1888.

HORATIO GUZMAN.

J. G. DO AMARAL VALENTE.

F. C. C. ZEGARRA.

JOHN F. HANSON.

JOSÉ ANDRADE.

APPENDIX TO THE REPORT OF THE COMMITTEE ON SANITARY REGULATIONS.

CONVENTION OF RIO DE JANEIRO.

We, Maximo Tajes, lieutenant-general, president of the Oriental Republic of Uruguay, to all to whom these presents shall come, hereby announce:

That on the 25th and 26th days of November, of the year one thousand eight hundred and eighty-seven, there were agreed upon and signed between our plenipotentiary and those of the Argentine Republic and the Empire of Brazil, duly authorized by the appropriate full powers, an international sanitary convention and corresponding ordinance, of which the literal tenor is as follows:

His excellency the president of the Oriental Republic of Uruguay, her highness the Princess Imperial Regent, in the name of his majesty the Emperor of Brazil, and his excellency the president of the Argentine Republic, having resolved to join in a sanitary convention, named for the purpose as their plenipotentiaries the following:

His excellency the president of the Oriental Republic of Uruguay (named) Don Carlos Maria Ramirez, envoy extraordinary and minister plenipotentiary upon special mission to his majesty the Emperor of Brazil.

Her highness the Princess Imperial Regent (named) the Baron of Cotegeipe, of the council of his majesty the Emperor, senator and grandee of the Empire, dignitary of the Imperial Order of the Crozier, commander of the Order of the Rose, Grand Cross of that of our Lady of the Concepcion of Villa Viçosa, of Isabel the Catholic, of Leopold of Belgium, and of the Crown of Italy, president of the Council of Ministers, and minister and secretary of state for foreign affairs, and of the interior for those of the Empire.

His excellency the president of the Argentine Republic (named) Don Enrique B. Moreno, envoy extraordinary and minister plenipotentiary to his majesty the Emperor of Brazil, who, having mutually presented their full powers, which were found to be in good and proper form, agreed upon the following articles:

ARTICLE 1.

The three high contracting parties agree to adopt the following definitions:

Ecotic contagious diseases.—The yellow fever, cholera morbus, and Oriental plague.

Infected port.—One in which any of the diseases mentioned prevails in epidemic form.

Suspected port.—1st, one in which there shall have occurred some isolated cases of any of the contagious diseases; 2d, one which has easy and frequent communication with infected places; 3d, one which does not adequately guard itself against infected ports, with reference to the principles of this convention.

The designation of a port as infected or suspected shall be made by each Government, in the proper case, on the report of the chief of the maritime sanitary service, and officially published.

Infected vessel.—One in which there shall have occurred any case of a contagious disease.

Suspected vessel.—1st, one which, while proceeding from an infected or a suspected port, shall not have had during the voyage any case of contagious disease; 2d, one which, while proceeding from a clean port, shall have touched at an infected or suspected port, excepting in the case excepted under paragraph 10 of Article 8; 3d, one which, during the voyage or on arrival, communicates with another ship hailing from a port which is unknown, infected, or suspected; 4th, one in which deaths shall have occurred from unknown causes, or in which there shall have been several cases of any disease; 5th, one which shall not have brought a clean bill of health from the port of departure, as also from intermediate ports, duly viséed by the consuls of the country of destination in those ports; 6th, one which, having been quarantined or subjected to special sanitary treatment in any of the quarantine stations of the three contracting states, shall not come provided with the international certificates of admission to free intercourse.

Suspected objects, or objects deemed capable of retaining or transmitting contagion.—Clothing, cloths, rags, matrasses, and all articles of personal use and service, as well as bags, trunks, or boxes, used for the keeping of these objects, and also untanned hides. Other articles not before specified, as well as animals on the hoof, shall not be deemed suspected.

ARTICLE 2.

The Governments of the three high contracting parties shall establish their respective sanitary services in such manner as to enable them to carry out and comply with the stipulations of the present convention.

The chiefs of the said sanitary services shall communicate with one another whenever it may be necessary, and each of them shall be at liberty to make to the others such suggestions as he shall deem desirable with reference to the exercise of their functions.

For the administration of the sanitary services there shall be issued an international ordinance making uniform the general or special provisions applicable to the three states.

ARTICLE 3.

The high contracting parties undertake: 1st, to establish the necessary quarantine stations, it being desirable that land quarantines shall

be established upon islands; 2d, to establish and maintain, during the prevalence of epidemics, at least one floating quarantine station; 3d, to establish, in connection with the land quarantine, floating hospitals for the treatment of persons attacked by exotic contagious diseases in ships arriving, in those already at anchor, and in the quarantine stations; 4th, to deem valid, for the purposes of this convention, in any of their ports, the quarantines and sanitary measures resorted to in any of the quarantine stations of the three States, provided they shall be officially authorized in an authentic manner; 5th, to abstain from closing their respective ports, and from excluding any vessel, whatever may be the sanitary condition on board thereof.

ARTICLE 4.

No vessel, proceeding from foreign ports, shall be admitted to free intercourse in the Brazilian, Argentine, or Uruguayan ports, without having first been subjected to a sanitary visit by the proper authorities, save in the case excepted from paragraph 10 of Article 8. In such visit, the said authorities shall carry on the investigations necessary for the complete ascertainment of the sanitary condition on board, and shall determine the treatment to which the vessel must be subjected, the captain being notified in writing.

ARTICLE 5.

For the execution of the provisions of the foregoing article the high contracting parties agree to distinguish three kinds of vessels: 1st, steamers carrying less than one hundred steerage passengers; 2d, immigrant transports, that is, steamers which, whether they carry the mails or not, carry more than one hundred steerage passengers; 3d, sailing vessels.

1.—Vessels of the 1st and 2d classes must carry a physician on board and be provided with—

A steam disinfecting stove.

A supply of disinfectants and disinfecting utensils, in accordance with the international sanitary ordinance.

A drug schedule book, in which shall be entered the quantity and kind of drugs or medicines on board at the moment of exit from the port of departure, as also the additional supplies which it may have received at the intermediate ports.

A book for the registration of medical prescriptions.

A clinical record in which shall be noted in fullest detail all cases of sickness occurring on board and the treatment adopted in such cases respectively.

A passenger list indicating the number, age, sex, nationality, profession, and residence.

The list of the officers and crew.

The manifest of the cargo.

2. The books mentioned in the foregoing paragraph shall be opened

and marked ("rubricados") and their leaves stamped by the consul of one of the contracting states in the port of departure; and the leaves referring to each voyage shall be closed by the sanitary authorities of the port of destination.

The commanders of vessels shall not pay any charges for the official handling ("habilitacion") of said books.

3. All the vessel's papers shall be submitted for examination to the consular authority in the port of departure, and to the sanitary authority in the port of arrival, it being incumbent upon the former to note upon the bills of health, on viséing them, the presence or absence, total or partial, of the books and lists named in paragraph 1 of this article.

ARTICLE 6.

All vessels destined to any one of the three countries must bring a bill of health issued by the sanitary authority of the port of departure, viséed by the consuls of the countries to which they are destined at the port of departure and at intermediate ports. Said bill of health shall be presented to the sanitary authorities of the ports of the three States, to be viséed, and shall be delivered to the sanitary authorities of the last port to which the vessel shall proceed.

1. The sanitary certificate heretofore issued by consuls shall hereafter be dispensed with, there being substituted therefor the viséing of the bill of health, for which service the consuls shall collect the proper fees.

2. The consular visé shall be written on the back of the bill and authenticated with the seal of the consulate.

3. When, in the light of the information obtained and of the accurate ascertainment of the facts, the consul shall have no comment to make upon the statements of the bill of health, the visé shall be a simple one; in other cases the consul himself shall note, in continuation of the visé, such statements as he may deem proper for the correction of the statements of the bill of health.

Bills of health which shall have been corrected on being viséed in the first port of any of the three countries at which the vessel shall touch, shall be accompanied by a sanitary certificate ("billete sanitario") signed by the authorities of said port, and in which shall be set forth the treatment to which the vessel shall have been subjected. At the end of the visé shall be noted the issuing of the certificate.

4. The consuls in the ports of departure shall try to secure information in the local sanitary districts, or in the best manner open to them, of the sanitary condition of the said ports, and must immediately communicate, in case of a correction of a bill of health, with the sanitary authorities of their own countries, which will communicate to those of the other contracting states the reasons and occasion for the correction.

5. Vessels touching at ports of the three countries must take out

in each of them a bill of health. These bills shall be delivered by the commander to the authorities of the last port into which the vessel shall go.

6. The high contracting parties recognize two kinds of bill of health—the clean and the unclean; a clean bill of health being one which records no case of exotic contagious disease in the port of departure or at intermediate ports, and an unclean bill being one which records an epidemic, or isolated cases of any of the diseases mentioned.

7. The ships of war of friendly nations shall receive bills of health gratuitously.

ARTICLE 7.

Each of the high contracting parties undertakes to establish in due constitutional form in its territory a corps of *sanitary inspectors of vessels*, composed of physicians specially charged with the supervision, on board, of the vessels on which they shall have embarked, the compliance with of the rules adopted for the promotion of the health of passengers and crew; to observe what occurs during the voyage and report the same to the sanitary authorities of the port of destination.

1. The sanitary inspectors of vessels shall be officials of the maritime sanitary districts of the countries to which they belong.

2. The sanitary inspectors of vessels shall be named by the Governments after competition, it being incumbent upon the chiefs of the corresponding sanitary service to designate the inspectors who are to embark.

3. The international sanitary ordinance shall formulate the program and objects of the competition, as also the duties and powers with which the sanitary inspectors of vessels are to be invested.

ARTICLE 8.

In the ports of each of the contracting States there shall be established two kinds of quarantine; the quarantine of observation and the strict quarantine.

1. The quarantine of observation shall consist of the detention of the vessel during the time necessary for the making of a searching sanitary visit thereto.

2. The strict quarantine shall have two objects: 1, to ascertain whether, among the passengers coming from any infected or suspected port, there is any one suffering from a contagious disease in process of maturation; 2, to subject to disinfection articles supposed to retain or transmit contagion.

3. The strict quarantine shall be applied: 1, to infected vessels; 2, to vessels on board of which there shall have occurred cases of a disease not identified, or which could not be properly investigated by a sanitary visit.

4. The duration of the strict quarantine shall be determined by the

maximum period of incubation of the contagious disease which is sought to prevent, that is, ten days for the yellow fever, eight for the cholera, and twenty for the oriental plague. This term may be computed in one of two ways: 1, counting from the date of the last case occurring during the voyage; and 2, counting from the date of the landing of the passengers at the quarantine station.

5. The strict quarantine shall begin with the date of the last case occurring during the voyage, when the following three conditions shall be presented: 1, that the vessel shall comply with the requirements of paragraphs 1, 2, and 3 of Article 5; 2, that it shall have carried on board thereof a sanitary inspector of vessels who shall certify the exact date of the termination of the last case, the compliance with all the measures for disinfecting indicated in the instructions which such inspector shall have received from the chief of the sanitary service, in accordance with the international ordinance, and the perfect present condition of health on board; 3, that the local sanitary authorities confirm the correctness of the report made.

6. If, under the conditions specified in the foregoing paragraph, the time elapsed between the last case and the arrival of the vessel be equal to or greater than the maximum incubating period of the contagious disease, the passengers shall be admitted to free intercourse, as shall also the vessel, provided that the latter does not bring suspected articles.

If the vessel brings suspected articles that need disinfecting and which have not been disinfected, the admission of the vessel to free intercourse shall take place only after the disinfection of said articles shall have been completed.

In other cases, the vessel and passengers shall be subjected to a strict quarantine.

7. If the time elapsed since the last case of contagious disease should be less than the maximum period allowed for incubation, and if the vessel be in the case described in paragraph 5, the passengers shall be subjected to an additional quarantine for the number of days lacking to make up the said maximum period of incubation. Such additional quarantine shall be undergone at the quarantine station save when there shall not be at said station available room for the purpose, in which case the quarantine may be undergone on board.

8. If the vessel, at the time of its arrival, has on board persons suffering from contagious disease, these shall be lodged in the floating hospital, and the passengers subjected to quarantine in the floating station. The quarantine in such case shall be computed from the date of the transfer of the passengers to such station.

The vessel shall be dealt with as may have been provided for such emergencies by the international ordinance.

9. The provisions of the foregoing paragraph shall apply likewise to vessels in which there shall have occurred cases of contagious disease, though these no longer exist at the time of arrival, if such

vessel, notwithstanding, shall not have satisfied the conditions set forth in paragraph 5 of this article.

10. Suspected vessels which shall have made the voyage from an infected or suspected port to the port of arrival in a period of time shorter than the maximum period of incubation of the contagious disease which it is sought to prevent, shall also be subjected to the additional quarantine according to the provisions of paragraph 7.

There shall be excepted from this quarantine any vessel of the 2d class which, proceeding from a port recognized as clean and with satisfactory sanitary conditions on board, certified to by the sanitary inspector of vessels, shall touch at Montevideo, Rio de Janeiro, or Buenos Ayres during the prevalence of an epidemic, but shall restrict itself to discharging her merchandise, landing passengers, and leaving and taking up the mails; provided that these operations shall be performed by means of a ponton designated for the purpose by the sanitary authorities, conveniently situated, free from all infection, and under satisfactory conditions as to isolation, so that it shall not receive on board, nor undergo contact with, any person or article from said ports. These facts shall be certified to by a document duly authenticated, signed by the sanitary authorities of the port at which the vessel shall touch, viséed by the consul of the country of destination, and attested by a sanitary inspector of such country of destination.

11. A suspected vessel which shall have made the voyage in a period longer than the aforesaid maximum period of incubation, shall undergo the quarantine of observation, in the course of which there shall be made the investigations prescribed in the international ordinance; and only after it shall have been ascertained that no case of contagious disease has occurred on board shall such vessel be admitted to free intercourse.

It is understood that, if such vessel brings suspected articles which have not been disinfected, but which can not have infected the passengers or crew, such vessel shall undergo a strict quarantine for the purpose of disinfecting the said articles, such disinfection to be made after the landing of the passengers brought, who must be admitted to free intercourse.

In case infection may have occurred, the case shall be governed by the provisions of the last part of paragraph 6 of this present article.

12. The foregoing provisions concerning vessels of the 1st class described in Article 5 shall hold good even though there be on board no sanitary inspector of vessels, provided there shall have been strict compliance with the requirements of the international ordinance as to the responsibility assumed by the ship's physician to the sanitary authorities of the port of arrival in respect of the certificates which he is to give under his professional oath, and provided that there shall have been exact compliance, during the voyage, with the provisions contained in the instructions as to the duties of the sanitary inspector of vessels,

13. The provisions of the foregoing paragraphs, in so far as they allow some modification of the strict quarantine, shall apply to such vessels of the 2d class as, 1, shall receive on board and give a first-class passage going and coming to the sanitary inspector of vessels; 2, shall act upon the recommendations of the sanitary inspector looking to sanitary conditions on board ship, both at the time of departure and during the voyage.

In other cases the period of strict quarantine shall not be computable as provided in alternative No. 1 of paragraph 4, in respect of either the passengers or the vessel itself.

ARTICLE 9.

The requirements of paragraph 1 of Article 5 are binding upon all such vessels as, in any of the three countries, enjoy the privileges of a mail-transport, and to this end the contracting Governments undertake to withdraw such privileges from all vessels which, four months from the date at which this convention shall have gone into effect, shall not have strictly complied with the said requirements.

ARTICLE 10.

The high contracting parties agree that they will grant the privileges of a mail-transport only to such vessels as shall conform to this convention and shall furthermore prove to the proper sanitary authorities that they have complied with the requirements of paragraph 1 of Article 5, and declared their acceptance of conditions 1 and 2 of paragraph 13 of Article 8.

ARTICLE 11.

The sanitary precautions which the high contracting parties may have to take on land and within their own territories form no part of the subject-matter of this convention; but it is understood that such precautions are never to amount to an absolute suspension of intercommunication by land. The Governments concerned will, upon occasion, agree with one another upon the places through which communication is to be allowed, and upon the most efficacious means to prevent all danger of the introduction of epidemics.

ARTICLE 12.

The present convention shall last four years, dated from the day on which ratifications shall be exchanged, and shall continue in force until one of the high contracting parties shall notify the others of its intention to terminate it, its operation ceasing twelve months after the date of such notification. Such ratifications shall be exchanged at the city of Montevideo at as early a date as possible.

In testimony whereof the said plenipotentiaries respectively sign and seal these presents. Done at the city of Rio de Janeiro, on the 25th day

of the month of November, in the year of the nativity of our Lord Jesus Christ one thousand eight hundred and eighty-seven.

[L. s.]

CARLOS MARIA RAMIREZ.

[L. s.]

BARON DE COTEGIPE.

[L. s.]

ENRIQUE B. MORENO.

CONVENTION OF LIMA.

PLAN OF AN INTERNATIONAL SANITARY CONVENTION FORMULATED BY
THE AMERICAN SANITARY CONGRESS OF LIMA OF 1888.

ARTICLE 1.

The contracting countries agree to adopt the following definitions:

(a) *Pestilent exotic diseases*.—The yellow fever, the Asiatic cholera, and the eastern plague.

(b) *Infected port*.—That in which any of the above diseases may exist in an epidemic form.

(c) *Suspected port* :

1. That in which an isolated case of the three pestilential diseases may appear occasionally;

2. That which has easy and frequent intercourse with infected localities; and

3. That which is not sufficiently protected against infected ports.

The declaration of infected or suspected, as applied to a port, shall be made by the Government of the country to which that port belongs, upon the recommendation of the chief of the maritime sanitary service, and shall be published officially.

(d) *Infected vessel*.—That in which some case of pestilential disease may have occurred.

(e) *Suspected vessel* :

1. That which, coming from an infected or a suspected port, may not have had during the voyage any case of pestilential disease.

2. That which, though proceeding from a healthy port, may have touched at an infected or suspected port.

3. That which during the voyage or on arrival should communicate with another vessel coming from an unknown infected or suspected port.

4. That in which deaths may have occurred from causes not specified or from repeated cases of any disease.

5. That which does not bring a clean bill of health from the port of departure or from those at which it may have touched, duly certified by the consuls of the country it is bound for; and

6. That which, although having been quarantined or been subjected to special sanitary treatment in any of the contracting countries, comes unprovided with the international permit for free intercourse.

ARTICLE 2.

The contracting countries shall establish the sanitary services so that they may carry out and cause to be carried out the provisions of this convention.

The chiefs of the aforementioned sanitary services shall communicate with each other whenever necessary, and each of them may make to the others such suggestions as they may think proper in the exercise of their duties. International regulations shall be issued for the performance of sanitary service, giving uniformity to the general and special measures applicable in other countries.

ARTICLE 3.

The contracting countries shall bind themselves—

1. To establish the quarantine hospitals which may be necessary, and those of a permanent character shall be located on islands;
2. To establish floating hospitals, annexed to the permanent quarantine hospitals, for the treatment of persons attacked by exotic pestilential diseases on the vessels which may arrive or be already at anchor;
3. To consider valid at any of the ports, for the effect of this convention, the quarantine and sanitary measures resorted to in any of the quarantine hospitals of the contracting countries, provided that they shall be officially authorized in an authentic manner; and
4. Not to resort to the closing of ports.

ARTICLE 4.

The consul of the country for which the vessel is bound shall have the right to attend the sanitary inspections which the agents of the territorial authorities may make of the vessels.

ARTICLE 5.

At the port of departure the vessels shall take the following prophylactic measures:

1. The storage of the cargo shall not commence until the cleansing of the vessel shall have been performed either by ordinary methods or by a special process of disinfection, in case the latter shall be deemed necessary. For this purpose the vessel shall be visited by the captain and the ship-surgeon, and the result of the visit shall be recorded on the ship's register.
2. The surgeon shall examine the passengers which may come on board, and who hail from a port where any of the exotic pestilential maladies exist, and shall reject such as he may suspect of having contracted any of them.
3. In regard to those who may appear to him as being under good conditions, he will vigilantly prevent their taking on board white linen clothes, or bedding, stained or suspicious.

4. The wearing apparel and bedding used by such as may have died of exotic pestilential diseases shall never be received.

5. Whenever any of the exotic pestilential diseases shall show itself on a vessel while lying in an infected port, the patients in whom the first symptoms of these affections may be noticed shall be put ashore immediately, and all their effects, as well as the bedding they may have used, shall be destroyed or disinfected.

ARTICLE 6.

During the voyage vessels will observe the following prophylactic measures :

1. The soiled underwear of the passengers and crew shall be washed on the same day, after being immersed in boiling water or a disinfectant solution.

2. The water-closets shall be scoured and disinfected at least twice a day.

3. During the voyage the most rigorous cleanliness and a thorough ventilation shall be observed on board of suspected vessels.

4. As soon as the first symptoms of an exotic pestilential disease are confirmed, the necessary steps shall be taken to isolate the patient.

5. The localities occupied by such patients shall be immediately disinfected.

6. So far as possible the localities so infected shall remain wide open and isolated, and shall not be occupied by any other passenger during the voyage.

ARTICLE 7.

No vessel proceeding from foreign ports shall be admitted to free intercourse at the ports of the contracting countries, without the previous sanitary visit made by the proper authorities. During this visit, the official shall proceed to make all the inquiries necessary to ascertain thoroughly the sanitary condition on board ; in times of epidemic, they will satisfy themselves that all measures of sanitation and disinfection have been rigorously complied with, as well at the point of departure as during the course of the voyage, and shall determine the treatment to which the vessel must be subjected, and will notify in writing the captain thereof.

ARTICLE 8.

For the proper enforcement of the provisions of the preceding article the contracting countries agree to recognize two classes of vessels: a first and second class.

1. Vessels of the first class are those which have a surgeon on board and are provided with:

(a) A disinfecting stove worked by steam under pressure ;

(b) A supply of disinfectants and appliances for disinfection in com-

pliance with the suggestions of the international sanitary regulations;

(c) A book showing the stock of drugs, wherein shall be inscribed the quantity and kind of the drugs or medicines on board at the moment of sailing from the port of departure, as well as the supplementary acquisitions received at the port of relay;

(d) A record book of medical prescriptions;

(e) A clinic book in which shall be most minutely described all the cases of disease occurring on board and their respective treatment;

(f) A list of passengers giving their name, age, sex, nationality, profession, and place of residence;

(g) A list of the crew; and

(h) A manifest of the cargo.

2. The books referred to in the preceding paragraph shall be opened and signed by the consul of some one of the contracting countries at the port of sailing; and the leaves having reference to each voyage shall be closed by the sanitary authority at the port of destination.

Commanders of vessels will pay no fee whatever for the supply of these books.

3. All the papers on board shall be submitted for inspection to the sanitary authority at the port of destination and to the consular authority at the port of departure, it being the duty of the latter to indicate on the bills of health, when *viséd* or certified to, the existence or total or partial absence of the books, and the list and roll alluded to in the first paragraph of this article.

4. Vessels of the second class are those which do not possess the requirements stated in the first paragraph of this article.

ARTICLE 9.

The vessels engaged in the transportation of passengers, belonging to any of the contracting countries, are obliged to comply with the conditions of vessels of the first class, and likewise such foreign vessels as may be engaged in the same traffic upon the coasts of the contracting countries.

ARTICLE 10.

All vessels bound to any of the ports of the contracting countries must be provided with a clean bill of health from the port of sailing, certified to by the consuls of the countries to which they are bound and of those at which they may touch. When the vessels sail from ports belonging to any of the contracting countries, the bill of health shall be granted by the sanitary authority of the port of departure and must always be certified to as above specified.

This bill of health shall be presented to the sanitary authority of the ports of the contracting countries at which the vessel may touch, for his certification, and shall be delivered to that of the last port of destination.

1. Consuls shall charge the proper fees for the certification of bills of health.

2. The consular *visé* or certification shall be entered on the back of the bill of health and authenticated with the seal of the consulate.

§ 3. When, by reason of acquired information and a thorough knowledge of the facts, the consul shall have no remarks to make as to the asseverations of the bill of health, its certification will be simple; when otherwise, the consul himself shall write down after the *visé* what he may deem proper to rectify the asseverations of the bill of health.

The bills of health which may be rectified, after being certified to at the first port of any of the contracting countries at which the vessel may touch, shall be accompanied by a sanitary bill, signed by the authority of the same port, in which shall be stated the treatment to which the vessel may have been subjected. The remittance of the bill shall be stated after the *visé*.

4. The consuls of the contracting countries at the ports of departure shall endeavor to ascertain through the local sanitary authorities, or as best they may, the sanitary condition of those ports, and in case of rectifying a bill of health, shall inform at once the sanitary authority of their country, who will forward to that of the other contracting countries the reason for the rectification.

5. If the rectifications mentioned in paragraph 3 should be made by the consuls of more than one of the contracting parties, the bill of health shall be forwarded by the sanitary authority of the first port reached by the vessel to that of the first port of the next nation, and by the corresponding authority of the latter to that of the following ports, always accompanied by the sanitary bill.

6. Vessels bound to ports of more than one of the contracting countries shall successively, at each of these, provide themselves with bills of health, and the captain must deliver all these bills to the authority of the last port of arrival.

7. The contracting countries recognize two kinds of bills of health, clean and unclean; that being clean which does not state any case of exotic pestilential disease at the port of departure or at those of relay, and unclean, that which should mention epidemics or isolated cases of the diseases referred to.

8. Men of war of friendly nations shall be granted bills of health without paying fees.

ARTICLE 11.

The contracting countries agree to appoint a corps of vessel inspectors composed of physicians paid by the respective Governments. It will be their special mission on board the vessels assigned to them to see to the compliance with the measures prescribed in behalf of the health of passengers and crews; they will also notice what may occur during the voyage and report thereon to the sanitary authority at the port of destination.

1. Vessel inspectors shall be officials of the sections of marine sanitary of their respective countries and be subordinate to their respective chiefs, whose orders and instructions they shall obey implicitly.

2. Vessel inspectors shall compete for their appointment by the Government, and it shall be the duty the chiefs of the respective sanitary services to designate the inspectors to be placed on board.

3. The programme and purpose of the competition shall be determined by the international sanitary regulations as well as the duties and powers assigned to vessel inspectors.

ARTICLE 12.

It is agreed by the contracting countries that two kinds of quarantine shall be established at their respective ports:

- (a) A strict quarantine; and
- (b) A quarantine of observation.

1. The strict quarantine shall consist of the absolute isolation of the vessel during the time required for the sanity and disinfection of the articles infested with cholera, yellow fever, or eastern plague, and for the lapse of the maximum period of incubation of the pestilential disease.

2. The quarantine of observation shall consist of the absolute isolation of the vessel during the time required to make on board a visit of sanitary inspection, and for the lapse of the maximum period of incubation of the pestilential exotic disease, in case that the vessel has been at sea less than eight days for cholera, less than ten for yellow fever, and less than twenty for the eastern plague.

3. The strict quarantine shall be applied—

- 1. To infected vessels;
- 2. To vessels on board of which cases of diseases not specified may have occurred which the sanitary visit has not made known; and
- 3. To vessels hailing from ports where one of the pestilential diseases exists, if they have not complied with the sanitary regulations required at the port of departure, and during the voyage, even should they not have had on board a case of pestilential disease, either real or suspicious.

4. The duration of the strict quarantine shall be determined by the maximum incubation of the pestilential disease guarded against, eight days being assigned for Asiatic cholera, ten days for yellow fever, and twenty days for the eastern plague.

This duration may be computed in two ways:

- 1. Counting from the date of the termination by death or cure of the last case which has occurred on board during the voyage; and
 - 2. Counting from the date of the landing of the passengers at the quarantine hospital.
5. The strict quarantine shall begin from the date by death or cure of the last case occurring on board during the voyage, when:
- (a) The vessel belongs to the first class.

(b) A vessel sanitary inspector coming on board should certify to the precise date of the last case, to the compliance with all the measures for disinfection prescribed in the instructions which the same inspector may have received from the chief of the sanitary service, and to the present perfect state of health on board.

In either case that which is prescribed in this paragraph can not take place unless the sanitary authority shall verify the correctness of the information furnished.

6. If, after the termination of the last case occurring on board, the duration of the voyage should be equal to or greater than the maximum incubation of the pestilential disease, the vessel shall be subjected to a quarantine of observation of 48 hours.

7. If the time elapsed since the last case of pestilential disease should be less than that assigned to the maximum incubation and the vessel should belong to the first class the latter shall not be admitted to free intercourse until after a quarantine of observation, which shall last as many days as may be required to complete the aforesaid term of maximum incubation. If the voyage, after the termination of the last case, should have lasted until the day before the last of the maximum incubation of the pestilential disease which it is desired to guard against, the vessel shall not be allowed free intercourse until 48 hours shall have elapsed after the expiration of the said maximum incubation. This quarantine shall be kept by the passengers at the quarantine hospital, unless there should be no accommodation in the latter, in which case it may be allowed on board.

8. If, at the time of its arrival, there should be in the vessel cases of pestilential disease, they shall be transferred to the floating hospital and the passengers subjected to a quarantine at the quarantine hospital. In this case the quarantine will commence the day of the admission of the passengers to the quarantine hospital.

The vessel and the cargo shall be ventilated and disinfected in conformity with the rules to be prescribed by the international sanitary regulations.

9. Vessels of the second class shall be subjected to the requirements of the preceding paragraph when they shall have had cases of pestilential diseases, even when they do not exist at the time of their arrival.

10. Suspicious vessels, the voyage of which may have lasted a period of time shorter than that of the maximum incubation of the pestilential disease to be guarded against, shall not be admitted to free intercourse until they shall have passed a quarantine of observation, which must last as many days as may be required to complete the term of maximum incubation. If the voyage should have lasted until the day before the last of the maximum incubation of the pestilential disease, they shall not be admitted to free intercourse until after 48 hours after having completed the aforesaid term in case they should hail from an infected port, and after 24 hours in other cases.

11. Suspicious vessels which may perform their voyage in a period of time longer than the maximum incubation of the pestilential disease

to be guarded against shall be admitted to free intercourse after a quarantine of observation of 48 hours, if they proceed from infected ports, and of 24 hours in other cases.

During this quarantine the investigations prescribed by the international sanitary regulations shall be carried out.

ARTICLE 13.

The declaration of infected, as applied to a port, shall cause the sanitary interdiction of vessels hailing therefrom which may have sailed during the period immediately preceding the date of said declaration; being twenty days for the eastern plague, ten for the yellow fever, and eight for the Asiatic cholera.

ARTICLE 14.

The declaration of the termination of the epidemic at a port shall not cause the sanitary interdiction of the vessels hailing from it to be dispensed with until twenty days shall have elapsed for the eastern plague, ten for the yellow fever, and eight for Asiatic cholera.

ARTICLE 15.

The rules prescribed for maritime ports shall apply to river ports harboring sea-going vessels.

ARTICLE 16.

The sanitary measures which the contracting countries may adopt within their own territory do not come within the scope of the present convention.

ARTICLE 17.

Should the contracting countries decide to establish international sanitary cordons, they bind themselves not to detain passengers for any longer period than that of the maximum incubation of the pestilential disease to be guarded against, and to establish the quarantine hospitals which may be required, in order that the quarantines may be kept therein, the latter being governed by the same regulations prescribed for maritime quarantines so far as they may be applicable thereto.

JULIO RODRIGUEZ, *Delegate from Bolivia.*

ANDRES S. MUÑOZ, *Delegate from Bolivia.*

FEDERICO PUGA BORNE, *Delegate from Chile.*

CELSE BAMBARÉN, *Delegate from Ecuador.*

FRANCISCO ROSAS, *Delegate from Peru.*

J. LINO ALARCO, *Delegate from Peru.*

JOSÉ MARIANO MACEDO, *Delegate from Peru.*

LIMA, March 12, 1888.

Correct:

ANDRÉS S. MUÑOZ,
Secretary to the Congress.

DISCUSSION.

SESSION OF FEBRUARY 28 1890.

The PRESIDENT. The report of the Committee on Sanitary Regulations is before the Conference.

(At this stage the President withdrew from the hall and the chair was occupied by Señor F. C. C. Zegarra, First Vice-President.)

Mr. CRUZ (Guatemala). I beg that some one of the honorable members of the Committee on Sanitary Regulations will enlighten us in regard to the purpose of the resolution. It is therein recommended to the different nations constituting this Conference to adopt either the provisions of the International Sanitary Convention of Rio de Janeiro or those of the draft of the Sanitary Convention of the Congress of Lima. As I understand it, the recommendation that should be made to the several nations here represented, is to adopt either the one or the other; but it seems to me that that alternative might bring about an undesirable lack of unity, for the reason that some nations, following the terms of the recommendation, might adopt that of Rio de Janeiro, while other countries, observing in a like manner the recommendation, might accept the provisions of the draft of the Convention of Lima, whereby there would not result that accord which this Conference has in view. I am of the opinion that the Conference should rather decide in favor of the one or the other of the conventions; but I would thank some one of the honorable members who sign the report to state if such is the meaning to be given to their resolution, or if there is

any reason why this alternative should be sustained, seeing that no unity could result therefrom.

Mr. GUZMAN. I will answer the remarks of the honorable Delegate for Guatemala. When this subject was brought before the committee, this not being a sanitary congress, nor composed of experts in these matters, the members endeavored to study what had been written thereon by competent persons, in Europe as well as in America, and they found that the best thing in America, at least, was the Convention of Rio de Janeiro and the draft of the Convention of the Congress of Lima. If the honorable Delegates will be good enough to read both documents, they will find that they do not differ upon their main or cardinal points; in regard to these, we may say that they agree, although doubtless there are some discrepancies in matters of detail; but we may set down as a fact that both conventions would meet at one and the same time the requirements of commerce and what is due to the public health. Now, if compelled to choose one of the two, we would have been obliged, perhaps, to resort to the opinion of experts versed in the matter, for the committee did not consider itself sufficiently competent to decide whether the convention of Rio de Janeiro or the draft of the Congress of Lima was what it was called upon to recommend to the nations of America, for the reason that since they are both constructed by individuals eminently competent in such matters, the best course for us to pursue is to present them both, in order that the nations represented here, after consulting competent experts in each of the countries, may decide in favor of the one which to them seems best.

I acknowledge that the remarks of the honorable Delegate for Guatemala are very forcible, and that it would, perhaps, have been advisable to have pointed out or recommended either one of these conventions; but it strikes me that if, for instance, we had recommended the adoption of the Convention of Rio de Janeiro, excluding the one drafted at Lima, it might very likely occur that some one of the nations which participated in that Congress would hold that the International Conference should have given due weight to its transactions, since, in the opinion of many, the draft of the Lima Convention excels and, in some of its details, is still more perfected than that of the Sanitary Convention of Rio de Janeiro. It is on this account that the committee over which I have the honor to preside deemed it its duty to recommend both documents, without prejudice to the subject intrusted to its consideration, leaving to all the nations freedom to select between the two conventions the one which to them seems best. They can harmonize by means of a sanitary congress, which perhaps will have to be resorted to; for I do not think that a sanitary convention can be reached unless there should be a congress to decide upon the subject.

Under these conditions, the committee said: Here are two documents; they are the best things that we have seen upon the subject, and we recommend their study to all the nations of America, to the end that they may decide which is the better. Such, I repeat, has been the intent of the committee, and it resolved, therefore, to recommend both conventions.

I think that I have answered, as best I could, the remarks of the honorable Delegate for Guatemala. I

nevertheless acknowledge the force of his criticisms and agree with him that it would have been preferable to have presented but one of these documents; but we, the members of the committee, do not consider ourselves authorized to recommend or to decide in regard to two documents of such great importance.

Mr. ANDRADE (Venezuela). In order the more directly to meet the argument as to unanimity advanced by the honorable Delegate for Guatemala, I will state that this point was also discussed by the committee, became acquainted with the Convention of Rio de Janeiro, then accepted by three nations of South America and subsequently by some others, and the draft of the Convention of Lima signed by four of these Republics. Accordingly, it seemed to us that the plea for unanimity was not to be entertained; it was impossible to rely upon unanimity. Supposing, as it is proper to do, that the four Republics which signed the draft of Lima should prefer it to the Convention of Rio de Janeiro, and that such as have adopted the latter would not change their mind, it was our purpose to signify to those which had adopted the Convention of Rio de Janeiro that they had done right, as had also done those which subscribed to the draft of Lima. Both conventions are substantially the same. We have not found between them any material difference, and we have in consequence left the nations at liberty to accept, as to them seems best, the convention of their choice.

Mr. ROMERO. Mr. President, before a vote is taken upon this report I should like to know, that I may vote intelligently, the meaning of the vote; whether it refers to the two sanitary conventions in the terms

proposed by the committee, or whether a negative vote would imply a preference for either of them.

In my judgment, the criticisms which have been made against the report as to the manner in which it is drawn, are well founded, because even if it were not possible that all the nations of South America should adopt but a single convention, much would be gained in behalf of uniformity, by recommending one of the two. If it were that of Rio de Janeiro it is probable that the nations which have signed that of Lima, would not accept the former; but, on the other hand, most of the American nations would probably accept that of Rio de Janeiro; if the adoption of the draft of Lima should be recommended, it is obvious that the nations which are bound by that of Rio de Janeiro would not accept the other; but a great advance would be made toward uniformity. But owing to the terms of the report, some will accept that of Lima and others that of Rio de Janeiro and the division will be still greater. For this reason I would desire that the vote, in case it should be negative, should be considered to mean that the nations which cast it accept the report, but with the understanding that only one of the two conventions be recommended, and that the affirmative vote shall mean that those countries accept the recommendation in the sense contained in the report; that is, to present both conventions to the end that one of the two, may be adopted.

Mr. ANDRADE. Before proceeding to vote, I think it is well for me to repeat that, in substance, the two conventions are identical; they only differ on one or two points of mere detail, so that the country which

accepts that of Riode Janeiro practically accepts that of Lima, and *vice versa*. In this view we may consider that unity is attained whether we indorse the one or the other. If I am not misinformed, the Congress of Lima has sent agents to the different Republics of South America for the purpose of obtaining a complete adoption of its project; so that, even in the event that the recommendation of that of Rio de Janeiro should be made, we would find perhaps that that of Lima had been accepted, and what we desire is that our recommendation may be somewhat beneficial.

Mr. ROMERO. Some of the honorable Delegates have made a suggestion to me, which, if approved by the Conference, would probably facilitate the voting upon this point. I must state, before presenting this suggestion, that I am a stranger to medical science, and incompetent to decide which of the two conventions is the best. In the opinion of the chairman of the committee, who is competent in these matters, I suppose that it will be that signed at Lima; among other reasons because it is of a later date, and because the Delegates to the Congress of Lima had before them the Convention of Rio de Janeiro, and on this account were enabled to notice its provisions and to append all the progress of science since the date on which it was signed.

I propose, therefore, that the report of the committee be modified in the sense that a simple recommendation be made to adopt the draft of the Congress of Lima, in accordance with the following resolution:

It recommends to the nations represented at this Conference to adopt the provisions of the draft of the Sanitary Convention of the Congress of Lima of 1888.

MR. CRUZ. I find there is a serious drawback to the acceptance of the proposition just formulated by the honorable Delegate for Mexico, and that is, that if the resolution is modified the whole report will need modification, because it all involves the supposition that an alternative recommendation is going to be made. If the report remains as it is, based upon the assumption that the recommendation will be alternative and its final portion is changed so as to recommend simply one of the two conventions, be it that of Rio de Janeiro or that of Lima, there will be an incongruity between the argument and the resolutions of the report. Therefore, I propose that, if in the judgment of the Conference only one of the two conventions should be recommended, whether it be that of Rio de Janeiro or that of Lima, the report be returned to the committee in order that it be so drawn that unity and consistency may appear between the report and the resolution.

MR. ROMERO. I do not think that the arguments adduced by the honorable Delegate for Guatemala impair what I have proposed, for it does not follow that because the committee proposes a thing the Conference must accept it. The object of my proposition was to ascertain the opinion of the majority of the honorable Delegates upon this matter; but, if it is so desired, I have no objection to have my motion referred to the committee, so that it may report whatever it deems proper.

It seems to me that said committee is aware of this point, and some of its honorable members have stated to me the reasons which induced them to make this recommendation alternative, and it is likely that they

hold the same at present against the recommendation I offer. I believe, nevertheless, that there would be a saving of time were my proposition to be voted upon, but I do not propose either that the proceedings be dispensed with in this respect or that the vote be taken at once; if, in the opinion of the Conference, it has to go in committee, I have no objection whatever.

Mr. QUINTANA (Argentine Republic). Mr. President, the Argentine Republic was one of the three nations which attended the Sanitary Convention of Rio de Janeiro, and it did not attend the Congress of Lima. This one reason would have been sufficient to cause the Argentine delegation not to vote exclusively in favor of the Convention of Rio de Janeiro, but to join the committee in recommending both conventions to the consideration and study of the nations represented at this Conference.

The honorable Delegate for Mexico has just stated that the convention of Lima having been held at a later date than that of Rio de Janeiro, it is to be inferred that in the lapse of time between them some scientific discoveries may have come to light of which the Congress of Lima may have availed itself in order to improve upon, while drawing its project from the Convention of Rio de Janeiro. If the honorable Delegate for Mexico had been pleased to fix his attention upon the respective dates of these conventions, he would have come to the conclusion that this assertion can only be a simple supposition, totally unwarranted by the real facts.

The Convention of Rio de Janeiro was adopted after a thorough study, carried on by persons of the

highest ability, in November, 1887. The draft of the Convention of Lima was concluded in March, 1888, and however carelessly we may follow the progress and enlargement of science, it is obvious that between these two dates, so near to each other, no such discoveries could have been made as to give warrant for saying, *prima facie* or *a priori*, that the treaty of Lima greatly excels that of Rio de Janeiro. But, sir, the Convention of Rio de Janeiro, had we to choose one of the two, is immensely superior to that of Lima; and this superiority consists, Mr. President, in that the Convention of Rio de Janeiro has been given the form of a treaty; that it has been approved by the respective nations, and that it is at present in force with a success which has but confirmed the correctness of all its provisions.

Mr. MENDONÇA. Confirmed by experience.

Mr. QUINTANA (continuing). So it is; whereas the Convention of Lima is as yet a simple project which has not been put in force. But this is not the question; the main question is another: Is the Convention of Lima really in advance of that of Rio de Janeiro? I undertake, Mr. President, notwithstanding I am a stranger to the science upon which these conventions treat, to asseverate that it is in advance upon absolutely nothing of a fundamental character; and should I require in this connection some authoritative opinion, I would invoke that of the honorable president of the committee, who has disposed of this subject after a careful examination and a thorough comparison of both conventions. As all the honorable Delegates can perceive, most of the slight modifications made by the Convention of Lima, in regard to that of

Rio de Janeiro, are simply matters of form; none is of any importance; in some cases they do not go beyond a mere verbal change in the naming of some mode of locomotion. Hence, I say, Mr. President, that as the Convention of Rio de Janeiro initiated this class of labors in America, especially so in South America, it would be truly a slight, a glaring injustice, which probably did not enter the mind of the honorable Delegate for Mexico, to lay it aside in order to advise the adoption of another one which is but a copy (let us not be afraid of the word) of the Convention of Rio de Janeiro.

Mr. GUZMAN. I will say but a few words. In the first place, I desire to state that, according to what Mr. Trescot said, when this subject was submitted to our consideration, I was of opinion that the convocation of a sanitary congress should be recommended to the nations of America, at which they should all be represented, and that, at the same time, the Convention of Rio de Janeiro should be recommended to it, in order that this congress should act upon it after consideration, but in the end we arrived at the other conclusion.

I think that what has been stated by Mr. Romero is very forcible, and it certainly would have been advisable to recommend but one of the conventions, whichever it might be; but, as I have already stated, and as we say in our report, both of them constitute but a single body of sanitary regulations. That of Lima has been based upon that of Rio de Janeiro; it has almost copied it.

Mr. ZEGARRA. As that of Rio de Janeiro has copied that of Rome.

Mr. TRESNOT. Mr. President, I would like to ask a question in regard to this resolution, as I do not understand it. If I understood the objection, it was that we were recommending two systems that do not entirely agree; consequently when I am to vote I have got to vote for one of the two, and I have not the remotest idea of what is contained in either of them. If I did know I would not be a competent judge, as the question is here whether we are to recommend the adoption of one or the other of these reports. It seems to me that we are incompetent to do that, and that the wiser plan would have been to ask that a sanitary commission of experts be appointed from the United States and the Central and South American States, to which the plans could be submitted for adoption. As it is, I assume that we will have to vote whether we adopt one or the other report. I am not competent to vote on that, I honestly confess.

Mr. GUZMAN. They have all come in succession; first, the decree of the Congress of Rome, next that of Paris, and then that of the Sanitary Convention of Rio de Janeiro, and the draft of the Congress of Lima has been reached. But, sir, as the Hon. Mr. Quintana has correctly stated, the draft of the Lima Convention is not, as yet, an international compact, and there is much force in the statement that three nations have already adopted, by an international agreement, the Convention of Rio de Janeiro. Aside from other reasons, the latter has in its favor this very strong argument.

Now, then, if you will take the trouble to read

both documents, you will perceive that the draft of the Lima Convention is nothing else but a repetition of the Sanitary Convention of Rio de Janeiro, with some changes of details and differences in expression, which do not change, substantially, the fundamental principles; so that it might be said that the nation which will be guided by the one will be guided by the other.

The animus, therefore, of the committee has been to lay before you both conventions, simply to avoid clashings within the Conference; because, if that of Rio de Janeiro were recommended, it is but natural that Chili, Peru, I think Bolivia, and some other nations that were represented at the Congress of Lima, might have said: Why are not the labors of our distinguished experts taken into account? If we had recommended the draft of the Lima Convention we would have been told, as Mr. Quintana has done, that we were slighting an international compact now in force, as is the Convention of Rio de Janeiro.

For these reasons, I trust that the honorable Conference will appreciate the situation in which we find ourselves, face to face with these two documents; for, though the Lima Convention be still but the draft of a convention, it may be considered as tacitly accepted by Peru, Chili, and Bolivia, which were represented thereat by experts who gave their opinion.

So that it has seemed to us, members of the committee, that the best course for us to pursue was to propose the two conventions, in order that the respective countries may select that which to them seems best, and I believe that no conflict or ill-feeling can arise therefrom.

Mr. HANSON. Mr. President, I beg to call attention to the following language contained in the report of the committee:

That the sanitary convention of Rio de Janeiro, of 1887, and the draft of the Congress of Lima, of 1888, agree in their essential provisions to such an extent that it may be said they constitute one set of rules and regulations;

That if these were duly observed in all America, they would prevent, under any circumstances, the conflict which usually arises between the obligation to care for the public health and the principle of freedom of communication between countries;

That the nations of Central and North America were not represented either in the Sanitary Convention of Rio de Janeiro or the Congress of Lima; but that they might easily accept and apply to their respective ports on both oceans the sanitary regulations before cited;

Recommends to the nations represented in this Conference the adoption of the provisions of the International Convention of Rio de Janeiro, 1887, or the draft of the Sanitary Convention of the Congress of Lima, of 1887-'88.

Now, Mr. President, if it will be important at any time to establish international sanitary regulations, it is important that we should do so now. This committee found ready made the draft of one convention and the convention that was adopted at the other place. The convention at Rio was signed, I believe, by the Governments there represented, and afterwards it was ratified. We stated in our report that these two reports agree in all their essential particulars, and as far as I am able, as a layman, to comprehend the matter, either one would be very effective in promoting the sanitation of all the coasts exposed to the diseases that are named as epidemic in both of these conventions. I think it is extremely important that we should take some action upon this question, and

should regret exceedingly if the report should fail, because in the section of this country that I hail from they feel a very great interest in reference to this question, and we understand very well what an epidemic means; and, as the Surgeon-General of the United States Hospital Service, in a paper which was prepared and I believe was presented to the Conference here, practically recommended the same systems that are contained in the convention of Rio and the draft of the convention at Lima, I think that the United States delegation is bound to favor, as far as it consistently can, some action in this matter. I find a suggestion is made that the adoption of either one recommended is inconsistent with the facts contained in the report. I do not find it so. We state, before we come to the final recommendation, that they "agree in their essential provisions," and we do not recommend that both shall be adopted but that one or the other shall be adopted.

I agree with some of the gentlemen who have spoken with reference to these reports. I think the draft of the Lima convention is the more succinct and clear of the two. To my mind it is the more satisfactory; and I am willing, so far as I am concerned as a member of the committee, with the consent of the other members of the committee, to accept the amendment of the Delegate from Mexico; but the members of the United States delegation are not very particular on this point.

We would be willing to accept either, but we want to reach a final conclusion in reference to the matter, in order that the people of this country may derive the benefit of such a service, if possible. I think it

not only consistent with the body of the report to adopt one or the other convention, but I think it entirely consistent with the language of the report, because it recommends to the nations represented in this Conference either the international sanitary convention of Rio in 1887, or the draft of the sanitary convention of the Congress of Lima in 1888. It recommends the adoption of one or the other. It seems to me that language is clear, that it is perfectly consistent, and I hope that whatever differences of opinion exist in reference to the two they may be reconciled, so that we will get action on the subject.

MR. QUINTANA. I believe that I have plainly defined the position taken by the Argentine Republic upon this subject, but lest my words should not have been sufficiently intelligible, I will do so anew. The Argentine delegation will vote with the committee; it approves the convention of Rio de Janeiro and the draft of the convention of Lima; but if it must choose between the two, if it must vote either for the one or for the other, then its preference is for that of Rio de Janeiro for the reasons already given.

MR. ROMERO. I was very far from expecting that the remarks I made with a view that the Conference should express a decided opinion upon this subject, would have occasioned the objections of some of the honorable Delegates here present, and fearing that I have not expressed myself, while speaking, with sufficient clearness, I shall endeavor to be now more concise. I did not intend to express any preference whatever, because I have no reason to form an idea upon the subject; my opinion was and is that the Conference should recommend one of the two conven-

tions for the sake of unity. I thought I had stated that if both were recommended some nations, which have accepted neither the one nor the other, might, if there are ten, for instance, incline five towards the one and five towards the other, and thus continue the division; whereas if the Conference recommended one it might happen that the ten nations which have not accepted either would be apt to accept that which was recommended to them, and thus a step would be taken towards unity. I said that the Lima convention seemed preferable to me, and my opinion is supported by that of the honorable president of the committee, who is a competent authority and whose competency has been acknowledged by the honorable Delegate for the Argentine. I recollect that that honorable Delegate stated that both conventions were essentially similar, although that of Lima differed as to details.

Mr. GUZMAN. What I did say is, that some persons had expressed that opinion.

Mr. ROMERO. The honorable Mr. Hanson, who is likewise another member of the committee, has stated in the plainest manner that in his judgment the convention of Lima is more thorough; but, I repeat, my purpose has not been to give preference to the Lima convention; it might be the case that that of Rio de Janeiro is superior to or at least as thorough as that of Lima; my chief aim is that the Conference recommend the adoption of only one, that which may be considered best. The reasons I adduced to prefer that of Lima were, the opinion of the honorable president of the committee and the circumstance that that of Lima had taken place at a later date than that

of Rio de Janeiro, and the reading of the dates given by the honorable Delegate from the Argentine Republic does not seem to contradict my assertion ; it is true that but few months have elapsed between the two, but the one is subsequent to the other. The honorable Delegate for the Argentine does not think that any scientific discovery has been effected of which the Congress of Lima may have been aware. I adduced this argument merely as a possible thing, and as one that did not transcend the bounds of possibility.

If the Convention of Rio de Janeiro were to be accepted in preference to that of Lima, owing to the circumstance set forth by the honorable Delegate for the Argentine that the former is in the form of a treaty while the other is but a draft, the Mexican delegation would accept it. It does not and can not make this point a matter of self-pride, still less has the speaker the remotest idea to offend with his words the exquisite susceptibility of any one of the honorable Delegates here present. His only desire has been to propose something that would lead to a more practical result, to the result of unity, if it be possible ; and it is a satisfaction for me to find that the honorable Delegate for the Argentine found this idea so acceptable that, in substance, he agrees with me. He has stated that he would support the decision that should recommend only one convention, if this is to be that of Rio de Janeiro. This is precisely what I desired, that only one should be recommended ; if that of Rio de Janeiro is more acceptable, let us recommend that one ; it shall also have the vote of the Mexican delegation, for what I seek is uniformity in any pos-

sible way; and in case that the withdrawal of my motion should facilitate the closing of this debate, in order that the report may at once be voted upon, I am perfectly willing to withdraw it; but, at all events, the negative vote of the Mexican delegation, if the recommendation of both of the conventions should be insisted upon, will not signify the rejection of the report, but, as I have previously stated, the desire to have only one of the two conventions recommended; so that if the negative vote should be in the majority, the Mexican delegation would vote afterwards in favor of the report of the committee, which has among its members very competent persons, whenever it should recommend the adoption of only one of the two conventions.

MR. QUINTANA. Mr. President, I congratulate myself and am thankful for the words spoken by the honorable Delegate for Mexico; but, on the other hand, I have never in the least intended, as to him, either an ulterior purpose or a personal attack. I have had reference to the consequences that would arise from the option made by the Conference between the one and the other convention.

This being premised, I am compelled to set aright some matters, because I can not consent that the last statements made by the honorable Delegate for Mexico should go uncorrected.

The Argentine delegation stated from the very first that it would vote for the report of the committee, but inasmuch as the Delegate for Mexico objected to this course and desired that only one convention should be recommended, I indicated the fact that we were not in accord. The honorable Delegate for

Mexico did not confine himself to the statement that the adoption of the one or the other convention should be recommended; he said that the draft of the Convention of Lima should be accepted, setting aside that of Rio de Janeiro. To this I replied that, in the event of selecting between the two conventions, the Argentine Republic would choose that of Rio de Janeiro, and it is evident that we were not in accord as to this point.

But the honorable Delegate adduced the lapse of time between the two conventions as an argument, *a posteriori*, in favor of some advance in science. To this I showed that but little time had elapsed and that during the same no discoveries had been made. It follows that this reason could not be used as entitling the draft of Lima to consideration over the Convention of Rio de Janeiro. Moreover, the honorable Delegate has not taken into account the radical differences between the two conventions; the one is a simple draft or project, while the other is a formal convention, obligatory, and in actual operation. Therefore, in case one of the two conventions should have to be selected, this fact is too forcible to be ignored, as he himself has just acknowledged.

But the honorable Delegate invokes the testimony of the honorable chairman of the committee, and also that of Mr. Hanson. Let him allow me to say that all of us have heard the honorable chairman of the committee; the latter says that his individual opinion is in favor of a sanitary congress to which the consideration of the Convention of Rio de Janeiro may be submitted; that is to say, that the honorable chairman of the committee did not recommend the

draft of Lima which the honorable Delegate for Mexico recommends for acceptance.

As to Mr. Hanson, if I have understood the translation which has been made of his speech, it seems to me that he referred to a scientific authority much entitled to our consideration, that of the Surgeon-General of the United States; but this gentleman, far from asserting any superiority of the Lima Convention over the Convention of Rio de Janeiro, notwithstanding that that of Lima is more recent, has said that both are equally good.

Mr. ROMERO. That portion of Mr. Hanson's speech to which I referred was not translated. If the honorable Delegate desires it I will beg Mr. Hanson to express again his views on this subject.

Mr. QUINTANA. No, sir; it is not necessary, for, as Mr. Hanson himself has stated, the opinion of the Surgeon-General is that both conventions are equally good, and I regard it with great respect.

But, I again repeat, the Argentine Republic has in nowise opposed the report of the committee; it has declared that it accepts it for the reasons that the Conference will readily understand, and for which it opposes the adoption of the draught of the Lima Convention and the rejection of that of Rio de Janeiro, which is what the honorable Delegate for Mexico proposed.

Mr. GUZMAN. I am about to say two words which, in my judgment, may assist us somewhat in reaching a prompt solution.

I am aware that the remarks of Mr. Romero, as well as those of Mr. Cruz, have been made in perfect good faith, and for the purpose of avoiding that con-

fusion which they think might arise from the recommendation of two conventions to the Conference; but I ask leave to say that, whatever recommendation be made, even that of a single convention, will necessitate a special inquiry on the part of the nations here represented, and I do not think that it will be an arduous task to say to the Governments, let us say, of Mexico and Guatemala: "Here are these two transactions; they are substantially the same; there is no great difference between them, but simply as to some details," and then the Governments of Mexico and Guatemala would see which was the more acceptable, and would decide for one or the other convention, the Governments interchanging these resolutions in order to arrive at a perfect understanding. It is averred that one of the conventions is already accepted, that it is already in operation; but in the main they do not clash; on the contrary, they constitute a set of regulations, and it is precisely because the other convention is not in force that this fact would bring about some study, some discussion. Everything requires labor, and I think we are called upon to say to the Governments: "Here are two conventions; to us they are both magnificent, it is for you to choose." I think that, so far from not doing our duty, we perform it when we present the best there is, so that a choice be made therefrom.

Is it objected that this calls for study? That is what we want; that both conventions may be studied, that the nations here represented may make arrangements among themselves, and that by this means a conclusion may be reached. Why should we suppress either the one or the other if both are good?

I see no reason for doing so,* for it might rather wound susceptibilities, and, although the Lima convention is not in force as such, if it is generally accepted, and, above all, if it is good, why not accept it?

I believe that the committee, in recommending both conventions, has avoided even these slight differences and steered clear of the difficulties which might occasion, to a certain extent, clashing or confusion; it has not intended to propose the acceptance of both conventions, but it has simply said, here are these labors, they are both good, study them and pronounce in favor of the one which may seem best to you. I think that in this manner the whole difficulty is settled.

Mr. ROMERO. I take the floor for the sole purpose of withdrawing the motion that I had made, in order that a vote may be reached upon the report of the committee.

Mr. CRUZ. I do not think that the question of the adoption of the report in the terms in which it is couched is a weighty one. The honorable President and the honorable Delegates will recall that when I took the floor for the first time I did so for the purpose of requesting some honorable member of the committee to be kind enough to state if there had been reasons forcible enough to compel them to recommend both the Convention of Rio de Janeiro and the draft of that of Lima, ignoring the benefits of unity which would undoubtedly flow from the adoption of either one; and I desired to be informed, for what concerns me personally, if there were strong reasons to forego said unity, for, in my judgment, it

were better to compass it. But in view of the explanations that have been made, I do not object to the acceptance of the report of the committee.

Mr. MENDONÇA. I propose only to explain my vote in regard to the matter before the Conference, and to state that when there is any preference between two things I always vote for the one that has better features in its favor.

Let us see in a cursory way some of the arguments presented in order to establish the superiority of one of the two conventions of Rio de Janeiro and Lima, if we are to recommend not the study of both, but the acceptance of one of them.

It has been said that the Convention of Lima is preferable to the Convention of Rio de Janeiro, because during the period of time that lapsed between them there was an advance in science. This period was of four months only, as pointed out by the honorable Delegate from the Argentine Republic, and such period, I say now, was entirely devoid of any progress in this line of scientific knowledge. I do not know of any advance in sanitary matters between the month of November, 1887, and the month of March, 1888. The studies and discoveries of Pasteur in France, Hoch in Germany, Freire and Lacerda in Brazil, and Sternberg in this country antedate the Convention of Rio de Janeiro. It was in 1885 that Dr. Joseph Holt, the worthy president of the board of health of Louisiana, commenced the disinfection of the port of New Orleans, based on the microbe theory and the use of superheated steam, sulphurous gas, and protochloride of mercury for the destruction of microbes. So when the Sanitary Convention of Rio de

Janeiro assembled, all the elements for its work were at hand and we profited by them. When the Lima Convention met, as nothing new had been discovered during the previous four months, it was only natural that its work should be a mere copy of the Convention of Rio de Janeiro. And between the original work and a replica of it, I vote for the original.

It was also said that, as the Convention of Lima was assembled after the Convention of Rio de Janeiro, it naturally improved upon the former. The facts protest against the mere assertion. I see why we should prefer the Convention of Rio de Janeiro, already reduced to a treaty in operation, to a simple project of a possible international agreement. What I do not see is why we should prefer the Convention of Lima simply because a larger number of nations was there represented. In matters of science it is not the number which accepts its principles that counts, but the value of the principles themselves, and this discussion has not yet revealed that anything was improved by the Conference of Lima. Bancroft Library

In conclusion, I vote for the report of the committee, and if any modification of it were suggested to my mind, it would be that instead of saying "or" the report should say "and." This Conference ought to recommend that a sanitary convention should be called to discuss both conventions, and agree upon one of them, or take the good points of each of them, if one differs from the other. This is a work for professionals. But if the vote, as the honorable Delegate for Mexico proposes, is going to be taken between the two conventions, then I vote first and last for the Convention of Rio de Janeiro.

MR. ZEGARRA. MR. President, as the humblest and the last of the members of the Committee upon Sanitary Regulations, I take the floor to support the report, and to call the attention of the honorable Delegates to the circumstance that the debate which has arisen regarding the report has justified, one by one, all the motives by which the members were actuated during the sessions of said committee in recommending the alternative resolution they have presented. The members of that committee duly weighed each of the reasons here set forth, and as a measure which combined all the practical requirements of the case, and which possessed the inestimable advantage of sparing the most punctilious sensibility, they decided, with one accord, to present the resolution to the honorable Conference. It is true that this has been stated with much eloquence by my associates of the committee, and I would doubtless have been spared the infliction of any remarks upon my honorable colleagues had I not deemed it my duty as a Delegate for Peru not to allow to pass without comment, some expressions which in the heat of debate have been uttered here when discussing the sanitary convention of Lima.

It has been stated by my estimable friend, Mr. Mendonça, Delegate for Brazil, that there was no reason for preferring the copy to the original, and it has been urged that the convention of Lima is nothing else but a copy, word for word, of the convention of Rio de Janeiro.

Honorable Delegates, no one has a better opinion than I have of the classic, the acknowledged, competency of the honorable physicians whose studies ante-

dated the convention of Rio de Janeiro. The sanitary convention of Lima is a public acknowledgment of that competency. At Lima the convention of Rio de Janeiro was taken as a basis, as in Rio de Janeiro the convention of Rome served as a basis, and as in all probability the very notable physicians of Rome took for their basis the classic treatises anterior to their assemblage; but it does not follow from this, Mr. President, that because the physicians of a later date have recognized in a loyal and scientific manner the competency of their predecessors that they should be called mere copyists, and it is this reflection upon them that I have deemed it my duty to correct.

As the honorable Conference has heard it stated several times, there is no radical difference; there is some as to details; the researches, the reports which preceded the convention of Lima were as complete as those which took place before that of Rio de Janeiro was promulgated, and it was after deep reflection, after mature examination and research, that the several slight (if so considered), but effective modifications were introduced that were required in the document.

Turning aside from this unpleasant phase of the matter and returning to the essential question, I think that the honorable Conference should bear in mind that though in substance the requirements in sanitary matters are the same among all nations, it may very well happen that certain details, certain formalities, are more suitable according to the needs of the country or according to its latitude; and if this is so I think there is no objection in presenting to the several American nations a wider field from

which to choose, a more comprehensive set of formalities and details, from among which they can select such as in their judgment are best adapted to their particular requirements. The committee, as it has already stated, sees no cause whatever for a conflict out of this alternative recommendation; it can not conceive how such a conflict can arise when the examination of both conventions may lead to a desirable conclusion. This would be a matter very easily arranged, of very simple regulation looking to harmony, and which would create no difficulty among the nations here represented.

Mr. ALFONSO. I would like to know, before speaking, if the suggestion which has been made that this matter be recommitted to the committee, in order that the latter may or may not propose one of the conventions is still pending?

The PRESIDENT. The Chair is of the opinion that it is not pending, because that incident originated from the proposition made by the honorable Delegate from Mexico; but the latter having been withdrawn, there is no objection to the voting on the report, unless some other Delegate proposes that the report be sent back to the committee.

Mr. ALFONSO. I had thought that the honorable Delegate from Guatemala had made that suggestion.

Mr. ROMERO. But it was only on account of the proposition made by the Mexican delegation; and as the latter was withdrawn I think that the report is the only thing before the Conference. However, if the honorable Delegate wishes to make a motion to that effect, so far as I am concerned, I have no objection to having it considered.

Mr. ALFONSO. I do not propose it, Mr. President; it seems to me a useless proceeding. I think, moreover, that should this report be sent back to the committee we would obtain the same result, so that it would only occasion a loss of time. But since I am addressing the Conference, I will state something which I wish recorded in the minutes concerning the special situation of the Chilian Delegation.

In my judgment the committee should have proposed one of the sanitary conventions referred to in its report, and chosen that of Lima or that of Rio de Janeiro, instead of recommending the adoption of an alternative. I believe this was its mission, and that in this manner there would have been a greater probability of attaining the uniformity sought for. Although similar, these two conventions are not identical, notwithstanding it is evident that that of Lima was constructed upon the basis of that of Rio de Janeiro. It may be set down, therefore, that the sanitary congress of Lima meant to introduce, did introduce, some modifications of the result of the labors of that of Rio de Janeiro; otherwise it would have simply accepted it without change. Hence the peculiar predicament in which the Chilian Delegation finds itself in this affair.

The Lima convention has been signed by a Chilian Delegate and approved by his Government. Between it and that of Rio de Janeiro the Delegation does not hesitate, but asks that the former be recommended; its negative vote upon the report of the committee, which asks the Conference to recommend either the one or the other of said conventions, has this significance.

Mr. GUZMAN. The remarks of the honorable Delegate from Chili place the question in a new light. It is thereby made evident that this report can not be approved unanimously.

I would have voted for the return of the report to the committee in order to secure this unanimity, but if the committee were to report recommending the draft of the Lima convention it would then have three votes against it; at least two, as the honorable Delegate for Uruguay has unfortunately withdrawn from this Conference; those votes would be those of the Argentine Republic and Brazil. Now, if the committee should recommend the convention of Rio de Janeiro, that my colleagues on the committee should accept it, seeing that one of its members is the Delegate for Peru, we would certainly have against it the vote of the Chilian Delegation. So that we could not secure unanimity in favor of our report, and this serves to prove that the committee had good reasons for recommending the adoption of either of them, in order to avoid these difficulties.

I wish to make a further remark in this connection. While we recommended the study of the two conventions it never could have been our intention to recommend to the countries of America the observance of both, for, however small the difference between them may be, I do not know how one can recommend the simultaneous observance of two things which are not exactly alike.

Another honorable Delegate proposed that in the resolution of the report "or" should be inserted instead of "and." I am not in favor of that modification. It seems to me that this debate could have

been spared by simply recommending to the nations of America the study of the conventions of Rio de Janeiro and Lima, to the end that, after having studied them, they should pronounce in favor of one of the two. This suggestion was made to me by one of my colleagues; but the report was already drawn and for this reason it was not presented in this form; but since we can not obtain a unanimous report I beg the honorable President to permit it to be voted upon.

The PRESIDENT. No one desiring to speak, the report will be voted upon.

VOTE.

The Secretary proceeded to record the vote, with the result that the votes in the affirmative were:

AFFIRMATIVE 13.

Nicaragua,	Costa Rica,	Venezuela,
Peru,	Paraguay,	Salvador,
Guatemala,	Brazil,	Ecuador.
Colombia,	Bolivia,	
Argentine,	United States,	

NEGATIVE 2.

Mexico,	Chili.
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The PRESIDENT. The report of the Committee on Sanitary Regulations is approved.

RECOMMENDATIONS AS ADOPTED.

The International American Conference, in consideration of the following facts:

That under the existing state of the relations between the nations of America, it is practicable, as it is advisable for the promotion of these relations, to establish perfect accord with respect to sanitary regulations;

That the greater part of the ports of South America on

the Atlantic are guided and governed by the decisions of the International Sanitary Convention of Rio de Janeiro, of 1887 ;

That although it does not appear that the plans of the Sanitary Congress of Lima, of 1888, have passed into the category of international compacts, it is to be hoped that they will be accepted by the governments that participated in the said congress, because those plans were discussed and approved by medical men of acknowledged ability ;

That the Sanitary Convention of Rio de Janeiro, of 1887, and the draft of the Congress of Lima, of 1888, agree in their essential provisions to such an extent that it may be said they constitute one set of rules and regulations ;

That if these were duly observed in all America, they would prevent, under any circumstances, the conflict which usually arises between the obligation to care for the public health and the principle of freedom of communication between countries ;

That the nations of Central and North America were not represented either in the Sanitary Convention of Rio de Janeiro, or the Congress of Lima ; but that they might easily accept and apply to their respective ports on both oceans the sanitary regulations before cited ;

Recommends to the nations represented in this Conference the adoption of the provisions of the International Sanitary Convention of Rio de Janeiro, 1887, or the draft of the Sanitary Convention of the Congress of Lima, of 1887-'88.

