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# INTERNATIONAL AMERICAN CONFERENCE.

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REPORTS OF COMMITTEES  
AND  
DISCUSSIONS THEREON.

Volume IV.

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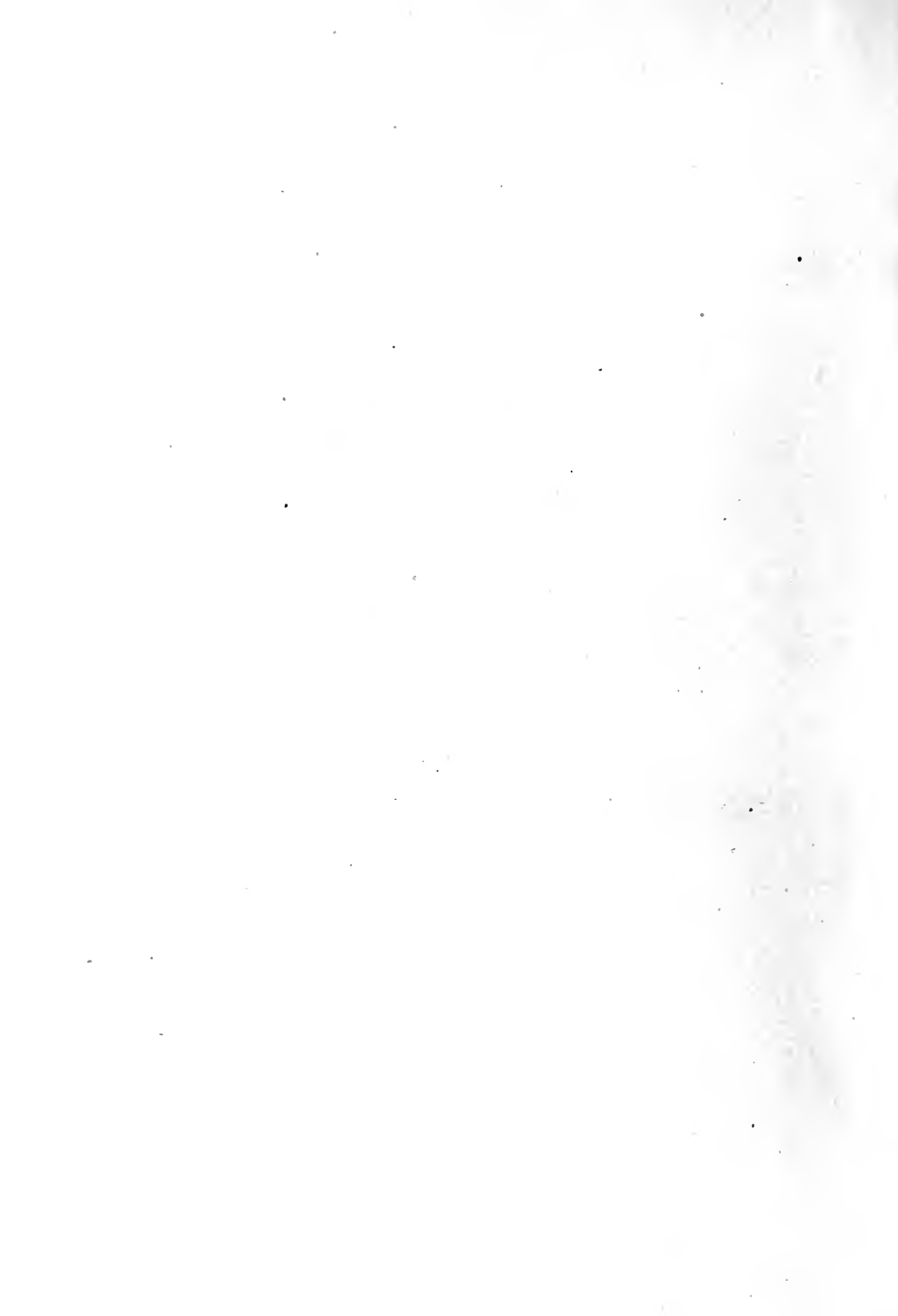
# HISTORICAL APPENDIX.

THE CONGRESS OF 1826, AT PANAMA,

AND SUBSEQUENT MOVEMENTS TOWARD A CONFERENCE OF  
AMERICAN NATIONS.

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## HISTORICAL APPENDIX.

### THE CONGRESS OF 1826 AT PANAMA.

*Extracts from Constitutional History of the United States.  
Von Holst, 1750-1832.*

As early as 1821 the idea of forming a close connection between the Spanish colonies in Central and South America, then engaged in revolution, had been suggested by Colombia. A few months before their independence was recognized by the United States a treaty was negotiated between Colombia and Chili (July, 1822), in which a convocation of a congress of the new republics was contemplated. "The construction of a continental system for America," which should "resemble the one already constructed in Europe," was the apparent project of these two powers. The idea ripened very slowly. It was not until the spring of 1825 that the meeting of the Congress in Panama was so far assured that the ambassadors of Colombia and Mexico verbally inquired of Clay, who was then Secretary of State of the United States, whether an invitation to be represented at the Congress would be acceptable to the President. Adam had an answer sent, worded in his own cautious way, to the effect that he first wished to be informed concerning the topics agreed upon for discussion, the nature and form of powers to be given to the "diplomatic agents," and the "organization and method of procedure" of the Congress. The ambassadors of the two mentioned states, in their formal letters of invitation, gave very unsatisfactory assurances on these points. Clay referred to this in his answers, but at the same time declared that the President had decided to accept the invitation "at once."

*Belwin*

When the question of sending representatives to the Congress came up in the Senate, and later in the House, the opposition tried to make capital out of this piece of inconsistency. It was too meaningless in itself to deserve any censure. Its interest was due simply to the fact that it lifted for a moment the veil of the future.

\* \* \* \* \*

Ingham of Pennsylvania read in the House of Representatives two newspaper articles, which treated the request for participation in the Panama Congress in exactly different ways. He stated that it was as good as certain that the article opposing this had proceeded from or been inspired by Adams, and the one in its favor by Clay. He gave no proof for the assertion. It must therefore remain a question whether his zeal in opposition did not lead him to put forward groundless suspicions as facts. But it may be considered as sufficiently proved that Adams at first looked on the project much more coolly than he did afterwards, and that Clay was not without influence upon this change of opinion.

Clay had rendered great services to the young republics. He had been the most determined champion of their affairs in the United States. He had at first demanded with stormy energy that sympathy for them should not exhaust itself in worthless words, but take the form of acts. No defeat frightened him from the field, and it was largely due to his constant efforts that their independence had been already recognized by the United States in the spring of 1822. His speeches on these questions are among the most brilliant productions of his genius. His most notable characteristics, as well as his greatest weakness, appeared in them in the clearest light. His enthusiasm lifted him, with a bold sweep, to a height from which he looked down with compassionate impatience upon the petty politicians who, in their routine wisdom, could not see the forest because of the trees around them. The knowledge that America was an integral part of one civilized world dawned in his mind. If his agitation was based on the sharp emphasis which he laid on the opposing positions of America and Europe, yet the fact does not contradict this

assertion. Exactly because he did not, in his political reasoning, lose sight of Europe, he strove for the consolidation of America and insisted upon its peculiar characteristics and its specific interests. The attempt of the Holy Alliance to fetter together Europe in behalf of the interests of absolute monarchy made it seem to him desirable, if not necessary, to oppose to this "unholy league" a union of the states founded upon the "American principle" of popular sovereignty.

The authorship of this idea of a solidarity of the interests of all America, resting not only upon the geographical proximity of States, but mainly, indeed, upon the identity of their fundamental political principles, belongs, not exclusively, but yet chiefly to Clay. According to his plan this solidarity of interests was to assume concrete form in the Panama Congress. It would there be legally adopted so far as this fundamental political principle had obtained practical recognition. From this firm stand-point he hoped to see the great plan he had announced as early as 1820 realized—the establishment of a "human-freedom league in America," in which "all the nations from Hudson's Bay to Cape Horn" should be united, but not simply for the sake of remaining in permanent contrast to Europe, tortured by despots. He declared that through the power of example, through its moral influence, the American system would ever extend farther and farther, so that a point of union, a haven for freedom and lovers of freedom, would be formed upon the soil that was wet with the blood of the revolutionary forefathers.

\* \* \* \* \*

In his speech of March 24, 1818, "on the emancipation of South America," he denied the justice of the assertion that the South Americans were too ignorant and too superstitious "to allow of the existence of a free state." He questioned the ignorance, but yet denied that ignorance necessitated incapacity for self-government. That, he declared, was the doctrine of the throne, and conflicted with the natural order of things. The South Americans, he said, "adopt our principles, copy our institutions, and in

many cases use both the language of our revolutionary ordinances and the thoughts therein expressed."

\* \* \* \* \*

The Secretary of State had known how to impart to the President something of his own enthusiasm, which let him see in the Panama Congress the boundary stone of a "new epoch of the world's history." Adams's message to the House of Representatives fairly surpassed Clay's effusions in pompous phrases. He doubted whether such a favorable opportunity for subserving "the benevolent purposes of Divine Providence" and dispensing "the promised blessings of the Redeemer of mankind" would again be presented to the United States in centuries.

\* \* \* \* \*

He discusses, first and most thoroughly, the conclusion of friendly and commercial treaties, on the basis of complete reciprocity, on the footing of the most favored nation, "the abolition of private war upon the ocean," and limitations of war usages, in regard to contraband-of-war and blockade, in such a way as to favor neutral trade. After explaining, with great minuteness, his position on the Monroe doctrine and the way in which he wishes to see it brought before the Congress and treated by the latter, he touches upon Hayti and Cuba with diplomatic prudence, and finally expresses the opinion that an effort should be made on the part of the United States to obtain the recognition of "the just and liberal principles of religious liberty."

\* \* \* \* \*

But the opposition was so crazed in its blind zeal that, out of policy, it had not the slightest word of approval for any point whatever of the whole scheme. Every part of it was raked over the coals, and the most innocent portion was held up as the source of sure destruction.

\* \* \* \* \*

The slaveholders simply stated that they saw in the Congress peril to their "peculiar institution," and drew from this fact, in the same conclusive way, the inference that this must be recognized *eo ipso* as an absolute veto.

\* \* \* \* \*



Now, the South affirmed that in reference to the rest of America, as well as to Europe, slavery must be and remain the prime motive of the foreign policy of the United States.

\* \* \* \* \*

In the invitations to the Congress Hayti was mentioned, a name that had an ominous sound in the Southern States for more than thirty years. If they could have blotted one page out of the book of history, it can scarcely be doubted that they would have chosen the one which told the story of the successful negro revolution in Hayti. It was a cry of warning, the whole significance of which was recalled to the conscience of the slaveholder by the slightest cause. The thing which had been done could not be undone; but men did what they could—the independence of Hayti did not exist for the United States.

\* \* \* \* \*

The history of the republics gave an example which was "scarcely less fatal than the independence of Hayti to the repose" of the South. They had not only copied from the revolutionary records of the United States the words "freedom" and "equality" and "universal emancipation," but had actually broken the chains of all slaves.\*

It had already been declared that the United States could not with equanimity see Cuba pass into the hands of a

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\* While connected with slavery can we consent to treat with other nations, and least of all ought we to touch this question of the independence of Hayti in conjunction with revolutionary governments, whose own history affords an example scarcely less fatal to our repose? Those governments have proclaimed the principles of liberty and equality, and have marched to victory under the banner of "universal emancipation." You find men of color at the head of their armies, in their legislative halls, and in their executive departments.—Hayne, March 14, 1836, Debates of Congress, VIII, p. 427.

\* \* \* \* \*

Deb. of Cong., VIII, p. 441.

<sup>2</sup> Hamilton, of South Carolina, declared in the House of Representatives: "I should avow what I believe to be the sentiments of the Southern people on this question; and this is, that Haytian independence is not to be tolerated in any form. \* \* \* A people will not stop to discuss the nice metaphysics of a federative system when havoc and destruction menace them in their doors.

European power. Now it was directly declared that the United States would not "allow" and "permit" it. Moreover, the position of the country in regard to Colombia's and Mexico's plans of acquisition was more sharply defined. It was stated first that "the President could see no just ground for armed intervention" if Spain should obstinately continue the war, for invasion would then be only a "legal warlike operation" of the States named. Yet this declaration was linked with a significant condition.

If these Republics, contrary to all expectation, should place arms in the hands of one race in order to destroy another; if \* \* \* they should countenance and encourage excesses and actions which, on account of our proximity, could by infection endanger our repose and safety; then the Government of the United States might feel obliged to interpose.

\* \* \* \* \*

The administration gained a formal victory in both houses, but practically the opposition had reached its end by delaying the decision. When the ambassadors of the United States arrived in Panama the Congress had already adjourned and the agreed-upon reunion in Tacubaya did not take place.

\* \* \* \* \*

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[*Extract from the History of the Monroe Doctrine, by George F. Tucker.*]

The quotation from the diary of Mr. Plumer which concludes the preceding chapter confirms the opinion generally entertained, that Mr. Adams did something more than merely contribute to those passages of the President's message which refer to the threatened intervention of European powers. Mr. Adams's fervid patriotism was doubtless quickened by an apprehension, amounting almost to a conviction, that the adherents of absolutism in Europe were determined to let no opportunity slip to impede in some way the progress of democratic institutions on this continent. His continuance in public office,

therefore, was a guaranty of the continuance of his foreign policy; and very soon after his accession to the Presidency as the successor of Mr. Monroe an opportunity to continue that policy was presented, in the invitation of several of the South American Republics to the Government of this country to participate in the deliberations of the Congress of American States to be held at Panama.

These South American republics were now rejoicing in the assurance of their own autonomy. It was in 1808, nearly twenty years before, that the interference of Napoleon in the affairs of Spain enabled them to sever their connection with the mother country and to assert their independence. Even then a long struggle was inevitable. In vain they looked to the monarchies of Europe for succor or approval. Their only hope of recognition was in the Government of the United States. Mr. Clay became particularly prominent in the espousal of their cause. Early in the year 1818 he made a passionate appeal in the House of Representatives for immediate recognition, and it seems that the condition of those provinces was, on May 13, 1818, one of the subjects of discussion at a meeting of the Cabinet.\* Recognition of the new republics by this country was delayed for four years longer, and it was followed not very long after by their acknowledgment by Great Britain. The inference, therefore, is natural that upon his acceptance of the office of Secretary of State under President Adams, Mr. Clay was as ready to join in any effort to extend help to the new republics as he had been to champion their cause in the House of Representatives.

Spain had not yet given up all hope of resubjugating her former dependencies; but coercion without the aid of some other European power was practically an impossibility. Their sovereignty and independence thus acknowledged by the two great English-speaking nations, the young republics began to agitate the calling of a Congress at Panama, to which the Governments of the American States (including the Government of this country) should be invited to send representatives to discuss questions and adopt

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\* See Works of John Quincy Adams, IV, 91.

measures particularly affecting the welfare and development of the American continents.

Here it should be noted that Mr. Clay, in his instructions of March 25, 1825, to Mr. Poinsett, minister of the United States to Mexico, directed him to urge upon the Government of that country the utility and expediency of asserting the principles laid down in the message of President Monroe, of December 2, 1823. In regard to the principle that the American continents are not henceforth to be considered as subjects for future colonization by any European power, Mr. Clay remarked :

There is no disposition to disturb the colonial possessions, as they may now exist, of any of the European powers ; but it is against the establishment of new European colonies upon this continent that the principle is directed.\*

At about the time when these instructions were given to Mr. Poinsett, Mr. Clay informed the ministers of Colombia and Mexico, Messrs. Salazar and Obregon, that the President thought that the United States ought to be represented at Panama if preliminary points could be satisfactorily arranged :

Such as the subjects to which the attention of the Congress was to be directed, the nature and the form of the powers to be given to the diplomatic agents who were to compose it, and the mode of its organization and its action.†

Messrs. Salazar and Obregon, on the 2d and 3d of the following November respectively, addressed communications to the Secretary of State, defining in a general way the probable subjects of discussion at the Congress. Mr. Clay replied on the 30th of the same month that there was not a satisfactory compliance with the President's desire as to the arrangement of preliminary points ; yet the President had decided to send commissioners, provided the Senate should give their advice and consent. The same intention was also on the same day communicated to Mr. Canaz, the representative of the Government of Central America.

Only a few days after, on the 6th day of December, appeared the President's message, in which he announced

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\* British and Foreign State Papers, 1825, 1826, p. 487.

† *Ibid.*, p. 457.

the acceptance of the invitation of the republics of Colombia, of Mexico, and of Central America to the United States to take part in the deliberations of the Congress at Panama.

On the 26th of the same month, the President sent a special message to the Senate, in which he stated his motives for acceding to the measure, and also the probable subjects of discussion at Panama. He concluded by nominating Richard C. Anderson, of Kentucky, and John Sergeant of Pennsylvania, to be envoys extraordinary and ministers plenipotentiary. The following passage from the message particularly refers to our subject of inquiry :

An agreement between all the parties represented at the meeting, that each will guard, by its own means, against the establishment of any future European colony within its borders, may be found advisable. This was more than two years since announced by my predecessor to the world as a principle resulting from the emancipation of both the American continents. It may be so developed to the new southern nations that they will all feel it as an essential appendage to their independence.\*

On March 15, 1826, the President submitted a message to the House of Representatives in which, after referring to that portion of President Monroe's message deprecating future European colonization, he remarked as follows :

The principle had first been assumed in the negotiation with Russia. It rested upon a course of reasoning equally simple and conclusive. With the exception of the existing European colonies, which it was in no wise intended to disturb, the two continents consisted of several sovereign and independent nations, whose territories covered their whole surface. By this their independent condition the United States enjoyed the right of commercial intercourse with every part of their possessions. To attempt the establishment of a colony in those possessions would be to usurp, to the exclusion of others, a commercial intercourse which was the common possession of all. It could not be done without encroaching upon existing rights of the United States. The Government of Russia has never disputed these positions, nor manifested the slightest dissatisfaction at their having been taken. Most of the new American republics have declared their assent to them ; and they now propose, among the subjects of consultation at Panama, to take into consideration the means of making effectual the assertion

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\* British and Foreign State Papers, 1825, 1826, p. 391.

of that principle, as well as the means of resisting interference, from abroad, with the domestic concerns of the American Governments.

In alluding to these means it would obviously be premature at this time to anticipate that which is offered merely as a matter for consultation, or to pronounce upon those measures which have been or may be suggested. The purpose of this Government is to concur in none which would import hostility to Europe, or justly excite resentment in any of her States. Should it be deemed advisable to contract any conventional engagement on this topic, our views would extend no further than to a mutual pledge of the parties to the compact, to maintain the principle in application to its own territory, and to permit no colonial lodgments or establishment of European jurisdiction upon its own soil; and with respect to the obtrusive interference from abroad, if its future character may be inferred from that which has been, and perhaps still is, exercised in more than one of the new States, a joint declaration of its character, and exposure of it to the world, may be probably all that the occasion would require.\*

Later on, the President considers the question whether the acceptance of the invitation might not have a tendency to change the policy, advocated by Washington, of avoiding foreign alliances.† He argues that the counsel of Washington "was founded upon the circumstances in which our country and the world around us were situated at the time when it was given;" that Europe has still her set of primary interests, and that our distant and detached situation remains the same; but that the Spanish-American colonies have now been transformed into eight independent nations, with reference to whom our situation is neither distant nor detached. Our territorial expansion and national development in the interval have been such that America has now "a set of primary interests which have none, or a remote relation to Europe."

The President, therefore, concludes that the acceptance of the invitation, "far from conflicting with the counsel or the policy of Washington, is directly deducible from and conformable to it;" and that it was no less conformable to the declaration of President Monroe that the extension of the European political system to any portion of this hemisphere would be regarded as dangerous to our peace and safety. †

\* British, Foreign, and State Papers, 1825, 1826, p. 450. † See page 3.

† British, Foreign, and State Papers, 1825, 1826, p. 453.

After quoting this particular declaration, Mr. Adams proceeds as follows :

To the question which may be asked, whether this meeting, and the principles which may be adjusted and settled by it, as rules of intercourse between the American nations, may not give umbrage to the Holy League of European powers, or offense to Spain, it is deemed a sufficient answer that our attendance at Panama can give no just cause of umbrage or offense to either, and that the United States will stipulate nothing there which can give such cause. Here the right of inquiry into our purposes and measures must stop. The Holy League of Europe itself was formed without inquiry of the United States whether it would or would not give umbrage to them. The fear of giving umbrage to the Holy League of Europe was urged as a motive for denying to the American nations the acknowledgment of their independence. That it would be viewed by Spain as hostility to her was not only urged, but directly declared by herself. The Congress and administration of that day consulted their rights and duties, and not their fears. Fully determined to give no needless displeasure to any foreign power, the United States can estimate the probability of their giving it, only by the right which any foreign state could have to take it, from their measures. Neither the representation of the United States at Panama, nor any measure to which their assent may be yielded there, will give to the Holy League or any of its members, nor to Spain, the right to take offense. For the rest, the United States must still, as heretofore, take counsel from their duties rather than their fears.

The debate in the Senate upon the proposed mission was extremely acrimonious. Serious charges were brought against the President, and the policy and purposes of the administration were denounced as of a dangerous character. (It was claimed that a participation in the deliberations of the Congress could be of no benefit to this country, and might be the means of involving us in international complications. However, the Senate at last concurred in the appointment of Messrs. Anderson and Sergeant as envoys extraordinary and ministers plenipotentiary.)

The concurrence of the House was required in order to afford the appropriation necessary to carry the executive measure into effect. Daniel Webster was then a member of that body, and in April, 1826, in committee of the whole, he delivered a remarkably able speech upon the duty of the House. It was not their duty constitutionally to decide, he said, "what shall be discussed by particular ministers, already appointed, when they shall meet the ministers of

the other powers," but simply to vote the necessary appropriation. The matter would thus be left where the Constitution had left it, "to executive discretion and executive responsibility." After reviewing the events which preceded the declaration of Mr. Monroe, he declared:

I look on the message of December, 1823, as forming a bright page in our history. I will neither help to erase it or tear it out, nor shall it be by any act of mine blurred or blotted. It did honor to the sagacity of the Government, and I will not diminish that honor. It elevated the hopes and gratified the patriotism of the people. Over those hopes I will not bring a mildew, nor will I put that gratified patriotism to shame.\*

The statement of Mr. Adams in regard to the parties to be represented at the conference that "each will guard, by its own means, against the establishment of any future European colony within its borders" † has been often criticised, and sometimes denounced as a limitation of the inhibition by Mr. Monroe of European colonization. Mr. Dana maintains that on the assumption, "that a sovereign State would not permit other sovereign States to appropriate its territory by colonization," Mr. Monroe simply declared, "the fact that the whole continent was within the territory of some responsible State, and not *feræ naturæ*, and so open to appropriation," and therefore that the proper view of Mr. Adams's proposal is—

that each State represented at the Congress should make for itself the declaration which Mr. Monroe made for the United States in 1823; that is, that its territories were not open to appropriation by colonization, and pledge itself to resist any attempts in that direction.‡

It is proper to remark that Mr. Adams's administration was not a popular one, and it is therefore probable that much of the opposition to the mission was inspired by personal feelings and partisan motives. Few measures in the history of the country have excited more intemperate discussion, or created greater antagonism between a President and a Senate.

Messrs. Anderson and Sergeant, provided with elaborate instructions from Mr. Clay, at last set out to attend the meeting at Panama; but before their arrival that Con-

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\* Works, iii, 205. † See page 27. ‡ Wheaton, edited by Dana, § 67 n.



gress had assembled, discussed the three considerations of independence, peace, and security, and adjourned. On March 3, 1829, nearly three years after, the President, in laying before the Senate a copy of Mr. Clay's instructions to the deputies, said, that while there was no probability of the renewal of negotiations, "the purposes for which they were intended are still of the deepest interest to our country and to the world, and may hereafter call again for the active energies of the Government of the United States." \*

If this statement may be regarded as a prophecy, then the recent action of the United States Congress in making an appropriation for sending three commissioners to the countries south of us may be regarded as its fulfillment.

Just before the late President Garfield was shot he made the resolution, which was carried out by his successor, of issuing invitations to all the independent Governments of North and South America, to meet in a Peace Congress at Washington. These invitations were afterward recalled or suspended, in order that Congress might give an opinion upon the expediency of the step; and on the 7th of July, 1884, an act was approved making the appropriation referred to above, and providing that—

Said commissioners shall ascertain the best modes of securing more intimate international and commercial relations between the United States and the several countries of Central and South America, and for that purpose they shall visit such countries in Central and South America as the President may direct. †

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*Message of Mr. Adams to Congress December 6, 1825.*

[Extract from the message from the President of the United States, to both Houses of Congress, at the commencement of the first session of the Nineteenth Congress.]

Among the measures which have been suggested to them by the new relations with one another, resulting from the recent changes in their conditions, is that of assembling, at the Isthmus of Panama, a Congress, at which each of

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\* Benton's Abridgment, x., 252.

† U. S. Statutes, 1883, 1884, chap. 333, p. 235.

them should be represented, to deliberate upon the objects important to the welfare of all. The Republics of Columbia, of Mexico, and of Central America, have already deputed plenipotentiaries to such a meeting, and they have invited the United States to be also represented there by their ministers. The invitation has been accepted, and ministers on the part of the United States will be commissioned to attend at those deliberations, and to take part in them, so far as may be compatible with that neutrality from which it is neither our intention, nor the desire of the other American States, that we should depart.

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*President Adams's special message to the Senate, December 26, 1825.*

WASHINGTON, *December 26, 1825.*

*To the Senate of the United States:*

In the message to both houses of Congress at the commencement of the session, it was mentioned that the Governments of the Republics of Columbia, of Mexico, and of Central America had severally invited the Government of the United States to be represented at the Congress of American nations to be assembled at Panama, to deliberate upon objects of peculiar concernment to this hemisphere, and that this invitation had been accepted.

Although this measure was deemed to be within the constitutional competency of the Executive, I have not thought proper to take any step in it before ascertaining that my opinion of its expediency will concur with that of both branches of the Legislature: First, by the decision of the Senate upon the nominations to be laid before them; and, secondly, by the sanction of both houses to the appropriations, without which it can not be carried into effect.

A report from the Secretary of State, and copies of the correspondence with the South American Governments on this subject, since the invitation given by them, are

herewith transmitted to the Senate. They will disclose the objects of importance which are expected to form a subject of discussion at this meeting, in which interests of high importance to this Union are involved. It will be seen that the United States neither intend nor are expected to take part in any deliberations of a belligerent character; that the motive of their attendance is neither to contract alliances nor to engage in any undertaking or project importing hostility to any other nation.

But the South American nations, in the infancy of their independence, often find themselves in positions with reference to other countries, with the principles applicable to which, derivable from the state of independence itself, they have not been familiarized by experience. The result of this has been, that sometimes in their intercourse with the United States they have manifested dispositions to reserve a right of granting special favors and privileges to the Spanish nation as the price of their recognition; at others, they have actually established duties and impositions operating unfavorably to the United States, to the advantage of European powers; and sometimes they have appeared to consider that they might interchange among themselves mutual concessions of exclusive favor, to which neither European powers nor the United States should be admitted. In most of these cases their regulations unfavorable to us have yielded to friendly expostulation and remonstrance; but it is believed to be of infinite moment that the principles of a liberal commercial intercourse should be exhibited to them, and urged with disinterested and friendly persuasion upon them, when all assembled for the avowed purpose of consulting together upon the establishment of such principles as may have an important bearing upon their future welfare.

The consentaneous adoption of principles of maritime neutrality, and favorable to the navigation of peace and commerce in time of war, will also form a subject of consideration to this Congress. The doctrine that free ships make free goods, and the restrictions of reason upon the extent of blockades, may be established by general agreement, with far more ease and perhaps with less danger,

by the general engagement to adhere to them, concerted at such a meeting, than by partial treaties or conventions with each of the nations separately. An agreement between all the parties represented at the meeting that each will guard by its own means against the establishment of any future European colony within its borders may be found advisable. This was more than two years since announced by my predecessor to the world as a principle resulting from the emancipation of both the American continents. It may be so developed to the new southern nations that they will all feel it as an essential appendage to their independence.

There is yet another subject upon which, without entering into any treaty, the moral influence of the United States may, perhaps, be exerted with beneficial consequences at such a meeting—the advancement of religious liberty. Some of the southern nations are even yet so far under the dominion of prejudice that they have incorporated with their political constitutions an exclusive church, without toleration of any other than the dominant sect. The abandonment of this last badge of religious bigotry and oppression may be pressed more effectually, by the united exertions of those who concur in the principles of freedom of conscience, upon those who are yet to be convinced of their justice and wisdom than by the solitary efforts of a minister to any one of the separate Governments.

The indirect influence which the United States may exercise upon any projects or purposes originating in the war in which the southern Republics are still engaged, which might seriously affect the interests of this Union, and the good offices by which the United States may ultimately contribute to bring that war to a speedier termination, though among the motives which have convinced me of the propriety of complying with this invitation, are so far contingent and eventual that it would be improper to dwell upon them more at large.

In fine, a decisive inducement with me for acceding to the measure is to show, by this token of respect to the southern Republics, the interest that we take in their welfare and our disposition to comply with their wishes.

Having been the first to recognize their independence and sympathize with them so far as was compatible with our neutral duties in all their struggles and sufferings to acquire it, we have laid the foundation of our future intercourse with them in the broadest principles of reciprocity and the most cordial feelings of fraternal friendship. To extend those principles to all our commercial relations with them, and to hand down that friendship to future ages, is congenial to the highest policy of the Union, as it will be to that of all those nations and their posterity. In the confidence that these sentiments will meet the approbation of the Senate, I nominate Richard C. Anderson, of Kentucky, and John Sergeant, of Pennsylvania, to be envoys extraordinary and ministers plenipotentiary to the assembly of American nations at Panama, and William B. Rochester, of New York, to be secretary to the mission.

JOHN QUINCY ADAMS.

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*Letter of Mr. Clay.*

DEPARTMENT OF STATE,  
Washington, December 20, 1825.

The PRESIDENT OF THE UNITED STATES :

SIR: Agreeably to your directions, that a statement should be presented to you of what passed in the Department of State with the ministers of the Republics of Columbia, Mexico, and Central America, in respect to the invitation to the United States to be represented in the Congress at Panama, I have the honor now to report :

∟ That, during the last spring I held separate conferences on the same day with the respective ministers of Mexico and Colombia at their request, in the course of which each of them verbally stated that his Government was desirous that the United States should be represented at the proposed Congress, and that he was instructed to communicate an invitation to their Government to send representatives to it. But that as his Government did not know whether it would or would not be agreeable to the United States to receive such an invitation, and as he did not wish to oc-

casion any embarrassment, he was charged informally to inquire, previous to the delivery of the invitation, whether it would be accepted if given by both of the Republics of Mexico and Colombia. It was also stated by each of those ministers that his Government did not expect that the United States would change their present neutral policy, nor was it desired that they should take part in such of the deliberations of the proposed Congress as might relate to the prosecution of the present war. >

Having laid before you what transpired at these conferences, I received, about a week after they had been held, your direction to inform the ministers of Mexico and Colombia, and I accordingly did inform them, that their communication was received with due sensibility to the friendly consideration of the United States by which it had been dictated; that, of course, they could not make themselves a party to the existing war with Spain, nor to councils for deliberating on the means of its further prosecution; that the President believed such a Congress as was proposed might be highly useful in settling several important disputed questions of public law, and in arranging other matters of deep interest to the American continent, and strengthening the friendship and amicable intercourse between the American powers; that before such a Congress, however, assembled it appeared to him to be expedient to adjust, between the different powers to be represented, several preliminary points, such as the subjects to which the attention of the Congress was to be directed, the nature and the form of the powers to be given to the diplomatic agents who were to compose it, and the mode of its organization and action. If these preliminary points could be arranged in a manner satisfactory to the United States, the ministers from Colombia and Mexico were informed that the President thought the United States ought to be represented at Panama. Each of these ministers undertook to transmit to his Government the answer which was thus given.

In this posture the affair remained until the letters were received which accompany this report, from the ministers of the Republics of Mexico and Colombia, under date of

the 3d and 2d of November last. To both of those letters the same answer was returned, in official notes, a copy of one of which is with this report.

The first and only communication from the minister of the Republic of Central America to this Department, in regard to the Congress at Panama, is contained in his official note, a copy of which, together with a copy of the answer which was returned by your directions, will be found along with this report.

I have the honor to be, with great respect, your obedient servant,

H. CLAY.

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*The Mexican Minister to Mr. Clay.*

[Translation.]

LEGATION OF THE UNITED STATES OF MEXICO,  
*Washington, November 3, 1825.*

HON. HENRY CLAY,  
*Secretary of State :*

The underwritten minister plenipotentiary has the honor of informing the honorable Secretary of State that he has communicated to his Government the conversations which occurred between them on his making known to him the determination of the Governments of Colombia and Mexico to form a congress of representatives from the new States of the continent, who, to that end, had been invited, in which were to be discussed subjects of general interest to all the American powers, as well as those which might be particularly suggested by the existence and actual position of the new powers ; and in the meeting of which it was thought proper by the Government of the subscriber that the United States of America, by means of their commissioners, should constitute and take part, as being so much interested in the first and principal subject upon which the congress would be engaged.

In consequence of which, being informed of the concurrence of this Government in the idea of discussing the first point in a congress, as was desired, and that it would

send representatives to it under condition ~~that~~ the neutrality in which it stood towards Spain should not be violated, and that it should be invited thereto by the Republics of Mexico and Colombia, who should, moreover, signify the affairs with which it was to be occupied, to promote its object, and the necessary uniformity of credentials or authorization of the respective representatives, the President of the United States of Mexico has charged and commissioned anew the undersigned to make the invitation and to point out the affairs as stated.

The Government of the subscriber never supposed nor desired that the United States of America would take part in the congress about to be held, in other matters than those which, from their nature and importance, the late administration pointed out and characterized as being of general interest to the continent; for which reason, one of the subjects which will occupy the attention of the congress will be the resistance or opposition to the interference of any neutral nation in the question and war of independence between the new powers of the continent and Spain.

The Government of the undersigned apprehends that, as the powers of America are of accord as to resistance, it behooves them to discuss the means of giving to that resistance all possible force, that the evil may be met, if it can not be avoided; and the only means of accomplishing this object is by a previous concert as to the mode in which each of them shall lend its co-operation; for, otherwise, resistance would operate but partially, and in a manner much less certain and effective.

The opposition to colonization in America by the European powers will be another of the questions which may be discussed, and which is in like predicament with the foregoing.

After these two principal subjects the representatives of the United States of America may be occupied upon others to which the existence of the new States may give rise, and which it is not easy to point out or enumerate, for which the Government of the United States of Mexico will give instructions and ample powers to its commis-



sioners, and it trusts that those from the other powers may bear the same.

The congress is to be assembled in Panama, at which city the representatives from Colombia, Peru, Guatemala, and Mexico will already have arrived at the date of this; they will be engaged upon the preliminary rules of the assembly, and likewise upon questions which belong exclusively to the belligerents.

The United States of America may send their representatives to that city to take part in those questions which long since they were the first in declaring to the world, as of transcendant importance to the interests of all America, and in others to which the formation of the new States will give rise, the concurrence in which will, moreover, accomplish the object so much desired by their respective Governments of manifesting, by deeds, the disposition and facility which the powers of this continent possess to act in concert in the common cause.

To which end, and in compliance with the tenor of the conversations held with the honorable Secretary of State, the underwritten minister plenipotentiary invites this Government to send representatives to the congress of Panama, with authorities as aforesaid, and with express instructions in their credentials upon the two principal questions, in which step he is likewise joined by the minister of Colombia, and with which he trusts he has fulfilled all that was stipulated to this end.

The subscriber has the honor on this occasion to present to the honorable Secretary of State his respects and highest consideration.

PABLO OBREGON.

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*The Colombian Minister to Mr. Clay.*

[Translation.]

LEGATION OF COLOMBIA,  
NEAR THE UNITED STATES OF NORTH AMERICA,  
*Washington, November 2, 1825.*

The undersigned has the honor to communicate to the Hon. Henry Clay, for the information of his Government and the attainment of the objects proposed, that the

assembly of American plenipotentiaries, in relation to which the minister to Mexico and the undersigned have held some verbal conferences with the Secretary of State, at their previous request, will shortly be organized. The plenipotentiaries from Peru are already at the Isthmus of Panama, the place appointed for the Congress, and those from Colombia and other American Republics are on their way to this assembly, which they have provided for by public treaties.

The honorable Secretary having intimated, in the name of his Government, that the United States, if formally invited by Mexico and Colombia, and apprised of the subjects to be discussed, would on their part appoint a person to represent them, if these subjects should be approved by the United States, the undersigned is accordingly authorized by his Government to address this invitation which he now makes by this note, in all due form. He is also assured that the minister from Mexico will present the same invitation on the part of his Government, and the minister from Guatemala has just received similar instructions from his Government.

Of the points which will be under discussion by the assembly of Panama the undersigned is unable to give a minute enumeration, as they will evidently arise out of the deliberations of the Congress. He is, however, authorized by his government to assure the United States that these points have no tendency to violate their professed principles of neutrality. The undersigned has also been instructed to suggest some subjects that will form useful matter of discussion in the Congress.

These subjects constitute two classes :

(1) Matters peculiarly and exclusively concerning the belligerents.

(2) Matters between the belligerents and neutrals.

As the United States will not take part in the discussion of subjects of the first description, we will confine ourselves to the latter.

At Panama the best and most opportune occasion is offered to the United States to fix some principles of international law, the unsettled state of which has caused

much evil to humanity. It is to be presumed that this Government possesses more light upon the subject than the other States of our hemisphere, both from its experience during the wars that succeeded the French Revolution and from its negotiations now on foot with Great Britain and other nations relative to these principles. It belongs to each of the concurring parties to propose their views, but the voice of the United States will be heard with the respect and deference which its early labors in a work of such importance will merit.

The manner in which all colonization of European powers on the American continent shall be resisted and their interference in the present contest between Spain and her former colonies prevented are other points of great interest. Were it proper an eventual alliance, in case these events should occur, is within the range of possibilities, and a treaty, of which no use should be made as long as the *casus fœderis* should happen to remain secret; or, if this should seem premature, a convention so anticipated would be a proper means to secure the same end of preventing foreign influence. This is a matter of immediate utility to the American States that are at war with Spain, and is in accordance with the repeated declarations and protests of the Cabinet at Washington. The conferences held on this subject being confidential would increase mutual friendship and promote the respective interests of the parties.

*Slavery*  
 The consideration of the means to be adopted for the entire abolition of the African slave trade is a subject sacred to humanity and interesting to the policy of the American States. To effect it their energetic, general, and uniform co-operation is desirable. At the proposition of the United States, Colombia made a convention with them on this subject, which has not been ratified by the Government of the United States. Would that America, which does not consider politic what is unjust, would contribute in union and with common consent to the good of Africa.

The inhabitants of this portion of the globe have succeeded in founding an independent Republic, whose gov-

ernment is now recognized by its ancient sovereign. On what basis the relations of Hayti and other parts of our hemisphere that shall hereafter be in like circumstances are to be placed, is a question simple at first view, but attended with serious difficulties when closely examined. These arise from the different manner of regarding Africans and from their different rights in Hayti, the United States, and in other American States. This question will be determined at the Isthmus, and, if possible, a uniform rule of conduct adopted in regard to it, or those modifications that may be demanded by circumstances.

The undersigned merely makes these suggestions by way of example ; it is left to the wisdom of the Governments and the judgment of their representatives to propose whatever may be esteemed of common good to the new hemisphere. Inviting the United States, in the name of Colombia, to a Congress, the mere assembling of which will increase the political importance of America and show the facility with which she can combine her resources in defense of common rights when necessary, the undersigned hopes that the United States will make an early appointment of a person or persons to represent them in this assembly, as the conditions that were required have been fulfilled.

The undersigned has the honor to offer to the Honorable Henry Clay his most distinguished consideration.

JOSÉ MARIA SALAZAR.

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*Mr. Clay to the Mexican Minister.*

DEPARTMENT OF STATE,  
*Washington, November 30, 1825.*

SIR: I have the honor to acknowledge the receipt of your official note of the 3d instant, communicating a formal invitation from the Government of the United States of Mexico to that of the United States to send deputies to the contemplated congress of Panama; and particularizing several subjects, which your Government conceives may be proper for the consideration of that con-

gress; and I have laid your note before the President of the United States.

When, at your instance, during the last spring, I had the honor of receiving you at the Department of State and conferring with you verbally in regard to the proposed congress, and to the friendly wish entertained by your Government that ours should be represented at it, I stated to you, by direction of the President, that it appeared to him to be necessary, before the assembling of such a congress, to settle, between the different powers to be represented, several preliminary points, such as the subjects to which the attention of the congress should be directed, the substance and the form of the powers to be given to the respective representatives, and the mode of organizing the congress; and that, if these points should be satisfactorily arranged, the President would be disposed to accept, in behalf of the United States, the invitation with which you were provisionally charged.

In your note there is not recognized so exact a compliance with the conditions on which the President expressed his unwillingness that the United States should be represented at Panama as could have been desired. It would have been, perhaps, better if there had been a full understanding between all the American powers who may assemble by their representatives, of the precise questions on which they are to deliberate; and that some other matters respecting the powers of the deputies and the organization of the Congress should have been distinctly arranged prior to the opening of its deliberations. But as the want of the adjustment of these preliminaries, if it should occasion any inconvenience, could be only productive of some delay, the President has determined at once to manifest the sensibility of the United States to whatever concerns the prosperity of the American hemisphere and to the friendly motives which have actuated your Government in transmitting what you have communicated. He has therefore resolved, should the Senate of the United States, now expected to assemble in a few days, give their advice and consent, to send commissioners to the Congress at Panama. Whilst they will not be authorized to enter

upon any deliberations, or to concur in any acts inconsistent with the present neutral position of the United States and its obligations, they will be fully empowered and instructed upon all questions likely to arise in the Congress on subjects in which the nations of America have a common interest. All unnecessary delay will be avoided in the departure of these commissioners from the United States for the point of their destination.

I avail myself of the occasion to offer you assurances of my distinguished consideration.

H. CLAY.

Don PABLO OBREGON,  
*Envoy Extraordinary and  
Minister Plenipotentiary from Mexico.*

(A similar letter was sent to Mr. Salazar the Colombian minister.)

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*The Minister from Central America to Mr. Clay.*

[Translation.]

WASHINGTON, *November 14, 1825.*

THE SECRETARY OF STATE:

The Government of Central America, which I have the honor to represent, as early as the year 1821 was sensible of the importance to the independent nations of this continent of a general congress of their representatives at some central point, which might consider upon and adopt the best plan for defending the States of the New World from foreign aggression, and, by treaties of alliance, commerce, and friendship, raise them to that elevation of wealth and power which from their resources they may attain. It also acknowledged that as Europe had formed a continental system, and held a congress whenever questions affecting its interests were to be discussed, America should form a system of itself, and assemble, by its representatives, in cortes whenever circumstances of necessity and great importance should demand it.

Entertaining these views, the Government of Central America voluntarily expressed its willingness to appoint its deputies for such an object. Sensible of its importance,

which has also been felt by the Governments of South America, it has resolved to send plenipotentiaries to a general congress, to be formed for the purpose of preserving the territorial integrity and firmly establishing the absolute independence of each of the American Republics. On the 19th of March last the Government of Central America formed a convention with that of Colombia, providing for this object; and I, as its representative, have been instructed to express to the Government of the United States the desire entertained by my government, that it should send a representative to the general congress.

To fulfill the wishes of my government, and convinced at the same time of the importance and respectability which would attach to the general congress of the American Republics from the presence of envoys from the United States of America, I now address this high Government upon the subject in the name of Central America. I am anxious, therefore, to know if this republic, which has ever shown itself the generous friend of the new American States, is disposed to send its envoys to the general congress, the object of which is to preserve and confirm the absolute independence of these republics and to promote the general good, and *which will not require that the representatives of the United States should in the least compromise their present neutrality, harmony, and good fellowship with other nations.* This my government has deemed it necessary to state distinctly in making the present invitation.

Be pleased, sir, to accept expressions of the high consideration with which

I am, respectfully, your obedient servant,

ANTONIO JOSE CANAZ.

*Mr. Clay to the Minister from Central America.*

DEPARTMENT OF STATE,  
*Washington, November 30, 1825.*

SIR: I have the honor to acknowledge the receipt of your official note of the 14th instant, communicating an invitation from the Government of the Federation of the

Center of America to that of the United States to the contemplated congress at Panama. Having laid it before the President, I am instructed by him to say, that the United States, always feeling the deepest interest in whatever concerns the prosperity of the American hemisphere, and receiving, with great sensibility, this new proof of the friendly esteem of the Government of the Central Republic, will be represented at that congress, if the Senate of the United States should so advise and consent. That body will assemble in the course of a few days, and, if it concur with the President, commissioners from the United States will be deputed to Panama without any unnecessary delay. These commissioners will be empowered and instructed upon all questions which may appear to this Government to be likely to arise in the congress, on subjects on which the nations of America may be supposed to have a common interest.

I avail myself of the occasion to offer you, sir, assurances of my distinguished consideration.

H. CLAY.

DON ANTONIO JOSE CANAZ,  
*Envoy Extraordinary and Minister  
 Plenipotentiary from Central America.*

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*Reply of President Adams to a Resolution of Inquiry from  
 the House of Representatives.*

[Message from the President of the United States, transmitting the information required by a resolution of the House of Representatives of March 5, 1826.]

WASHINGTON, *March 15, 1826.*

*To the House of Representatives of the United States:*

In compliance with the resolution of the House of the 5th ultimo, requesting me to cause to be laid before the House so much of the correspondence between the Government of the United States and the new States of America or their ministers respecting the proposed congress or meeting of diplomatic agents at Panama, and such information respecting the general character of that expected congress as may be in my possession and as may, in my



opinion, be communicated without prejudice to the public interest; and, also, to inform the House, so far as, in my opinion, the public interest may allow, in regard to what objects the agents of the United States are expected to take part in the deliberations of that Congress, I now transmit to the House a report from the Secretary of State, with the correspondence and information requested by the resolution.

With regard to the objects in which the agents of the United States are expected to take part in the deliberations of that congress, I deem it proper to premise that these objects did not form the only, nor even the principal, motive for my acceptance of the invitation. My first and greatest inducement was to meet, in the spirit of kindness and friendship, an overture made in that spirit by three sister Republics of this hemisphere.

The great revolution in human affairs which has brought into existence, nearly at the same time, eight sovereign and independent nations in our own quarter of the globe, has placed the United States in a situation not less novel and scarcely less interesting than that in which they had found themselves, by their own transition, from a cluster of colonies to a nation of sovereign States. The deliverance of the Southern American Republics from the oppression under which they had been so long afflicted was hailed with great unanimity by the people of this Union as among the most auspicious events of the age. On the 4th of May, 1822, an act of Congress made an appropriation of \$100,000 "for such missions to the independent nations on the American continent as the President of the United States might deem proper."

In exercising the authority recognized by this act my predecessor, by and with the advice and consent of the Senate appointed, successively, ministers plenipotentiary to the Republics of Colombia, Buenos Ayres, Chili, and Mexico. Unwilling to raise among the fraternity of freedom questions of precedency and etiquette which even the European monarchs had of late found it necessary in a great measure to discard, he dispatched these ministers to Colombia, Buenos Ayres, and Chili without exacting

*fully*

from those Republics, as by the ancient principles of political primogeniture he might have done, that the compliment of a plenipotentiary mission should have been paid first by them to the United States.

The instructions prepared, under his direction, to Mr. Anderson, the first of our ministers to the Southern Continent, contain, at much length, the general principles upon which he thought it desirable that our relations, political and commercial, with these, our new neighbors, should be established, for their benefit and ours, and that of the future ages of our posterity. A copy of so much of these instructions as relates to these general subjects is among the papers now transmitted to the House. Similar instructions were furnished to the ministers appointed to Buenos Ayres, Chili, and Mexico; and the system of social intercourse which it was the purpose of those missions to establish, from the first opening of our diplomatic relations with those rising nations, is the most effective exposition of the principles upon which the invitation to the congress at Panama has been accepted by me, as well as of the objects of negotiation at that meeting, in which it was expected that our plenipotentiaries should take part.

The House will perceive that, even at the date of these instructions, the first treaties between some of the southern republics had been concluded, by which they had stipulated among themselves this diplomatic assembly at Panama; and it will be seen with what caution, so far as it might concern the policy of the United States, and, at the same time, with what frankness and good will towards those nations, he gave countenance to their design of inviting the United States to this high assembly for consultation upon American interests.

It was not considered a conclusive reason for declining this invitation that the proposal for assembling such a congress had not first been made by ourselves. It had sprung from the urgent, immediate, and momentous common interests of the great communities struggling for independence, and, as it were, quickening into life. From them the proposition to us appeared respectful and friendly; from us to them it could scarcely have been made without ex-

posing ourselves to suspicions of purposes of ambition, if not of domination, more suited to rouse resistance and excite distrust than to conciliate favor and friendship. The first and paramount principle upon which it was deemed wise and just to lay the corner-stone of all our future relations with them was disinterestedness; the next was cordial good-will to them; the third was a claim of fair and equal reciprocity. Under these impressions, when the invitation was formally and earnestly given, had it even been doubtful whether any of the objects proposed for consideration and discussion at the congress were such as that immediate and important interests of the United States would be affected by the issue, I should, nevertheless, have determined, so far as it depended upon me, to have accepted the invitation and to have appointed ministers to attend the meeting. The proposal itself implied that the republics by whom it was made believed that important interests of ours, or of theirs, rendered our attendance there desirable. They had given us notice that, in the novelty of their situation, and in the spirit of deference to our experience, they would be pleased to have the benefit of our friendly counsel. —

To meet the temper with which this proposal was made with a cold repulse was not thought congenial to that warm interest in their welfare with which the people and Government of the Union had hitherto gone hand in hand through the whole progress of their revolution. To insult them by a refusal of their overture and then invite them to a similar assembly to be called by themselves was an expedient which never presented itself to the mind. I would have sent ministers to the meeting had it been merely to give them such advice as they might have desired, even with reference to their own interests, not involving ours. I would have sent them had it been merely to explain and set forth to them our reasons for declining any proposal of specific measures to which they might desire our concurrence, but which we might deem incompatible with our interests or our duties. (In the intercourse between nations temper is a missionary, perhaps, more powerful than talent. Nothing was ever lost by kind

treatment. Nothing can be gained by sullen repulses and aspiring pretensions.

But objects of the highest importance, not only to the future welfare of the whole human race, but bearing directly upon the special interests of this Union will engage the deliberations of the congress of Panama whether we are represented there or not. Others, if we are represented, may be offered by our plenipotentiaries for consideration having in view both these great results—our own interests and the improvement of the condition of man upon earth. It may be that in the lapse of many centuries no other opportunity so favorable will be presented to the Government of the United States to subserve the benevolent purposes of Divine Providence to dispense the promised blessings of the Redeemer of mankind; to promote the prevalence in future ages of peace on earth and good will to man, as will now be placed in their power by participating in the deliberations of this congress.

Among the topics enumerated in official papers, published by the Republic of Colombia, and adverted to in the correspondence now communicated to the House as intended to be presented for discussion at Panama, there is scarcely one in which the result of the meeting will not deeply affect the interests of the United States. Even those in which the belligerent States alone will take an active part will have a powerful effect upon the state of our relations with the American and probably with the principal European States. Were it merely that we might be correctly and speedily informed of the proceedings of the congress, and of the progress and issue of their negotiations, I should hold it advisable that we should have an accredited agency with them, placed in such confidential relations with the other members as would insure the authenticity and the safe and early transmission of its reports. Of the same enumerating topics are the preparation of a manifesto setting forth to the world the justice of their cause and the relations they desire to hold with other Christian powers, and to form a convention of navigation and commerce applicable both to the Confederated States and to their allies.

It will be within the recollection of the House that immediately after the close of the war of our Independence a measure closely analogous to this congress of Panama was adopted by the congress of our confederation and for purposes of precisely the same character. Three commissioners with plenipotentiary powers were appointed to negotiate treaties of amity, navigation, and commerce with all the principal powers of Europe. They met and resided for that purpose about one year at Paris, and the only result of their negotiations at that time was the first treaty between the United States and Prussia, memorable in the diplomatic annals of the world and precious as a monument of the principles in relation to commerce and maritime warfare, with which our country entered upon her career as a member of the great family of independent nations.

This treaty, prepared in conformity with the instructions of the American plenipotentiaries, consecrated three fundamental principles of the foreign intercourse which the congress at that period were desirous of establishing: First, equal reciprocity and the mutual stipulation of the privileges of the most favored nation in the commercial exchanges of peace; secondly, the abolition of private war upon the ocean; and, thirdly, restrictions favorable to neutral commerce upon belligerent practices with regard to contraband of war and blockades. A painful, it may be said a calamitous, experience of more than forty years has demonstrated the deep importance of these same principles to the peace and prosperity of this nation, and to the welfare of all maritime States, and has illustrated the profound wisdom with which they were assumed as cardinal points of the policy of the Union.

At the same time, in the infancy of their political existence under the influence of those principles of liberty and of right, so congenial to the cause in which they had just fought and triumphed, they were able but to obtain the sanction of one great and philosophical, though absolute, sovereign in Europe to their liberal and enlightened principles. They could obtain no more. Since then a political hurricane has gone over three-fourths of the

civilized portions of the earth, the desolation of which, it may with confidence be expected, is passing away, leaving, at least, the American atmosphere purified and refreshed. And now, at this propitious moment, the new-born nations of this hemisphere, assembling by their representatives at the isthmus between its two continents, to settle the principles of their future international intercourse with other nations and with us, ask, in this great exigency, for our advice upon those very fundamental maxims, which we, from our cradle, at first proclaimed and partially succeeded to introduce into the code of national law.

Without recurring to that total prostration of all neutral and commercial rights which marked the progress of the late European wars, and which finally involved the United States in them, and adverting only to our political relations with these American nations, it is observable that, while in all other respects those relations have been uniformly and, without exception, of the most friendly and mutually satisfactory character, the only causes of difference and dissension between us and them which ever have arisen originated in those never-failing fountains of discord and irritation, discriminations of commercial favor to other nations, licentious privateers, and paper blockades. I can not, without doing injustice to the Republics of Buenos Ayres and Colombia, forbear to acknowledge the candid and conciliatory spirit with which they have repeatedly yielded to our friendly representatives and remonstrances on these subjects; in repealing discriminative laws which operated to our disadvantage, and in revoking the commissions of their privateers; to which Colombia has added the magnanimity of making reparation for unlawful captures by some of her cruisers, and of assenting, in the midst of war, to treaty stipulations favorable to neutral navigation. But the recurrence of these occasions of complaint has rendered the renewal of the discussions which result in the removal of them necessary, while, in the meantime, injuries are sustained by merchants and other individuals of the United States, which can not be repaired, and the remedy lingers in overtaking the pernicious operation of the mischief. The settlement

of general principles pervading with equal efficacy all the American States can alone put an end to these evils, and can alone be accomplished at the proposed assembly.

If it be true that the noblest treaty of peace ever mentioned in history is that by which the Carthagenians were bound to abolish the practice of sacrificing their own children, because it was stipulated in favor of human nature, I can not exaggerate to myself the unfading glory with which these United States will go forth in the memory of future ages if, by their friendly counsel, by their moral influence, by the power of argument and persuasion alone, they can prevail upon the American nations at Panama to stipulate, by general agreement among themselves and so far as any of them may be concerned, the perpetual abolition of private war upon the ocean. And, if we can not yet flatter ourselves that this may be accomplished, as advances towards it, the establishment of the principle that the friendly flag shall cover the cargo, the curtailment of contraband of war and the proscription of fictitious paper blockades, engagements which we may reasonably hope will not prove impracticable, will, if successfully inculcated, redound proportionally to our honor and drain the fountain of many a future sanguinary war.

The late President of the United States, in his message to Congress of the 2d December, 1823, while announcing the negotiation then pending with Russia relating to the northwest coast of this continent, observed that the occasion of the discussions to which that incident had given rise had been taken for asserting as a principle in which the rights and interests of the United States were involved, that the American continents, by the free and independent condition which they had assumed and maintained, were thenceforward not to be considered as subjects for future colonization by any European power. The principle had first been assumed in that negotiation with Russia. It rested upon a course of reasoning equally simple and conclusive.

With the exception of the existing European colonies, which it was in no wise intended to disturb, the two continents consisted of several sovereign and independent na-

tions, whose territories covered their whole surface. By this, their independent condition, the United States enjoyed the right of commercial intercourse with every part of their possessions. To attempt the establishment of a colony in those possessions would be to usurp, to the exclusion of others, a commercial intercourse which was the common possession of all. It could not be done without encroaching upon existing rights of the United States. The Government of Russia has never disputed these positions nor manifested the slightest dissatisfaction at their having been taken. Most of the new American Republics have declared their entire assent to them; and they now propose, among the subjects of consultation at Panama, to take into consideration the means of making effectual the assertion of that principle as well as the means of resisting interference from abroad with the domestic concerns of the American Governments.

In alluding to these means it would obviously be premature at this time to anticipate that which is offered merely as matter for consultation, or to pronounce upon those measures which have been or may be suggested. The purpose of this Government is to concur in none which would import hostility to Europe or justly excite resentment in any of her States. Should it be deemed advisable to contract any conventional engagement on this topic our views would extend no further than to a mutual pledge of the parties to the compact to maintain the principle in application to its own territory and to permit no colonial lodgments or establishment of European jurisdiction upon its own soil; and, with respect to the obtrusive interference from abroad, if its future character may be inferred from that which has been and perhaps still is exercised in more than one of the new States, a joint declaration of its character and exposure of it to the world may be probably all that the occasion would require.

Whether the United States should or should not be parties to such a declaration may justly form a part of the deliberation. That there is an evil to be remedied needs little insight into the secret history of late years to know, and that this remedy may best be concerted at the



Panama meeting deserves at least the experiment of consideration. A concert of measures, having reference to the more effectual abolition of the African slave trade and the consideration of the light in which the political condition of the island of Hayti is to be regarded, are also among the subjects mentioned by the minister from the Republic of Colombia as believed to be suitable for deliberation at the Congress. The failure of the negotiations with that Republic undertaken during the late administration for the suppression of that trade, in compliance with a resolution of the House of Representatives, indicates the expediency of listening, with respectful attention, to propositions which may contribute to the accomplishment of the great end which was the purpose of that resolution, while the result of those negotiations will serve as admonition to abstain from pledging this Government to any arrangement which might be expected to fail of obtaining the advice and consent of the Senate by a constitutional majority to its ratification.

*if Rev.*

Whether the political condition of the Island of Hayti shall be brought at all into discussion at the meeting may be a question for preliminary advisement. There are in the political constitution of government of that people circumstances which have hitherto forbidden the acknowledgment of them by the Government of the United States as sovereign and independent. Additional reasons for withholding that acknowledgment have recently been in their acceptance of a nominal sovereignty by the grant of a foreign prince, under conditions equivalent to the concession by them of exclusive commercial advantages to one nation, adapted altogether to the state of colonial vassalage, and retaining little of independence but the name.

Our plenipotentiaries will be instructed to present these views to the assembly at Panama, and should they not be concurred in to decline acceding to any arrangement which may be proposed upon different principles.

The condition of the islands of Cuba and Porto Rico is of deeper import and more immediate bearing upon the present interests and future prospects of our Union. The

correspondence herewith transmitted will show how earnestly it has engaged the attention of this Government. The invasion of both those islands by the united forces of Mexico and Colombia is avowedly among the objects to be matured by the belligerent states at Panama. The convulsions to which, from the peculiar composition of their population, they would be liable in the event of such an invasion, and the danger therefrom resulting of their falling ultimately into the hands of some European power other than Spain, will not admit of our looking at the consequences to which the congress at Panama may lead with indifference. It is unnecessary to enlarge upon this topic, or to say more than that all our efforts in reference to this interest will be to preserve the existing state of things—the tranquillity of the islands and the peace and security of their inhabitants.

And, lastly, the congress of Panama is believed to present a fair occasion for urging upon all the new nations of the south the just and liberal principles of religious liberty. Not by any interference whatever in their internal concerns, but by claiming for our citizens, whose occupations or interests may call them to occasional residence in their territories, the inestimable privilege of worshipping their Creator according to the dictates of their own consciences. This privilege, sanctioned by the customary law of nations, and secured by treaty stipulations in numerous national compacts, secured even to our own citizens in the treaties with Colombia and with the Federation of Central America, is yet to be obtained in the other South American States and Mexico. Existing prejudices are still struggling against it, which may perhaps be more successfully combated at this general meeting than at the separate seats of government of each republic.

I can scarcely deem it otherwise than superfluous to observe that the assembly will be in its nature diplomatic and not legislative. That nothing can be transacted there obligatory upon any one of the states to be represented at the meeting, unless with the express concurrence of its own representatives; nor even then, but subject to the ratification of its constitutional authority at home.

The faith of the United States to foreign powers can not otherwise be pledged. I shall, indeed, in the first instance, consider the assembly as merely consultative; and although the plenipotentiaries of the United States will be empowered to receive and refer to the consideration of their Government any proposition from the other parties to the meeting, they will be authorized to conclude nothing unless subject to the definitive sanction of this Government in all its constitutional forms. It has, therefore, seemed to me unnecessary to insist that every object to be discussed at the meeting should be specified with the precision of a judicial sentence or enumerated with the exactness of a mathematical demonstration. The purpose of the meeting itself is to deliberate upon the great and common interests of several new and neighboring nations. If the measure is new and without precedent, so is the situation of the parties to it. That the purposes of the meeting are somewhat indefinite, far from being an objection to it, is among the cogent reasons for its adoption. It is not the establishment of principles of intercourse with one, but with seven or eight nations at once. That, before they have had the means of exchanging ideas and communicating with one another in common upon these topics they should have definitely settled and arranged them in concert, is to require that the effect should precede the cause. It is to exact as a preliminary to the meeting that for the accomplishment of which the meeting itself is designed.

Among the inquiries which were thought entitled to consideration, before the determination was taken to accept the invitation, was that, whether the measure might not have a tendency to change the policy, hitherto invariably pursued by the United States, of avoiding all entangling alliances, and all unnecessary foreign connections.

Mindful of the advice given by the Father of our Country, in his farewell address, that the great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible; and, faithfully adhering to the spirit of that admonition, I can not overlook the reflection

that the counsel of Washington, in that instance, like all the counsels of wisdom, was founded upon the circumstances in which our country and the world around us were situated at the time when it was given. That of the reasons assigned by him for his advice were: that Europe had a set of primary interests, which to us had no, or a very remote, relation. That hence she must be engaged in frequent controversies, the causes of which were essentially foreign to our concerns. That our detached and distant situation, invited and enabled us to pursue a different course. That by our union and rapid growth, with an efficient Government, the period was not far distant when we might defy material injury from external annoyance; when we might take such an attitude as would cause our neutrality to be respected; and, with reference to belligerent nations, might choose peace or war, as our interests, guided by justice, should counsel.

Compare our situation and the circumstances of that time with those of the present day, and what from the very words of Washington, then, would be his counsels to his countrymen now? Europe has still her set of primary interests with which we have little or a remote relation. Our distant and detached situation, with reference to Europe, remains the same. But we were then the only independent nation of this hemisphere; and we were surrounded by European colonies, with the greater part of which we had no more intercourse than with the inhabitants of another planet. Those colonies have now been transformed into eight independent nations, extending to our very borders; seven of them Republics like ourselves, with whom we have an immensely growing commercial, and must have, and have already, important political connections; with reference to whom our situation is neither detached nor distant; whose political principles and systems of government, congenial with our own, must and will have an action and counteraction upon us and ours, to which we can not be indifferent if we would.

The rapidity of our growth, and the consequent increase of our strength, has more than realized the anticipations

of this admirable political legacy. Thirty years have nearly elapsed since it was written, and in the interval our population, our wealth, our territorial extension, our power, physical and moral, has nearly trebled. Reasoning upon this state of things from the sound and judicious principles of Washington, must we not say that the period which he predicted as then not far off has arrived; that America has a set of primary interests which have none, or a remote relation to Europe; that the interference of Europe, therefore, in those concerns, should be spontaneously withheld by her upon the same principle—that we have never interfered with hers; and that, if she should interfere, as she may, by measures which may have a great and dangerous recoil upon ourselves, we might be called, in defense of our own altars and firesides, to take an attitude which would cause our neutrality to be respected, and choose peace or war as our interest, guided by justice, should counsel.

The acceptance of this invitation, therefore, far from conflicting with the counsel or the policy of Washington, is directly deducible from and conformable to it. Nor is it less conformable to the views of my immediate predecessor, as declared in his annual message to Congress, of the 2d December, 1823, to which I have already adverted, and to an important passage of which I invite the attention of the House.

The citizens of the United States [said he] cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that [the European] side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments. And to the defense of our own which has been achieved by the loss of so much blood and treasure and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor, and to the amicable re-

lations subsisting between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence, and maintained it, and whose independence we have, on great consideration and on just principles acknowledged, we could not view any interposition, for the purposes of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States. In the war between those new Governments and Spain, we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgment of the competent authorities of this Government, shall make a corresponding change on the part of the United States indispensable to their security.

To the question which may be asked, whether this meeting and the principles which may be adjusted and settled by it, as rules of intercourse between the American nations, may not give umbrage to the Holy League of European powers, or offense to Spain, it is deemed a sufficient answer that our attendance at Panama can give no just cause of umbrage or offense to either, and that the United States will stipulate nothing there which can give such cause. Here the right of inquiry into our purposes and measures must stop. The Holy League of Europe itself was formed without inquiring of the United States whether it would or would not give umbrage to them. The fear of giving umbrage to the Holy League of Europe was urged as a motive for denying to the American nations the acknowledgment of their independence. That it would be viewed by Spain as hostility to her was not only urged, but directly declared by herself. The Congress and administration of that day consulted their rights and duties, and not their fears. Fully determined to give no needless displeasure to any foreign power, the United States can estimate the probability of their giving it only by the right which any foreign State could have to take it from their measures. Neither the representation of the United States at Panama nor any measure to which their assent may be yielded there will give to the Holy League,

or any of its members, nor to Spain, the right to take offense. For the rest, the United States must still, as heretofore, take counsel from their duties, rather than their fears.

Such are the objects in which it is expected that the plenipotentiaries of the United States, when commissioned to attend the meeting at the Isthmus, will take part; and such are the motives and purposes with which the invitation of the three Republics was accepted. It was, however, as the House will perceive from the correspondence, accepted only upon condition that the nomination of commissioners for the mission should receive the advice and consent of the Senate.

The concurrence of the House to the measure, by the appropriations necessary for carrying it into effect, is alike subject to its free determination and indispensable to the fulfillment of the intention.

That the congress at Panama will accomplish all or even any of the transcendent benefits to the human race which warmed the conceptions of its first proposer, it were, perhaps, indulging too sanguine a forecast of events to promise. It is, in its nature, a measure speculative and experimental. The blessing of Heaven may turn it to the account of human improvement. Accidents unforeseen and mischances not to be anticipated may baffle all its high purposes and disappoint its fairest expectations; but the design is great, is benevolent, is humane.

It looks to the melioration of the condition of man. It is congenial with that spirit which prompted the declaration of our independence; which inspired the preamble of our first treaty with France; which dictated our first treaty with Prussia, and the instructions under which it was negotiated; which filled the hearts and fired the souls of the immortal founders of our revolution.

With this unrestricted exposition of the motives by which I have been governed in this transaction as well as of the objects to be discussed, and of the ends, if possible, to be attained by our representation at the proposed congress, I submit the propriety of an appropriation to the candid consideration and enlightened patriotism of the Legislature.

JOHN QUINCY ADAMS.

*Reply of Mr. Clay to a Resolution of Inquiry from the House of Representatives.*

*To the President:*

The Secretary of State, to whom the President has referred that part of the resolution of the House of Representatives of the 5th instant which requests that he would cause to be laid before the House "so much of the correspondence between the Government of the United States and the new States of America or their ministers, respecting the proposed congress or meeting of diplomatic agents at Panama, and of such information respecting the general character of that expected congress as may be in his possession," has the honor now to report :

That, during the last spring, he held, at the Department of State, separate conferences, on the same day, with the respective ministers of Colombia and Mexico, in the course of which each of them verbally stated that his Government was desirous that the United States should be represented at the proposed congress, and that he was instructed to communicate an invitation to their Government to send representatives to it; but that, as his Government did not know whether it would be agreeable or not to the United States to receive such an invitation, and as it was not wished to occasion any embarrassment to them, he was charged informally to inquire, previous to the delivery of the invitation, whether it would be accepted if given by both of the Republics of Mexico and Colombia. It was also stated by each of those ministers that his Government did not expect that the United States would change their present neutral policy, nor was it desired that they should take part in such of the deliberations of the proposed congress as might relate to the prosecution of the existing war with Spain.

Having laid before the President what transpired at these conferences, his direction was received, about a week after they had been held, to inform the ministers of Mexico and Colombia, and they were accordingly informed, that their communication was received with due sensibility to



the friendly consideration of the United States by which it had been dictated; that, of course, they could not make themselves a party to the war between the new States and Spain, nor to councils for deliberating on the means of its further prosecution; that the President believed that such a congress as was contemplated might be highly useful in settling several important disputed questions of public law, in arranging other matters of deep interest to the American Continent, and in strengthening the friendship and amicable intercourse between the American powers; that before such a Congress, however, assembled it appeared to the President to be expedient to adjust between the different powers to be represented, several preliminary points, such as the subjects to which the attention of the congress was to be directed, the nature and the form of the powers to be given to the diplomatic agents who were to compose it, and the mode of its organization and its action. If these preliminary points could be arranged in a manner satisfactory to the United States the ministers from Colombia and Mexico were informed that the President thought that the United States ought to be represented at Panama. Each of those ministers undertook to transmit to his Government the answer which was thus given to both.

In this posture the overture remained until the letters were received, which accompany this report, from the ministers of the Republics of Mexico and Colombia, under date of the 2d and 3d of November, 1825. A similar answer was returned to each of those letters in official notes, a copy of one of which is with this report.

The first and only communication from the minister of the Republic of Central America to this Department in regard to the congress of Panama is contained in his official note, a copy of which, together with a copy of the answer which was returned, will be found along with this report.

Copies of conventions containing stipulations respecting the intended congress are herewith reported between the Republic of Colombia and that of Chili, the Republic of Colombia and Peru, the Republic of Colombia and the

Federation of the Centre of America, and the Republic of Colombia and the United Mexican States.\*

The Secretary of State has also the honor to report to the President extracts from the instructions which were given by the Department of State to Mr. Anderson on the 27th day of May, 1823, and copies of certain parts of the correspondence which, since the last session of Congress, has taken place between the Executive of the United States and the Governments of Russia, France, Spain, and Mexico, of which a descriptive list accompanies this report. ( In respect to the negotiation which Mr. Middleton was authorized, by the dispatch of the 10th of May last† (one of the papers now reported), to institute at St. Petersburg, considering the lapse of time and the great and lamented event which has lately occurred in Europe, perhaps there is no adequate reason for refraining from a communication of it to the House, which is recommended by its intimate connection with the interests of the new Republics. About the same period with the date of that dispatch instructions were given to Mr. Everett to inculcate on Spain the necessity of peace and to our ministers in France and England to invite the cabinets of Paris and London to co-operate in the same work. The hope, not yet abandoned, was indulged that, by an united exertion of all the great powers, and especially of Russia, Spain might be brought to see her true interests in terminating the existing war. Other negotiations, growing out of and subordinate to that which was authorized in the before-mentioned dispatch of the 10th of May to Mr. Middleton, have been more recently commenced. They have for their object the prevention of disorder in the Spanish island of Cuba and Porto Rico and also to guard the United States against the danger of bad examples and

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\* These conventions communicated to the Senate in a report of the Secretary of State, accompanying the President's message to the Senate of the 10th of January, 1826, in answer to a resolution of the Senate of the 3d of January, 1826.

† This letter to Mr. Middleton of the 10th of May, 1825, communicated, *with others*, to the Senate, at the same time with the conventions above mentioned,

excesses, of which, in the course of events, those islands might become the theatre, as well as the conservation of our commercial and navigating interests.

All which is respectfully submitted.

H. CLAY.

DEPARTMENT OF STATE, *March 14, 1826.*

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*Report of the Senate Committee on Foreign Affairs, January 16, 1826.*

MONDAY, *January 16, 1826.*

Mr. Macon, from the Committee on Foreign Relations, to whom was referred, on the 28th of December, the message of the President of the United States nominating Richard C. Anderson and John Sergeant to be envoys extraordinary and ministers plenipotentiary to the assembly of the American nations at Panama; and, on the 10th instant, the message communicating certain documents relating thereto, submitted the following report:

That they have examined the subject to them referred with the most profound attention, and have bestowed upon it all the consideration demanded by its novelty, delicacy, and high importance to the character and future destinies of the United States. In making this examination the committee found themselves not a little embarrassed at first by the circumstance announced by the President in his message to both Houses of Congress at the commencement of the present session, that he had already accepted the invitation given to the United States by some of the American Republics to be represented at the contemplated Congress of American nations about to be assembled at Panama. But seeing in the several communications made by the Secretary of State to the different ministers of these Republics that an express reference was made to the concurrence of the Senate as the indispensable preliminary to the acceptance of this invitation, and finding in the present message of the President the explicit assurance that he had not thought proper to take any step in carrying this measure into effect until he could ascertain that his opinion of its expediency would concur with that of

both branches of the legislature, the committee believed it became a part of the duty they owed to the Senate, and would be evidence of the proper respect due to the President, that they should fully and freely examine into the propriety of the proposed measure, the expediency of adopting which was the subject that the Senate was thus invited to deliberate upon, and to make known their opinion.

Considerations of much higher importance than even these induced the committee to adopt this course. In the ordinary progress of their proceedings, the Senate can rarely if ever find it either necessary or proper to inquire as to the objects expected to be obtained by appointments, to which their advice and consent is asked. As to all offices created by statute in which these objects are defined and their attainment positively required, the single question arising before the Senate must ever refer merely to the fitness of the person nominated by the President to fulfill such duties. The same will generally be found the sole inquiry necessary to be made in filling up vacancies happening in pre-existing foreign missions, designed to maintain the customary relations and intercourse of friendship and commerce between the United States and other nations. Very different, however, is the case when it is proposed to create new offices by nomination, or to dispatch ministers to foreign States for the first time, or to accomplish by such missions objects not specially disclosed or under circumstances new, peculiar, and highly important. In all these cases, instead of confining their inquiries to the mere fitness of the persons nominated to fill such offices, it is not only the right but the duty of the Senate to determine previously as to the necessity and propriety of creating the offices themselves ; and in deciding these questions not only the objects for the accomplishment by which it is proposed to create them, but every other circumstance connected with such a measure must necessarily and unavoidably become a subject of their serious examination.

This right, conferred by the Constitution upon the Senate, is the only direct check upon the power possessed by the

President in this respect, which, relieved from this restraint, would authorize him to create and consummate all the political relations of the United States at his mere will. And as in the theory of their Government, the high destinies of the people of the United States are never to be confided to the unrestrained discretion of any single man, even the wisest and best of their fellow-citizens, it becomes a solemn duty which the Senate owes to the sovereign States here represented, most seriously to investigate all the circumstances connected with the novel measure now proposed by the President as to the expediency of adopting, which they have been invited to aid him with their counsel and advice.

Entertaining these opinions in the performance of the duty which they believe has been required by the Senate, and anxious to manifest to the President their high respect by complying fully with the wish which he has expressed upon this subject, the committee will proceed to investigate the circumstances connected with the measure proposed and disclosed by the documents to them referred, most deeply impressed with the importance of the consequences that may very probably result from it.

By the principles of this policy, inculcated by our wisest statesmen in former days and approved by the experience of all subsequent time, the true interest of the United States was supposed to be promoted by avoiding all entangling connections with any other nation whatsoever. Steadily pursuing this course while they have been desirous to manifest the most cordial good will to all nations, and to maintain with each relations of perfect amity and of commerce regulated and adjusted by rules of the most fair, equal, and just reciprocity, the United States have hitherto sedulously abstained from associating themselves in any other way, even with those nations for whose welfare the most lively sensibility has been at all times felt and otherwise manifested.

During the conflict for freedom and independence in which these new states of America were so long engaged with their former sovereign, although every heart in the United States beat high in sympathy with them, and fer-

vent aspirations were hourly put up for their success ; and although the relations then existing with Spain were well calculated to excite strong irritation and resentment on our part, yet the Government of the United States, convinced of the propriety of a strict adherence to the principles it had ever proclaimed as the rule of its conduct in relation to other nations, forbore to take any part in this struggle, and maintained the most exact neutrality between these belligerents. Nor would it ever recognize the independence of these new Republics, until they had become independent in fact, and the situation of their ancient sovereign, in relation to them, was such as to manifest that he ought no longer to be held responsible for their acts. So soon as this occurred the United States most gladly embraced the opportunity, and in being the first to proclaim the sovereignty and independence of these States, gave to them the strongest pledge of respect and cordial friendship and sincere anxiety for their prosperity.

The first question which suggested itself to the Committee, at the very threshold of their investigation, was, what cogent reasons now existed for adopting this new and untried measure so much in conflict with the whole course of policy uniformly and happily pursued by the United States from almost the very creation of this Government to the present hour ?

Since that event ministers have been dispatched to each of these new Republics, instructed to declare the sentiments sincerely and warmly felt for them by the United States, and empowered to conclude treaties with them, the objects of which should be to establish, upon principles of the most perfect justice and equity, all the ordinary relations that exist between nations. Thus much was due, not less to them than to ourselves, and in going so far we did all that our feelings dictated and the interest of either seemed then to require. What necessity has since arisen to do more ? What cause exists now to prompt the United States to establish new and stronger relations with them, and so to abandon that rule of conduct which has hitherto been here so steadily and happily pursued ?

These inquiries necessarily called the attention of the

committee to a minute examination of all the documents to them referred in order that they might therein discover the reasons assigned by the new States of America for desiring the United States to be represented at the Congress about to be assembled at Panama, and the motives of the President for intimating his willingness to accept this invitation. And in making such an examination many reflections presented themselves as connected with the proposed measure, all of which the committee will now state to the Senate.

In a government constituted as is that of the United States, in which the sentiment so natural to freedom prompts them to scrutinize most exactly the extent of all the powers they grant, and to limit this extent by the objects desired to be accomplished by their exercise, the strongest anxiety is (and it is to be hoped always will be) felt to learn distinctly what is the precise object desired to be attained, and what are the precise means proposed for its attainment. Even the confidence reposed in the long-tried patriotism and well-proved wisdom of our own best citizens does not and ought not to suffice to quiet this anxiety or to remove this jealousy, inspired by an ardent attachment to our rights and privileges. It was, therefore, much to be desired and certainly to have been expected that before the destinies of the United States should be committed to the deliberation and decision of a Congress composed not of our own citizens, but of the representatives of many different nations, that the objects of such deliberations should be most accurately stated and defined, and the manner of their accomplishment clearly and distinctly marked out.

In this opinion the President himself seems to have concurred at the commencement of this negotiation, for in the report made to him on the 20th of December last by the Secretary of State this officer states that agreeably to his directions he had informed the ministers by whom the invitation to the proposed Congress at Panama was given that—

Before such a Congress assembled, it appeared to the President to be expedient to adjust between the different powers to be represented, several preliminary points such as the subjects to which the attention

of the Congress was to be directed, the nature and the form of the powers to be given to the diplomatic agents who were to compose it, and the mode of its organization and action.

And it was made an express and previous condition to the acceptance of the invitation proposed to be given, that "these preliminary points should be arranged in a manner satisfactory to the United States."

It was, therefore, not without much surprise and great regret that the Committee discovered, that, although, in none of the communications subsequently made to this Government, by either of the ministers of the several States by whom this invitation was given, are these preliminary points even stated, and although the want of "a compliance with these conditions," is expressly noticed in the reply made to them by the Secretary of State, yet they were therein told that the President had determined at once to send commissioners to this Congress at Panama, provided the Senate would advise and consent to such a measure.

If, then, the Senate should now demand of this Committee to inform them what are the objects to be accomplished at this Congress, and what are the means by which their accomplishment is to be effected—although, as to objects, the documents referred to them will enable the committee to name a few—yet, as to all others, they must answer in the language of the communication made by the Mexican minister, that they are those "to which the existence of the new States may give rise, and which it is not easy to point out or enumerate." As to the means, however, the committee can only reply, that, while it seems to be expected that the United States are to clothe their representatives with "ample powers" to accomplish all the enumerated, and these other undefined objects also, yet the mode in which these powers, if granted, are to be used and exercised, is no where even hinted at.

One great question, therefore, upon which the decision of the Senate is called for, will be, whether, in the existing state of things, it is wise or expedient that the United States should be represented at a Congress of



American nations by agents endowed with undefined powers, to accomplish undefined objects? And this committee feel no hesitation in stating, as their opinion, that, if ever it may be proper to adopt such a measure, there is nothing known to them that requires or justifies it at this time.

It is true the power confided to the Senate to ratify or reject any agreement that may be entered into by such agents would constitute some safeguard to the important interests of the United States. But long experience must have informed the Senate that it is generally exceedingly difficult, and sometimes even impossible, to escape from the embarrassments produced by the mere act of entering into a negotiation; and that it is much better to abstain from doing so until its objects are distinctly known and approved, than to confide in the power of the Senate, in the last resort, to refuse their assent to the ratification of an agreement after it is adjusted by means of such negotiation.

In the present case, if the measures to be accomplished by the proposed congress, whatever may be their object or character, should not meet the concurring opinion of all the parties there to be represented, we need not the lights of history to inform us that many consequences mischievous in themselves, and greatly to be deplored, not only may, but most probably will, result. And that a difference of opinion will exist in regard to measures so important in themselves, and so various and diversified in their effects upon nations differing from each other in almost every particular, is much to be apprehended. The power possessed by the Senate of withholding its assent, ought not, therefore, to be regarded as furnishing sufficient assurance against the possible and probable effects of the proposed measure.

Turning from the undefined objects of this congress, so imperfectly disclosed in the vague description given of them, that, if seen at all, they are presented most indistinctly to their view, and regarding those which are particularly mentioned and described with more precision, this committee have not been able to discover in any one of

these last a single subject concerning which the United States ought to enter into any negotiation with the States of America to be assembled at the contemplated Congress at Panama.

Before proceeding to the enumeration of these objects, the committee can not refrain from calling the attention of the Senate to a singular circumstance disclosed by the documents referred to them. Although an enumeration of the subjects to which the attention of the proposed congress was to be directed was explicitly stated as a condition preliminary to the acceptance by the United States of the invitation given to them to be there represented; although each of the ministers giving this invitation had communicated this to his Government and received its instructions relative thereto, yet great diversities will be found in the enumeration of these subjects made by each of these ministers in pursuance of such instructions.

And, what is still more remarkable, while many of the subjects of intended discussion so enumerated by each of these ministers are not referred to in the message of the President to the Senate, others are therein stated as matters for the deliberation of the proposed congress to which not the slightest allusion seems ever to have been made by any one of the American ministers in any of their communications to this Government; nay, one of the subjects (the most important, probably, of any which the United States are desirous to discuss at this congress) is neither noticed in the communications made to this Government by any of the American States nor in the message of the President to the Senate, and is to be only inferred from the documents last referred to this committee, received under the call made by the Senate for further information; all which will be very clearly shown by the details which the committee will now lay before the Senate.

The first subject stated by the Mexican minister as one which would occupy the attention of the contemplated congress, and the deliberations concerning which the United States are expected to take a part, is, "The resistance or opposition to be made to the interference of any

neutral nation in the question and war of independence between the new powers of this continent and Spain." And in the deliberations upon this subject it seems to be proposed "to discuss the means of giving to that resistance all possible force," and so to adjust, by previous concert, the mode which each of the States represented at the Congress "shall lend its co-operation."

The same subject is also stated by the minister of Colombia, and in terms still more explicit. He suggests as a matter of useful discussion in the congress, the formation of "an eventual alliance" of the States there to be represented, for the purpose of preventing any European power from interfering in the present contest between Spain and her former colonies; and that the treaty for this purpose should "remain secret, until the *casus fœderis* should happen."

Notwithstanding this is so stated by both of these ministers as the first and great object of the proposed congress, yet the President, in his message, assures the Senate "that the motive of the attendance of the United States is neither to contract alliances, nor to engage in any undertaking or project importing hostility to any other nation." It thus appears, that, in relation to this first and most important point, which seems to have given birth to the scheme of this congress, the views and motives of the United States differ essentially from those of the other parties. And this difference of opinion, occurring as to the very first proposition, which is said to be "a matter of immediate utility to the American States that are at war with Spain," and is believed by them to "be in accordance with the repeated declarations and protests of the Cabinet at Washington," must unavoidably excite doubts as to "the interest we take in their welfare, and our disposition to comply with their wishes," and would so contribute not a little to defeat other objects.

The next subject stated by the Mexican minister, as presenting "another of the questions which may be discussed," and which he considers as being "in like predicament with the foregoing," is "the opposition to colonization in America by the European powers,"

The minister of Colombia concurs in this enumeration. He places "the manner in which all colonization of European powers on the American continent shall be resisted," at the very head of all the subjects of proposed discussion, and couples this with the former as an object to be effected by the joint and united efforts of all the States to be represented at the congress, who should be bound by a solemn convention to secure this end.

The President concurs in part in the opinion as to the propriety of attaining this end, but differs radically as to the mode of accomplishing it.

"An agreement between all the parties represented at the meeting that each will guard, by its own means, against the establishment of any future European colony within its borders," he thinks "may be found advisable." Now, if this be meant that each nation shall, by its own means, protect its own territory against all encroachments upon them, attempted by any European or other foreign State whatsoever, the committee can not discern either the necessity or expediency of entering into any formal agreement with other States to that effect more than exists for reducing to treaty stipulations any other of the high, just, and universally admitted rights of all nations.

Such an idea, however, is obviously not that suggested by the ministers of Mexico and Colombia, and if more is meant to be comprehended in the agreement which the President thinks may be found advisable, every other article it would contain must, in the opinion of this committee, violate all the well-settled principles of the policy of the United States, and put at hazard their best interest, without any adequate motive for so novel an experiment. In the one case, the views and motives of the President differ again, essentially, from those of the other parties to be represented at this congress; and from the disclosure of these repeated differences of opinion, no good can possibly result. And in the other, should the views of the President concur with those of the other American States (which the committee do not believe), the mutual stipulations growing out of such an agreement would, in the opinion of this committee, prove fatal to the best interests

of the United States, should the *casus fœderis* ever happen.

To adjust the means of most effectual resistance to the interference of neutral nations, in the war of independence between the new powers of this continent and Spain; and of opposition to colonization in America by the European powers, are said by the Mexican minister to be "the two principal subjects" of intended discussion at the contemplated congress; and, indeed, are all the subjects of discussion which he particularly states. The minister of Colombia, however, extends his enumeration of the subjects of intended discussion somewhat further; and after mentioning those before stated, adds, as another, "the consideration of the means to be adopted for the entire abolition of the African slave trade."

To this subject the President makes no allusion in his message; and, after the examination which it has received in the Senate during two successive years, this committee deem it quite unnecessary to say much in relation to it at this time. (Some of the sovereign States here represented were the first in the world to proclaim their abhorrence of this traffic.) Since the formation of this Government the United States have exerted (and as this committee believe have exerted effectually) all the means in their power to arrest its progress so far as their own citizens were concerned; and if all other nations, and especially those nations holding possessions in America, would follow their example, the African slave trade would no longer exist. The United States, however, have not certainly the right and ought never to feel the inclination to dictate to others who may differ with them upon this subject; nor do the committee see the expediency of insulting other States with whom we are maintaining relations of perfect amity by ascending the moral chair and proclaiming from thence mere abstract principles, of the rectitude of which each nation enjoys the perfect right of deciding for itself.

The minister of Colombia states, as another subject of discussion at the contemplated congress, "on what basis the relation of Hayti, and of other parts of our hemisphere that shall hereafter be in like circumstances, are to

be placed." To this matter also the President makes no allusion in his message. And surely if there is any subject within the whole circle of political relations, as to which it is the interest and the duty of all States to keep themselves perfectly free and unshackled by any previous stipulation, it is that which regards their future connections with any other people not parties to such an agreement. Of the propriety or impropriety of such connections each must ever be permitted to judge freely for itself, because the benefit or disadvantage to result from them must be peculiar and very different to each, and that relation which is highly desirable at one time may become hurtful at another. ( In the opinion of this committee, therefore, the United States should never permit themselves to enter into discussion with any foreign State whatever as to the relations they should be obliged to establish with any other people not parties to such discussions. ) And the objections to such a course become infinitely stronger when the discussions are intended to refer not only to those who then exist, but also to others who may hereafter be considered as placed "in like circumstances."

These are all the points particularly suggested by the minister of Columbia as subjects of discussion at the contemplated congress. The minister of Guatemala (who also unites in the invitation given to the United States) has stated no particular subject as matter of discussion at this congress. He intimates, however, "that, as Europe had formed a continental system, and held a congress whenever questions affecting its interests were to be discussed, America should also form a system for itself."

How far this general suggestion meets the views of the President the committee are not enabled, by any document referred to them, to decide. But they will present to the Senate their own ideas in relation to it; the rather because it seems now to be the prominent object of the proposed congress, the magnitude and variety of details belonging to which defy present enumeration and particular specification.

Without adverting to the great and obvious diversities

existing between the States of this continent and those of Europe, by which the system here alluded to has been established—diversities growing out of the situation of their people, the nature of their governments, and the positions they occupy, not only in relation to each other, but to the rest of the civilized world, this committee will state, as their opinion, that no effect yet produced by the continental system of Europe is of a character to invite the States of this continent to take that system as a model or example for their imitation. The great object of the continental system of Europe is, to preserve ancient institutions, and relations long known and well understood, in the position which they now occupy and for many centuries have done.

The operation of this system is, by the combination of powers and the application of mere force, to arrest the progress of improvement in the science of government and in the condition of society, ends which all free States must reprobate as much as they do the means employed for their accomplishment. If this were not so, however, a system formed for this continent for the same or even different objects would most probably produce the worst effects. The short political existence of all the States on this continent, even of the United States themselves, the most ancient of any, has enabled them to profit so little as yet by experience, that it would seem rash to proclaim their perfection at this time, or to pledge any of them to perpetuate either their present institutions or existing political relations. Our own excellent Constitution is based upon the supposition of its own probable imperfections, and most wisely provides for its amendment whenever such defects shall be discovered to exist. We can not, therefore, stipulate to preserve it as it is, and no compact with other States can be necessary to bestow upon each the power it now possesses to effect any change which experience may hereafter show to be beneficial to itself. And a stipulation to make such changes as the good for any others may hereafter require would either be futile or must inevitably lead to discord and to wars.

The committee doubt, moreover, the authority of the

Government of the United States to enter into any negotiations with foreign nations for the purpose of settling and promulgating either principles of internal polity or mere abstract propositions as parts of the public law. And if the proposed congress is viewed but as a convenient mode of conducting a summary negotiation relative to existing interests important to this continent alone, it not only may, but most probably will, be considered by all other civilized nations as a confederacy of the States therein represented for purposes as prejudicial to the interests of the Old as they are supposed to be beneficial to those of the New World. Many of the provisions in the different conventions already concluded between some of the new States relative to this very congress, and which are now public, are well calculated to create such a suspicion, even if they do not justify a belief in its truth. And whensoever this suspicion shall be entertained by the nations of the Old World, and especially by those who still hold possessions on this continent, it must be obvious to all that consequences much to be deplored will unavoidably result.

Nothing that can be done hereafter by any department of this Government in refusing to sanction the stipulations concluded at a congress regarded in this light will suffice to avert the calamity; and the United States, who have grown up in happiness to their present prosperity by a strict observance of their old well-known course of policy, and by manifesting entire good-will and most profound respect for all other nations, must prepare to embark their future destinies upon an unknown and turbulent ocean, directed by little experience, and destined for no certain haven. In such a voyage the dissimilitude existing between themselves and their associates in interest, character, language, religion, manners, customs, habits, laws, and almost every other particular, and the rivalry these discrepancies must surely produce among them, would generate discords, which if they did not destroy all hope of its successful termination, would make even success itself the ultimate cause of new and direful conflicts between themselves. Such has been the issue of all such



enterprises in past time, and we have therefore strong reasons to expect in the future similar results from similar causes.

The committee, having thus examined the several subjects of proposed discussion, stated or alluded to by each of the ministers of the new States of America, as matters of deliberation at the contemplated congress, will now proceed to the investigation of others not mentioned or referred to by any of them, but exhibited in the message of the President.

The committee see nothing in the documents to them referred to prove that the States who originated the project of this Congress, and settled the subjects proper for its deliberation, and who most probably have already adjusted "the preliminary rules of that assembly," will admit as fit matters of discussion any other than those which they themselves have so previously announced. Should this be the case, the degraded position which the United States must then occupy at the congress must be apparent to all. Without adverting further, however, at this time, to this consideration, the committee will enter into the examination of the several topics suggested by the President, as though the discussion of them was a matter settled and already agreed.

The first of these subjects stated by the President is "the establishment of principles of a liberal commercial intercourse." The motives for desiring this are stated to be that "the Southern American nations, in their intercourse with the United States, have sometimes manifested dispositions to reserve a right of granting special favors and privileges to the Spanish nation at the price of their recognition. (At others they have actually established duties and impositions, operating unfavorably to the United States to the advantage of other European powers, and sometimes they have appeared to consider that they might interchange among themselves mutual concessions of exclusive favors to which neither European powers nor the United States should be admitted."

In considering these reasons it can not escape the observation of any that in manifesting dispositions to establish

such commercial relations the Southern American nations must have been actuated by the only motive that ever operates either upon nations or individuals in regard to their mere commercial intercourse—a desire fairly to advance their own interests, and a belief that they could by such means properly accomplish this end. If, in this belief, these nations are right, then the United States can scarcely be viewed as acting toward them in that spirit of generous kindness and fraternal friendship they have professed when they would strive to induce them to establish as liberal principles such as would be injurious to the interests of these Southern nations themselves. And if they are wrong, it seems to this committee that the task of exhibiting their errors may be much better performed, as hitherto it hath been, by particular discussions with each separately than by general demonstrations made to all, assembled as a congress.

The interests of commerce are necessarily peculiar ; they grow out of numerous circumstances produced by locality, climate, population, manners, customs, and other causes, no one of which exists alike in any two nations on the globe. Few general principles, therefore, can ever apply, with equal truth, to so many peculiarities ; and such as do so apply, need not the sanction of solemn compact to give them effect. They may be very safely confided to the natural disposition of man, promptly to discover, and eagerly to advance, his own best interests.

Whatever disposition, then, may have been manifested by the Southern nations of America, this committee think that their effects, both upon themselves and the United States, will constitute subjects much more fit for separate discussions with each, than of general investigation before all. And the committee are the more confirmed in this opinion by the assurance given by the President, in his message, that “in most of these cases their regulations unfavorable to us have already yielded to friendly expostulation and remonstrance,” and, by the fact of the treaties recently concluded between these States, contain express stipulations that, in no event, will they agree or enter into any treaty with Spain, or any other nation, to the prejudice

of their independence, but to maintain, at all times, their mutual interests, with the dignity and energy proper to free independent States.

It is true a difference of opinion appears to exist at present between the United States and one of the new Republics of America in relation to a single principle of their commercial intercourse. When the Senate recollect, however, that treaties have been already concluded between the United States and three others of these Republics, in each of which treaties this point has been settled as the United States themselves think right, the committee believe that the Senate will concur with them in the opinion that it is much better to continue the discussion of this subject with the dissenting State singly, urging upon her the example of her sister States, than to put in hazard the stipulations already secured by voluntarily entering into an examination of their expediency before the contemplated congress.

“The consentaneous adoption of principles of maritime neutrality, favorable to the navigation of peace and commerce in time of war,” is the next object which, in the opinion of the President, should “also form a subject of consideration in this congress.” In relation to this, so far as it regards the commerce of peace, the committee have already expressed their opinion; and, so far as it is intended to settle the rules of war as applicable to navigation, the committee will only remark that there exists so much risk of compromising and destroying the relations of neutrality, which the United States are now maintaining, should they involve themselves by any compact relative to belligerent rights entered into with only one of the parties to the present war during its continuance, that, in their opinion, it would be highly inexpedient to make such an experiment at this time.

Any principle relating to the rights of war which one of the parties in the existing contest might be willing to adopt as promoting its interests could scarcely be regarded with indifference by the other. And the great maritime States of Europe would most probably consider that the United States had seized the occasion of this war to enter into a

confederacy with the other States of this continent now actually engaged in it for the purpose of settling principles intended to affect materially their future interests.

It is well known to the Senate, moreover, that treaties already exist between the United States and several of the new States of this continent, in which all the subjects alluded to by the President in this part of his message are already settled; and no reason is known to this committee to excite the slightest doubt that the others of these States with whom treaties are not yet concluded will feel any disinclination to enter into similar stipulations for themselves.

“There is yet another subject,” says the President, “upon which, without entering into any treaty, the moral influence of the United States may perhaps be exerted with beneficial consequences at such a meeting—the advancement of religious liberty.” And as a motive for making an effort to accomplish this object he states that “an exclusive church has been incorporated with the political constitutions of some of the southern nations without toleration of any other than the dominant sect.”

(In the opinion of this committee there is no proposition concerning which the people of the United States are now and ever have been more unanimous than that which denies not merely the expediency but the right of intermeddling with the internal affairs of other States, and especially of seeking to alter any provision they may have thought proper to adopt as a fundamental law or may have incorporated with their political constitutions. And if there be any such subject more sacred and delicate than another, as to which the United States ought never to intermeddle even by obtrusive advice, it is that which concerns religious liberty. The most cruel and devastating wars have been produced by such interferences; the blood of man has been poured out in torrents; and from the days of the Crusades to the present hour no benefit has resulted to the human family from discussions carried on by nations upon such subjects. Among the variety even of Christian nations which now inhabit the earth, rare indeed are the examples to be found of States who have not established an exclusive church, and to far the greater

number of these toleration is yet unknown. In none of the communications which have taken place is the most distant allusion made to this delicate subject by any of the ministers who have given this invitation ; and the committee feel very confident in the opinion that if ever an intimation shall be made to the sovereignties they represent that it was the purpose of the United States to discuss at the proposed congress their plans of internal civil policy, or anything touching the supposed interests of their religious establishments, the invitation given would soon be withdrawn.

The committee have thus exhibited to the Senate, in detail, all the subjects which they have been enabled to find particularly stated, either by the President in his first message or by any of the ministers of the new States of America, as matters intended to be discussed at the contemplated Congress. In reviewing these they will repeat that a concurrence of opinion does not seem to exist between the different parties as to the subjects of deliberation ; nor has the mode of discussion or decision been in any way settled between them. In relation to some of the subjects alluded to as fit matters for consideration differences of opinion, radical and irreconcilable, seem already to exist, which discussion may aggravate but can not assuage. As to others, their very agitation in this mode threatens seriously the compromitment of the neutral relations which the United States are now maintaining and have so carefully observed throughout this whole contest. Others, again, are unfit subjects for deliberation in this mode at all times, and any agreement resulting from their discussion must impair that freedom of action which it is so necessary for the United States to preserve as to these ; and, as to the residue, they are either not of sufficient importance to require the adoption of this new and untried experiment of a Congress of Nations, or may be much better adjusted and settled in separate negotiations with each than in a general conference with all. For these reasons, if there were none other, this committee should regard the adoption of the measure proposed by the President as highly inexpedient at this time.

Although in the message of the President of the 9th instant no new subject of deliberation at the contemplated Congress is specially stated, yet, from the documents accompanying that message, and therein referred to as containing information tending to show the expediency of adopting the proposed measure, it appears to this committee that the present and future condition of the remaining Spanish possessions in America are considered as proper matters to be there agitated and settled. Such being the inference of the committee they will proceed to lay before the Senate their opinion upon this subject also.

The committee are well aware that the United States can never regard with indifference the situation and probable destiny of the neighboring Spanish islands of Cuba and Puerto Rico; but so far from believing it expedient to discuss these subjects at a Congress of all the American States, and especially at this time, the committee consider the great probability that such a discussion might be forced upon the United States if they are there represented as a circumstance furnishing in itself the strongest objections to the adoption of the measure proposed.

If the existing war between Spain and the new States of America continues the United States could scarcely endeavor to arrest the progress of that war in the only direction it can hereafter take, or prevail upon one of the belligerents not to strike their enemy where alone he is now assailable and most vulnerable by them, without announcing a determination to take part in the contest; and if peace shall happily be restored all apprehension of the effects of such a blow must cease of course. Why, then, discuss the merits of such a question which it seems probable may never arise? Or why place the United States in a situation where, if the question does arise and they must speak, the language which they utter must be regarded as equally unfriendly to all the new States, and where, if the United States keep silence, this very silence will be misinterpreted?

Should the situation or policy of the United States induce them to look with indifference upon the new direction that the existing war may take and to abstain from all in-

terference in it, even though the neighboring islands of Cuba and Puerto Rico may be threatened or assailed, then the very annunciation of such a purpose must contribute much to accelerate an event that can not be desired by us. In whatever light, therefore, this subject is viewed it does not seem to be one which the United States should discuss with the other American States assembled at a Congress. The inexpediency of pursuing a course appeared more obvious to this committee when they considered that many of the nations of Europe must also feel that their interests were materially involved in its decision, and that they would not abstain from making some movement in relation to it which must greatly embarrass any course that the United States may wish hereafter to pursue.

While the United States retain the position which they have hitherto occupied, and manifest a constant determination not to mingle their interests with those of the other States of America, they may continue to employ the influence which they possess, and have already happily exerted, with the nations of Europe in favor of these new republics. But if ever the United States permit themselves to be associated with these nations in any general congress, assembled for the discussion of common plans, in any way affecting European interests, they will, by such an act, not only deprive themselves of the ability they now possess of rendering useful assistance to the other American states, but also produce other effects prejudicial to their own interests. —Then the powers of Europe, who have hitherto confided in the sagacity, vigilance, and impartiality of the United States to watch, detect, announce, and restrain any disposition that the heat of the existing contest might excite in the new states of America to extend their empires beyond their own limits, and who have therefore considered their own possessions and commerce in America safe while so guarded, would no longer feel this confidence. ( Each would therefore endeavor to secure its own interests by its own means, and the power of Spain not being considered by any as equal to the protection of her remaining American possessions, a struggle would probably commence who should first ob-

tain the islands of Cuba and Puerto Rico, the possession of which must ever be of the last importance to the commerce of this hemisphere. Or, if such should not be the case, the interest of many European nations might seem to require that they should make common cause with Spain for the purpose of preventing these islands from falling into other hands. To the United States it would be of little moment which of these events should occur, for it can not be expected that any such contest could be carried on so near them without the most imminent danger to their neutrality.

The very situation of Cuba and Puerto Rico, therefore, furnishes the strongest inducement to the United States not to take a place at the contemplated Congress, since, by so doing, they must be considered as changing the attitude in which they hitherto have stood as impartial spectators of the passing scenes and identifying themselves with the new republics.

These reasons, strong as they have appeared to this committee, are not the only objections to the proposed measure disclosed by the documents to them referred. The manner in which this invitation has been given, of itself, furnishes many forcible obstacles to its acceptance, and, in the opinion of this committee, the United States will neither consult their own dignity nor what is due to the proper respect they have a right to claim from all nations, and especially from the new states of America, if they now agree to co-operate in carrying this proposed measure into effect.

The history of the transaction, so far as it is disclosed to this committee, seems to be this: So early as the year 1821 the project of assembling a general congress of their representatives to consider and adopt the best plan for defending the states of the New World from foreign aggression, and to conclude treaties of alliance, commerce, and friendship for the promotion of their happiness and prosperity, appears to have been received by one at least of the new states of America. This scheme of forming a continental system for America, to resemble that already formed in Europe, was communicated to the others of these



states, who, concurring in the project, negotiations were instituted between them for the purpose of concluding conventions to provide for this object.

The plan being so far matured, the United States were, for the first time, informally applied to during the last spring by the ministers of two of the new states, separately, to learn whether an invitation to be represented at this Congress, if given by both these republics, would be accepted. To this communication, informally made, the President as informally replied that he believed such a congress as was proposed might be highly useful for several purposes, but that, before it assembled, it appears to him expedient to adjust between the powers to be represented several preliminary points, such as the subjects to be discussed, the nature of the powers to be given to the agents who were to compose it, and the mode of its organization and action. And if these preliminary points could be arranged in a manner satisfactory to the United States, the ministers to whom this communication was made were informed that the President thought the United States ought to be represented at the contemplated congress. Each minister undertook to transmit to his government this answer thus given.

The affair remaining in this posture as to the United States, the negotiations previously entered into between the new states were brought to a close, and conventions providing for the objects of the proposed congress were actually concluded, some of them so far back as the 6th day of July, 1822.

After the conclusion of all these conventions, and only a few weeks since, during the month of November last, separate formal communications were made to the United States by the ministers of Mexico, Colombia, and Guatemala, respectively, disclosing some of the objects intended to be discussed at the proposed congress in the manner already stated by the committee, and giving the invitation to the United States to be there represented. In some of these communications the United States were informed that instructions and ample powers for the attainment of the proposed objects would be given by at least one of

the new Republics, and a wish was expressed that the agents of all the others might bear the same. In none, however, is any mention made either of the mode or organization or action of the congress, nor is it anywhere stated who would be the parties, or what representatives were either invited, expected, or would be received. But in the very communication which conveys the information already stated the United States are told that at the date of that communication (November 3) the representatives from Colombia, Peru, Guatemala, and Mexico would have arrived at Panama, the agreed place of assembling, and would be engaged in settling the preliminary rules of the assembly, and in discussing the questions which should be supposed by them to belong exclusively to the belligerents.

It thus appears that, after everything relative to the meeting of the proposed congress had been settled by formal negotiations and treaties between themselves, the United States have been thus loosely invited by the other American States as if in mere courtesy to attend its deliberations. Should the United States accept such an invitation, the deputies whom they may send to Panama will there be associated with they know not whom, or for what purposes, or in what mode. When these deputies shall inquire of the congress as to any of these important particulars they will receive the information they ask in resolutions and compacts adjusted and concluded before their arrival. And if, waiving all these things, which none ought to consider as mere ceremonials, the agents of the United States shall take the places previously assigned to them, and propose to take a part in the discussions, they will find all the leading principal topics for deliberation already passed upon and concluded.

The committee are well aware that the interest and character of free States should never be permitted to rest upon matters of mere fastidious etiquette and ceremonious observance; but even in the intercourse between individuals, and much more in that between sovereignties, there is a point at which forms become substance, and when scrupulous attention to the most minute ceremonials that

comity and respect exact is due to the sacred character and dignity of the Republic. At that point the committee believe the United States should ever make a stand, and resting there should always exact even from the most ancient and puissant sovereign of the earth everything required by their own self-respect. Nor should anything be then waived even to manifest their sensibility to whatever concerns the prosperity of the American hemisphere or the sincere friendship which they feel for these new Republics.

As the most ancient State in the New World ; the first acknowledged sincere friend of those more recently existing ; as a State from whose greater experience more light is said to be expected to be shed upon the subjects to be discussed and the principles to be established at the contemplated congress than from the other States, the United States had a right to expect that when this project of a congress of American nations was conceived it should have been communicated to them as early as to any others whose presence by their representatives was deemed desirable. That they, too, should have been asked whether such a measure would be acceptable ; that they, too, should have been consulted as to the time, the place, and the manner of assembling such a congress. That they, too, should have been permitted to assist in the enumeration of the subjects to which its attention might properly be directed ; in the adjustment of the nature and form of the powers to be given to the diplomatic agents who were to compose it ; in the mode of its organization and action ; and, above all others, in the settlement of the great question, who should be invited to take a part in its deliberations. The United States had also a right to expect that the result of all such consultations should be fixed and secured by solemn compacts and conventions, in which they too should be parties.

Such the committee believe ought to have been and would have been the course pursued by the United States towards the other American States, if the project of convening a Congress of American nations had occurred to us as a measure useful and beneficial to the American

continent; and being never disposed to exact from others more respect than in the like circumstances they are willing themselves to pay the United States, in the opinion of this committee, would themselves, even if an opinion should be entertained that anything exists requiring the adoption of such a measure at this time, courteously to decline the invitation given under the circumstances stated, and to institute the proper proceedings necessary to its consummation in the mode which friendship, comity, and deference to others require. Such a movement belongs to the high character which the United States enjoy in the estimation of all the world, the merit of which is accorded to them by none more willing than by the new born States of this continent; and, if it be not now made, the time will go by when the position may ever hereafter be properly assumed.

The committee would not be understood as suggesting the expediency of any such measure at this time. In their opinion, there exists no adequate motive to induce its adoption. Every spot known or habitable in America is already appropriated by different nations, whose rights of territory all recognize; and if trifling differences may exist between any upon the subject of mere common boundary, these differences constitute fit matter of friendly discussion between them alone.

The idea of colonization in America, therefore, no longer exists; and in the present posture of nations there is little reason to apprehend the willful encroachment of any upon the American possessions of another. Each passing hour strengthens the just claims which the new States of America have preferred, to be recognized as sovereign and independent by all other nations; and the quiet efflux of time, if it has not already done so, must very soon place their sovereignty upon the same basis on which rests that of the most ancient nations of the earth. Spain possesses not the ability to give any of them cause of serious concern; and enjoying the friendship and proclaimed recognition of Great Britain and of the United States, there is no sufficient reason to apprehend the interference of any European nation in the question and war

of their independence. Compacts have been already concluded, or are now negotiating, between each of the States of this continent, wherein their mutual interest, both general and particular, will be firmly fixed upon principles of the most perfect justice and liberal equity. And no common subject now remains of sufficient magnitude to require a movement so new and important as the assembling of a Congress of all the American nations, which can not but excite suspicion and jealousy in the other hemisphere, and might so affect injuriously the interests of the new States themselves.

Should this happy state of things ever change the lively interest which the United States have ever taken in the welfare of these their sister sovereignties, ought to be regarded by them as the surest pledge, that we cannot be indifferent to anything that concerns them. An eye the most vigilant we shall ever direct to their prosperity; the appearance of the first cloud, rising to obscure its light, will be announced to them; and the United States will then manifest the deep interest which they feel in the elevation and happiness of all the nations of the new world.

When such an event shall occur the United States will probably be the first to solicit the assembling of a Congress of American States, and the invitations which they shall then give to others to be there represented will be such as their friendship and respect shall dictate and upon terms which the most fair and liberal principles of policy require. The same, this committee have no doubt, would have been the character of the invitation given to the United States upon this occasion if the new States of America, when they conceived or matured the scheme for assembling the Congress at Panama, had entertained the most remote idea that the United States either would or ought to be there represented. All the conventions concluded between these States, however, prove beyond doubt that even at the date of the most recent of all their compacts none others were expected or desired to be represented at this Congress, but the States of America who had formerly been colonies of Spain, and who were then engaged in war with that power. That the great object of this Congress was to adjust be-

tween themselves the most effectual means of conducting this war to the most speedy and happy conclusion; and that the presence of no neutral State could, therefore, be anticipated.

Before they conclude their report, the committee beg leave to remark, that the intimation given by the President, in his first message to the Senate, that this measure, in which he had thought proper to take no step, before ascertaining that his opinion of its expediency would concur with that of both branches of the Legislature, was, nevertheless, "deemed by him to be within the constitutional competency of the Executive," did not escape their observation. But, as the correctness of this opinion, entertained and expressed by the President, will constitute proper matter for the deliberation and decision of the Senate when they shall enter upon the consideration of a resolution now lying on the table, and not referred to this committee, they did not believe that they were authorized by the Senate to consider this subject. The committee forbear from saying anything in relation thereto.

The committee feel, most sensibly, the embarrassing situation in which they are placed. On the one hand, the duty which they owe to themselves, and to the Senate and to the President, required that they should examine fully and freely the measure proposed, and should state the reasons that lead to the conclusion which they felt themselves bound to adopt. On the other, they were well aware that the adoption of this conclusion and the assignment of the reasons which produced it might contribute not a little to embarrass the President, whose acceptance of the invitation given was already announced. Placed in this delicate situation, after bestowing upon the subject the most mature consideration, believing it to be a sacred duty which the Senate owed to the sovereign States that they here represent to exercise the constitutional power conferred upon them, by examining, at this time, every feature of this new project, and deciding upon its expediency or in expediency as to them might seem right, the committee could not hesitate to disclose all their views in relation to this important matter in order that

these, being fully exhibited to the Senate, might be by them either adopted or corrected.

The committee were induced to adopt this course with less reluctance by the assurance given by the President that until he could be aided by the advice and consent of the Senate he would take no step to carry the measure which he had proposed into effect. Most willingly would the committee recommend to the Senate to abstain from pronouncing any opinion upon this now delicate subject if they could permit themselves to propose to this body a dereliction of its bounden duty or the adoption of any course that might lead it to shrink from its high responsibility. But, convinced that the Senate had the right and were bound to decide directly upon the expediency of this new scheme without limiting their decision to the mere nominations incidentally connected with it, and convinced that the project itself, viewed in any light, was highly inexpedient at this time, the committee thought it better to exhibit these their views, and to advise the expression of the opinion of the Senate in relation thereto in the first instance. Abstaining, therefore, from any remark at present as to the nominations to them referred, the committee recommend to the Senate the adoption of the following resolution :

*Resolved*, That it is not expedient at this time for the United States to send any ministers to the Congress of American nations, assembled at Panama.

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*Report of the Committee on Foreign Affairs, House of Representatives March 25, 1826.*

Mr. Crowninshield, from the Committee on Foreign Affairs, to which was referred the message of the President of the United States, of the 15th instant, made the following report :

The Committee on Foreign Affairs, to whom was referred the message of the President of the United States, to the House of Representatives, of the 15th instant, with the

documents accompanying it, have had the same under consideration, and beg leave to report :

That it appears, from the above-named message and papers, that an invitation has been received by the United States, from the Republics of Colombia, Central America, and Mexico, to attend the congress about to be held at Panama. It appears that this invitation was accepted by the President, on the condition that the nomination of commissioners for the mission should receive the advice and consent of the Senate. This advice and consent having been constitutionally expressed, in the confirmation of the ministers nominated by the President, the concurrence of the House of Representatives is requested, as necessary to carry the mission into effect, by an appropriation to defray the expense of it. This concurrence being "subject to the free determination" of the House, the committee have regarded it as their duty to the House, to inquire into the expediency of accepting this invitation. The ordinary courtesy of nations, in friendship with each other, and the peculiar interest which, for the strongest reasons, the people of the United States have ever felt, and must ever feel, in the new American republics, would seem to dictate the propriety of accepting this invitation, unless there were sufficient reasons for declining it. No such reasons are believed by the Committee of Foreign Affairs to exist.

In order to present the subject in its true light to the House the committee would first make a remark on the general nature of the assembly, designated by the name of the Congress of Panama. The term Congress, it need scarcely be observed, is by no means to be here understood in the sense in which it is applied to some other political assemblies. The Congress at Panama is not a representative delegation, forming a branch of a Government, like the present Congress of the United States. It is not a body in which the government of several confederated sovereign states is deposited, like the old American Congress. (Neither is it a personal meeting of sovereigns like the recent congresses of Europe. It is an assembly of diplomatic agents, clothed with no power except to discuss and to negotiate, deputed by Governments whose consti-



tutions require that all engagements with foreign powers shall be subject to the ratification of some organic body at home; and the more effectually to guard against mistake, even of the design in which this Congress has been proposed, it is stipulated in the several treaties formed by Colombia with the other new Republics, that this meeting at Panama "shall not affect, in any manner, the exercise of the national sovereignty of the contracting parties, in regard to their laws and the establishment and form of their respective Governments."

Such is the general nature of the proposed Congress, as appears from the papers referred to this committee. Of its objects, the committee will, in the course of this report, more particularly speak. They are, in general, all subjects interesting to the powers represented at the Congress, and susceptible of discussion at such a meeting. The minister of the Colombian Republic, with the liberal design, as it would appear, of excluding the supposition that his own Government, or those which joined it, in inviting us to the Congress, had any wish to exercise a dictation as to what subjects should exclusively be discussed, has observed, in his letter to the Secretary of State of 2d November 1825, that the topics of discussion therein enumerated, are designed merely "as suggestions by way of example;" while "it is left to the wisdom of the Governments and the judgment of their representatives to propose whatever may be esteemed of common good to the new hemisphere." In the same letter of the Colombian minister to the Secretary of State the following remarks also occur :

At Panama the best and most opportune occasion is offered to the United States to fix some principles of international law, the unsettled state of which has caused much evil to humanity. It is to be presumed that this Government (the United States of America) possesses more light upon the subject than the other States of our hemisphere, both from its experience during the wars that succeeded the French revolution and from its negotiations (now on foot) with Great Britain and other nations relative to these principles. It belongs to each of the concurring parties to propose their views, but the voice of the United States will be heard with the respect and deference which its early labors in a work of such importance will merit. >

The sentiments here expressed by the minister of Colombia are in accordance with those of the ministers of Mexico and Central America, as contained in their respective letters to the Secretary of State on the subject of the invitation to attend the Congress.

The object of this body, therefore, as far as the United States are concerned, are all subjects which the United States may deem it for their interest to propose for discussion. They embrace, consequently, in general terms, our political and commercial relations with the new American republics.

The Committee of Foreign Affairs has accordingly been led to inquire what the principle of our diplomatic intercourse with other Governments has been? The answer to this inquiry is, that it has ever been the policy of the United States to maintain diplomatic relations with those powers, and those only with which we have important political and commercial relations. We have not formed diplomatic connections with the very powerful states, such as Austria and the Porte, where no great political, no extensive commercial relations required such connections, while with powers not of the first class, such as Holland and Spain, important political and commercial relations have led the United States to the establishment of permanent missions.

This being the principle of our diplomatic intercourse, the committee conceive it to apply, with great force, in the present instance, and to require the attendance of our agents at the Congress of Panama. In that body questions directly involving our most important political and commercial interests are to be discussed. Though the new republics there represented are so many separate Governments, our relations with them are not merely those which we hold toward each individually; they form one whole family in language, religion, law, historical fortunes, and present political alliance. From this family, as far as the enumerated circumstances go, we are necessarily excluded; out of this exclusion springs an entire class of political and commercial relations, between us on the one side and a large family of new republics on the other. This family

of republics has thought it expedient to convene an assembly of plenipotentiaries at Panama. As an important part of their public relations are those in which they stand to us; they have invited us to send our ministers to this assembly. (The law of nations warrants them in thus designating the place and mode of treating with friendly powers, and if we refuse to accept the invitation, takes from us the right of complaining of any results, however inconsistent with our interests.)

Under the circumstances in which this subject is before the House, the committee deem it their duty to consider some of the objections which may be urged against the acceptance by the United States of this invitation. (These may be, among others: that such acceptance is unconstitutional; that all the objects of the Congress, as far as we are concerned, may be attained by negotiations with the separate States; that the subjects of discussion, the powers of the ministers, the mode of organizing the Congress, and the mode of deciding questions are not sufficiently settled to authorize our accepting the invitation; that our attendance would endanger our neutrality towards Spain; that it might involve us in an entangling alliance with the new States; that our attendance would be a novel and unprecedented measure; that there is in a Congress of States something essentially pernicious, as proved by the example of Europe in its recent history.)

The first objection may be that the attendance of the United States at the Congress of Panama would be unconstitutional. To this objection the committee would reply that they are not acquainted with any restriction in the Constitution on the appointment of foreign ministers by the proper authority. It may not, however, be superfluous to add that this objection proceeds on the assumption that the Congress at Panama is either a Government, a branch of a Government, or a Confederacy of Governments; and that the United States by attending this assembly unite themselves to the said Government or Confederacy. Neither part of this assumption is true. The Congress is a meeting of diplomatic agents from independent Governments; and, granting for a moment that

the Congress at Panama were a Government or a Confederacy, our attendance at it by diplomatic ministers would be no entrance into such Confederacy—no union with such Government.

It need scarcely be urged that the United States do not enter into confederacy, do not form a union with a foreign power, or any number of powers, by sending a minister to treat with such power or powers.

It may, in the next place, be objected to our attendance at this meeting, that all its objects may be attained by separate negotiations with the several States. It may admit a doubt whether this could, by possibility, be the case. It is questionable whether separate and disconnected negotiations between States geographically so remote, and in various respects politically so different from each other could be brought to the same harmonious and systematic result, as a discussion in an assembly of diplomatic agents, promptly communicating with each other information, counsel, and argument. At all events, it may safely be affirmed that the same result may be far more expeditiously and conveniently attained by a conference with the assembled ministers of States so remote from each other; that an interchange of intelligence with their respective capitals could not take place more than twice in a twelve-month. This objection, going only to the convenience of the measure, need not be more particularly weighed.

The third objection may be that the subjects of discussion, the powers of the ministers, the mode of organizing the congress, and mode of deciding questions, are not yet sufficiently settled to justify our attendance. From the papers submitted to the committee, it appears that this consideration engaged the attention of the Executive when the invitation was made to this Government last spring by the ministers of Mexico and Colombia. It was then required by the President that previous satisfaction should be given on these points. The replies of those ministers, after having consulted their Governments, do not enter into minute detail on all these points, yet the committee are of opinion that they are satisfactory. As to the subjects in general to be discussed, there is no limitation to

the disadvantage of any Government represented; and the meeting being one of diplomatic agents, and it being stipulated in the Colombian treaties that the ministers to the congress are to go with the usual diplomatic powers and instructions, it follows that their mode of proceeding must be that of diplomatic discussion and conference, and their mode of deciding that which can alone exist between diplomatic agents—the mutual reference of whatever convention or pact may be negotiated—to the constitutional authorities at home. That such is to be the case with respect to our ministers is particularly stated in the message of the President, as also that they are to be bound by no decision of the congress without their own consent. While the committee are of opinion that these details are of no great importance, they apprehend that, as far as they are of importance, the omission to fix them, or to propose them for acceptance to the United States, is rather favorable than disadvantageous to us. The committee are persuaded that on these details, as well as in the leading business of the congress, the new States are desirous to have the advantage of our experience. This sentiment is repeatedly expressed in the letters of the ministers of the new States communicating the invitation.

The next objection may be that our attendance at this congress may put to hazard our neutrality. To this it may be answered that having already acknowledged the independence of the new States we have established the right of treating them as free and independent States, as well towards Spain as all the rest of the world. These States are nominally at war with Spain and Spain alone. Her allies have taken no part in this war. The most powerful of those allies, Great Britain has formally acknowledged the independence of several of these States, and established diplomatic relations with them. To these acts on our part and that of Great Britain Spain submits, although they not only essentially weaken her as a belligerent, but directly violate her colonial laws. But if our recognition of each of the States represented at the congress, and our trading with them in direct contravention of the colonial laws of Spain, be no breach, as it is none,

of our neutrality, so neither is our attendance at a diplomatic council of all those States united a breach of neutrality. This is particularly true when it is added that the United States, instead of going to the congress to animate the war against Spain, will go as mediators and peace-makers, to promote by every means a termination of the contest on terms honorable to the new States and advantageous to Spain. This power has already received the strongest pledges that such is the policy of the United States.

The committee are clearly of opinion that if our attendance at this Congress be desirable on the part of the new States, it is not less so on the part of Spain.

The next objection that may be urged against our attendance at the Congress of Panama is, that it may involve us in an entangling alliance with the new States. To this it may be answered that the project of such an alliance is expressly disclaimed by the President in the message referred to the committee. In the next place, the Congress is neither a government nor a confederacy of governments with which we could, by possibility, in the first instance, enter into an alliance, entangling or not; and, lastly, even if a negotiation for such an alliance were entered into by our ministers contrary to the principles on which it appears from the message of the President that the invitation was accepted, it would still remain for the treaty of alliance to be submitted to the constitutional ratifying powers in this country. Whether, under these circumstances, our acceptance of the invitation can be considered even as an approach to an alliance, the committee need not say.

If it be still objected that from the nature of this assembly there is danger that we, by our attendance, may be drawn into an alliance it may be replied that there is no other danger of the formation of an entangling alliance in consequence of this mission than that which is incident to any mission to any power. We have ministers to France, to Russia, to England. We have had ministers to European countries at periods when very strong temptations of momentary interest existed for forming alli-

ances with foreign powers. The committee are not aware that it ever was suggested that the least danger existed of the formation of such an alliance in consequence of such missions. Our minister to France followed the march of the French emperor to the confines of Russia, but no one surmised that we projected an alliance with him, although we were at the time engaged in a war with his other chief enemy, Great Britain. Yet it is plain that the way to an alliance is much more direct in an ordinary mission than in that proposed. When our minister is accredited to a foreign sovereign, particularly an absolute one, he is accredited to a party competent to form an alliance without further delay or ulterior responsibility. While, on the other hand, our ministers to Panama will be accredited to other ministers no more competent than our own to pledge their governments.

Further, it is particularly to be observed, that an alliance with any one of the new republics would be fully as entangling as an alliance with them all. They are all at war and with the same enemy. They stand in an alliance, offensive and defensive, with each other. Precisely the same consequences, therefore, would result from the formation of an alliance with either of them, Colombia for instance, as with all of them. If then the danger of being drawn into an alliance requires us to abstain from attending the Congress at Panama, the same danger with equal force requires us to withdraw all diplomatic connections with these new States.

But in truth, this suggestion of the danger of an alliance incident to a diplomatic mission carries with it so direct a reflection on the wisdom and fidelity of the treaty-making power as lodged in the hands of the President and Senate that the Committee, out of proper respect to the co-ordinate branches of the Government, will not longer consider it.

Another objection to the proposed mission may be, that the Congress is an unprecedented measure, and that our attendance at it would, on our part, be a novel and unprecedented step. A little reflection will show, that this assumption, as far as it forms an objection to our attendance

at the Congress, involves a confusion of ideas. The establishment of several new republics at once may be called an unprecedented event ; and as a historical occurrence without a parallel in the history of the world. But the committee can not admit that every subsequent political act of these new States, or of other States, in reference to them is therefore to be called novel and unprecedented, and that in an injurious sense of the words. On the contrary, it appears to the committee exceedingly natural that these States should hold diplomatic conferences with each other and neighboring nations who have important relations with them. Nothing, perhaps, is more frequent in political history than similar meetings among friendly States.

Nor when the subject is correctly viewed is there anything in principle, novel or unprecedented, in our attendance at the proposed Congress. As a merely historical event indeed it may be considered as without an exact precedent, although the negotiations between the United States, France, and Great Britain in 1782, which resulted in the treaties of peace between the several countries, were of the nature of the conferences of a meeting of diplomatic agents. It will also not escape the reflection of the House, that, had this Government ever acted on the principle that exact precedent was necessary to authorize its measures, no one of the most important measures of the Government, since the date of the constitution could have been adopted. Whatever weight there is in the mere argument of want of exact precedents applied in its full force to the adoption of the Federal constitution itself. The whole history of the world contained no precedent of such a government.

But, in point of principle, there is no novelty in our attendance at the proposed Congress at Panama. Our ministers will carry with them the same powers—no larger, no more discretionary—that have ever been vested in the foreign ministers of the United States. It has been the characteristic policy of the United States, to ask no questions about the quality or constitution of the power to which our ministers were sent. We have rested for our se-



curity, not on a timid calculation of the powers of the Government, or of the body with which our ministers were to treat, but on our constitutional safeguards at home. It has been indifferent to us whether Europe were at peace or at war ; or by what title her sovereigns filled their thrones. To instance in a single case : We have sent missions to France alike under the ancient absolute monarchy, limited monarchy, and revolutionary anarchy ; to the convention and to the directory ; to the consular and the imperial despotisms, and to the present constitutional Government. The posture of affairs which our ministers have found in that country has often been novel ; their personal position unprecedented, the scenes they witnessed strange and unexampled. But of none of our successive missions could it have been said, in any important sense, that the mission itself was novel ; that is, that it opened a door to any relaxation of the constitutional checks in the administration of the foreign affairs of the Government at home. In like manner, the mission to Panama is in the strictest conformity with our whole international policy, which is to be represented wherever we have important political and commercial connections. Our commissioners will go there to do the business of the country. Their appearance at that meeting can not surely have the effect of breaking down the Senate and House of Representatives, and by a kind of dictatorial power unknown to the Constitution, of binding the country in a foreign alliance.

Lastly, it may be objected that, in a congress of assembled powers, there is something essentially pernicious which this country, instead of approaching, ought to shun, and the existing organization in Continental Europe may be quoted as the illustration. The committee deem it hardly necessary to remark that the pernicious character of the late European congresses, or of any European congresses, does not consist in the act of assembling and treating together, but in the character of the governments assembled, and in the objects effected or aimed at. A congress of despotic powers, wielding the force of large standing armies, and meeting to concert measures for

violent interference in the internal affairs of other States, is certainly a pernicious assembly. In other words, despotic governments, standing armies, and unprovoked invasion are pernicious in a single state, and proportionably more so when several despotic governments league their forces to prevent the establishment of liberal institutions in any country not beyond their reach. But if the states of Europe were free republics, blessed with popular governments, written laws, elective magistrates, and senatorial bodies beyond the reach of corruption, the committee do not perceive that a meeting of the diplomatic agents of such governments, to form treaties and conventions, on their mutual interests and concerns that are to be sent home to their constitutional ratifying functionaries, would be in any degree alarming. Moreover, it is an obvious reflection that this argument against the mission to Panama, if it prove anything, proves too much. If the pernicious character of the power to which the mission is to be sent is a reason for not sending it, it would be impossible for the United States to maintain a single mission in Europe. Our ministers there are, in every case, accredited to governments constructed, as we think, on principles which could not be introduced here without immediate national ruin. If it be safe for us to hold diplomatic intercourse with the unlimited monarchy of Russia, it can not be dangerous to hold the same kind of intercourse with an assembly of the agents of our neighboring republics.

Having thus considered the objections which may exist to this measure, and endeavored to show that it is strictly within the line of the international policy of the United States, the committee regard it as their duty to the House, on the present occasion, to dwell for a moment on the subjects of discussion at the Congress of Panama.

By the terms of the invitation, as well as the nature of the case, the discussions at Panama are to extend to all subjects of importance to the new states; as among each other; or, as between them and Spain; or of importance directly to us, in our connection with them.

Each power is at liberty to propose what subject for

discussion or negotiation it may please ; the only limitation being that which the United States impose on themselves, with the understanding of the other powers that we are to engage in no discussions inconsistent with an entire neutrality.

Although in different degrees, the three classes of subjects above enumerated are interesting to the people of the United States. The relations of the new states to each other are very important to us. They are our near neighbors—one of them has an immense landed frontier on our territory, and together with the two next in geographical succession lies on those waters into which the great internal communications of the United States are discharged. With the others, we have no direct geographical but we have highly important commercial connections.

At present there are eight or nine independent States formed out of the late Spanish and Portuguese colonies; seven of these, viz, Mexico, Guatemala, Colombia, the provinces of La Plata, Chili, Peru, and Upper Peru have adopted republican governments. Now, it is to us a matter of very great interest how these States shall stand toward each other. Should they fall into dissensions and wars those great advantages which we have reasonably promised ourselves from their growth and prosperity could not be realized. The great drawbacks on the progress of these States and on the extension of advantageous commercial relations with them arising from the war with Spain would be perpetuated by the growth of feuds and conflicts with each other. It would have been as well for us and for themselves that the mother country had continued to rule them as that their energies should be wasted in civil wars. The committee do not intend to augur unfavorably for the peace and harmony of these States, but it is obvious that the simultaneous rise of so many neighboring independent republics must be attended with its hazards. Rival claims to portions of territory may form a subject of contention among the new States as they did in our own Confederacy after the war of the Revolution. A controversy of this kind has actually arisen between

Mexico and Guatemala, which the committee trust will be settled by friendly compromise, for few events could be more to be deprecated by us than a war between two States lying on and near the Gulf of Mexico. Unfortunately a controversy of the same kind has broken out into a war between Brazil and the United Provinces of La Plata for the disputed possession of the Banda Oriental. The effect of this war on us has been instantaneous.

It has already become necessary to ask for an additional appropriation for the naval service of the year of near \$100,000 to protect the property and lives of our citizens from the dangers to which, in the progress of this war, they will be exposed. Now, it has been expressly provided in the treaties which led to the formation of the Congress of Panama, that the ministers there assembled should exercise the office of mediators when such differences shall arise. Brazil and La Plata have both been invited to the Congress ; and had it been in active operation, it certainly is within the reach of political probability, that this unfortunate controversy might, by friendly mediation, have been prevented from ripening into the fatal issue of war. To the work of mediation, in all such cases, the United States would come as the most disinterested party ; and as we ourselves have experienced the benefits of the mediation of a foreign friendly power, it may happen that we may render the like good office to our sister States. Could we but in a single instance avert or terminate a war, it would itself form a sufficient motive for accepting the invitation. We claim no right of interference ; we do not obtrude ourselves as umpires. We are invited to a congress where we are told these national differences, if any arise, will be discussed ; we are told that our presence, counsel, and experience are desired. No maxim of the most cautious political prudence bids us stand aloof. Next to peace on our own part, their peace and prosperity are our leading interest ; and the policy of maintaining peace through the instrumentality of friendly mediation is entirely congenial with the principles and feelings of the people of the United States of America, and sanctioned by their practice.

The next general class of subjects to be discussed at the

Congress of Panama are the relations of the new states with Spain. This subject, it is expressly stipulated, is only to be approached by our ministers under the reservation of strict neutrality. More than this, our great efforts will be directed to pacification. The policy of the United States in this respect is sufficiently unfolded in the letter of the Secretary of State to Mr. Middleton, dated May 10, 1825, and the letter of the Secretary of State to Mr. Salazar, dated December 20, 1825. Pacifications between the belligerents is an object which it is our most decided interest to pursue. No single political event perhaps could be named more desirable to the United States, in reference to their industrious interests, than the termination of the present contest. We suffer every way by its continuance; our commerce with Spain languishes, and it is impossible that it should assume a profitable expansion with the new States.

Connected with the belligerent relations between Spain and the new States is the fate of the Spanish Islands, particularly Cuba. If the war continues, the invasion of that island will be attempted; it is an avowed subject of discussion at the Congress. This is a subject of the greatest moment to the United States in every respect. We have an intercourse with that island which acts upon our industry in all its branches. The Moro may be regarded as a fortress at the mouth of the Mississippi; and what is infinitely more important, unless Cuba should be invaded by an overwhelming force (such a force as the new States will hardly be able to organize), that invaluable island may renew, almost within sight of our shores, the terrific example of San Domingo. Any effort on the part of the United States to avert such a catastrophe would be cheaply made; none could be justifiably omitted. Had the Government of the United States, after being invited to attend a conference of the ministers of the powers by whom that invasion is projected, declined to be present, they would have been heavily responsible to the people for whatever disastrous effects our friendly interference might have averted or delayed.

The last general class of subjects to be discussed and

treated at Panama are the direct interests between the United States and the new Republics, unquestionably, as far as we are concerned, the most important branch of the negotiations. With several of these powers we have no treaty whatever. With Mexico, as appears from the correspondence between the Secretary of State and Mr. Poinsett, we have been unable as yet to form a treaty on satisfactory conditions, and the obstacles which have hitherto prevented this from being done are precisely such as are most likely to be removed at a conference of ministers of all the new States. At such a conference we shall, of course, possess the best opportunity of establishing uniform and liberal relations with all. The arrangements to be made with them comprehend the great principles of belligerent, neutral, and commercial law as set forth in the general instructions to Mr. Anderson, by the then Secretary of State. The United States have long been laboring to introduce into every branch of public law principles of liberality, equality, and humanity, hitherto unknown in its codes. The various respects in which our policy, in many leading points of the laws of war and trade, differs from that of Europe are well known to the House, and need not here be stated. The Republic of Colombia, in inviting our attendance at the congress, has asked for herself and her sister Republics the benefit of our experience in the great school of international politics. To refuse our attendance at the congress, when urged on this ground, would be to neglect to seize, perhaps, the fairest opportunity which the history of the world ever afforded of giving a wide and prompt diffusion to liberal doctrines of public law. It would certainly put it out of our power to complain of any policy these States might adopt, however unfriendly toward our interests and however vicious in principle.

Such are the views of the committee with respect to the several classes of subjects which will be discussed at this congress. It is a very obvious reflection that our attendance may have a powerful effect in giving a character to the assembly itself. Our presence is particularly requested by one of the new States, who have joined in the invita-

tion, on the ground of "the importance and respectability" which would thence attach to the congress. The committee do not foresee the possibility that, under any circumstances, the congress could become an inconvenient or dangerous assembly. But if it be thought by any one that evil consequences are likely to flow from it, the prospect of such consequences would furnish new reasons why we should be represented at it. Whatever opinions may be held of the expediency of such a meeting in itself, it would seem that there could be but one opinion as to the duty of our attendance at the congress to correct the pernicious tendency which it may be feared to have. To neglect to attend the congress because it was a combination of unfriendly aspect would be to neglect the ordinary preparations of defense, precisely because there was danger of war. Viewing the Congress at Panama in this unfavorable light (for which, however, the committee apprehend there is no reason), no administration of the executive government would stand justified to the country without taking measures most promptly to be informed of its proceedings. If not invited to send authorized and accredited ministers, it would have been their duty to send private political agents.

The committee have felt it their duty to consider this question chiefly on strict grounds of political expediency, and in reference to the principle of our diplomatic intercourse. They, however, accord in sentiment with the President, that a sufficient inducement to accept the invitation would have been "to meet in the spirit of kindness and friendship an overture made in that spirit by three sister republics of this hemisphere." It will not escape the consideration of the House that the conduct of the United States toward the new republics has ever been regulated by the maxims of a frank and liberal policy. Had we acted toward them even as we have felt it our duty to act toward Europe, our course would have been essentially different. Had our feelings toward them been the same as those which our political fathers have inculcated toward Europe, we should certainly have regarded it rather as an evil than a benefit that so many new republics, of which

the greater part must be powerful States, are rising into existence on the same side of the water as ourselves. We are henceforward to be without that which has formerly been regarded as the great bulwark of our national security, our geographical distance from every other powerful State.

But we have not hesitated to break down this bulwark. We have gone to meet and welcome the new republics. We have ourselves assisted to exchange weak colonial for powerful sovereign neighbors. As far as it depended on us, we have chosen to place the regions on our immense southwestern frontier beneath the government of vigorous republican institutions, instead of having them under the safe and enervating despotism of Spain. In the judgment of the committee, this has been a sound, a great, an auspicious policy. It was not rashly adopted; it was long deliberated, well weighed, and at length received its sanction in the unanimous voice of this House, and the acclamations of the people. From this policy it is now too late to recede. We can not now do much to obstruct the growth of the new States; we can do everything to conciliate and attach them, or to estrange and disgust them. The course first will promote the general cause of liberty, will perpetuate friendly relations between the two great portions of this continent, to the mutual advantage of both, and will render us more and more independent of Europe. The latter course will tend to revive in the New World the false and pernicious maxims of the Old; to teach neighboring republics to fix on each other the fatal name of natural enemies; to create piratical and border wars; to generate systems of exclusion; and, finally, to establish in this hemisphere those political principles and habits which have caused the downfall of so many foreign States, made so many others stationary and languishing, and checked the growth of all. We are now to consider whether we will take the first step in an unfriendly and repulsive policy, by refusing to accept the courteous invitation of three most respectable neighboring governments, tendered in a manner equally creditable to their delicacy and flattering to the United States.



Nothing but a certainty of pernicious consequences to result from our attendance at the congress, would, in the opinion of the committee, be sufficient to justify our refusal to accept such an invitation. As our attendance at the congress, instead of being prejudicial to the public interests, is, in the judgment of the committee, a measure of the most obvious political expedience; as it is stipulated to bring into no hazard the neutrality of the United States; as all fears of an entangling alliance have been shown to be unfounded; in a word, as the congress will be regarded by the Executive of the United States as purely a consultative meeting, and as the objects of consultation are of primary importance to the country, the Committee of Foreign Affairs are of opinion that the mission to Panama ought to receive the sanction of the House of Representatives, and they accordingly recommend the adoption of the following resolution:

*Resolved*, That, in the opinion of the House, it is expedient to appropriate the funds necessary to enable the President of the United States to send ministers to the Congress of Panama.

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*Extract of a letter from Mr. Clay to Mr. Poinsett, minister to Mexico.*

DEPARTMENT OF STATE, *September 24, 1825.* ?

During the last spring the ministers of Mexico and Colombia near this Government made separate but nearly simultaneous communications to this Department, in relation to the contemplated Congress at Panama. Each of them stated that he was instructed by his Government to say that it would be very agreeable to it that the United States should be represented at that congress; that it was not expected they would take any part in its deliberations or measures of concert in respect to the existing war against Spain, but that other great interests affecting the continent of America, and the friendly intercourse between the independent nations established on it, might be considered and regulated at the congress, and that, not knowing what might be the views of the United States, a

previous inquiry was directed to be made, whether they would, if invited by Mexico or Colombia, be represented at Panama, and if an affirmative answer were given, each of those ministers stated that the United States would be accordingly invited to be represented there.

The President directed me to say, and I accordingly replied, that the communication was received with great sensibility to the friendly consideration of the United States, by which it had been dictated; that, of course, they could not make themselves a party to the existing war with Spain, or to councils for deliberating on the means of its further prosecution; that he believed such a Congress as was proposed might be highly useful in settling several important controverted questions of public law and in arranging other matters of deep interest to the American continent and to the friendly intercourse between the American powers; that before such a Congress, however, assembled it appeared to him to be necessary to arrange between the different powers to be represented several preliminary points, such as the subjects to which the attention of the Congress should be directed, the nature and the form of the powers to be given to the ministers, and the mode of organizing the Congress. If these preliminary points could be adjusted in a manner satisfactory to the United States, the ministers from Mexico and Colombia were informed that the United States would be represented at the Congress. Upon inquiry if these preliminary points had yet engaged the attention of either the Government of Mexico or Colombia, they were unable to inform me that they had, whilst both appeared to admit the expediency of their being settled. Each of them undertook to communicate to his Government the answer which I delivered to their invitations, and nothing further has since transpired. It is deemed proper that you should be made acquainted with what has occurred here on this matter in order that if it should be touched upon by the Mexican Government you may, if necessary, be able to communicate what passed. We shall make no further movement in it until we hear from the Governments of Mexico or Colombia,

*Extract of a letter from Mr. Poinsett to Mr. Clay.*

LEGATION OF THE UNITED STATES OF AMERICA,  
*Mexico, August 26, 1826.*

The plenipotentiaries from Panama have not yet reached this city. It is now confidently asserted that those from Mexico were instructed to propose the removal of the Congress to Yucatan, or some other point in these States. Upon their arrival I shall endeavor to learn the precise nature of the secret convention concluded at Panama. In all probability it relates to the invasion of Cuba and Porto Rico.

I send herewith a translation of the speech of the president of the Congress of Panama on the installation of that assembly.

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INSTALLATION OF THE AMERICAN CONGRESS.

PANAMA, *June 22, 1826.*

This day may be called the day of America. From this day the people enjoy freely their political liberty and each individual conforms to his social compacts. A strict and eternal bond unites the four Republics of Colombia, Guatemala, Mexico, and Peru. All engage mutually to assist each other against their foreign oppressors and against those who may attempt to infringe the rights they have recovered.

To preserve a perfect equality the presidency was decided by lot, as was the order of signatures. The names of the Most Excellent Señors Pedro Gual, minister of state and of exterior relations of Colombia; Antonio Larrazabal, plenipotentiary of the Holy Cathedral Church of Guatemala; Don Manuel Lorenzo de Vidaurre, president of the supreme court of justice of Peru and decorated with the medal of Bene-meritos of his country; Don José de Michelena, brigadier-general in the armies of Mexico; Pedro Briceno Mendez, brigadier-general in the armies of Colombia and of the liberators of Venezuela and Cundinamarca; Pedro Molina, plenipotentiary from Central America; Don Manuel Perez Tudela, attorney-general of

the supreme court of justice of Peru, and Don José Dominguez, regent of the tribunal of justice of Guanaxuato, will be repeated forever with respect as the most eminent defenders of our liberty and independence.

Blessed be the God of Justice, who, in recompense of our toils and slavery, has vouchsafed to us forever the means of being happy.

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ADDRESS OF DON MANUEL LORENZO DE VIDUARRE, TO THE  
PLENIPOTENTIARIES OF THE AMERICAN STATES ASSEMBLED AT PANAMA.

The inhabitants of the Americas which were formerly Spanish, will cover themselves with infamy, in the eyes of all known nations, if they fail to promulgate such wise, equitable, and just laws as will insure their present felicity, and that of their descendants, for many generations.

Restored to the state of nature, free and independent, in perfect possession of all their rights, and of that free will given to them by the Sublime Author of all beings, they are more perfect than in the early days of the creation. Then, man could not be prudent, because he had no experience; he could not avoid evil, because he knew it not; he was incapable of enjoyment, because he was ignorant of pain or pleasure. Now, in the exercise of his perfected faculties, he distinguishes that which is justice and that which is injustice; the useful and agreeable from the pernicious and troublesome; security from danger; the fruition of continued moderate pleasure, from delights momentary though intense. The overthrow of a thousand empires, the flux and reflux of riches throughout all parts of the known world, the destruction of some cities and the elevation of others, the rise and fall of States, all are lessons of which he may profit, all are rules offered to him to guide his present conduct.

Among the many physical, moral, and political revolutions which history relates and philosophers have examined, our own is unexampled. Dynasties succeeded

each other in China from the time of Fo-hi until the Tartars seized the throne; the Egyptians number three hundred and forty-one generations to the days of Lethon; the Persians succeeded the Medes, as these had succeeded the Assyrians; the Romans took the place of all; a cloud of locusts sallies forth from the North and takes possession of the South of Europe; Columbus discovers a new world; Cortez, Pizarro, and other criminal adventurers dethrone sovereigns, and seize upon a fourth part of the globe. Human nature has not advanced; she is every day more a slave to the shameful passions of a few and an accomplice in their crimes by a stupid passive obedience, which blinds her to a sense of her degradation and almost causes her to forget her noble origin; dynasties are changed, but not the vices of government. Even when the Greek, the Roman, the Carthaginian of antiquity appear devoted to liberty, they are unsteady, inconstant, suspicious, envious, discontented with their own territories; great warriors, but bad citizens. (I only see in them vices under different aspects, and a chain of evils and misfortunes. Let them rejoice in Marathon and Salamis; still the Athenian is panic stricken at hearing that the walls of the Pireus are doomed to destruction and to be leveled with the earth; the sons of Thebes weep over their fallen country; the Emilian sheds tears in seeing Carthage in ashes, because it prognosticates that barbarians are to sack Rome; her precious monuments will be delivered over to the flames, and her famished sons will rush through her streets seeking for bread or death. The time had not yet come when men were to be happy. The sublime theory of rights and obligations had not yet been discovered; countries were defended, but not individuals.

I look upon the English as the first who labored for the rights of man. Their ancient charter, extorted by force from John Santerre, and their progress through several centuries, to the time of William III, show that we ought to consider them as the discoverers of the great political system. The Anglo-American must confess that the lights he received from his fathers directed him in his struggle, and conducted him to the haven where he re-

poses under the shade of the tree of just and moderate liberty.

Our situation, however, is still more fortunate. We have before us, in pictures perfectly executed, the errors and the knowledge, the virtues and the vices, of seventy-two centuries. The union of the Swiss, the constancy of the Dutch, the prudence of the North Americans, the atrocities of the French Revolution, the parties of the Belgic provinces, and even our own, are models which we are to keep in view, that we may follow the examples of some and detest those of others.

The great American Congress, which is to be a council in great conflicts, a faithful interpreter of treaties, a mediator in domestic disputes, and charged with the formation of our new international law, finds itself invested with all the powers necessary to accomplish the noble, grand, and singular object for which it is convoked. All the precious materials have been collected beforehand. The whole world is about to witness our labors, and to examine them with deliberation. From the first sovereign to the last inhabitant of the austral regions there is not one indifferent to our task. This perhaps may be the last experiment that will be tried to ascertain whether mankind is capable of being happy. Fellow-laborers, the field of glory has been laid open to us by Bolivar, San Martin, O'Higgins, Guadalupe, and many other heroes superior to Hercules and Theseus. Our names are to be written either with immortal praise or eternal opprobrium. Let us elevate ourselves above a thousand millions of inhabitants, and may a noble pride inspire us, assimilating us to the Deity himself, on that day when he gave the first laws to the universe. >

Warmed by a divine fire, and fixing my eyes steadily on the Author of the Universe, the most enormous difficulties appear to me trivial. Few, but solid, are the bases on which our confederation is to be founded. Peace with all the world; respect to the established governments of Europe, although they be diametrically opposed to those generally adopted in our America; a free commerce with all nations and a great diminution of duties in favor of those which have recognized us; religious toleration towards such as

observe different rites from those which we have established by our several constitutions. Ah! nearly thirty-three millions of victims sacrificed by fanaticism from the time of the Hebrews to the beginning of the present century. These teach us to be humane, pacific, and compassionate, even towards those who walk in very different paths. Let the stranger come; whatever may be his mode of worship he will be admitted, respected, protected, if his morality, which is true religion, is not contrary to that taught by our Christ. Let them be our masters in agriculture and the arts. Let the sad and despairing countenance of the African, oppressed with the chains of force and power, disappear from our fields. Let him see at his side a man of that color which he had believed a mark of superiority. He begins to be rational when he perceives that he is distinguished in nothing from other men. Immortal Pitt! eloquent Fox! interrupt for a moment your repose, lift your heads from the tomb and behold with admiration that the countries formerly enslaved are those which most venerate your philanthropic maxims.

With respect to ourselves, there are two terrible, hidden rocks. One, the desire of aggrandizement of some states at the cost and to the injury of others; the second, the risk that some ambitious man may aspire to tyrannize over his fellow men and enslave them. I fear both cases as much as I despise the threats of the feeble Spaniards. I can not extinguish the passions, nor would it be well to extinguish them. That man forever aspiring to something above him! That man never content with what he possesses! He has ever been unjust, and shall we convert him suddenly to a love of justice? I trust so. He has experienced the ravages caused by extravagant desires.

Sully and Henry IV formed the project of a tribunal in order to prevent in Europe the first of these dangers. In our days Gordon wrote a treatise upon the same subject. This Diet realizes the praiseworthy intentions of the kings and of philosophers. Let us avoid war by reducing everything to mediations. The effect of war is conquest. One state is augmented by reducing that of the vanquished. Montesquieu explained what it really

was; Debonaire what it ought to be. Napoleon, by every fresh victory, acquired new territories for France. An arrow cast into our fields or mountains will be an horrid sound, which will be heard throughout the continent and over all the islands. And about what shall we dispute? Our productions are the growth of every soil; our territories are immense; our ports secure and excellent. One republic need not envy the other. Will the shepherd of a thousand sheep go forth to rob the little flock of his neighbor? What injustice! The Diet will not consent to it.

As it frequently happens that wars spring from alliances, it appears that America will only enter into them with the common consent of all the contracting parties. I suspend my opinion, because that would be to prejudge the decisions.

The second danger is provided for by very simple rules: First, let the confederated governments guaranty each other's liberty and independence. Second, never let an individual be intrusted with more power than is necessary to accomplish the purpose for which it was granted. Third, the greater the power the shorter time it ought to be enjoyed, if this is compatible with its intent. Fourth, that he to whom power is confided be made to depend upon that part of the nation which is disarmed. Fifth, not to maintain standing armies except in time of actual war. Sixth, to avoid this dreadful evil, irreconcilable with the domestic tranquillity of society, by every means in our power, and which honor and prudence dictate.

It does not escape me that in a corner of the Escorial or of Aranjuez plans are forming for new expeditions. An event I deem almost impossible. The history of Spain furnishes us with proofs. Could Philip II, his son, or grandson subjugate Holland? Could Philip IV recover Portugal? Could Catalonia have been restored had it not been for the generosity of France? Has Gibraltar returned into the hands of the Spaniards? Has Jamaica been restored? The history of treaties may be called that of the renunciation of Spain. What was gained in Pavia and San Quintin was lost in that of Vervins, West-



phalia, the Pyrenees, Nineguen, Aix-la-Chapelle, and all that have been concluded up to the present day. The Floridas, which were acquired by the treaty of Paris, the United States compelled her to cede by force.

Let us call to mind some circumstances. Philip II consented that his troops should live at free quarters and drive the Dutch to desperation. Charles II had to take up loans at 15 per cent. and to sell the vice-royalties of Peru and Mexico to carry on his wars. This was when the sun never went down in the dominions of the kings of Spain, and when they were obeyed implicitly. Of what importance are they now? Without colonies, without internal union, and the Peninsula garrisoned by an hundred thousand French. I am well aware in what manner the expedition against us was formed which sailed in Cadiz in the year 1820. In that were employed the indemnities paid by the French, the private purse of the King, and their last resources. All have been exhausted. There are no vessels; the last rotten hulks have been sent to the Havana. There are no arms, nor any disposition on the part of the Spaniards to come and perish in these countries by the lance or the rigor of the climate.

It is not my wish that we persuade ourselves to disarm. Quite the contrary. Let our land and naval forces be increased; but do not let this be done that they may remain in inaction in garrison. Let us strike a blow against this obstinate nation which shall make her tremble. To wait until she attacks is to wait for the Messiah; it is to be eternally armed. Let us compel our enemy to abandon his rashness and caprice. All Europe disapproves his conduct. Even the princes of the house of Bourbon do not flatter him on this subject. No nation feels an interest that Spain should continue the war; the general wish is for peace. Without this, the uniform course of commerce is frequently interrupted, to the great prejudice of all industrious and commercial nations. How different was the position of England when she recognized the independence of the United States. May the prudent English lead the blind Spaniards!

( So long as he resists the mediation of those powers that

Spain

protect us, let the products of his soil and manufactures of every sort be entirely prohibited. Let them be confiscated wherever they may be found; and let those who may be convicted of having broken a law, which we are compelled to adopt, lose the cargo.

Destroy completely the manufactures of Valencia and Barcelona. Without a market let the industry of Spain be paralyzed. Let Ferdinand VII be persuaded that if, by withholding his recognition, he compels us to incur prodigious expenses by maintaining armies, he likewise destroys the remnant of a miserable kingdom, torn to pieces, as it is, by discord, and prostrated under the yoke of a foreign nation.

If ever he was amenable to reason founded in strict justice; if he can persuade himself that he can not recover what he knew not how to preserve; if he be convinced that he has in the Americas neither friends nor places of asylum,—then the feeling American would express himself in a different manner. We never will buy our independence. The name of liberty would be shocking to us. We are constituted into states, with rights equal to those possessed by the European. We are men voluntarily united in society, and subject only to those compacts which, in the exercise of our free will, we have formed. If Ferdinand VII recognizes them, let him enter into a generous reconciliation which is offered him. Let us forget the immense evils he has occasioned us, and the period of peace be that of the sincerest union. We continue the war against our inclination and against our character; if not dishonorably, we will terminate it with the liveliest pleasure.

But, gentlemen, this recognition is not the circumstance which most interests us. Holland became very wealthy and achieved conquests before she was acknowledged. The Swiss formed alliances with the sovereigns of Europe before the house of Austria recognized them. The existence of a state does not depend upon being recognized; that serves only to open foreign relations. The existence of a nation depends upon its interior political organization. Let us possess that, so that it may be the interest of the

whole world to hold communication with us. Let us preserve our dignity ; let us not admit foreigners who do not come authorized in due diplomatic form ; let us not consent that other flags shall be displayed in our ports than those of the kingdoms and republics where ours are admitted.

Above all, let us form one family ; let the names which distinguished our respective countries be at an end, and let us adopt the general one of brothers ; let us carry on commerce without obstacles and without prohibitions ; let American goods pass every custom-house unexamined ; let us give to each other continued proofs of confidence, disinterestedness, and sincere friendship ; let us form one code of public law, which may become the admiration of the civilized world. By that, an injury done to one State is understood to be done to all. As in a well-organized society, what is committed against one citizen, interests the rest of the Republic. Let us solve the problem of which is the best of the governments. Each individual enjoying the greatest portion of good, and the nation the most perfect prosperity. It is beyond doubt that which reaches the climax of that happiness which human nature is capable of enjoying.

( And when, having concluded our labors, we retire to our homes, surrounded by our sons and grandsons, let us take the youngest of them in our arms, and lifting him up as an offering to the Supreme Being, our cheeks bathed in rivers of tears, let us make him, in his innocent language, pronounce a thanksgiving for the immense benefits we have received from sovereign justice. Let the Greek boast of his deeds in having left Troy in ashes ; the representatives of the Republics may glory in having promulgated laws which provide for universal peace with all nations and the internal felicity of those States which have this day met together, and which will endure to the end of ages.

Panama, 22d June, 1826 : First of the great Diet America.

MANUEL DE VIDAURRE. (*Peru.*)

*Extracts of a letter from Mr. Poinsett to Mr. Clay.*

LEGATION OF THE UNITED STATES,  
*Mexico, September 6, 1826.*

I saw the Mexican deputies to the Congress of Panama this morning for the first time since their return.

One of the articles of agreement between the new States is, that whenever the safety of America shall require a large force to be kept on foot the expense shall be defrayed by all parties.

A meeting of the plenipotentiaries of the allied Republics is to take place once every year in the month of September so long as the common war continues, and every two years in time of peace. The plenipotentiaries are to remain in the place agreed upon for three months, which term may be prolonged for two months more, at the end of which period the sessions may be renewed; but during the war these plenipotentiaries can not leave the territory of the Republic wherein the meetings are held, so that they may meet together immediately if any extraordinary circumstance should require it.

The congress will continue its negotiations in Tacubaya so soon as the ministers arrive who carried the treaties from Panama to their respective governments (eight months is the time fixed for exchanging these ratifications; six will probably elapse before these plenipotentiaries reach Mexico).

The following is the substance of an additional article of the treaty of union, league, and perpetual confederation, concluded and signed at Panama :

Whereas the contracting parties, desiring ardently to live at peace with all the nations of the universe, by avoiding all reasons for misunderstanding which might arise from the exercise of the legitimate rights in peace and war, have agreed, and hereby agree that, immediately on the ratification of the present treaty, they will proceed to fix by common agreement, all those points, rules, and principles, which are to govern their conduct in both cases, for which purpose they will renew their invitation to the neutral and friendly powers that if they deem it expedient they may take an active part in these negotiations, and may be present by means of their plenipotentiaries in order to adjust, conclude, and sign, such treaty of treaties as may be made for so important an object.

It would appear from this article that, although the sessions of the Congress of Panama have been removed to Tacubaya, the invitation is to be renewed to the neutral and friendly powers. At all events, our plenipotentiaries need not be here before the month of February next.

The Mexican plenipotentiaries told me that they found no difficulty to induce a majority of the deputies of the Congress of Panama to remove to Tacubaya.

The Isthmus is so sickly that they were all glad to remove from Panama.

I adverted, in the course of conversation, to the very extraordinary sentiments contained in Vidaurre's speech on the opening of the Congress. They assured me that Vidaurre never delivered that discourse, but published it without the knowledge of his colleagues; that on the following day they, the Mexican plenipotentiaries, remonstrated verbally, both against the publication of that discourse and against the sentiments it contained, and the Colombian plenipotentiaries delivered in a written protest to the same effect.

I suggested the propriety of publishing a notice of what took place on that occasion, as the whole tenor of Vidaurre's discourse is calculated to produce an unfavorable impression. I believe this will be done. Might it not be well to do so in our papers?

I shall probably learn the whole of the proceedings at Panama in a few days, and I will continue to send the information as I collect it.

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[Translation.]

*The Colombian Minister to Mr. Clay.*

LEGATION OF COLOMBIA,  
*Washington, November 20, 1826.*

SIR: I have received an order from the Government of Colombia to communicate to that of the United States that the great American assembly was installed on the 22d of June last, by the plenipotentiaries of Peru, Mexico, Central

America, and Colombia. The necessity for the concurrence of the legislature of Chile, which was not in session, to the nomination of plenipotentiaries, had retarded their arrival at Panama.

The assembly being installed, it was determined by lot in what order the confederated states should be named, and by common consent it was determined that the representatives of each should alternately hold the presidency for the direction of the discussions. These were conducted with that perfect harmony and concord which the great and important object in view should inspire; and the preparatory conferences and labors which preceded enabled the plenipotentiaries on the 15th of July last to sign :

(1) A treaty of union, league, and perpetual confederation between the four states represented, to which the other powers of America might have an opportunity to accede within one year.

(2) A convention for the renewal of the great assembly annually in time of common war, and biennially during peace.

(3) A convention which fixes the contingent which each confederate should contribute for the common defense.

(4) An agreement concerning the employment and direction of those contingents.

(5) Divers declarations that the treaties which Colombia had formerly concluded with the United Mexican States, Central America, and Peru, should be included in those treaties with certain reservations.

Although the labors of the Congress were already so far advanced, the hazards occasioned by the climate of Panama to the plenipotentiaries, admonished them to resolve upon a removal of the Congress to the town of Tacubaya, near the City of Mexico, where they expect the minister whom the Government of the United States has resolved to send.

I have the honor to renew to you the assurances of the high consideration and respect of

Your most obedient servant,

JOSÉ MARIA SALAZAR.

*Mr. Clay's instructions to United States Delegates to the  
Congress at Panama.*

[Executive Journal, United States Senate, 1829 to 1837.]

*To the Senate and House of Representatives  
of the United States :*

I herewith transmit a copy of the instructions prepared by the Secretary of State and furnished to the ministers of the United States appointed to attend at the assembly of the American plenipotentiaries first held at Panama and then transferred to Tacubaya. The occasion upon which they were given has passed away and there is no present probability of the renewal of these negotiations, but the purpose for which they were intended are still of the deepest interest to our country and to the world, and may hereafter call again for the active efforts and beneficent energies of the Government of the United States. The motives for withholding them from general publication having ceased, justice to the Government from which they emanated, and to the people for whose benefit it was instituted, require that they should be made known. With this view, and from the consideration that the subjects embraced by these instructions must, probably, engage hereafter the deliberations of our successors, I deem it proper to make this communication to both houses of Congress. One copy only of the instructions being prepared, I send it to the Senate, requesting that it may be transmitted to the House of Representatives.

JOHN QUINCY ADAMS.

WASHINGTON, *March 3, 1829.*

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INSTRUCTIONS, GENERAL.

DEPARTMENT OF STATE,  
*Washington, May 8, 1826.*

GENTLEMEN : The relations in which the United States stand to the other American powers, and the duties, interests, and sympathies which belong to those relations, have determined the President to accept an invitation which

has been given by the Republics of Colombia, Mexico, and Central America to the United States to send representatives to the Congress at Panama. He could not, indeed, have declined an invitation proceeding from sources so highly respectable, and communicated in the most delicate and respectful manner, without subjecting the United States to the reproach of insensibility to the deepest concerns of the American Hemisphere, and perhaps to a want of sincerity in most important declarations, solemnly made by his predecessor, in the face of the Old and the New World. In yielding, therefore, to the friendly wishes of those three Republics, communicated in the notes of their respective ministers at Washington, of which copies are herewith, the United States act in perfect consistency with all their previous conduct and professions in respect to the new American States. /

The assembling of a Congress at Panama composed of diplomatic representatives from independent American nations will form a new epoch in human affairs. The fact itself, whatever may be the issue of the conferences of such a congress, can not fail to challenge the attention of the present generation of the civilized world, and to command that of posterity. But the hope is confidently indulged that it will have other and stronger claims upon the regard of mankind than any which arise out of the mere circumstance of its novelty, and that it will entitle itself to the affection and lasting gratitude of all America, by the wisdom and liberality of its principles and by the new guaranties it may create for the great interests which will engage its deliberations. On an occasion so highly important and responsible the President has been desirous that the representation from the United States should be composed of distinguished citizens. Confiding in your zeal, ability, and patriotism, by and with the advice and consent of the Senate, he has selected you for this interesting service. And it is his wish that you should proceed with all practicable dispatch to Panama. For the purpose of carrying out Mr. Sergeant, the United States ship *Lexington* has been prepared and is now ready to sail from the port of New York to Porto Bello. Mr. An-



person, having been notified of his appointment has been directed to leave the affairs of the United States at Bogota in the charge of such person as he may for that purpose designate, and to join Mr. Sergeant at Porto Bello, from whence it is supposed that it will be most convenient to proceed by land across the Isthmus to Panama. Ministers from several of the powers have probably by this time reached that place and they may even have proceeded to a comparison of their respective credentials and to conferences on some of the objects of the congress, but it is probable they will have deferred until your arrival a consideration of those deliberations on which it was expected that we should take part.

Your power, accompanying this letter, is joint and several, authorizing you to confer and treat with ministers also duly authorized from all or any of the American powers, of peace, friendship, commerce, navigation, maritime law, neutral and belligerent rights, and other matters interesting to the continent of America. — After the mutual exchange of powers, it will be necessary to determine the forms of deliberation and the modes of proceeding of the congress. (It is distinctly understood by the President that it is to be regarded in all respects as diplomatic in contradistinction to a body clothed with powers of ordinary legislation; that is to say, no one of the States represented is to be considered bound by any treaty, convention, pact, or act to which it does not subscribe and expressly assent by its acting representative, and that, in the instance of treaties, conventions, and pacts, they are to be returned for final ratification to each contracting State according to the provisions of its particular constitution.) All idea is, therefore, excluded of binding a minority to agreements and acts contrary to its will, by the mere circumstance of the concurrence of a majority of the States in those agreements and acts. Each State will, consequently, be governed and left free, according to its own sense of its particular interests. All notion is rejected of an amphictyonic council, invested with power finally to decide controversies between the American States or to regulate in any respect their conduct. Such a council might have

been well enough adapted to a number of small contracted States, whose united territory would fall short of the extent of that of the smallest of the American powers. The complicated and various interests which appertain to the nations of this vast continent can not be safely confided to the superintendence of one legislative authority. We should almost as soon expect to see an amphictyonic council to regulate the affairs of the whole globe. But even if it were desirable to establish such a tribunal, it is beyond the competency of the Government of the United States voluntarily to assent to it, without a previous change of their actual constitution.

Although the speculation of such a council has been sometimes made and associated in the public papers with the contemplated congress, we can hardly anticipate that it will be seriously pressed by any of the powers. The congresses which have been so common in Europe, especially within these later times, have been altogether diplomatic, and consequently the states whose ministers composed them were only bound by their signatures. With this necessary and indispensable restriction upon the action of the congress, great advantages may nevertheless be derived from an assembly at the same time and place of ministers from all the American nations. Such an assembly will afford great facilities for free and friendly conferences for mutual and necessary explanations and for discussing and establishing some general principles applicable to peace and war, to commerce and navigation, with the sanction of all America. Treaties may be concluded in the course of a few months at such a congress, laying the foundation of lasting amity and good neighborhood, which it would require many years to consummate, if, indeed, they would be at all practicable, by separate and successive negotiations conducted between the several powers at different times and places. Keeping constantly in view the essential character and object of the congress, which have been described, it is very important in what manner its conferences and discussions may be regulated.

Experience has, perhaps, sufficiently established that, for precision, for safety to the negotiators themselves, and

for an early practical result, it is wisest to proceed by protocol, in which the mutual propositions of the parties, together with such concise observations as any of them desire to have preserved, are carefully recorded. But you are left free to agree to that mode of proceeding, with the indispensable limitation before stated, which, under all circumstances, shall appear to you most advisable. Your power conveys an authority to treat with all or any of the nations represented at the congress of any of the subjects comprised in your instructions. And on those, especially, of commerce and navigation, maritime law, and neutral and belligerent rights, it is the President's wish that if those interests can not be adjusted satisfactorily to all the attending powers, you should form, nevertheless, treaties with such as may be disposed to conclude them with you. But in the conduct of any such separate negotiations you will carefully avoid giving any occasion of offense to those powers who may decline treating; and, if you should have strong reason to believe that the fact itself of opening such separate negotiations would have the tendency of creating unfriendly feelings and relations with other American powers, you will decline entering on them altogether. You are also authorized to agree upon a transfer of the conferences from Panama to any other place on the American continent that may be considered more eligible for conducting them.

In now proceeding to direct your attention particularly to the instructions of the President, by which, after having settled the preliminary point to which I have just adverted, you will govern yourselves, the first observation to be made is, that, in acceding to the invitation which has been accepted, no intention has been entertained to change the present pacific and neutral policy of the United States. On the contrary, it has been distinctly understood by the three Republics who gave the invitation, and has been enforced on our part in all our communications with them in regard to it, that the United States would strictly adhere to that policy, and mean faithfully to perform all their neutral obligations. Whilst the existing war is limited to the present parties, it is as unnecessary as it would be unwise

in the United States to become a belligerent. A state of things can hardly be imagined in which they would voluntarily take part on the side of Spain; and on that of the republics it would be entirely useless, since they have been all along able, unaided, triumphantly to maintain their cause and to conquer the arms, if they have not overcome the obstinacy of Spain. (By maintaining the neutral position which the United States have assumed, they have been enabled to hold strong language to Europe, and successfully to check any disposition which existed there to assist Spain in the reconquest of the colonies. If they had departed from their neutrality and precipitated themselves into the war, there was much reason to apprehend that their exertions might have been neutralized, if not overbalanced, by those of other powers who would have been drawn, by that rash example, into the war, in behalf of Spain.) Keeping, therefore, constantly in view the settled pacific policy of the United States, and the duties which flow from their neutrality, the subjects will now be particularized, which, it is anticipated, will engage the consideration of the congress at Panama.

These subjects may be arranged under two general heads: (1) Such as relate to the future prosecution of the present war with Spain by the combined or separate operation of the American belligerents. (2) Those in which all the nations of America, whether neutral or belligerent, may have an interest.

In respect to the first, for the reasons already stated, we can take no part. Discussions of them must be confined to the parties to the war. You will refrain from engaging in them. You will not be expected or desired to do so. But, whilst it has been perfectly understood that the United States could not, at the congress, jeopard their neutrality, they may be urged to contract an alliance, offensive and defensive, on the contingency of an attempt by the powers of Europe, commonly called the Holy Alliance, either to aid Spain to reduce the new American Republics to their ancient colonial state or to compel them to adopt political systems more conformable to the policy and views of that alliance.

Upon the supposition of such an attempt being actually made, there can be no doubt what it would be the interest and bounden duty of the United States to do. Their late Chief Magistrate solemnly declared what, in that event, he considered they ought to do. The people of the United States acquiesced in the declaration, and their present Chief Magistrate entirely concurs in it. If, indeed, the powers of continental Europe could have allowed themselves to engage in the war for either of the purposes just indicated, the United States, in opposing them with their whole force, would have been hardly entitled to the merit of acting on the impulse of a generous sympathy with infant, oppressed, and struggling nations. The United States, in the contingencies which have been stated, would have been compelled to fight their own proper battles, not less so because the storm of war happened to range on another part of this continent at a distance from their borders; for it cannot be doubted that the presumptuous spirit which would have impelled Europe upon the other American Republics in aid of Spain, or on account of the forms of their political institutions, would not have been appeased if her arms in such an unrighteous contest should have been successful until they were extended here, and every vestige of human freedom had been obliterated within these States.

There was a time when such designs were seriously apprehended, and it is believed that the declaration of the late President to the Congress of the United States, which has been already referred to, had a powerful effect in disconcerting and arrested their progress. About the same period Great Britain manifested a determination to pursue the same policy in regard to the new Republics which the United States had previously marked out for themselves. After these two great maritime powers, Great Britain and the United States had let continental Europe know that they would not see with indifference any forcible interposition in behalf of Old Spain, it was evident that no such interposition would or with any prospect of success could be afforded. Accordingly since that period there have been no intimations of any designs on the part of

the European alliance against the new American Republics. If that alliance has seen with any dissatisfaction (as may be well imagined) the successful progress of those Republics, both in the war and in the establishment of their free political systems, they have confined themselves to silent and unavailing regrets.

The auspicious course of events has not only occasioned the abandonment of any hostile intentions which were entertained, if such were ever entertained, by the European alliance, but there is strong reason to hope that it has led to the creation of pacific, if not friendly, views toward our sister Republics. † Upon the entry of the President of the United States on the duties of his present office his attention was anxiously directed to, and has been since unremittingly employed on, the object of establishing peace between Spain and those Republics. In considering the means for its accomplishment no very sanguine hope was indulged from an approach to Spain directly, and it was thought best to endeavor to operate on her through that alliance on whose countenance and support she mainly relied for the recovery of the colonies. > Russia was known to be the soul of that alliance, and to the Emperor, of whose wisdom and friendship the United States had so many proofs, the appeal was at once made. A copy of the note from this Department to the American ministers at St. Petersburg on that subject accompanies these instructions. Copies of it were transmitted contemporaneously to the courts of London and Paris, whose co-operation in the work of peace was also invited. Our minister at Madrid was instructed to lose no fit occasion there for creating or strengthening a disposition toward peace. The hope was cherished that by a general and concerted movement of the United States and the great powers of Europe at the same time the councils of Spain might be prevailed upon to accede to a peace, which had become more necessary, if possible, to her than to the new Republics. >

An answer has been lately received here from St. Petersburg through Mr. Middleton, a copy of which, together with copies of his accompanying notes, is placed in your

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hands. From a perusal of these documents, the contents of which have been confirmed by the Russian minister in official interviews which I have had with him, you will perceive that the appeal to Russia has not been without effect, and that the late Emperor, sensible of the necessity of peace, prior to his death probably employed his good offices to bring it about. His successor has formally announced his intention to tread in the path of his illustrious predecessor, and it is therefore most likely that he will also direct the influence of that Government to the conclusion of a peace satisfactory to both parties. It is possible that these efforts may not be effectual and that the pride and obstinacy of Spain may be unconquerable. There is, however, much reason to hope that she may either consent to a peace upon the basis of the independence of the colonies, or, if she feels that too humiliating, that she will agree to a suspension of hostilities, as was formerly done in the case of the Low Countries, which would in the end inevitably lead to a formal acknowledgment of the actual independence of the new Republics. — Whatever may be the future course of Spain, the favorable reception which the Emperor of Russia has given to the overture of the United States, to say nothing of the known inclination of France and other powers of the European continent to follow the example of the United States and Great Britain, fully authorizes the conclusion that the Holy Alliance will not engage in the war on the side of Spain, but will persevere in their actual neutrality. The danger, therefore, from that quarter having disappeared, there can be no necessity at this time for an offensive and defensive alliance between the American powers, which could only find a justification at any period in the existence or continuation of such a danger. — Such an alliance, under present circumstances, would be worse than useless, since it might tend to excite feelings in the Emperor of Russia and his allies which should not be needlessly touched or provoked.

The Republic of Colombia has recently requested the friendly interposition of this Government to prevail upon Spain to agree to an armistice, upon the conditions mentioned in Mr. Salazar's note, of which a copy, together

with a copy of mine in reply, acceding to the request, is now furnished. And instructions have been accordingly given to the ministers of the United States at Madrid and St. Petersburg.

Other reasons concur to dissuade the United States from entering into such an alliance. From the first establishment of their present constitution, their illustrious statesmen have inculcated the avoidance of foreign alliances as a leading maxim of their foreign policy. It is true, that in its adoption, their attention was directed to Europe, which having a system of connections and of interests remote and different from ours, it was thought most advisable that we should not mix ourselves up with them. And it is also true, that long since the origin of the maxim, the new American powers have arisen, to which, if at all, it is less applicable.

Without, therefore, asserting that an exigency may not occur in which an alliance of the most intimate kind between the United States and the other American Republics would be highly proper and expedient, it may be safely said that the occasion which would warrant a departure from that established maxim ought to be one of great urgency, and that none such is believed now to exist. Among the objections to such alliances, those which at all times have great weight are, first, the difficulty of a just and equal arrangement of the contributions of force and of other means between the respective parties to the attainment of the common object; and, secondly, that of providing beforehand, and determining with perfect precision, when the *casus fœderis* arises, and thereby guarding against all controversies about it. There is less necessity for any such alliance at this conjuncture on the part of the United States, because no compact, by whatever solemnities it might be attended, or whatever name or character it might assume, could be more obligatory upon them than the irresistible motive of self-preservation, which would be instantly called into operation, and stimulate them to the utmost exertion in the supposed contingency of an European attack upon the liberties of America.



The considerations to which I have now adverted, together with such others as may present themselves to you, will, it is hoped, satisfy the representatives of the other American States that an alliance, offensive and defensive, between them and the United States for the object which has been stated is unnecessary if not mischievous. Should you, however, be unable to bring that conviction home to them, and should you have reason to believe that the positive rejection of such an alliance would be regarded in an unfriendly light and have a pernicious effect on your other negotiations you will invite them to reduce their proposals of the terms of such an alliance as they may conceive proper to a written precise form, and state that you will take them *ad referendum*. That will afford to the Government here the opportunity of reconsideration, with the advantage of all the information that may be evolved in the intervening period. The alliance, if ever admissible, having been a question of time, the delay incident to the reference home by further demonstrating its expediency will better prepare the Congress at Panama for the final rejection, which it is most probable this Government will give to the project.

In treating of those subjects in which all the nations of America, whether now at war or in peace, may be supposed to have a common interest, you will, on all suitable occasions, inculcate the propriety of terminating the existing war as soon as may be, and of cherishing the means best adapted to the preservation of peace among themselves, and with the rest of the world. The cultivation of peace is the true interest of all nations, but it is especially that of infant States. Repose is not more necessary to the growth and expansion of individuals in their youth, than it is to that of young nations, which have, in the midst of war, commenced the career of independence and self-government. Peace is now the greatest want of America. Desirable, however, as it unquestionably is, there is nothing in the present or in the future, of which we can catch a glimpse, that should induce the American Republics, in order to obtain it, to sacrifice a particle of their independent sovereignty. They ought, therefore, to reject all

propositions founded upon the principle of a concession of perpetual commercial privileges to any foreign power. The grant of such privileges is incompatible with their actual and absolute independence. It would partake of the spirit and, and bring back, in fact, if not in form, the state of ancient colonial connection. Nor would their honor and national pride allow them to entertain or deliberate on propositions founded upon the notion of purchasing, with a pecuniary consideration, the Spanish acknowledgment of their independence.

Next to the more pressing object of putting an end to the war between the new republics and Spain should be that of devising means to preserve peace in future among the American nations themselves, and with the rest of the world. No time could be more auspicious than the present for a successful inquiry by the American nations into the causes which have so often disturbed the repose of the world, and for an earnest endeavor, by wise precaution, in the establishment of just and enlightened principles for the government of their conduct, in peace and in war, to guard, as far as possible, against all misunderstandings. They have no old prejudices to combat, no long established practices to change, no entangled connections or theories to break through. Committed to no particular systems of commerce, nor to any selfish belligerent code of law, they are free to consult the experience of mankind, and to establish without bias principles for themselves, adapted to their condition, and likely to promote their peace, security, and happiness. Remote from Europe, it is not probable that they will often be involved in the wars with which that quarter of the globe may be destined hereafter to be afflicted: In these wars, the policy of all America will be the same, that of peace and neutrality, which the United States have heretofore constantly labored to preserve. †

If the principles which that probable state of neutrality indicates as best for the interests of this hemisphere be, at the same time, just in themselves, and calculated to prevent wars, or to mitigate the rigor of those great scourges, they will present themselves to the general ac-

ceptance with an union of irresistible recommendations. Both those qualities are believed to be possessed by the maritime principles for which the United States have ever contended, and especially throughout the whole period of the late European wars. The President wishes you to bring forward those principles on an occasion so auspicious as that is anticipated to be of the Congress of Panama. Uncontrolled power, on whatever element it is exerted, is prone to great abuse. But it is still more liable to abuse on the sea than on the land, perhaps because it is there exercised beyond the presence of impartial spectators, and, therefore, with but little moral restraint resulting from the salutary influence of public opinion, which, if applied at all, has always to be subsequently, and consequently less efficaciously, applied. The moral cognizance, when it comes to be taken, finds, too, a more doubtful or contested state of fact, than if the theater had been where there were more numerous and less prejudiced witnesses.

At all times there has existed more inequality in the distribution among nations of maritime than of territorial power. In almost every age, some one has had the complete mastery on the ocean, and this superiority has been occasionally so great as to more than counterbalance the combined maritime force of all other nations, if such a combination were practicable. But when a single nation finds itself possessed of a power anywhere which no one, nor all other nations, can successfully check or countervail, the consequences are too sadly unfolded in the pages of history. Such a nation grows presumptuous, impatient of contradiction or opposition, and finds the solution of national problems easier, and more grateful to its pride, by the sword than by the slow and less brilliant process of patient investigation. If the superiority be on the ocean, the excesses in the abuses of that power become intolerable. Although, in the arrangement of things, security against oppression should be the greatest where it is most likely to be often practiced, it is, nevertheless, remarkable that the progress of enlightened civilization has been much more advanced on the land than on the ocean. And accordingly personal rights, and especially those of prop-

erty, have both a safety and protection on the former, which they do not enjoy on the latter element. Scarcely any circumstance would now tend more to exalt the character of America than that of uniting its endeavors to bring up the arrears of civilization, as applied to the ocean, to the same forward point which it has attained on the land, and thus, rendering men and property secure against all human injustice and violence, leave them exposed only to the action of those storms and disasters, sufficiently perilous, which are comprehended in the dispensations of Providence.

It is under the influence of these and similar considerations that you will bring forward, at the contemplated Congress, ~~the~~ proposition to abolish war against private property and non-combatants upon the ocean. Private property of an enemy is protected when on land from seizure and confiscation. Those who do not bear arms there are not disturbed in their vocations. Why should not the same humane exemptions be extended to the sea? If merchandise in a warehouse on shore remains unmolested amidst the ravages of modern war, can any good reason be assigned for allowing the same merchandise, when transferred to a ship which is peaceably navigating the ocean, to be an object of legitimate capture and condemnation? If artisans and husbandmen are permitted without hinderance to pursue their respective callings, why should not the not less useful mariners be allowed peaceably to distribute the productions of their industry, in exchanges for the common benefit of mankind? This has been an object which the United States have had much at heart ever since they assumed their place among the nations. More than forty years ago Dr. Franklin, one of their most enlightened and successful ministers, thus expressed himself:

It is time, it is high time, for the sake of humanity, that a stop were put to this enormity.

The United States of America, though better situated than any European nation to make profit by privateering, are, as far as in them lies, endeavoring to abolish the practice, by offering, in all their treaties with other powers, an article engaging solemnly, that, in case of future war,

no privateer shall be commissioned, on either side, and that unarmed merchant ships, on both sides, shall pursue their voyages unmolested. This will be a happy improvement of the law of nations. The humane and the just can not but wish general success to the proposition.

What the sagacious forecast of that illustrious man enabled him to anticipate at that early day of our national existence, has been fully confirmed in our subsequent progress. We are better situated than any other nation, and, in the event of war, we now have ample means to enable us to make profit by privateering, but, faithful to our principles, we now offer, in our maturer and stronger condition, the same stipulations which were offered by Franklin and other American negotiators, but which might then have been attributed to our infancy and weakness.

If, by the common consent of nations, private property on the ocean was no longer liable to capture as lawful prize of war, the principle that free ships should make free goods would lose its importance by being merged in the more liberal and extensive rule. But, judging from the slow progress of civilization in its operation on the practices of war, and the tenacity with which power ever clings to advantages which it conceives itself to possess, it would be too much to indulge any very sanguine hope of a speedy universal concurrence in a total exemption of all private property from capture.

Some nations may be prepared to admit the limited, who would withhold their assent from the more comprehensive principle. You will, therefore, also propose the adoption of the rule that free ships shall make free goods, and its converse, that inimical ships shall make inimical goods. The one seems necessarily to follow from the other, and in their practical application there is a simplicity and certainty in both which strongly recommend them to general adoption. Both operate in favor of neutrality, and thus present a new dissuasive to nations from rashly engaging in war. It will occur, of course, to you, to insert a provision restricting the operation of these principles to those nations which shall agree to observe them.

➤ You will propose a definition of blockade. The experience of the United States and that of some of the new

American nations, short as has been the term of their existence, alike indicate the utility of a plain and intelligible description of the facts which constitute a legitimate blockade. The want of such a definition has been the principle cause of many difficulties which have arisen between them and the United States. } The belligerent interest is to extend, the neutral to contract, as much as possible the range of a blockade. The belligerent interest is to insist upon the smallest possible, that of the neutral upon the largest practicable, amount of force to give validity to the blockade. In this conflict of opposite pretensions, as the belligerent has arms in his hands ready to support his, the neutral generally suffers. The best security against abuses on either side is a clear definition, which, by presenting circumstances notorious in their nature and character, admits of no controversy among those who have a proper sense of justice and entertain a mutual regard for their respective rights. You will find in the treaty with Colombia and that with the Central Republic, recently concluded and ratified here (copies of both of which are herewith), a definition of blockade, which may be proposed and safely followed. In the same treaties are also contained articles supplying a list of contraband, and several other articles having reference to a state of war, in which the contracting parties may be belligerent or neutral, as the case may be, all of which you are authorized to propose.

In connection with this interesting subject you are furnished, among the accompanying documents, with a letter from my predecessor, under date the 28th July, 1823, addressed to Mr. Rush, minister of the United States at London, with the draught of articles for a treaty which he was authorized to propose to Great Britain. They may facilitate your labors. The articles having been prepared with much consideration, may serve as models for any that may be agreed on at the congress upon corresponding topics. It is hardly necessary to add that this recent experiment with Great Britain, like all others which preceded it, proved abortive.

Among the most important objects which are likely to

engage the attention of the congress is that of endeavoring to fix some general principles of intercourse applicable to all the powers of America for the mutual regulation of their commerce and navigation. The United States from the origin of the present war have, on all proper occasions, uniformly proclaimed that they entertained no desire to procure for themselves from any of the new powers peculiar commercial advantages. They continue to adhere to this disinterested doctrine.

You will state in your conference that as they have not sought in treating with the American States separately, neither will they seek in joint negotiations with them for any privileges which are not equally extended to every one of them. Indeed, they are prepared themselves to extend to the powers of Europe the same liberal principles of commercial intercourse and navigation on which the United States are ready to treat. < The President hopes that you will meet with corresponding dispositions in the other American States; and that you will have no difficulty in obtaining their ready concurrence to the equitable bases of perfect equality and reciprocity which you are hereby empowered at once to propose for the commerce and navigation between all the American nations. The whole of what is very material to their commerce and navigation may be comprised under two general principles, both of which are founded on those bases. The first is, that no American nation shall grant any favors, in commerce or navigation, to any foreign power whatever, either upon this or any other continent, which shall not extend to every other American nation. And, secondly, that whatever may be imported from any foreign country into any one American nation or exported from it in its own vessels may, in like manner, be imported into or exported from the same nation, the vessel, whether national or foreign, and the cargo paying in both instances exactly the same duties and charges and no more. >

The first of those two principles is so strongly recommended to all nations by considerations of policy as well as of justice, that it will command, at least in the abstract, the assent of most as soon as it is announced. Nations

are equal, common members of a universal family. Why should there be any inequality between them in their commercial intercourse? Why should one grant favors to another which it withholds from a third? All such partial favors are liable to excite jealousies, and in the end are counterbalanced or punished by the injured powers. The principle now proposed does not preclude those particular arrangements which are founded upon real and just equivalents, independent of mere commercial reciprocity, by which certain advantages are granted to a particular power; but it is wiser even to avoid these as much as possible. If the principle be correct in its universal application it must be allowed to be particularly adapted to the condition and circumstances of the American powers. The United States have had no difficulty in treating, on that principle, with the Republics of Colombia and Central America, and it is accordingly inserted in the treaties which have been made with both those powers. Other of the American nations are believed to have a disposition to adopt it. The United Mexican States alone have opposed it, and in their negotiations with us have brought forward the inadmissible exception from its operation of those American States which have a Spanish origin, in whose behalf Mexico insists upon being allowed to grant commercial favors which she may refuse to the United States.

Of the view which we entertain of such an exception you will be able to possess yourselves by perusing a dispatch from this office to Mr. Poinsett, under date the 9th day of November, 1825, a copy of which is herewith. He has been instructed to break off the negotiations if contrary to expectation the Mexican Government should persist in the exception. What renders it more extraordinary is, that while they pretend that there has been something like such an understanding between the new Republics, no such exception was insisted upon by either Colombia or the Central Republic. It was not even mentioned during the late negotiation here which terminated in the treaty with the latter power. Whether it was adverted to or not in that which was conducted by Mr. Anderson with Colombia he will recollect. We can consent to no such ex-



ception. You will resist it in every form if it be brought forward, and you will subscribe to no treaty which shall admit it. We are not yet informed whether Mexico has abandoned the exception and concluded with Mr. Poinsett a commercial treaty, or has persevered in it and broken off the negotiations. The basis of the most favored nation leaves the party who treats on it free to prohibit what foreign produce and manufactures he pleases and to impose on such as may be admitted into his ports any duties which his policy or his interest may require. The principle only enjoins impartiality as to the foreign powers to whom it is applied, and consequently that his prohibitions and his duties, whatever they may be, shall equally extend to the produce and manufactures of all of them. If a nation has already contracted engagements with another power by which it has granted commercial favors inconvenient or injurious to itself, it may be contrary to its interest to extend these same favors to other nations. But the United States has made no such improvident concessions to any particular foreign power, nor have any of the other of the American States as far as we know. The time and the theater, therefore, are propitious for the adoption of a broad and liberal commercial principle, which, by dispensing equal favor to all, deprives every one of any just cause of complaint.

To the other leading principle which has been stated, that of allowing the importation into, or the exportation from, the ports of any American nation in the vessels of every other, of all produce and manufactures, the introduction or exportation of which is admitted by law, both the native and the foreign vessel and the cargo paying the same duties and charges, and no other, the President attaches the greatest importance. You will press it in your conferences with an earnestness and zeal proportionate to its high value, and to the liberality in which it is conceived. Its reciprocity is perfect, and when it comes to be adopted by all nations, we can scarcely see anything beyond it in the way of improvement to the freedom and interest of their mutual navigation. The devices of maritime nations have been various to augment their marine

at the expense of others powers. When there has been a passive acquiescence in the operation of those devices, without any resort to countervailing regulation, their success has sometimes been very great. But nations are now too enlightened to submit quietly to the selfish efforts of any one power to engross, by its own separate legislation, a disproportionate share of navigation in their mutual intercourse. Those efforts are now met by opposite efforts; restriction begets restriction until the discovery is at last made, after a long train of vexatious and irritating acts and maneuvers on both sides, that the course of selfish legislation ultimately does not effect the distribution of maritime power, whilst it is attended with the certain evil of putting nations into an ill humor with each other.

Experience at last teaches that, in every view, it is better to begin and to continue in the career of liberality than in that of a narrow and restricted policy, since the most that can be said against the former is that it only conducts to the same end without, however, the unpleasant incidents to which the other finally and inevitably leads. There is a simplicity in the principle of reciprocal liberty of navigation which confers on it a strong recommendation. It renders unnecessary all difficult and vexatious scrutiny into the origin of the contents of a mixed cargo. It dispenses with all penalties and forfeitures, denounced for what is often both an ignorant and innocent violation of custom-house law in the introduction, perhaps, of a single interdicted article of small value, which is made, by arbitrary regulation, to taint the whole cargo of immense value. It sets up a rule at once plain and intelligible. It refers the foreigner, for what he may lawfully do, to an observation of that which the native actually does. It opens every American port to every American vessel on the same equal terms, no matter in what distant sea her enterprise may have sought and earned the riches with which she is laden.

This principle of reciprocal freedom of navigation, like that of the most favored nation, leaves every State which adopts it at liberty to impose such tonnage duties as its necessities or policy may dictate. It only holds out that

whatever may be imposed shall extend alike to the national and the foreign vessel, and also that the cargo, whether of importation or exportation, shall be charged with the same duties, whoever may be the proprietor, or in whatever vessel it may be laden. Perhaps it may be proposed to agree to the imposition of precisely the same rate of duties, on vessel and cargo, in all the ports of the American nations. But that would be inadmissible. It would subject each State to inconvenient restrictions on its power of taxation, instead of leaving it free, as is best for each, to consult the circumstances of its own peculiar position, its habits, its constitution of government, and the most fitting sources of revenue for itself. As to the foreigner, he has no pretext to complaint when the same measure is applied to him and the native.

It may, perhaps, be objected that the marine of the other American nations is yet in its infancy; that ours has made great advances; and that they can not be prepared for this reciprocal liberty of navigation until they have made some further progress in establishing theirs. The difference in the condition of the marine of the respective countries, assumed in the supposed argument, certainly exists. But how is it to be remedied? By a system which shall aim at engrossment, and which will therefore provoke retaliation? Or, one which, dealing liberally by others, will lead them to measure out liberality in return?

These alternatives have been already discussed, and it has been shown that the first system is never successful, except from the forbearance of foreign powers to counter-vail it, which is not now to be expected in the present watchful state of the maritime world. If we are to wait for the commencement of the equal and liberal system until all nations shall have brought up their respective marines even and abreast, it may be considered as indefinitely, if not forever, postponed. If the new States would build up for themselves powerful marines they must seek for their elements not in a narrow and contracted legislation neutralized by the counteracting legislation of other nations, but in the abundance and excellence of their materials for ship building, in the skill of their artisans, and the

cheapness of their manufactures; in the number of their seamen, and their hardy and enterprising character, formed by exposure in every branch of a seafaring life by adventures on every ocean, and invigorated by a liberal, cheerful, and fearless competition with foreign powers. Both of the principles which I have been discussing are provided for, though somewhat more in detail in the second, third, fourth, and fifth articles of the beforementioned treaty with the Federation of the Center of America. They may serve as models for those which you are now authorized to propose, and you will consider yourselves empowered to agree to articles similar with all the others of that treaty, a copy of which accompanies this letter.

It is possible you may not find the ministers of the other American States prepared to agree to the second principle; that they may be unwilling to subscribe to it in the extent now proposed; they may not be ready to allow, at the same rate of duties, a reciprocal liberty of exportation and importation, without restriction as to the place of origin of the cargo, the ownership, or destination of the vessel.  $\angle$  You will not abandon the effort to establish that principle, in its widest scope, until you have exhausted every means of argument and persuasion, and become perfectly satisfied that its adoption is wholly impracticable.  $\succ$  If you find their opposition to it unyielding, you will then propose a modification to the principle, so as to make it, at least, comprehend the productions and manufactures of all the American nations, including the West India Islands. When so limited, it will still have the great practical benefit; all vessels of the several American powers will enjoy under it a reciprocal liberty of exportation and importation of whatever of American productions and manufactures, comprehending the produce of the sea, is allowed by the separate laws of each, at the same standard of duties for the vessel and her cargo. If the reasoning be correct, in support of the principle in its greatest latitude, it will, of course, sustain it in this more restricted operation; to which may be added, as a strong consideration in favor of its embracing, at least, the American States, that there is great similarity in the produce

of various parts of them, and consequently, a great difficulty in tracing articles having a common character and striking resemblance to the countries of their respective origin, and subjecting them to different rates of duty, as they happen to be imported in different vessels, or blended together in the same vessel.

If you find the principle still objected to with that modification, you will lastly propose it with the still greater restriction of only furnishing the rule which shall be observed between any two of the American nations who may agree to it, in regard to their mutual navigation, when employed in transporting their respective produce and manufactures. Under this form it is proposed by the United States, on the 3d March, 1815 (see fourth volume of the Laws, page 824), to all nations. On the 3d of July, of the same year, it was engrafted on the convention with Great Britain (see sixth volume of the Laws, page 603). Subsequently, it was applied to the Netherlands, the Imperial Hanseatic cities of Hamburg, Lubeck, Bremen, the Dukedom of Oldenburg, Norway, Sardinia, and Russia (see acts of first session, Eighteenth Congress, page 4). It was also embraced in our treaty with Sweden, of 1816 (see sixth volume of the Laws, page 642), and has recently been agreed to by Colombia. In the event of a concurrence in the principle, in this more limited import, the first, second, and third articles of the before-mentioned convention with Great Britain will furnish models which may be followed in the draught of those to which you are authorized to agree. These three articles embrace other subjects beside that principle, but they are such as to have either a direct connection with it, or are necessary to give full and complete effect to it. In describing the territories of the new American States with which we are to maintain hereafter a commercial intercourse, you will see the propriety of employing, in any treaty which you may conclude, such terms as may embrace whatever territories, insular or continental, may appertain to each upon the termination of the present war. During its future progress possession may be won or lost, which, as the case may be, should be comprehended or excluded by those terms.

In December, 1823, the then President of the United States, in his annual message, upon the opening of congress, announced, as the principle applicable to this continent, what ought hereafter to be insisted upon, that no European nation ought to be allowed to plant upon it new colonies. (It was not proposed, by that principle, to disturb pre-existing European colonies already established in America; the principle looked forward, not backward. Several of the new American States have given intimation of their concurrence in the principle; and it is believed that it must command the assent of the impartial world.)

Whilst America was, comparatively, a boundless waste, and an almost unpeopled desert, claimed and probably first settled by civilized men by the European powers who discovered it, if they could agree among themselves as to the limits of their respective territories, there was no American State to oppose, or whose rights could be affected by, the establishment of new colonies. But now the case is entirely altered; from the northeastern limits of the United States, in North America, to Cape Horn; in South America, on the Atlantic Ocean, with one or two inconsiderable exceptions; and from the same cape to the fifty-first degree of north latitude, in North America, on the Pacific Ocean, without any exception, the whole coasts and countries belong to sovereign resident American powers. There is, therefore, no chasm within the described limits in which a new European colony could be now introduced without violating territorial rights of some American State. An attempt to establish such a colony, and by its establishment to acquire sovereign rights for any European power, must be regarded as an inadmissible encroachment.

If any portion of the people of Europe, driven by oppression from their native country, or actuated by a desire of improving the condition of themselves or their posterity, wish to migrate to America, it will no doubt be the policy of all the new States, as it ever has been ours, to afford them an asylum, and, by naturalization, to extend to such of them as are worthy the same political privileges which are enjoyed by the native citizens. But this faculty of emigration can not be allowed to draw

after it the right of the European State, of which such emigrants shall have been natives, to acquire sovereign powers in America. The rule is good by which one, in judging of another's conduct or pretensions, is advised to reverse positions. What would Europe think of an American attempt to plant there an American colony? If its pride would be provoked and its powers exerted to repress and punish such a presumptuous act, it is high time that it should be recollected and felt that Americans, themselves descended from Europeans, have also their sensibilities and their rights.

—To prevent any such new European colonies, and to warn Europe beforehand that they are not hereafter to be admitted, ~~the President wishes you to propose a joint declaration of the several American States, each, however, acting for and binding only itself, that within the limits of their respective territories no new European colony will hereafter be allowed to be established.~~ It is not intended to commit the parties who may concur in that declaration to the support of the particular boundaries which may be claimed by any one of them; nor is it proposed to commit them to a joint resistance against any future attempt to plant a new European colony. It is believed that the moral effect alone of a joint declaration, emanating from the authority of all the American nations, will effectually serve to prevent the effort to establish any such new colony; but if it should not, and the attempt should actually be made, it will then be time enough for the American powers to consider the propriety of negotiating between themselves, and, if necessary, of adopting in concert the measures which may be necessary to check and prevent it. The respect which is due to themselves, as well as to Europe, requires that they should rest in confidence that a declaration thus solemnly put forth will command universal deference. It will not be necessary to give to the declaration now proposed the form of a treaty. It may be signed by the several ministers of the congress, and promulgated to the world as evidence of the sense of all the American powers.

Among the subjects which must engage the consideration

of the congress, scarcely any has an interest so powerful and commanding as that which belongs to Cuba and Porto Rico, the former especially. Cuba, from its position, the present amount and character of its population, that which it is capable of sustaining, its vast though almost latent resources, is at present the great object of attraction both to Europe and America. No power, not even Spain itself, has in such a variety of forms so deep an interest in its future fortunes, whatever they may happen to be, as the United States. Our policy in regard to it is fully and frankly disclosed in the before-mentioned note to Mr. Middleton. It is there stated that for ourselves we desire no change in the possession or political condition of that island, and that we could not, with indifference, see it transferred from Spain to any other European power. We are unwilling to see its transfer or annexation to either of the new American States. If the present war should much longer continue there are three conditions, into some one of which that island may fall during its further progress, and all of them deserve the most particular and serious consideration. The first is its independence, resting at the close of the war upon its own unassisted resources to maintain that independence; secondly, its independence, with the guaranty of other powers, either of Europe or of America, or of both; and thirdly, its conquest and attachment to the dominions of the Republic of Colombia or Mexico. We will now examine each of those predicaments of the island in the order in which they have been stated.

√ (1) If Cuba had the ability within itself of maintaining an independent self-government against all assaults from without or within, we should prefer to see it in that state, because we desire the happiness of others as well as ourselves, and we believe that is, in the general, most likely to be secured by a local government springing directly from, and identified in feeling, interest, and sympathy with, the people to be governed. But a mere glance at the limited extent, moral condition, and discordant character of its population, must convince all of its incompetency, at present, to sustain self-government unaided by other powers. And if, at this premature period, an attempt at



independence should be so far attended with success as to break the connection with Spain, one portion of the inhabitants of the island, as well as their neighbors in the United States and in some other directions, would live in continual dread of those tragic scenes which were formerly exhibited in a neighboring island, the population of which would be tempted, by the very fact of that independence, to employ all the means which vicinity, similarity of origin, and sympathy could supply to foment and stimulate insurrection, in order to gain ultimate strength to their own cause.

*negroes*

(2) A guarantied independence of Cuba, although it might relieve the island from the dangers which have been just noticed, would substitute others not less formidable, and which, it is believed, are almost insuperable. Who shall be the guarantying powers? Shall they be exclusively American or mixed, partly American and partly European? What shall be the amount of their respective contributions to the protecting force, military and naval, and to the other means necessary to uphold the local government? Who shall have the command of that force? Will not the guarantying powers not in command entertain continual apprehensions and jealousies of the commanding powers? The candid must own that these are perplexing questions; and that upon the whole, although all thought of that modification of independence should not, perhaps, be dismissed as absolutely inadmissible under any possible circumstances, it must be agreed to be one to which, if assent is ultimately yielded, it must be reluctantly, from a train of unforeseen and uncontrollable events.

(3) With respect to the conquest and annexation of the island to Colombia or Mexico, it should be remarked that, if that be attempted, the whole character of the present war will be entirely changed. Hitherto, on the part of the Republics, the contest has been for independence and self-government, and they have had, on their side, the good wishes and the friendly sympathies of a large portion of the world, and those especially of the people of the United States. But in the event of a military enterprise directed

against Cuba it will become a war of conquest. In such a war, whatever may be the result of that enterprise, the interests of other powers, now neutral, may be seriously affected, and they may be called upon to perform important duties which they may not be at liberty to neglect. The issue of such a war may have great influence upon the balance and stability of power in the West Indies. Nations of Europe may feel themselves required to interpose forcibly to arrest a course of events to which they can not be indifferent. If they should limit their interposition merely to the object of preventing any change in the existing state of things in respect to the islands, the United States, far from being under any pledge at present to oppose them might find themselves, contrary to their inclination, reluctantly drawn by a current of events to their side.

In considering such an enterprise as has been supposed, if it be undertaken, there ought to be an anxious and deliberate examination, first, into the means of Colombia and Mexico to accomplish the object; and, secondly, their power to preserve and defend the acquisition if made. We have not the data necessary to form a certain judgment on the first point. We ought to possess, to enable us to form such a judgment, a knowledge, first, of the force, military and naval, which the Republics can apply to the operation; secondly, that which Spain can exert in resistance; and, thirdly, what portion of the inhabitants of the island would take part on the one and on the other side of the belligerents. Although we have not this information in ample detail, we know that Spain is in actual possession, with a very considerable military force; that this force, recently much strengthened, occupies the Moro Castle, deemed almost impregnable, and other strongholds in the island; that, driven as she has been from the continent of America, all her means and all her efforts will now be concentrated on this most valuable of her remaining American possessions; that to this end she will apply her attention, which has been hitherto too much distracted by the multitude of her belligerent exertions in North and South America, exclusively to this most important point; that

to its succor she will gather up from her vast wreck the residue of her once powerful army in Europe and America; and that there is reason to believe that if she should not be openly assisted by any of the European powers she may receive from them covert but irresponsible aid.

With all these resources and favorable circumstances combined it must be admitted that the conquest of Cuba is very difficult, if not impracticable, without extensive and powerful means, both naval and military. But, secondly, do either Colombia or Mexico possess such means? We doubt it. They have both to create a marine. A single ship of the line, two frigates, and three or four vessels of a smaller grade, badly manned, compose the whole naval force of the United Mexican States. That of Colombia is not much greater nor better manned. But the means of transporting and defending during its voyages the military force necessary to achieve the conquest are absolutely indispensable. Nay, more, it would be in the last degree rash and imprudent to throw an army into Cuba unless the two Republics possessed and could retain a naval superiority, at least in the Gulf of Mexico, to provide for those contingencies which ought always to be anticipated in the vicissitudes of war. And, in the third place, it is well known that the inhabitants of Cuba are far from being united in favor of invasion, entertain great apprehensions as to their future safety in such an event, and that they especially dread an invasion from Colombia on account of the character of a portion of the troops of that Republic.

But, if all the difficulties were surmounted, and the conquest of the island was once effected, we should not be without continual fears of the instability of its future condition. The same want of naval power which would be felt in reducing it would be subsequently experienced in defending and preserving it. Neither Colombia nor Mexico is destined to be a first-rate naval power. They both (Mexico still more than Colombia) want an extent of sea-coast, bays, inlets, harbors—the nurseries of seamen—in short, all the essential elements of a powerful marine.

England, France, the Netherlands, Spain herself, when she shall, as at some no very distant day she must, recover from her present debility will, for a long time to come, if not forever, as naval powers outrank either Mexico or Colombia. A war with any one of those European nations would place Cuba in the hands of either of those two Republics at the most imminent hazard. ( It is impossible for the Government of the United States to close their eyes to the fact that, in the event of a military enterprise being prosecuted by the Republics against Cuba, the ships, the seamen, the cannon, and the other naval means necessary to conduct it will have been principally obtained in the United States. Although far from giving any countenance to the procurement of those supplies determined to maintain a faithful neutrality they have directed a strict enforcement of their laws; the fact, nevertheless, of their being collected within their ports subjects them to unfriendly and injurious suspicions. > And they would see with much repugnance resources drawn from themselves applied to the accomplishment of an object to which their policy and their interests are opposed.

The President hopes that these considerations, enforced by such others as may present themselves to you, if they should not be deemed of sufficient weight to prevent altogether any invasion of Cuba, will at least dissuade from any rash or premature enterprise with inadequate or doubtful means. And it is required, by the frank and friendly relations which we most anxiously desire ever to cherish with the new Republics, that you should, without reserve, explicitly state that the United States have too much at stake in the fortunes of Cuba to allow them to see with indifference a war of invasion prosecuted in a desolating manner, or to see employed in the purposes of such a war one race of the inhabitants combating against another, upon principles and with motives that must inevitably lead, if not to the extermination of one party or the other, to the most shocking excesses. The humanity of the United States in respect to the weaker, and which in such a terrible struggle would probably be the suffering portion, and their duty to defend themselves against the con-

tagion of such near and dangerous examples, would constrain them, even at the hazard of losing the friendship, > greatly as they value it, of Mexico and Colombia, to employ all the means necessary to their security.

If you should be unable to prevail on those Republics to renounce all the designs of invasion and conquest of Cuba and Porto Rico you will then exert your endeavors to induce them to suspend the execution of them until the result is known of the interposition which we are authorized to believe the late Emperor of Russia, and his allies, at the instance of the United States, have made to put an end to the war, and that which is herein stated to have been recently made at the instance of the Republic of Colombia. Such a suspension is due to Russia. It would be a deference to that great power which the reigning Emperor would not fail to appreciate and the value of which the new Republics might hereafter experience if, in this instance, the counsels which we have reason to believe have been given to Spain should not be followed. But there is much reason to hope that Spain will pause before she rejects them, and will see her true interest, as all the world sees it, on the side of peace; and the late events, the fall of the castles of St. Juan d'Ulloa and of Callao, especially, must have a powerful effect in urging her to terminate the war.

A cut or canal for purposes of navigation somewhere through the isthmus that connects the two Americas, to unite the Pacific and Atlantic Oceans, will form a proper subject of consideration at the congress. That vast object, if it should be ever accomplished, will be interesting, in a greater or less degree, to all parts of the world. But to this continent will probably accrue the largest amount of benefit from its execution; and to Colombia, Mexico, the Central Republic, Peru, and the United States, more than to any other of the American nations. What is to redound to the advantage of all America should be effected by common means and united exertions, and should not be left to the separate and unassisted efforts of any one power.

In the present limited state of our information as to the practicability and the probable expense of the object, it

would not be wise to do more than to make some preliminary arrangements. The best routes will be most likely found in the territory of Mexico or that of the Central Republic. The latter Republic made to this Government, on the 8th day of February of last year, in a note to which Mr. Canaz, its minister here, addressed to this Department (a copy of which is now furnished), a liberal offer, manifesting high and honorable confidence in the United States. The answer which the President instructed me to give (of which a copy is also now placed in your hands) could go no farther than to make suitable acknowledgments for the friendly overture and to assure the Central Republic that measures would be adopted to place the United States in the possession of the information necessary to enlighten their judgment. If the work should ever be executed so as to admit of the passage of sea vessels from ocean to ocean, the benefits of it ought not to be exclusively appropriated to any one nation, but should be extended to all parts of the globe upon the payment of a just compensation or reasonable tolls. What is most desirable at present is to possess the data necessary to form a correct judgment of the practicability and the probable expense of the undertaking on the routes which offer the greatest facilities.

Measures may have been already executed or be in progress to acquire the requisite knowledge. You will inquire particularly as to what has been done or may have been designed by Spain or by either of the new States, and obtain all other information that may be within your reach, to solve this interesting problem. You will state to the ministers of the other American powers that the Government of the United States takes a lively interest in the execution of the work, and will see, with peculiar satisfaction, that it lies within the compass of reasonable human efforts. Their proximity and local information render them more competent than the United States are at this time to estimate the difficulties to be overcome. You will receive and transmit to this Government any proposals that may be made or plans that may be suggested for its joint execution, with assurances that they

will be attentively examined, with an earnest desire to reconcile the interests and views of all the American nations.

It will probably be proposed as a fit subject of consideration for the powers represented at Panama, whether Hayti ought to be recognized by them as an independent State, and whether any decision taken in that respect should be joint or each power be left to pursue the dictates of its own policy.

The President is not prepared now to say that Hayti ought to be recognized as an independent sovereign power. Considering the nature and the manner of the establishment of the governing power in that island and the little respect which is there shown to other races than the African, the question of acknowledging its independence was far from being unattended with difficulty prior to the late arrangement which, it is understood, has been made between France and Hayti. According to that arrangement, if we possess correct information of its terms, the parent country acknowledges a nominal independence in the colony, and, as a part of the price of this acknowledgment, Hayti agrees to receive forever the produce of France at a rate of duty one-half below that which is exacted in the ports of Hayti from all other nations. This is a restriction upon its freedom of action to which no sovereign power, really independent, would ever subscribe. There is no equivalent, on the side of France, in the favorable terms on which the produce of Hayti is received in the ports of France. If the colonial relation may be correctly described to be the monopoly of the commerce of the colony, enjoyed by the parent State, it can not be affirmed that Hayti has not voluntarily, by that arrangement, consented to its revival. There was no necessity urging her to agree to it, however she may have been called upon, by just and equitable considerations, to indemnify the former individual proprietors for the loss of their property in St. Domingo. Prior to the conclusion of that arrangement Hayti enjoyed, no matter how established, a sort of independence in fact. By that arrangement she has voluntarily, and in a most essential particu-

lar, in respect to all foreign nations, changed her character, and has become, to say the least, not an independent State. Under the actual circumstances of Hayti, the President does not think that it would be proper, at this time, to recognize it as a new State. The acknowledgment, or declining to acknowledge, the independence of Hayti is not a measure of sufficient magnitude to require that, in either of the alternatives, it should be the result of a concert between all the American powers.

) You will avail yourselves of all suitable occasions to press upon the ministers of the other American States the propriety of a free toleration of religion within their respective limits. The framers of our constitution of government have not only refrained from incorporating with the State any peculiar form of religious worship, but they have introduced an express prohibition upon the power of our Congress to make any law respecting an establishment of religion. With us none are denied the right which belongs to all—to worship God according to the dictates of their own consciences. In our villages and cities at the same hour, often in the same square, and by the same kind of summons, congregations of the pious and devout of every religious denomination are gathered together in their respective temples, and after performing according to their own solemn convictions their religious duties quietly return and mix together in the cheerful fulfillment of their domestic and social obligations.

Not unfrequently the heads of the same family, appertaining to different sects, resort to two different churches to offer up in their own chosen way their orisons, each bringing back to the common household stock the moral instruction which both have derived from their respective pastors. In the United States we experience no inconvenience from the absence of any religious establishment and the universal toleration which happily prevails. We believe that none would be felt by other nations who should allow equal religious freedom. It would be deemed rash to assert that civil liberty and an established church can not exist together in the same State; but it may be safely affirmed that history affords no example of their



union where the religion of the State has not only been established, but exclusive.

If any of the American powers think proper to introduce into their systems an established religion, although we should regret such a determination, we should have no right to make a formal complaint unless it should be exclusive. As the citizens of any of the American nations have a right when here, without hindrance, to worship the Deity according to the dictates of their own consciences, our citizens ought to be allowed the same privileges when, prompted by business or inclination, they visit any of the American States. You are accordingly authorized to propose a joint declaration, to be subscribed by the ministers of all or any of the powers represented, that within their several limits there shall be free toleration of religious worship. And you will also, in any treaty or treaties that you may conclude, endeavor to have inserted an article stipulating the liberty of religious worship in the territories of the respective parties. When this great interest is placed on the basis of such a solemn declaration and such binding treaty stipulations it will have all reasonable and practical security. And this new guaranty will serve to give strength to the favorable dispositions of enlightened men in the various American States against the influence of bigotry and superstition. The declaration on this subject in which you are authorized to unite, as well as that directed against European colonization within the territorial limits of any of the American nations hereinbefore mentioned, does no more than announce, in respect to the United States, the existing state of their institutions and laws. Neither contracts any new obligation on their part nor makes any alteration as to them in the present condition of things. The President being the organ through which this Government communicates with foreign powers, and being charged with the duty of taking care that the laws be faithfully executed, is competent to authorize both declarations.

Questions of boundary and other matters of controversy among the new American powers will probably present themselves, and of which an amicable adjustment

may be attempted at the congress. Your impartial and disinterested position in relation to any such disputes may occasion you to be called upon for your advice and umpirage. You will, whenever your assistance may be required to settle those controversies, manifest a willingness to give your best counsel and advice; and, if it should be desired, you will also serve as arbitrator. A dispute is understood to have existed, and to remain yet unsettled, between the United Mexican States and the Central Republic, in relation to the province of Chiapa. The President wishes you to give it a particular investigation, and, if justice shall be found on the side of the Republic of the Center, you will lend to its cause all the countenance and support which you can give, without actually committing the United States. This act of friendship on our part is due as well on account of the high degree of respect and confidence which that Republic has, on several occasions, displayed toward the United States as from its comparative weakness.

Finally, I have it in charge to direct your attention to the subject of the forms of government and to the cause of free institutions on this continent. The United States never have been, and are not now, animated by any spirit of propagandism. They prefer to all other forms of government, and are perfectly contented with, their own confederacy. Allowing no foreign interference either in the formation or in the conduct of their government, they are equally scrupulous in refraining from all interference in the original structure or subsequent interior movement of the governments of other independent nations. Indifferent they are not, because they can not be indifferent to the happiness of any nation. But the interest which they are accustomed to cherish in the wisdom or the folly which may mark the course of other powers in the adoption and execution of their political systems is rather a feeling of sympathy than a principle of action. In the present instance they would conform to their general habit of cautiously avoiding to touch on a subject so delicate; but that there is reason to believe that one European power, if not more, has been active both in Colombia and Mexico, if not

elsewhere, with a view to subvert, if possible, the existing forms of free government there established, to substitute the monarchical in place of them, and to plant on the newly-erected thrones European princes.

In both instances it is due to our sister Republics and otherwise proper to add that the design met with a merited and prompt repulse; but the spirit which dictated it never slumbers, and it may be renewed. The plausible motive held out, and which may be repeated, is that of a recognition of the independence of the new States, with assurance that the adoption of monarchical institutions will conciliate the great powers of Europe. The new Republics being sovereign and independent States, and exhibiting this capacity for self-government at home, being in fact acknowledged by the United States and Great Britain, and having entered into treaties and other national compacts with foreign powers, have a clear right to be recognized. From consideration of policy the act of recognition has been delayed by some of the European States, but it can not much longer be postponed, and they will shortly find themselves required to make the concession from a regard to their own interest, if they would not from a sense of justice. But their recognition is not worth buying, and nothing would be more dishonorable than that the Republic should purchase, by mean compliances, the formal acknowledgment of that independence which has been actually won by so much valor and by so many sacrifices. Having stood out against all apprehensions of an attempt of the combined powers of Europe to subdue them, it would be base and pusillanimous now, when they are in the undisturbed enjoyment of the greatest of human blessings, to yield to the secret practices or open menaces of any European power.

It is not anticipated that you will have any difficulty in dissuading them from entertaining or deliberating on such propositions. You will, however, take advantage of every fit opportunity to strengthen their political faith and to inculcate the solemn duty of every nation to reject all foreign dictation in its domestic concerns. You will also, at all proper times, manifest an adiness to satisfy inquirers as to

the theory and practical operations of our Federal and State constitutions of government, and to illustrate and explain the manifold blessings which the people of the United States have enjoyed and are continuing to enjoy under them.

The war which has recently broken out between the Republic of La Plata and the Emperor of Brazil is a cause of most sincere regret. To that war the United States will be strictly neutral. The parties to it should feel themselves urged no less by all the interests which belong to the recent establishment of their independence than by principles of humanity to bring it to a speedy close. One of the first measures which has been adopted for its prosecution by the Emperor of the Brazils is to declare the whole coast of his enemy, including entirely one and a part of the other shore of the La Plata, and extending as far as Cape Horn, in a state of blockade. That he has not the requisite naval force to render valid and to maintain, according to the principles of the public law, such a sweeping blockade is quite evident. Persistence in it must injuriously affect the interest of neutrals in the pursuit of their rightful commerce, if it should involve no other consequences to them.

You will avail yourselves of every proper opportunity to represent to the parties how desirable it is to put an end to the war, and with what satisfaction the United States would see the blessings of peace restored. And it will occur to you, whilst remonstrating against any belligerent practices which are not strictly warranted, to draw from the fact of the Brazilian blockade fresh support to the great maritime principles to which you have been instructed to endeavor to obtain the sanction of the American nations.

I have the honor to be, gentlemen, your most obedient servant,

H. CLAY.

RICHARD C. ANDERSON and  
JOHN SERGEANT, Esqrs.,

*Appointed Envoys Extraordinary  
and Ministers Plenipotentiary of the  
United States to the Congress at Panama.*

*Supplementary Instructions.*

DEPARTMENT OF STATE,  
*Washington, March 16, 1827.*

GENTLEMEN : By the appointment of Mr. Poinsett, made by and with the advice and consent of the Senate, as one of the ministers of the United States to the Congress of the American nations expected to assemble at Tacubaya, you have become associated in that mission. Mr. Poinsett, it is therefore anticipated, will be disposed cordially to co-operate in the performance of those duties which have been enjoined by the instructions heretofore addressed to Mr. Anderson and Mr. Sergeant, or to either of them so far as they remain to be executed. And the President relies with great confidence on the zeal and ability of both of you, to promote in this important service the interest of our country.

The instructions addressed to Messrs. Anderson and Sergeant have been sufficiently explicit as to the nature of the assembly. According to our views it is to be considered as entirely diplomatic. No one of the represented nations is to be finally bound by any treaty, convention, or compact to which it does not freely consent according to all the forms of its own particular Government. With that indispensable qualification, the mode of conducting the conferences and deliberations of the ministers is left to your sound discretion, keeping in view the observations which have been made in your general instructions.

I am induced again to advert to this topic in consequence of a letter from the Colombian minister, under date the 20th of November last (a copy of which is herewith transmitted,) from the tenor of which it might probably be inferred as his opinion that a majority of voices in the assembly, on any given proposition, is to be decisive. We have not yet obtained copies of the treaties concluded at Panama which are mentioned in that note. To these we have a right, and we shall continue to expect them.

We have no later information than that contained in Mr. Sergeant's dispatch No. 1, under date the 19th of January last, and its accompaniments, as to the probable

time of the convention of the ministers of the several powers. The course which he adopted of announcing himself to such of them as had arrived at Mexico is approved. From the answers he received to his note it appears that eight months, from the 15th of July last, were specified as the period within which the treaties concluded at Panama were to be ratified, and when it was expected the congress would again meet. That term expired on the 15th instant. It is probable, therefore, that about this time the ministers of the various powers will assemble at Tacubaya. But if they should not meet before the 1st of June next, Mr. Sergeant may, after that day, return to the United States without further detention. In the event of his return Mr. Poinsett will consider the duties of the joint mission as devolving on him alone; and should the congress assemble subsequent to that period, and Mr. Sergeant should avail himself of the permission now given him to leave Mexico, Mr. Poinsett will attend the congress in behalf of the United States.

The intelligence which has reached us from many points as to the ambitious projects and views of Bolivar, has abated the strong hopes which were once entertained of the favorable results of the Congress of the American nations. If that intelligence be well founded (as there is much reason to apprehend), it is probable that he does not look upon the congress in the same interesting light that he formerly did. Still the objects which are contemplated by your instructions are so highly important that the President thinks their accomplishment ought not to be abandoned whilst any hope remains. Their value does not entirely depend upon the forms of the governments which may concur in their establishment, but exist at all times and under every form of government.

You will, in all your conversations and intercourse with the other ministers, endeavor to strengthen them in the faith of free institutions and to guard them against any ambitious schemes and plans, from whatever quarter they may proceed, tending to subvert liberal systems.

Mr. Rochester, having been appointed *chargé d'Affaires* to Guatemala, Mr. John Speed Smith, of Kentucky,

formerly a member of the House of Representatives, is appointed secretary to your mission. In the event of his acceptance (of which advice has not yet reached the Department), he is expected to proceed from Kentucky, by the way of New Orleans, to join you.

You are at liberty to detain the bearer of this letter a reasonable time to convey any dispatches you may wish to forward to this Government. If you should not wish him to remain at Mexico for that purpose, after stopping about two weeks to recover from the fatigue of the journey and voyage, he will return to the United States with such dispatches as you may confide to him.

I am, with great respect, your obedient servant,

H. CLAY.

Messrs. JOHN SERGEANT and J. R. POINSETT,  
*Appointed Envoys Extraordinary and  
Ministers Plenipotentiary to Tacubaya, etc.*





HISTORICAL NOTES  
ON THE  
GENERAL ASSEMBLY OF THE AMERICAN  
REPUBLICS,  
COMMONLY KNOWN  
AS THE "CONGRESS OF PANAMA,"  
AND  
THE OTHER ASSEMBLIES HELD, OR INTENDED TO BE  
HELD, UNTIL 1864,  
BY  
JOSÉ IGNACIO RODRIGUEZ.

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The two principal purposes which the genius of Bolivar wanted to accomplish through an International American Assembly at Panama, and which he himself called the "cardinal aims" of his aspirations, were:

The establishment of certain fixed principles for securing the preservation of peace between the nations of America, and the concurrence of all those nations to defend their common cause, each one contributing thereto upon the basis of its population.

The letter which he wrote when at the head of the Republic of Peru, dated Lima, December 7, 1824, inviting the governments of America to send representatives to Panama in order to hold the Conference, which he thought to be of such great importance, contains no indication that the United States were to be invited to take part in that meeting. Whether because Bolivar was fully aware of the interest which at that time prevailed in the United States of preserving and perpetuating, if possible, the African slavery,\* a spirit which was fully at variance with

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\* A convention had been made in 1824 between Colombia and the United States for the suppression of the slave trade; but it was rejected by the Senate. (Folio edition of the Foreign Relations of the United States, vol. 5, pp. 729-735.)

his own, and with the ideas proclaimed in South America, where slavery had been abolished since 1813, or because of other reasons (a matter which needs not to be discussed at present), his invitation was extended only to Colombia, Mexico, Central America, the United Provinces of Buenos Ayres, Chili, and Brazil.

As it appears from the records, the invitation to the Government of the United States was made only by the Governments of Colombia and Mexico, which claimed to have conceived, at the same time as Bolivar, the idea of causing a Congress of this kind to convene, and thought themselves, therefore, entitled to shape its organization.

The learned author of the "Notes upon the Foreign Treaties of the United States," appended to the official edition of the "Treaties and Conventions concluded between the United States of America and other Powers since July 4, 1776," has inserted under the head of "Colombia," page 1273, the following paragraphs:

✓ The Congress of Panama in 1826 was planned by Bolivar to secure the union of Spanish America against Spain. It had originally military as well as political purposes. In the military objects the United States could take no part; and indeed the necessity for such objects ceased when the full effects of Mr. Monroe's declarations were felt. *But the pacific objects of the Congress, the establishment of close and cordial relations of amity, the creation of commercial intercourse, of interchange of political thought, and of habits of good understanding between the new Republics and the United States and their respective citizens, might perhaps have been attained, had the administration of that day received the united support of the country.* Unhappily they were lost; the new States were removed from the sympathetic and protecting influence of our example, and *their commerce, which we might then have secured, passed into other hands, unfriendly to the United States.*

In looking back upon the Panama Congress from this length of time, it is easy to understand why the earnest and patriotic men who endeavored to crystallize an American system for this continent failed.

\* \* \* One of the questions proposed for discussion in the Conference was "The consideration of the means to be adopted for the entire abolition of the African slave-trade," to which proposition the committee of the United States Senate of that day replied: "The United States have not certainly the right, and ought never to feel the inclination, to dictate to others who may differ with them upon the subject; nor do the committee see the expediency of insulting other States, with whom we

are maintaining relations of perfect amity, by ascending the moral chair and proclaiming from thence mere abstract principles, of the rectitude of which each nation enjoys the perfect right of deciding for itself." The same committee also alluded to the possibility that the condition of the islands of Cuba and Porto Rico, still the possessions of Spain, and still slave-holding, might be made the subject of discussion and of contemplated action by the Panama Congress. "If ever the United States (they said) permit themselves to be associated with these nations in any general Congress assembled for the discussion of common plans in any way affecting European interests, they will, by such act, not only deprive themselves of the ability they now possess of rendering useful assistance to the other American States, but also produce other effects prejudicial to their interests.\*

It did not, by any means, enter into the plans of Bolivar to consolidate the whole of Spanish America into a single nation. On the contrary, it appears from his famous "prophetic letter" that he considered such union as an impracticable scheme, owing to the "diversities of climate and geographical situation of the different Spanish Republics, the immense distances which separate them from each other, their often conflicting interests, and other characteristic differences."

But he wanted some strong bond of union to be created among them, which should preserve peace in this continent, and afford protection to its inhabitants against foreign aggression: ✓

How beautiful it would be [he said in the letter referred to] for the Isthmus of Panama to be for our nations what the Corinthian Isthmus was for the Greeks. Would to God that some day we might enjoy the happiness of having there an august Congress of representatives of the Republics, Kingdoms, and Empires of America to deal with the high interests of peace and of war with the nations of the other three parts of the world.

In another letter, which he wrote to General Santander a few months after the invitation had been extended to the Governments of the Spanish American nations, he spoke of the United States, and of the advantages of an alliance with them; but showed, however, no desire that they should join the Congress. The Liberator thought that the danger of a desperate struggle between monarchical prin-

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\*Sen. Ex. Doc. 112, second session Forty-first Congress, 7, 8.

ciples and the principle of popular government, or, as he said, "the cause of the thrones and the cause of liberty," was then impending, and he believed that "the only means, if any, to meet that issue successfully was to cause a great Congress of plenipotentiaries to meet at the isthmus, give to it a vigorous organization, under a well-defined and comprehensive plan, with entire independence of the States represented by it, provide it with an army of at least one hundred thousand men, and a federal navy, and thus making it capable of conducting diplomatic affairs in the nice European fashion, and of *securing an intimate and close alliance with England and North America.*"

Bolivar's "prophetic letter" above referred to is one of those documents which at once command admiration. As before stated, it was written in 1815, when the future Liberator was living the life of an exile, and struggling with all the hardships of extreme poverty at the city of Kingston, Jamaica, and no one could imagine that the scarcely initiated rebellion against the power of Spain could succeed in America.\*

He recognized that at such an earlier date as that at which he was writing it was "most difficult to foresee the future destinies of the provinces of Spanish America, speak of the political principles which should prevail in them, or indulge in any speculation about the nature of the government which they would adopt for themselves." But in spite of such difficulties he made his predictions, certainly not intended for publicity, but exclusively addressed to the bosom friend with whom he corresponded, with such a strength and accuracy as to fully justify the insertion in this paper of some of his statements.

"The States of the Isthmus, from Panama to Guatemala," he said, "will form perhaps a Union. That magnificent portion of America, situate between the two oceans, will be in due time the emporium of the universe. Its canals will shorten the distance which separate the nations of the earth, and will render the commercial ties which

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\*Fragments of this letter have been reprinted by General O'Leary in Vol. I, of his Memoirs (Narration), page 291, and the following.

connect Europe, America and Asia, closer and stronger. The yieldings of the four parts of the world will be brought as a tribute to that happy section of the world. Perhaps the true capital of the earth might be established there, and be made exactly what Constantine desired that Byzance should be. †

In speaking of Chili, Bolivar said:

The Kingdom of Chili is called by nature, by its situation, by the habits and customs of its inhabitants, and by the example of its neighbors the proud republicans of Arauco, to enjoy the blessings of just laws and Republican institutions. If any Republic is to last long in America, I am inclined to think that that one will be Chili. The spirit of liberty has never been extinguished there, and the vices of Europe and Asia will never come, or will come very late, to corrupt the habits of that remote corner of the universe. Its territory is limited, and always will be free from the infectious contact of the rest of mankind; its laws and usages will not be easily changed; the uniformity of its political and religious ideas will be preserved; and in a word, Chili will be free.

Peru, on the contrary, has two elements which are thoroughly inimical to any kind of just and liberal system of government—gold and slaves. The former corrupts all things; the latter is itself already corrupted and rotten.\*

In the year 1824, almost at the very moment in which the Spanish power in America was receiving its fatal blow at Ayacucho, when Bolivar was at the head of the Republic of Peru and at the height of his glory, the occasion seemed to him to be propitious for the consummation of his favorite idea, and thereupon he issued from Lima the following circular: ✓

LIMA, December 7, 1824.

GREAT AND GOOD FRIEND: After fifteen years of sacrifices devoted to the liberty of America to secure a system of guaranties that in peace and war shall be the shield of our new destiny, it is time the interests and relations uniting the American Republics, formerly Spanish colonies, should have a fundamental basis that shall perpetuate, if possible, those Governments.

To initiate that system, and concentrate the power of this great political body, implies the exercise of a sublime authority, capable of directing the policy of our Governments, whose influence should maintain uniformity of principles, and whose name alone should put an end to our quarrels.

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\**Ibid.*, page 305.

Such a respectable authority can exist only in an assembly of plenipotentiaries, appointed by each of our Republics, and called together under the auspices of the victory obtained by our arms over the Spanish power.

Profoundly imbued with these ideas, I invited, in 1822, as President of the Republic of Colombia, the Governments of Mexico, Peru, Chili, and Buenos Ayres to form a confederation, and hold on the Isthmus of Panama, or some other point agreeable to the majority, a congress of plenipotentiaries from each State "that should act as a council in great conflicts, to be appealed to in case of common danger, and be a faithful interpreter of public treaties, when difficulties should arise, and conciliate, in short, all our differences."

On the 6th of June of said year, the Government of Peru concluded a treaty of alliance and confederation with the Colombian plenipotentiary. By said treaty both parties bound themselves to interpose their good offices with the Governments of America lately Spanish, so that, all entering into the same agreement, the general congress of the confederates could be held. A similar treaty with Mexico was concluded on the 3d of October, 1823, by the Colombian envoy to that country; and there are strong reasons for hoping that other Governments will also adopt a policy dictated by their higher interests.

Longer to defer the general Congress of the Plenipotentiaries of the Republics that in fact are already allied awaiting the accession of the others, would be to deprive ourselves of the advantages which that assembly will produce from its very incipency.

These advantages are largely increased, if we but contemplate the spectacle that the political world, and particularly that of the European continent, presents to us.

A reunion of the plenipotentiaries of Mexico, Colombia, and Peru would be indefinitely delayed, if it should not be brought on by one of the same contracting parties, unless the time and place for the carrying out of this great object be determined by another and a special convention.

Considering the difficulties and delays presented by the distance separating us, together with other grave motives the general interest suggests, determines me to take this step with a view of bringing about an immediate meeting of our plenipotentiaries, while the rest of the Governments may conclude the preliminaries already gone through by us concerning the appointment and commissioning of their representatives.

With respect to the time of the opening of the Congress, I make bold to think that no obstacle can oppose its verification within six months from this date; and I shall also go so far as to flatter myself that the ardent desire animating all Americans to exalt the power of the world of Columbus will diminish the obstacles and delays that the ministerial preparations demand, and the distance separating the capitals of each state and the central point of the meeting. It seems that if the world

should have to choose its capital, the Isthmus of Panama would be selected for this grand destiny, located as it is in the center of the globe, having on one side Asia, and on the other Africa and Europe. The Isthmus of Panama has been tendered for this purpose in existing treaties by the Colombian Government. The Isthmus is equally distant from the extremities of the continent, and on this account ought to be the provisional seat for the first meeting of the confederates.

Yielding myself to these considerations, I am seriously inclined to send to Panama the delegates from this Republic immediately upon having the honor of receiving the desired reply to this circular. Nothing, certainly, can so realize the ardent desire of my heart as the agreement I hope for on the part of the confederated Governments to accomplish this august act of America.

Should your Excellency not adhere to this I foresee great delays and injuries, at a time, too, when the movement of the world hurries everything on, and may accelerate to our harm.

The first conferences between the plenipotentiaries once held, the seat of the Congress, as well as its powers, can be solemnly determined by the majority, and then everything will have been realized.

The day our plenipotentiaries make the exchanges of their powers will stamp in the diplomatic history of the world an immortal epoch.

When, after a hundred centuries, posterity shall search for the origin of our public law, and shall remember the compacts that solidified its destiny, they will finger with respect the protocols of the Isthmus. In them they will find the plan of the first alliances that shall sketch the mark of our relations with the universe. What, then, shall be the Isthmus of Corinth compared with that of Panama?

God preserve Your Excellency,  
Your great and good friend,

SIMON BOLIVAR.

JOSÉ S. CARRIÓN,  
*Minister of Government and Foreign Relations.*

The first answer to this letter came from Colombia, and it was as follows:

His Excellency General SIMON BOLIVAR, etc.

GREAT AND GOOD FRIEND AND FAITHFUL ALLY: I have read with the greatest pleasure your very estimable note dated at the city of Lima on the 7th of December ultimo, setting forth your earnest desire to see the States of America, which were Spanish, meeting in an assembly within six months, if possible.

It is for me extremely satisfactory to assure you that I, being animated by the same sentiments, have taken at once all the necessary measures to hasten the accomplishment of an event of such great importance for our safety and future happiness. The necessities of the new American States, their position with regard to Europe, and the

stubbornness of the King of Spain in not recognizing them as sovereign powers, demand from us, and from our dear allies, now more than ever, the adoption of a system of political combinations, which shall nip in the bud any attempt however to involve us in new calamities. The dangerous principle of intervention that some cabinets of the Old World have adopted, and carried on so earnestly in our own days, demands on our part serious consideration, not only because of its tendency to encourage the almost extinguished hopes of our obstinate enemies, but also on account of the obnoxious consequences which the introduction in America of a rule, so subversive to the sovereign rights of the people, will necessarily produce. It seems to me, nevertheless, that however great our desire may be to lay, at least, the foundations of this work, the most wonderful ever undertaken and witnessed after the fall of the Roman Empire, our common interest requires the assembly of plenipotentiaries herein referred to to meet at the Isthmus of Panama, with the concurrence of all or at least the greatest part of the American governments, whether belligerents or neutral, as they all are interested in resisting the alleged right of intervention, of which some powers of the south of Europe have already been made the victims.

∟ In order to secure this concurrence, instructions have been sent, under date of the 15th of July ultimo, to our chargé d'affaires at Buenos Ayres, directing him to make efforts to persuade that Government to send plenipotentiaries to the assembly at Panama, although the steps taken in that direction in 1822 proved unsuccessful. We have also waited with the greatest anxiety for the ratification of our treaty of alliance and perpetual federation with the State of Chili, of which no information whatever has been yet received. And it is probable that the sessions of the present legislature will be closed without completing a similar compact with the Provinces of Guatemala, which are represented at this Capital by a minister, and whose recognition we have withheld through considerations of respect to our faithful ally, the Republic of Mexico. ∟ therefore entertain the hope that the assembly of the American nations will consist of representatives of the Republics of Colombia, Mexico, Guatemala, Peru, and even Chili and Buenos Ayres, if, as it is probable, the policy of the latter country becomes more in harmony with ours, after the installation of the Congress of the United Provinces of the River Plata.

In regard to the United States I have thought it advisable to invite them to join us in the august assembly of Panama, as I am firmly persuaded that none among the allies will fail to see with satisfaction those sincere and enlightened friends take part in our deliberations upon subjects referring to our common interest. The instructions which on this matter have been transmitted to our envoy extraordinary and minister plenipotentiary in Washington, will make you acquainted in full with the reasons which induced me to take this step.

The Government of Colombia, will with great pleasure, within four months to be counted from the present day, appoint two plenipoten-



tiaries, who shall represent it at the Isthmus of Panama; and will give them instructions to meet the plenipotentiaries of Peru, and enter with them immediately into such preliminary arrangements as may be required for the opening of the General Assembly, which perhaps may take place on the 1st of October of the present year. For the purpose of facilitating this result, I dare to venture the following suggestions: First, that the Governments of Colombia and Peru empower their plenipotentiaries to hold preparatory conferences at the Isthmus of Panama, and enter into direct correspondence with the secretaries of foreign relations, of Mexico, Guatemala, Chili and Buenos Ayres and urge them to send without any loss of time, plenipotentiaries of those Republics to the General Assembly. Second, that the plenipotentiaries of Colombia and Peru be given full liberty to select in the Isthmus of Panama such locality as they may deem to be the best, owing to its sanitary conditions, for the holding of the preparatory conferences. Third, that upon the meeting at the Isthmus of Panama of the plenipotentiaries of Colombia, Peru, Mexico and Guatemala, or at least of three of the said Republics, power be given to them to appoint, by agreement, the day of the opening of the General Assembly. Fourth, that the General Assembly of the Confederate States be given, in the same way, full liberty to select within the Isthmus of Panama the place most suitable, on account of its sanitary conditions, for the holding of its sessions. Fifth, that the plenipotentiaries of Colombia and Peru be instructed not to leave the Isthmus of Panama for any reason whatever, after the opening of the preparatory conferences, but remain there until the General Assembly of the Confederate States is open, and its sessions are terminated.

I hope that these suggestions will show you how vivid is the interest that the Republic of Colombia feels toward seeing the great designs of Divine Providence accomplished in our beautiful hemisphere. I ask God fervently to keep you in His holy guard.

Given, signed by my hand, and countersigned in the City of Bogotá, on the 6th of February of 1825, and the 15th of the Independence of Colombia.

F. DE P. SANTANDER.

PEDRO GUAL.

*Secretary of Foreign Relations.*

Then came the answer from Mexico in the following terms:

PALACE OF THE GOVERNMENT AT THE CITY OF MEXICO,  
*February 23, 1825.*

His Excellency the Liberator Simon Bolivar, etc.:

GREAT AND GOOD FRIEND: Your communication of December 7 ultimo, relative to your great project of causing an assembly of plenipotentiaries of the American Republics to convene for the purpose of

discussing principles affecting their interests and relations, has been for me a source of great satisfaction; much the more so, as I, resting on the same principles as you have set forth, and animated by the same wishes you express, had already in my mind to take the initiative by sending an envoy to you to discuss the same subject and suggest the same method as you propose. The fact that the ratification by the Government of Colombia of the treaty of October 3, 1823, has not been received, and that Mexico has not entered with the other nations of this continent, formerly Spanish colonies, into agreements of the same kind as that treaty, is not an obstacle against either extending or accepting the invitation to all the Governments to meet at the desired Congress, since the respective plenipotentiaries may be sent clothed with sufficient authority to negotiate treaties, and make them the first subject of the deliberations of the assembly.

↳ You find yourself in the best possible circumstances to extend this invitation to the other Governments, because you are in the center of the Republics of South America, and can easily attend to the prompt sending of the plenipotentiaries to the place of meeting, a place which in my opinion must be by all means Panama. In regard to the time in which the Congress should open its sessions, I had thought of suggesting the 1st of November, taking into consideration the distances and the difficulties attending the travel of the plenipotentiaries; but if you think, as it seems, that the meeting can take place before, I have no objection to it; on the contrary, I will most earnestly indorse your views and cause the Mexican plenipotentiary to start as soon as you give me the proper notice.

↳ As I am persuaded that the cause of independence and liberty does not belong exclusively to the Republics which were Spanish colonies, but that it is also the cause of the United States of the North, I have directed the Mexican Minister there to make a suggestion to that effect to the President of that country, so as to enable him to send his envoys, if so wishes, to that assembly. >

I have the high honor to answer in this way to your above-mentioned note; and I avail myself of this opportunity to congratulate you directly for your triumphs at Peru, where you have given the last blow to the Spanish rule in America.

Your great and good friend,

GUADALUPE VICTORIA.

The Republic of Chili, although never represented at the Assembly, accepted the invitation in the following terms :

SANTIAGO DE CHILE, *July 4, 1825.*

His Excellency the CHIEF MAGISTRATE OF THE REPUBLIC OF PERU:

GREAT AND GOOD FRIEND: The Director of the Republic of Chili has received with particular satisfaction the note of Your Excellency inviting this Government to send plenipotentiaries to the Isthmus of

Panama, to join there those sent by the other States of America in the General Assembly called upon to consider the important subjects which your note describes.

The Director can assure you, in answer, that his sublime project has been long ago in his mind, and occupied his attention. He is fully persuaded that America, after having secured her liberty at the cost of so many sacrifices, can not render that liberty permanent, or secure stability for her new institutions, unless through the instrumentality of such an Assembly. The fulfillment of this plan will largely contribute towards securing for our new nations the respect of Europe, and causing her to see the majesty and strength of our Republics. Isolation may make us appear weak and small; but union will render us a most respectable body, with power enough to check ambitious pretensions, and intimidate Spain.

So it is, that the wise suggestions made in your note, on this laudable subject, have caused the Director to be still more persuaded than he had been before of the urgent necessity that said Assembly meet at the earliest possible time.

But even if this Government were not animated by the feelings above explained, it would find itself bound by duty to comply with your wishes, because of the solemn treaty of friendship and alliance of December 23, 1822, between Chili and Peru.

It is unfortunate, however, that an obstacle presents itself, just at this moment, which the Government can not overcome, for the prompt accomplishment of this idea. That obstacle depends upon the fact that no legislative authority is as yet in existence to examine the bases suggested by the Colombian Government for the guidance of the plenipotentiaries in the said Assembly. But the Director flatters himself with the hope that the National Congress, which will soon meet, will devote its very first sessions to the discussion of this great subject. The Director assures you beforehand, that as soon as said Congress meet, which will be at the latest within two months, he will have special care in submitting this matter to its consideration, and will earnestly co-operate, by all means in his possession, to the speedy appointment of plenipotentiaries on the part of Chili, and the accomplishment of an idea so utterly important for Chili and the whole of America.

The Director of Chili avails himself of this opportunity to renew the expressions of his most distinguished considerations.

RAMON FREIRE.

JUAN DE DIOS VIAL DEL RIO,  
*Secretary of Foreign Relations.*

Brazil and the United Provinces of the River Plata did not send plenipotentiaries to Panama; but their respective Governments substantially indorsed the Liberator's idea.

The Chevalier de Janeiro, Brazilian Ambassador in

London, wrote to Señor Hurtado, the Colombian Minister at the same Court, under date of October 30, 1825, as follows:

I comply with a pleasant duty in informing you that the Emperor, my master, before whom I laid your note of the 7th of June ultimo, has been pleased to accept the formal invitation that the Colombian Government extends to Brazil to join the other States of America in the Assembly to be held at Panama, to settle in common their mutual relations and their respective political and commercial systems.

He said, however, that the Brazilian plenipotentiaries could not be sent until after the negotiations relative to the recognition of the Empire were terminated, and that the action of said plenipotentiaries had to be in keeping with the *strict neutrality which the Emperor had decided to maintain between the belligerent States of America and Spain.*\*

The Buenos Ayres Government recommended its Congress, on August 16, 1825, to pass a bill authorizing the National Executive "to enter into a defensive alliance with the American States which formerly were Spanish, for supporting their independence and defending them against Spain or any other foreign power."

The last clause of said bill reads as follows:

The National Executive shall in due time send one or more plenipotentiaries to the Assembly of plenipotentiaries called by the Governments of Colombia and Peru to convene for the purposes of this bill.†

The letters printed elsewhere in this volume, addressed to Mr. Clay, Secretary of the United States, on November 2 and November 3, 1825, respectively, the former by Don Jose Maria Salazar, Envoy Extraordinary and Minister Plenipotentiary of Colombia in Washington, and the latter by Don Pablo Obregon, Envoy Extraordinary and Minister Plenipotentiary of Mexico in the same Capital, and the answers given to them by Mr. Clay, as well as the Executive and other documents also printed in this Appendix, will give a full idea of what was done by the United States in respect to this scheme of unification of American ideas and interests.

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\* O'Leary's Mémoires, Vol. XXIV, page 287.

† *Ibid.*, page 267.

In Europe, where the purposes and intents of this Congress had been, if possible, magnified, both by the writings of liberal leaders and advocates of benevolence and popular freedom,\* and by the natural uneasiness which it caused among the partisans of absolute monarchy, public attention was thoroughly aroused. Great Britain and the Netherlands showed their desire to participate in, or at least to witness the movements made by the Assembly, and accredited to that effect their respective agents.

The Colombian plenipotentiaries, Don Pedro Gual and Don Pedro Briceño Mendez, referred to this subject in a communication to their Government of July 10, 1826, in the following terms :

We have the honor to inclose a copy of the credentials which Mr. Dawkins placed in the hands of one of us on the day of the first meeting of the Assembly of Plenipotentiaries of the American Republics. You will see by that document what is the nature of the mission of that gentleman as Commissioner from His British Majesty. The Assembly has had no time so far to investigate what other purposes, if any, this mission is intended to accomplish. Nevertheless, judging by the conversations of Mr. Dawkins with some of the plenipotentiaries, it is apparent that the wishes of His British Majesty are in favor of the termination of the war in this hemisphere.

On the 8th instant, Chevalier Van Veer, a Colonel in the service of His Majesty the King of the Netherlands, arrived here. It is reported that he has been instructed by his Government to reside in this city (Panama) during the sessions of the Assembly. We do not know as yet the character of his mission, as no opportunity has presented itself for us to talk with him and find out the purposes of his coming here.\*

Restrepo, in his "History of the revolution of Colombia," says in regard to this point:

Mr. E. Dawkins and Colonel Van Veer, the former in behalf of Great Britain and the latter in behalf of the King of the Netherlands, went also to Panama, to reside there during the sessions, although without taking any part in the deliberations. \* \* \* The conduct of the

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\* "Congrès de Panama," par M. de Pradt, ancien archevêque de Malines. Paris. 1825. The author maintained that "history will never witness a more fitting expression of civilization than the American Congress. Europe has had two great Congresses, the one of Munster and the one of Vienna; what will they be in comparison with that Congress which America is now preparing herself to hold?"

\* O'Leary's Mémoires, Vol. XXIV, page 335.

British Commissioner, Mr. Dawkins, during the sessions, was always noble and frank. He confined himself to advising the Plenipotentiaries of the new Republics to show respect to the institutions of all the other nations, to remove the suspicion, possibly to be entertained by the European powers, that Republican America was trying to establish a system of politics in opposition to theirs. He insisted with considerable strength and earnestness upon the advisability that America should give a proof of her love of peace by consenting to some sacrifices for its sake. He positively promised that Great Britain should interpose her mediation with Spain, with good hopes of success, if the negotiation was conducted upon the basis of granting Spain a pecuniary indemnification. He stated that France would not lend her co-operation if that basis was not accepted by the American Republics; that Great Britain unaided by France could not accomplish much; and that it was advisable not to lose any time and open negotiations as early as practicable, so as to avoid such future complications as might be feared from the already initiated intervention of Russia at the request of the United States. Mr. Dawkins insisted so much upon this point that every one saw plainly that the principal object of his mission was to carry it on. He always said, however, that in this he expressed his own views, and not those of his Government. In spite of these assurances, he could not conceal his disappointment when he saw the Assembly adjourning without having taken any step towards securing peace with Spain; but, nevertheless, when he left the Isthmus and parted from the plenipotentiaries, he did so with sentiments of great friendship, especially towards Colombia, for whose plenipotentiaries he had always showed particular respect.

Colonel Van Veer had no public character in Panama. His mission was private. He confined himself to express to the plenipotentiaries the ardent wishes of His Majesty the King of the Netherlands for the happiness of the allied Republics, and explained that his sovereign had not yet recognized their independence, only because of the regard he had to pay the great Powers of Europe. He added however that said recognition should soon be made.\*

The purposes and intents of this Assembly, so far at least as Bolivar's idea was concerned, can not be better understood than by perusing the instructions framed by his order for the Plenipotentiaries of Peru. They clearly show what the aims of the Liberator were, and the failure by the Assembly to shape by them its action sufficiently explains not only the disappointment of the illustrious author of the idea, but the lack of practical results of the

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\* Union latino-americana. By J. M. Torres Caicedo. Paris, 1865. Pages 35 and 36.

great movement started by him, which, if carried into effect, would have hastened half a century the abolition of slavery, extirpated from Spanish-America the Spanish colonial system, avoided war and revolutions in the Latin-American Republics, and rendered them as powerful and as near a unit as the most enthusiastic advocates of Latin-American Union could ever have desired.

This is the text of those instructions, dated Lima, May 15, 1825.

*Instructions that are to govern the conduct of the Ministers Plenipotentiary from Peru to the Great Congress on the Isthmus of Panama.*

#### ARTICLE I.

Its excellency the council of government, being satisfied of your ability, patriotism, and other commendable qualities, has been pleased to appoint you Ministers Plenipotentiary to the great Federal Congress of the American States which will be held at the Isthmus of Panama, and rests assured that you, corresponding to this proof of confidence, will do every thing in your power to accomplish in full the high purposes which the Government has had in view when intrusting you with the important mission of representing the national interests in that great General Assembly.

#### ARTICLE II.

As soon as you have met the Plenipotentiaries who will be sent by Colombia to the Isthmus of Panama, you shall consider yourselves authorized to enter into direct correspondence with the secretaries of foreign relations of Mexico, Guatemala, Chili, and Buenos Ayres, and show them the urgent necessity that they send, without losing a moment, their respective Plenipotentiaries to the General Congress.

#### ARTICLE III.

The selection of a place at the Isthmus of Panama, or elsewhere, which, on account of its salubrity and geographical position, may be the best for holding the preliminary conferences, is left to your discretion. In this you will proceed in accord with the other Plenipotentiaries who will be there on the 1st of June next.

#### ARTICLE IV.

As soon as the Plenipotentiaries of Colombia, Mexico, and Guatemala, or at least those of Colombia and Mexico, shall arrive at the isthmus, you shall proceed, in accord with them, to appoint a day for the inauguration of the Congress.

## ARTICLE V.

You shall for no reason, and under no circumstances, absent yourselves from the isthmus, or the place of residence, whatever it is, selected for the Congress, before the sessions thereof have been closed.

## ARTICLE VI.

You shall make every effort to secure the great compact of union, league, and perpetual confederation against Spain, and against foreign rule, of whatever character, to be renewed in the most solemn manner.

## ARTICLE VII.

You shall endeavor to obtain from the great Congress of the American States the issuing of a proclamation, setting forth the narrow views and designs of Spain, the immense harm which her Government has done to America, and the political course of action which America proposes to pursue in her relations with the powers of the world, namely, friendship to all, and strict neutrality.

## ARTICLE VIII.

Whereas the Spanish Government will always be able, as long as the Islands of Puerto Rico and Cuba belong to Spain, to promote discord, encourage domestic troubles, and threaten the independence and peace of many countries of America, you shall make efforts to cause the Congress to decide about the fate of both islands. If the Congress, sensitive to the true interests of the countries represented by it, believes that it is advisable for them to free those islands, you shall enter into a treaty to that effect with the other States, setting forth in detail what forces of land and sea, and what sum of money, each State of America shall have to contribute for that important operation. Said treaty shall provide also whether said islands, or any of them separately, shall be annexed to some one of the Confederate States, or left at liberty to select by themselves, as they deem best, their own government.

## ARTICLE IX.

Should it be decided that the Islands of Puerto Rico and Cuba are to be annexed to one of the States, you shall endeavor to secure also the further decision of the question whether the State to which they will be annexed shall or shall not be bound to pay the expenses incurred for their emancipation; and, if yea, what the manner and terms of payment shall be.

## ARTICLE X.

If it be decided that the fate of the islands is to be left to them, you shall endeavor to secure some declaration on the question whether they shall or shall not be required to repay the expenses incurred; and, if yea, about the manner and terms of payment.



## ARTICLE XI.

You shall endeavor to negotiate treaties of friendship, navigation, and commerce with the new American States as allies and confederates.

## ARTICLE XII.

You shall also negotiate with the same States a consular convention, defining clearly and distinctly the prerogatives of their respective consuls.

## ARTICLE XIII.

You shall see that the proclamation which, under article 7 of these instructions, must be issued and published by the Great Congress of the Isthmus, contains such an energetic and efficient declaration as that made by the President of the United States of America in his message to Congress of last year in regard to the necessity for the European power of abandoning all ideas of further colonization on this continent, and in opposition to the principle of intervention in our domestic affairs.

## ARTICLE XIV.

You shall exert yourselves in securing by common consent the determination or settlement of disputed points in international law, especially those affecting the relations between belligerents and neutral nations.

## ARTICLE XV.

You shall urge some declaration to be made as to the relations, both political and commercial, to be established between us and those portions of our hemisphere, as San Domingo and Hayti, who emancipated themselves from their mother country, but have not as yet succeeded in obtaining recognition by any power, whether European or American.

## ARTICLE XVI.

Inasmuch as, in view of the exhausted condition to which all the American States have been reduced by the recent struggles, there is danger that one of them, if invaded and left to defend itself alone, would find itself involved in a prolonged and ruinous contest, which would end in its destruction, you shall endeavor to negotiate a treaty by which all of the new American States attending the Congress be united in a close alliance both offensive and defensive. That treaty shall fix the contingent of forces of land and sea, and other assistance, which each nation should contribute for the defense of the invaded State.

## ARTICLE XVII.

Pursuant to the indications contained in the preceding article, you shall interest yourselves in securing on the part of the American States attending the Congress of the Isthmus, the adoption and vigorous enforcement of a well combined plan of hostilities against Spain, so as to compel her Government to make peace and recognize the independence of the American Continent. (It would be conducive to this end not to permit commerce with Spain, even in an indirect manner, at any place in the States with which she is at war, and declare therefore the products of Spanish soil and industry and the vessels which carry them, under whatever flag, liable to confiscation; to forbid the Spaniards who left during the course of the revolution to return to America before the peace is made; to keep under embargo for the same period of time the property of those absentees; to aid by all means possible the fitting up and arming of privateers which should embarrass or destroy Spanish travel and commerce; to demand from Spain, as a "conditio sine qua non" for the establishment of peace, or the negotiation of treaties of commerce, a solemn recognition on her part of the independence of all the American States; and to cause the said States to pledge themselves not to accept respectively any recognition of their own individual independence, unless it is coupled with that of all the others.

## ARTICLE XVIII.

You shall endeavor to secure that the boundaries of the American States be fixed by agreement among themselves upon the basis that each one shall retain the territory which it possessed when the revolution began; and you shall be particular in this point, and not allow the limits to be described vaguely and indefinitely, but see on the contrary that they are clearly and precisely described, taking advantage as far as practicable of natural and well known landmarks as large rivers or mountains, so as to make the division of the States conformable with what nature itself has marked, and avoid in the future all possibility of dispute.

## ARTICLE XIX.

As America is in need of a long period of rest and peace for recovering from the harm she has suffered in the war with Spain, and as a tendency towards local independence and sovereignty is clearly noticeable through the whole of the continent, you shall endeavor to settle these questions which may arise out of this tendency, and obtain some decision about what portion of the new States can be considered representatives of the sovereignty and national will, and in what manner can this will be expressed to have legal effects.

## ARTICLE XX.

After this point is decided, you shall endeavor to obtain a declaration to the effect that the American States far from encouraging and aiding seditious and ambitious disturbers of the public peace and order, will on the contrary co-operate with each other, by all means in their possession, in supporting and maintaining all legally constituted governments.

## ARTICLE XXI.

You shall earnestly interest yourselves in securing from the General Assembly the enacting of such measures as may be deemed to be most efficient for the suppression of the slave-trade in America.

## ARTICLE XXII.

You shall see that the treaties agreed upon at the great Federal Congress of the American States, after their being properly ratified by the respective Governments, be promulgated as the public law of America, and made obligatory on all the States which were parties thereto.

The "General Assembly of the American Republics" met at Panama on the 22d of June 1826, at 11 o'clock a. m., the following nations being represented :

Colombia, by two delegates, Don Pedro Gual and Don Pedro Briceño Mendez:

Central America, by two delegates, Don Antonio Larrazabal and Don Pedro Molina.

Peru, by two delegates, Don Manuel Lorenzo Vidaurre and Don Manuel Perez de Tudela.

Mexico, by Don José Mariano Michelena. (The other delegate, Don José Dominguez, was sick and could not attend the first meeting.)

Two Cubans of great distinction, both of them exiled from their country, on account of their political opinions, performed the duties of Secretaries. One of them was Don Fructuoso del Castillo, aide-de-camp of the Colombian plenipotentiary, General Briceño Mendez, and the other was Don José Agustin de Arango, Secretary of the Peruvian delegation.

The Assembly held ten meetings as follows: June 22, June 23, July 10, July 11 in the morning, July 11 in the evening, July 12, July 13, July 14 in the morning, July

14 in the evening, and July 15, 1826, and accomplished the following:

1. A "treaty of union, league, and perpetual confederation," a very extensive and interesting instrument, containing thirty-one articles (and an additional article), signed July 15, 1826.

2. An agreement (concierto) under article 11th of the above, containing ten articles, and providing that the Congress should meet periodically (once every two years in times of peace, and once a year as long as the troubles with Spain should continue) at Tacubaya, Mexico, and fixing the qualification of the members of that Congress, etc.

3. A convention (convencion de contingentes) fixing the contingent of troops of each Republic for a permanent army of 60,000 men, and their support, etc. (twenty-four articles).

4. An agreement (concierto) additional to the above as to the organization of that army, and their movements, etc. (twenty-two articles).

The text of the protocols of the above said conferences, never before published in English, so far as the author of these notes is informed, deserves to be read with attention. These protocols are historical documents of the utmost importance, and are worthy to be preserved.

They read as follows:

#### I.

*Protocol of the first verbal conference held at the City of Panama on the 22d of June, 1826, between the Ministers Plenipotentiary of the Republics of Colombia, Central America, Peru, and the United Mexican States.*

The Plenipotentiaries of the above-named Republics, to wit: His Excellency Pedro Gual and His Excellency Brigadier-General Pedro Briceño Mendez for Colombia; His Excellency Doctor Antonio Larrazabal, and His Excellency Pedro Molina, for Central America; His Excellency Don Manuel Lorenzo Vidaurre, and His Excellency Don Manuel Perez de Tudela, for Peru; and His Excellency Brigadier-General Don José Mariano Michelena, for the United Mexican States, having met this day at 11 o'clock a. m., at the Hall of Sessions of the City Hall, in this city, proceeded at once to organize the Conference and fix the order of precedence. It was resolved that said precedence during the whole of the present Congress, and for nothing else than its meetings, would be decided by lot; and the lot, having been drawn, the result was as expressed in the heading.

It was stated that His Excellency Don José Dominguez, a plenipotentiary from the United Mexican States, could not attend this meeting on account of sickness.

In regard to the Presidency it was resolved that the chair should be occupied by turn by the Plenipotentiaries, in the same order as stated above with respect to the precedence.

The Plenipotentiaries then proceeded to exchange and examine their respective full powers, which they compared with the copies already prepared to that effect, and found them to be good and in due form.

The decision about the manner of voting was reserved for the next meeting, to be held to-morrow at 7 o'clock p. m.

PEDRO GUAL.	P. BRICEÑO MENDEZ.
ANTONIO LARRAZABAL.	PEDRO MOLINA.
M. L. VIDAURRE.	MANUEL PEREZ DE TUDELA.
J. M. MICHELENA.	JOSÉ DOMINGUEZ.

## II.

*Protocol of the second verbal conference held between the Plenipotentiaries of the Republics of Colombia, Central America, Peru, and the United Mexican States, at Panama, on June 23, 1826.*

All the Plenipotentiaries were present.

The Conference was called to order at 7 o'clock p.m., and His Excellency General Michelena introduced to the Assembly His Excellency Don José Dominguez, whose full powers were exchanged, examined, and found good and in due form.

Señor Gual laid before the assembly a communication, addressed to him as president of the same, by Mr. Edward James Dawkins, accompanying his credentials as an Envoy of the British Government, wherein it was set forth, among other things, that Mr. Dawkins had deserved the confidence of His Majesty, and had been directed to reside at whatever place the Congress of Plenipotentiaries of the American Republics should meet, and place himself at once with the said plenipotentiaries in frank and friendly communication. The assembly, taking into consideration the generous and liberal policy of the government of His British Majesty towards the American States, resolved that a letter of attention be written to His Excellency Secretary Canning in answer to the above, and another to Mr. Dawkins, in acknowledgment of the receipt of his credentials.

Consideration on the subject of voting having been resumed, it was resolved that each delegate shall have only one vote in the treaties made or resolutions taken by the assembly, and that said vote shall be confined only to accept, reject, or leave pending any article of the projects presented to them; but in the latter case the articles left pending shall be written apart and considered as "additional," if the majority of the delegations accept them, so as to see whether the respective government does or does not grant to it its ratification.

The Plenipotentiaries of Peru submitted a draft of treaty containing several articles.

The Plenipotentiaries of Colombia entered a formal protest against certain communication published to-day in an extra edition of the *Gaceta*. of this city\*; and the Plenipotentiary alluded to in this matter explained to the assembly that he had not intended to do wrong or injury to any one, and that he was ready to make amends as might be desired. The Plenipotentiaries of Colombia said that they did not demand any apology, but only desired a general resolution to be passed on the subject. It was thereupon resolved that in the future no other methods than the usual diplomatic ones be resorted to by the plenipotentiaries accredited to this Congress for their communications with each other.

The draft of the treaty presented by the Plenipotentiaries of Peru was then read, and it was resolved to take up and consider one after another its different articles, in informal conferences, and to prepare a counter-draft if necessary.

P. BRICEÑO MENDEZ.

ANTONIO LARRAZABAL.

MANUEL PEREZ DE TUDELA.

J. M. MICHELENA.

P. GUAL.

PEDRO MOLINA.

M. L. VIDAURRE.

JOSÉ DOMINGUEZ.

### III.

*Protocol of the third verbal conference held between the Plenipotentiaries of the Republics of Colombia, Central America, Peru, and the United Mexican States, at Panama, on the 10th of July, 1826.*

All the Plenipotentiaries were present.

The conference met at 10.45 a. m.

The protocol of the conference of the 23d of June last was read, approved, and signed.

Discussion having arisen on the subject whether in addition to the protocols to be kept by each delegation, a general one was to be made for the archives of the assembly, it was resolved that the said general protocol should be made and left, together with all the documents and papers belonging to the office of the secretaries of the assembly, in charge of the plenipotentiaries of the country in whose territory the assembly meets.

The plenipotentiaries of Colombia, Central America, and the United Mexican States submitted a counter-draft of a treaty, which had been framed upon consideration in informal conferences of the draft submitted by the plenipotentiaries of Peru. ✓

The preamble of the said counter-draft was read and approved.

Articles 1 and the following to the 10th, inclusive, were read and approved.

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\* This was a long address of the Peruvian Plenipotentiary, Señor Vidaurre, giving advice to his colleagues. It is printed page 329, vol. xxiv (Documents) of O'Leary's Memoirs.

Article 11 was taken up and left pending until the agreement to which it refers be considered and passed upon.

P. GUAL.	P. BRICEÑO MONEDEZ.
ANTONIO LARRAZABAL.	PEDRO MOLINA.
M. L. VIDAURRE.	MANUEL PEREZ DE TUDELA.
J. M. MICHELENA.	JOSÉ DOMINGUEZ.

## IV.

*Protocol of the fourth verbal conference held between the plenipotentiaries of the Republics of Colombia, Central America, Peru, and the United Mexican States at Panama, on the 11th of July, 1826.*

All the plenipotentiaries were present.

The conference was called to order at half-past 10 o'clock a. m.

The protocol of the preceding day was read and approved.

The agreement referred to in article 11 of the treaty was taken up for discussion. Its ten first articles were read and approved, notwithstanding the opposition made to article 1 by the plenipotentiaries of Colombia and Central America, founded upon the advantages which, in their opinion, the Isthmus of Panama and Guatemala, respectively, afforded to make either of them the permanent place of residence of the assembly, owing to their central position in regard to the States north and south of this continent. The plenipotentiaries of Peru consented to article 3, reserving to consult their Government on the subject of rank.

Article 11 of the agreement and the following to article 20, inclusive, were read and approved.

Article 21 was read, but the plenipotentiaries of Central America moved to supplement its provisions by means of an additional article, whereby the limits of each nation, as fixed by amicable arrangements to be made according to circumstances, should be mutually guaranteed.

The proposed additional article is as follows:

ART. 22. The contracting parties mutually guaranty to each other the integrity of their respective territories, such as they may be finally determined by treaties of limits entered into between themselves; and the territory thus defined shall be placed under the protection of the confederacy.

Upon the proper consideration the proposed addition was approved, and it was resolved to insert it in the agreement as article 22.

Article 21 was then approved.

Articles 23, 24, and 25 were read and approved. The Plenipotentiaries of Central America stated that although they objected to a portion of their contents, they nevertheless gave them their approval, because a considerable lapse of time has necessarily to intervene between now and

the execution of its provisions, and they have therefore ample opportunity to consult their government upon the subject.

P. GUAL.	P. BRICEÑO MENDEZ.
ANTONIO LARRAZABAL.	PEDRO MOLINA.
MANUEL PEREZ DE TUDELA.	M. L. VIDAURRE.
J. M. MICHELENA.	JOSÉ DOMINGUEZ.

## V.

*Protocol of the fifth verbal conference held between the Plenipotentiaries of Colombia, Central America, Peru, and the United Mexican States at Panama, on the 11th of July, 1826.*

All the Plenipotentiaries were present.

The Conference was called to order at half past 7 o'clock p. m.

The protocol of the preceding session was read and approved.

Article 26 and the following to article 30 of the treaty of league inclusive were taken up, read, discussed, and approved.

The additional article of the same treaty was read and approved.

The "convention on contingents," such as framed by the plenipotentiaries in informal conferences, was then taken up and read.

The preamble was adopted.

Article 1 was also approved, with the understanding that the duty of furnishing troops was to be pro rata of the population of each State, calculated as follows : Colombia, 3,000,000 ; Central America, 1,300,000 ; Peru, 1,000,000 ; and the United Mexican States 6,500,000. It was stated also that although the population of Colombia and Mexico is not exactly the same as calculated, both nations, however, agree to furnish the contingent assigned to them for the completion of the army of 60,000 men.

Article 2 was read, and was left pending until the agreement to which it refers be acted upon.

P. GUAL.	P. BRICEÑO MENDEZ.
ANTONIO LARRAZABAL.	PEDRO MOLINA.
M. L. VIDAURRE.	MANUEL PEREZ DE TUDELA.
J. M. MICHELENA.	JOSÉ DOMINGUEZ.

## VI.

*Protocol of the sixth verbal conference held between the Plenipotentiaries of Colombia, Central America, Peru, and the United Mexican States at Panama, on the 12th of July, 1826.*

All the Plenipotentiaries were present.

The Conference was called to order at 12.15 p. m.

The protocol of the preceding session was read and approved.

The provisional agreement referred to in article 2 of the "convention on contingents," left pending in the preceding session, was read and discussed. The Plenipotentiaries of Central America explained the dif-



difficulties which their own government would find for fulfilling the obligations which said agreement imposes upon it; said difficulties being in substance on the one side the scarcity of funds, and on the other side the lack of means on the Atlantic coast for the transportation of troops, it being almost impossible to send them by land, at enormous distances, to the invaded places when they were needed.

The plenipotentiaries of the United Mexican States agreed to the provision, with the understanding that whenever their government should need the assistance of Central America only troops would be asked for, said troops to be sent by land, by the shortest route, to the place of destination.

The other plenipotentiaries stated that this method, as well as everything relative to the wisdom, advisability, and facility of mutually asking and lending assistance herein provided for should be left to the respective governments, which would make them the subject of special agreements. Nevertheless it was resolved that an article should be drafted, and it was drafted to that effect. Said article, and all others to article 14, were approved.

The discussion of the "convention on contingents" was resumed, and all its articles, from article 3 to article 10, were approved. It was resolved that everything agreed to in regard to the confederate navy should be set forth separately and added to this agreement.

Article 11 and the following to article 17 inclusive were read and approved, it being understood that nothing said in article 16 in regard to the total appropriation of the prizes shall be construed as depriving the States where the prizes are to be sold of the right of collecting such import dues and municipal taxes as may be established.

In regard to the first part of article 16, the plenipotentiaries of the United Mexican States and of Central America set forth that the agreement therein referred to can not be negotiated at present, because it involves the determination of certain points of public law, on which they can not pass any opinion until specially instructed on the subject by their own governments.

Articles 17, 18, 19, 20, 21, 22, 23, and 24 of the said convention were then read and approved.

P. GUAL.

ANTONIO LARRAZABAL.

M. L. VIDAURRE.

J. M. MICHELENA.

P. BRICEÑO MENDEZ.

PEDRO MOLINA.

MANUEL PEREZ DE TUDELA.

JOS. DOMINGUEZ.

## VII.

*Protocol of the seventh verbal conference held between the Plenipotentiaries of Colombia, Central America, Peru, and the United Mexican States at Panama, on the 13th of July, 1826.*

All the plenipotentiaries were present.

The Conference was called to order at 11 o'clock a. m.

The protocol of the preceding session was read and approved.

The articles relating to the separate agreement referred to in article 10 of the project of convention for a confederate navy, were presented. Said article, and the following to article 22, which is the last, were approved.

The chairman stated that Colonel Van Veer had requested him to tell the assembly that His Majesty the King of The Netherlands had instructed him privately to come to Panama, and express in his name to the plenipotentiaries attending this Congress his earnest and sincere wishes for the happiness of the allied Republics; that he had been ordered by His Majesty to reside wherever the assembly should hold its sessions: that His Majesty had not as yet made a formal recognition of the independence of the new American States, formerly Spanish colonies, because such a recognition was not of great importance for the said States, and because His Majesty desired not to disturb in any way, for the time being, the relations of harmony in which His Majesty was with the other powers of Continental Europe; that His Majesty had nevertheless appointed two consuls-general, one for Colombia and another for Mexico, and that it was probable that some public character should be given also to Mr. Van Veer himself.

Señor Michelena said that Mr. Van Veer had made to him the same request; that he had received from the Minister of Holland at London a letter of recommendation of Mr. Van Veer; that when he was in London as Minister from Mexico the Government of Holland had expressed to him its sentiments of consideration and esteem towards the allied Republics; and that he himself had appointed temporarily a consul of Mexico at the Netherlands, and that the Minister of that country had granted the *exequatur*.

It was resolved that the same gentlemen who had been requested by Mr. Van Veer to make this verbal and confidential communication should assure him in answer, in the same way, of the high appreciation by the Assembly of the feelings of His Majesty the King of the Netherlands; that as Mr. Van Veer has not presented any kind of credentials the Assembly can not have with him any formal intercourse; but that the Plenipotentiaries who compose the Congress will have no objection to frankly communicate with him personally on any subject which might have a bearing, even indirectly, on the Netherlands, owing to the good qualities of Mr. Van Veer and the generous policy of His Majesty the King of Holland.

Señor Michelena stated that the occasion might again present itself for England to offer her mediation with Spain for the recognition of the independence of the American States which were formerly Spanish colonies. His Excellency related what had taken place on this subject between Mexico and England, owing to the proposition made by the latter to interpose her influence with Spain to secure peace, and said that the Mexican Government, acceding to this suggestion, had accepted the mediation. Señor Michelena said further that when he was in

London as envoy extraordinary and minister plenipotentiary of Mexico, England continued negotiations in the same sense, although her plan was then that France should co-operate with the British Government; that Mr. Villèle, the French minister, who at first offered the mediation of his Government, changed his mind afterwards, and declared that nothing definite could be done until hearing from Mr. Samuel, who was then in America; that England had said then that whatever course France might take, she (England) would pursue the same line of policy, as she had done; that she had inquired from him (Señor Michelena) upon what basis the negotiation could be conducted, and that he had answered that the first and principal condition was the full recognition of the absolute independence of the Americas; that the new States would not ask for any indemnification; that Mexico would go as far as to ask nothing in payment of the debt of more than sixty millions of dollars which weighed upon the Republic and was caused by Spain; and that some agricultural and mining, and perhaps industrial, advantages might also be given Spain. His Excellency said finally that in the end the Spanish Government refused to consider the matter at all, on the ground that even to touch it was unpopular and dangerous in Spain.

Señor Tudela stated that Spain had sent to London secret agents for the purpose of negotiating for the recognition of the States of America upon the basis of a pecuniary indemnification, but that the Government of Peru had instructed its envoys at London not to accede to any treaty of peace upon such a basis, and confine themselves to grant Spain some commercial advantages in Peru, but always upon the previous arrangement of an armistice. His excellency said further that everything having a bearing upon this subject must be brought before the Assembly, where the negotiations can be more speedily conducted.

Señor Michelena, after having given in full his views on this subject, and shown its gravity and importance, stated that, as the occasion might present itself again for a mediation on the part of England, it was advisable for the Assembly to take the subject under consideration, so as to determine whether it was proper to re-open the interrupted negotiations, with the concurrence of all the allies, and without contracting, for the time being, any obligation as to granting any special advantages to Spain, but requiring an armistice to be arranged during the negotiations.

The Assembly resolved to consider this matter on the following day.

P. GUAL,	P. BRICEÑO MENDEZ.
ANTONIO LARRAZABAL.	PEDRO MOLINA.
M. L. VIDAURRE.	MANUEL PEREZ DE TUDELA.
J. M. MICHELENA.	JOSÉ DOMINGUEZ.

## VIII.

*Protocol of the eighth verbal conference held between the Plenipotentiaries of Colombia, Central America, Peru, and the United Mexican States at Panama, on the 14th of July, 1826.*

All the Plenipotentiaries were present.

The Conference was called to order at half past 11 o'clock a. m.

The protocol of the preceding session was read and approved.

The discussion on the mediation of England to make peace with Spain, as suggested by Señor Michelena, was continued; and after a long debate it was resolved to postpone consideration of the subject, until the next meeting, the Plenipotentiaries being requested, however, to bring each one in a definite and concrete form a statement of his ideas on the subject.

P. GUAL.

ANTONIO LARRAZABAL.

M. L. VIDAURRE.

J. M. MICHELENA.

P. BRICEÑO MENDEZ.

PEDRO MOLINA.

MANUEL PEREZ DE TUDELA.

JOSÉ DOMINGUEZ.

## IX.

*Protocol of the ninth verbal conference held between the Plenipotentiaries of Colombia, Central America, Peru, and the United Mexican States at Panama, on the 14th of July, 1826.*

All the Plenipotentiaries were present.

The Conference was called to order at 9 o'clock p. m.

The protocol of the preceding session was read and approved.

The pending discussion on the mediation of England for peace with Spain was resumed; and as several opinions were presented, and no agreement was reached as to the basis on which the negotiation was to be conducted, because the Plenipotentiaries had no instructions whatever from their governments in regard to this point, it was resolved that said instructions should be asked for, and that in the mean time each one of the allied Republics would be at liberty to make such efforts as might be proper for securing peace, as provided by article 10 of the treaty of league, as if said treaty had been ratified, and was therefore binding upon all.

PEDRO GUAL.

MANUEL PEREZ DE TUDELA.

ANTONIO LARRAZABAL.

J. M. MICHELENA.

P. BRICEÑO MENDEZ.

M. L. VIDAURRE.

PEDRO MOLINA.

JOSÉ DOMINGUEZ.

## X.

*Protocol of the tenth verbal conference held between the Plenipotentiaries of the Republics of Colombia, Central America, Peru, and the United Mexican States, at Panama, on the 15th of July, 1826.*

All the Plenipotentiaries were present.

The conference was called to order at 12 o'clock m.

The protocol of the preceding session was read and approved.

The treaty of league, the convention on contingents, the agreement as to the place and period for the meeting of the assembly and the manner and order thereof, and the provisional agreement made on the Army and Navy, in pursuance of the convention aforesaid were read and carefully revised, and signed and sealed.

It was resolved that the provisional agreement just mentioned be kept secret, and transmitted to the Governments marked "confidential."

Taking into consideration that in the long and protracted private conferences held by the Plenipotentiaries for the purpose of framing the treaties, no time was left for making a proper record of all that then transpired, and that in order to hasten the ratification of said treaties the respective Governments must be furnished complete information relating thereto, it was further resolved that Señores Briceño, Molina, and Vidaurre be requested respectively to take personally the said treaties to their respective Governments, and furnish them verbally all the information desired.

It was further resolved that the President be requested to inform Mr. Dawkins that the assembly will meet hereafter at the City of Tacubaya, one league distant from the City of Mexico; that identical information be given to the Government of Colombia; that the Colombian Government be thanked for the hospitality and courtesies shown to the assembly; and that a communication of the same nature be addressed by one of the secretaries to the authorities of this city.

Then at 11 o'clock p. m., the Assembly adjourned to meet again in due time at Tacubaya, as resolved. Whereupon the plenipotentiaries stated to each other the satisfaction felt by them in having attended a conference in which such great fraternity, frankness, and most pure love for the public good had prevailed, and expressed their wishes that the same uniformity of feelings and the same cordiality for securing the common benefit should prevail also in the future meetings of the assembly.

PEDRO GUAL.

P. BRICEÑO MENDEZ.

ANTONIO LARRAZABAL.

J. M. MICHELENA.

MANUEL PEREZ DE TUDELA.

M. L. VIDAURRE.

PEDRO MOLINA.

JOSÉ DOMINGUEZ.

*Treaty of perpetual union, league, and confederation between the Republics of Colombia, Central America, Peru, and the United Mexican States.*

IN THE NAME OF ALMIGHTY GOD, AUTHOR AND LAW-GIVER OF THE UNIVERSE:

The Republics of Colombia, Central America, Peru, and the United Mexican States, desiring the more firmly to bind their present intimate relations and to cement in the most solemn and stable manner those which should hereafter exist between them, which well becomes nations having a common origin, that have fought in unison to secure the benefits of liberty and independence, in the possession of which they now happily find themselves, and are firmly resolved to continue, confiding to this end upon the assistance of Divine Providence, which has so visibly protected the justice of their cause, have decided to duly appoint and commission ministers plenipotentiary, who, after meeting and coming together in this assembly, should agree upon the means of making so salutary an undertaking perfect and enduring.

To this end the said Governments have conferred full powers upon the following, to wit:

His excellency the Vice-President, acting Chief Executive of the Republic of Colombia, upon the most excellent Señores Pedro Gual and Pedro Briceño Mendez, brigadier-general of the armies of said Republic.

His excellency the President of the Republic of Central America, upon the most excellent Señores Antonio Larrazabal and Pedro Molina.

The excellent the council of Government of the Republic of Peru, upon the most excellent Señores Don Manuel Lorenzo de Vidaurre, president of the supreme court of justice of the said Republic, and Don Manuel Perez de Tudela, attorney-general of the said court.

His excellency the President of the United Mexican States, upon the most excellent Señores Don José Mariano Michelena, brigadier-general and Don José Dominguez, chief justice of the supreme court of justice of the State of Guanajuato.

Who, after having duly exchanged their respective full powers, and found them to be in good and sufficient form, have agreed upon the articles following:

ARTICLE 1. The Republics of Colombia, Central America, Peru, and the United Mexican States, do mutually ally and confederate themselves in peace and war, and contract to this end a perpetual compact of friendship, firm and inviolable, and a union intimate and binding with all and each of said parties.

ARTICLE 2. The object of this perpetual compact will be to maintain in common, defensively and offensively, should occasion arise, the sov-

ereignty and independence of all and each of the confederated powers of America against foreign subjection, and to secure to themselves from this time forward the enjoyment of unalterable peace, and to promote in this behalf better harmony and good understanding as well between the countries, citizens, and subjects, respectively, as with the other powers with which they should maintain or enter into friendly relations.

ARTICLE 3. The contracting parties obligate and bind themselves to mutually defend themselves against every attack which shall endanger their political existence, and to employ against the enemies of the independence of all or any of them all their influence, resources, and naval and land forces, in the proportion which, according to the separate convention of equal date, each is bound to contribute to the maintenance of the common cause.

ARTICLE 4. The contingents of troops, with all their trains and transports, provisions, and the funds which some of the confederated powers are to contribute to the defense of another or others, shall freely pass and repass over the territory of any of them which may lie between the power threatened or invaded and that coming to its aid, but the Government to which the troops and assistance belong will give due notice thereof to the power through whose territory they have to pass, in order that the latter may designate the line of march to be followed, which, however, must be by the shortest, most convenient, and populated route, and all the costs incurred for provisions, baggage, and forage shall be at the expense of the government to which the troops belong.

ARTICLE 5. War-ships of all kinds and fleets of whatever number and grade of vessels belonging to one or more of the contracting parties shall have free ingress and egress to and from the ports of all and each of them, and they shall be properly protected against attacks of common enemies, remaining in said ports the time their commanders or captains believe necessary; and the said commanders or captains with their officers and crews shall be responsible to the Government of their dependence with their persons and property for any violation of the laws and regulations of the port they may be in, the local authorities being empowered to prevent their leaving their vessels, whenever any cause for complaint shall arise.

ARTICLE 6. The contracting parties bind themselves moreover to give all the assistance in their power to their war and merchant vessels arriving at the ports of their possessions through stress of weather or any other unfortunate cause, and in consequence they may make repairs and take on provisions; and, in cases of common wars, arm themselves, increase their armament and crews until in condition to continue their voyages or cruises, all at the expense of the power or individuals to whom said vessels belong.

ARTICLE 7. In order to prevent the depredations which privateers may commit on domestic or foreign commerce, it is agreed that in every

case of common war the jurisdiction of the prize courts of all and each of the allied powers shall extend to privateers sailing under the colors of either of them, according to the laws and statutes of the nation to which the privateer or privateers belong, whenever there are strong indications of excesses having been committed against the commerce of friendly or neutral nations; it being well understood that this stipulation shall continue only until such time as the contracting parties decide by mutual agreement on the total abolition of the privateer.

ARTICLE 8. In case of a sudden invasion of the territories of the contracting parties, any one of them may take up arms against the invaders, whenever circumstances do not permit coming to an arrangement with the sovereignty of said territories; but the party thus acting must cause the laws and statutes of the invaded power to be complied with, and its Government obeyed, so far as the circumstances of war shall permit.

ARTICLE 9. It is hereby agreed that fugitives from one territory to another, and from a war or merchant vessel to the territory or vessel of another, if they be soldier or sailor deserters of whatever kind, shall be delivered over immediately and at all times by the courts or authorities within whose jurisdiction the deserter or deserters may be; but the delivery must be preceded by a demand by an officer in case of deserters from the army or navy, and that of the captain, master, supercargo, or person interested in the vessels in case of merchantmen, giving a description of the party or parties, the name, and that of the body or vessel from which he or they shall have deserted, and pending delivery they may be lodged in public prisons until the delivery in due form is verified.

ARTICLE 10. The contracting parties, the better to identify their interests, here expressly agree that no one of them shall make peace with common enemies of their independence without including therein specifically all the other allies; in the intelligence that in no case, and under no pretext whatever, shall any of the contracting parties accede in the name of the others to any propositions not having for basis the full and absolute recognition of their independence, nor to demand for contributions, subsidies, or exactions of whatever kind, by way of indemnity or otherwise, each of said parties reserving the right to accept or reject proposals for peace with its customary formalities.

ARTICLE 11. The contracting parties desiring more and more to strengthen and make closer their fraternal bonds and relations by means of frequent and friendly conferences, have agreed and do agree to meet every two years in time of peace, and every year during the present and future common wars, in a general assembly composed of two ministers plenipotentiary on the part of each party, who shall be only authorized by the necessary full powers. The time and place of meeting, and the form and order of the sessions are expressed and arranged in a separate agreement of equal date.



ARTICLE 12. The contracting parties specially obligate and bind themselves, in case the general assembly shall meet at any place within their territories, to extend to the plenipotentiaries composing it, all the assistance that hospitality and the sacred and inviolable character of their persons demand.

ARTICLE 13. The principal objects of the general assembly of ministers plenipotentiary of the confederated powers are:

*First.* To negotiate and conclude between the powers it represents all such treaties, conventions, and arrangements, as may place their reciprocal relations on a mutually agreeable and satisfactory footing.

*Second.* To contribute to the maintenance of a friendly and unalterable peace between the confederated powers, serving them as a council in times of great conflicts, as a point of contact in common dangers, as a faithful interpreter of the public treaties and conventions concluded by them in the said assembly, when any doubt arises as to their construction, and as a conciliator in their controversies and differences.

*Third.* To endeavor to secure conciliation, or mediation, in all questions which may arise between the allied powers, or between any of them and one or more powers foreign to the confederation, whenever threatened of a rupture, or engaged in war because of grievances, serious injuries, or other complaints.

*Fourth.* To adjust and conclude during the common wars of the contracting parties with one or many powers foreign to the confederation all those treaties of alliance, concert, subsidies, and contributions that shall hasten its termination.

ARTICLE 14. Neither of the contracting parties shall conclude treaties of alliance or league, perpetual or temporary, with any power foreign to this confederation without previously consulting the other allies composing it or that hereafter may compose it, and obtaining in this behalf their express assent or denial in the case mentioned in the following article.

ARTICLE 15. Whenever any of the contracting parties shall deem it advisable to form alliances, perpetual or temporary, for special purposes and for special causes, the Republic having to make these alliances shall first endeavor to negotiate with her sisters and allies; but in case these for any cause refuse their assistance or can not provide the necessary aid, the former shall be at liberty to seek it wherever it can be obtained.

ARTICLE 16. The contracting parties solemnly obligate and bind themselves to amicably compromise between themselves all differences now existing or which may arise in the future, and in case no settlement can be reached between the disagreeing powers the question shall be taken for settlement to the judgment of the assembly, whose decision shall not be obligatory, however, unless said powers shall have expressly agreed that it shall be.

ARTICLE 17. Whatever complaints for injuries, serious damage, or other grounds there be that one of the contracting parties can bring against another or others, neither of them shall declare war, nor order acts of reprisal against the Republic believed to be the offender without first submitting its case, supported by the necessary documents and proofs, with a detailed relation of the acts complained of to the conciliatory decision of the general assembly.

ARTICLE 18. In case any one of the confederated powers deem it advisable to declare war or commence hostilities against any power foreign to this confederation, it shall first solicit the good offices, interposition, and mediation of its allies, and these are bound to employ them in the most efficacious manner possible. If the interposition be unavailing the confederation shall declare whether or not it embraces the cause of the confederate; and even though it shall not embrace it, it shall not, under any pretext or reason ally itself with the enemy of the confederate.

ARTICLE 19. Whichever of the contracting parties that in violation of the stipulations of the three sections preceding shall commence hostilities against another, or that shall fail to comply with the decisions of the assembly, having previously submitted to them, shall be excluded from the confederation, and shall not again belong to the league except by the unanimous vote of the parties composing it favoring such re-instatement.

ARTICLE 20. In case any of the contracting powers asks the assembly for its opinion or advice upon any question or serious matter, the assembly shall give it with all the frankness, interest, and good faith demanded by fraternity.

ARTICLE 21. The contracting parties solemnly obligate and bind themselves to uphold and defend the integrity of their respective territories, earnestly opposing any attempt of colonial settlement in them without authority of and dependence upon the Governments under whose jurisdiction they are, and to employ to this end, in common, their forces and resources if necessary.

ARTICLE 22. The contracting parties mutually guaranty the integrity of their territories as soon as, by virtue of special conventions concluded between each other, their respective boundaries shall have been determined; and the preservation of these frontiers shall then be under the protection of the confederation.

ARTICLE 23. The citizens of all of the contracting parties shall enjoy the rights and privileges of citizens of the Republic, whatever it is, in which they reside, if after having declared their desire to assume this character before the competent authorities according to the law of each of the allied powers, they shall make oath of allegiance to the constitution of the nation they adopt, and as such citizens they shall be entitled to all the employments and distinctions to which the other citizens are entitled, excepting always those which the constitution reserves to natural-born citizens, and subject in his choice of the rest

to the time of residence and requisites demanded by the laws of each particular power.

ARTICLE 24. Should a citizen or citizens of one allied Republic prefer to remain in the territory of another, retaining always his character of a citizen of the country of his birth or adoption, said citizen or citizens shall enjoy equally all the rights and privileges of natural-born citizens in any territory of the contracting parties in which he shall reside in so far as the administration of justice and the corresponding protection to his person and property is concerned; and, consequently, under no pretext whatever shall the practice of his profession or occupation be denied him, nor the disposition during life or by last will and testament of his real and personal property, as he sees fit, subject in all cases to the same charges and laws as natural-born citizens of the territory where he resides.

ARTICLE 25. In order that the contracting parties shall receive all possible compensation for the services mutually rendered in this alliance, they have agreed that their commercial relations be regulated in the next assembly; in the mean while the relations at present existing between some of them by virtue of previous stipulations will continue.

ARTICLE 26. The powers of America, whose plenipotentiaries shall not have been present at the negotiation and signing of the present treaty, may, notwithstanding the provisions of Article 14, become a party to the present confederation within one year from the ratification of this treaty and of the convention on contingents concluded on this date, without demanding modifications or changes of any character, and in case of desiring or proposing any alteration it shall be submitted to the vote and decision of the Assembly, which shall not consent to the change unless the amendments proposed do not alter the substance of the basis and object of this treaty.

ARTICLE 27. The contracting parties obligate and bind themselves to co-operate for the complete abolition and extirpation of the African slave trade, maintaining their present prohibitions of such a trade in all their force and vigor; and to accomplish so salutary an undertaking they agree further to declare, as they declare among themselves, in the most solemn and positive manner, the slave traders sailing from the coasts of Africa under the flag of any of the said contracting parties guilty of the crime of piracy, under the conditions which will be specified hereafter by special convention.

ARTICLE 28. The Republics of Colombia, Central America, Peru, and the United Mexican States, upon so firmly and powerfully identifying their principles and interests in peace and war, formally declare that the present treaty of perpetual union, alliance, and co-operation does not in any wise interrupt nor shall it interrupt the exercise of the sovereignty of each of them as regards their foreign relations in so far as they do not conflict with the tenor and letter of said treaty.

ARTICLE 29. In case any of the parties should substantially change its present form of government it shall, by that act, be excluded from

the confederation and its Government shall not be recognized, nor shall it be re-instated in said confederation except by the unanimous vote of all the parties then constituting it.

ARTICLE 30. The present treaty shall be binding in all its parts and effects as long as the allied powers are engaged in the present or any other common war, without any change whatever in any of its articles and clauses, except by resolution of all of said parties in the General Assembly, being subject to be bound by whatever measure the majority consider necessary for its enforcement; but peace once assured the allied powers may revise this treaty in the said Assembly, and make therein the changes and modifications the circumstances may demand and they deem necessary.

ARTICLE 31. The present treaty of perpetual union, alliance, and confederation shall be ratified and the ratifications shall be exchanged in the town of Tacubaya, a league distant from the City of Mexico, within a period of eight months, reckoned from this date, or before, if possible.

In testimony whereof the Ministers Plenipotentiary of the Republics of Colombia, Central America, Peru, and the United Mexican States have signed and sealed these presents with their respective seals, in this city of Panama, on the 15th day of the month of July in the year of our Lord 1826.

[L. S.]

[L. S.]

[L. S.]

[L. S.]

[L. S.]

[L. S.]

[L. S.]

[L. S.]

PEDRO GUAL.

PEDRO BRICEÑO MENDEZ.

PEDRO MOLINA.

ANTONIO LARRAZABAL.

MANUEL DE VIDAURRE.

MANUEL PEREZ DE TUDELA.

JOSÉ MARIANO DE MICHELENA.

JOSÉ DOMINGUEZ.

ADDITIONAL ARTICLE. Whereas the contracting parties ardently desire to live at peace with all the nations of the universe, and avoid any cause for displeasure which might grow out of the exercise of their legitimate rights in peace and war, have further agreed, that as soon as the ratification of this treaty is obtained, they shall proceed to fix by common agreement all those points, rules, and principles that are to govern their conduct in both cases, to which end they shall again invite all friendly and neutral powers to take an active part in such negotiation, should they deem it advisable, and meet through their plenipotentiaries to adjust, conclude, and sign the treaty or treaties that may be made regarding so important an object.

The present additional article shall have the same force as though it had been inserted, word for word, in the treaty to-day signed. It shall be ratified and the ratifications shall be exchanged within the same period.

In testimony whereof the respective Ministers Plenipotentiary have

signed it and affixed their respective seals, in this city of Panama, on the 15th day of the month of July in the year of our Lord 1826.

[L. S.]	PEDRO GUAL.
[L. S.]	PEDRO BRICEÑO MENDEZ.
[L. S.]	ANTONIO LARRAZABAL.
[L. S.]	PEDRO MOLINA.
[L. S.]	MANUEL DE VIDAURRE.
[L. S.]	MANUEL PEREZ DE TUDELA.
[L. S.]	JOSÉ MARIANO MICHELENA.
[L. S.]	JOSÉ DOMINIGUEZ.

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*Agreement referred to in Article 11 of the treaty of perpetual confederation, signed on this date by the Ministers Plenipotentiary of the Republics of Colombia, Central America, Peru, and the United States of Mexico.*

The undersigned, Ministers Plenipotentiary of the Republics of America, met together in the General Assembly of Panama pursuant to the stipulations of Article 11 of the treaty of league signed on this date, have adjusted and concluded the agreement following:

*First.* This Assembly shall move to the town of Tacubaya, one league distant from the City of Mexico, where it shall continue to hold its sessions, and it shall periodically meet there, or at any other point of the Mexican territory, so long as reason and circumstances shall not demand its removal to another locality having the same advantages of healthfulness, security, and good location for communication with the nations of Europe and America.

*Second.* The Governments shall maintain their legations complete in the locality of the meeting of the assembly for the period of three months, extendible two more; but during a common war they shall keep those legations all the time in the territory of the Republic where the assembly is gathered.

*Third.* The assembly shall receive as signatory ministers only such persons as have the character of at least ministers plenipotentiary, and as such they shall be received and considered in accordance with established practices, addressing them with the same titles as their respective Governments do in their official communications.

*Fourth.* The ministers having met and the powers of the newly arrived having been exchanged, there shall be observed, as regards preference and the presidency, the same method as was chosen by the present assembly, renewing upon the opening of the conferences the operation of drawing lots which is recorded in the protocols.

*Fifth.* The ministers of the Republic where the sessions are held shall give notice to their Government, through its respective minister, of the successive arrival of the plenipotentiaries, including a list of

their suites, so that thus apprised they as well as their families may be accorded and ordered to be accorded the rights, prerogatives, and immunities which are customary and due to their representative and exalted character.

*Sixth.* In order to avoid every cause of delay in the negotiation of the treaties, no ceremony at all shall be observed during such proceedings, and the plenipotentiaries shall meet whenever and wherever they may think best, without regard to rank.

*Seventh.* The Government of the Republic where the assembly meets will provide, however, convenient and decent quarters where the conferences may be held, should the ministers so decide, and shall accord to said ministers all the assistance they need to procure lodgment.

*Eighth.* At the place of meeting of the assembly during its sessions, no troops shall be quartered (unless at the request of the same assembly), nor shall any authority, however high it be, except the civil and municipal of the territory, enter therein.

*Ninth.* The correspondence of the ministers only, and not that of their suites, shall be postage free in the post-offices of the Republic where the assembly meets.

*Tenth.* So soon as the other powers of America shall have joined in the general assembly by means of their plenipotentiaries, this agreement may be reconsidered, so as to make therein the changes deemed advisable.

In testimony whereof the undersigned have signed and sealed the present agreement in the City of Panama, on the fifteenth day of the month of July, in the year of our Lord one thousand eight hundred and twenty-six.

[L. S.]

PEDRO GUAL.

[L. S.]

PEDRO BRICEÑO MENDEZ.

[L. S.]

ANTONIO LARRAZABAL.

[L. S.]

PEDRO MOLINA.

[L. S.]

MANUEL DE VIDAURRE.

[L. S.]

MANUEL PEREZ DE TUDELA,

[L. S.]

JOSÉ MARIANO DE MICHELENA.

[L. S.]

JOSÉ DOMINGUEZ.

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*Convention on Contingents between the Republics of Colombia, Central America, Peru, and the United Mexican States.*

IN THE NAME OF GOD, AUTHOR AND LAW-GIVER OF THE UNIVERSE:

The Republics of Colombia, Central America, Peru, and the United Mexican States, desiring, pursuant to article 3 of the treaty of perpetual union, league, and confederation, signed this day, to co-operate as effectively as they ought against their common enemy, the King of Spain, until the course of events shall incline his mind to justice and

peace, of whose benefits they are now deprived because of the stubbornness with which said Prince endeavors to aggravate the evils of war; and the said confederated powers being resolved to make all manner of sacrifices to put an end to so lamentable a state of things, employing in this behalf resources adapted to the present circumstances or those which may arise, have determined to adjust their respective contingents through their ministers plenipotentiary, met together in this assembly, appointed and named as follows:

His excellency the Vice-President, acting Executive of the Republic of Colombia, the most excellent Señores Pedro Gual and Pedro Briceño Mendez, brigadier-general of the armies of said Republic.

His excellency the President of the Republic of Central America, the most excellent Señores Antonio Larrazábal and Pedro Molina.

The excellent the council of Government of Peru, the most excellent Señores Don Manuel Lorenzo de Vidaurre, president of the supreme court of justice of the said Republic, and Don Manuel Perez de Tudela, attorney-general of the said court.

His excellency the President of the United Mexican States the most excellent Señores Don José Mariano Michelena, brigadier-general, and Don José Dominguez, chief-justice of the supreme court of justice of the State of Guanajuato.

Who, having mutually produced their full powers, and having found them in sufficient and due form, have agreed upon the articles following:

ARTICLE 1. The contracting parties obligate and bind themselves to raise and maintain on an effective and complete war footing an army of 60,000 men, infantry and cavalry, in this proportion: The Republic of Colombia, 15,250; that of Central America, 6,750; that of Peru, 5,250; and the United Mexican States 32,750. One-tenth of these quotas shall be cavalry.

ARTICLE 2. The said 60,000 men shall be organized into brigades and divisions, armed, equipped, and ready in every way to take the field and act defensively and offensively, in accordance with the separate agreement arrived at by the contracting parties, in order that the troops shall have all the mobility possible, said separate agreement shall be as binding as if it had been inserted word for word in the present convention.

ARTICLE 3. The object of the contracting parties in confederating themselves being to diminish the sacrifices which each would have to make by itself in behalf of the common cause, and to afford each other all protection and aid, it is hereby agreed, that, in case one of the parties is invaded, the others shall come to its assistance, not only with the troops spoken of above, but also with a subsidy of \$200,000 each, which shall be promptly placed at the disposition of the Government of the nation invaded, in the treasury of the ally having to provide it, either in coin or in bills of exchange, besides the other pecuniary assistance the contracting parties are ready to give each other recip-

roccally, and which shall be agreed upon later, should it be necessary in view of the circumstances.

ARTICLE 4. The contingents of troops shall be placed, should it be necessary to come to the defense of one of the contracting parties, under the direction and command of the Government they are going to assist; it being well understood that the allied forces are to preserve under their commanders the organization, order, and discipline of the country to which they belong.

ARTICLE 5. Any of the contracting parties going to the assistance of another shall be bound during the campaign to feed, pay, clothe, replace the reductions in their respective contingents, and pay the expense of transportation; but the assisted party shall treat them, with regard to quarters or lodgings and hospitals, as their own troops, and shall provide them with the munitions of war they may consume, and with the arms they need to replace those rendered useless during the operations.

ARTICLE 6. The provisions for the support of the allied troops shall be furnished by the respective Governments. If these can not furnish them, or consider it more convenient to obtain them from the country they are defending, the said Government is bound to furnish them at the same price and of the same quality as those of its own troops, making to this end the necessary arrangements and agreements for each campaign.

ARTICLE 7. All the expenses incurred in the operations undertaken pursuant to the preceding articles, in defense of some of the contracting parties, and subsidies of any kind that may be given them, shall be made good after adjustment by the power receiving the assistance, two years after the end of the present war, and the conclusion of a final treaty of peace with Spain.

ARTICLE 8. For the purpose of filling the vacancies in the contingents to be furnished by each of the parties, it has been agreed that volunteers may be recruited in the country where operations are being carried on; but such recruits, being natural-born citizens of said nation, shall be entirely free, at the time of the withdrawal of the allied troops, to follow or not the flags under which they have enlisted; in every case, however, the balance in favor of or against the command shall be paid.

ARTICLE 9. In case the contracting parties deem it advisable to take the offensive against the common enemy, beyond the territory of the allies, with the contingents of troops agreed upon in article 1, they shall agree among themselves as to the means to be employed, the object of the movement, the commander who shall direct the operations, and the temporary or permanent organization to be given to the country that shall be occupied, to the end that there shall be unison of action and success be assured.

ARTICLE 10. The contracting parties, moreover, obligate and bind themselves to organize and to maintain a competent naval force, whose extent, class, distribution, and destination have been agreed upon sepa-



rately; and for the carrying into effect of which they hereby appropriate the sum of \$7,720,000, apportioned as follows: The Republic of Colombia, \$2,205,714; that of Central America, \$955,811; and the United Mexican States, \$4,558,475.

ARTICLE 11. The contracting parties further obligate and bind themselves to keep their respective vessels on a war footing, completely armed, manned, and provisioned correspondingly, which provisions should be replenished every six months, without the vessels being ever taken from the service they shall be engaged in.

ARTICLE 12. The vessels of the allied navy shall carry the flag of the nation to which they belong, and their officers and crews shall be judged and governed by the respective laws and ordinances until such a time as the allies adopt by agreement an ordinance or general regulations to render the service uniform.

ARTICLE 13. A board composed of three members appointed, one by the Government of the Republic of Colombia, another by the Republic of Central America, another by that of the United Mexican States shall have the direction and command of the naval force which shall be stationed on the Atlantic Ocean, and shall have the authority of a high military officer, or greater, should the said Governments deem it advisable for the purpose of realizing the great objects agreed upon.

ARTICLE 14. The members of the board of Directors of the naval forces of the confederation shall be appointed by the respective Governments within twenty days after the ratification of the present convention, and shall meet at the earliest opportunity for the first time in Cartagena, where they shall establish their headquarters, or change it to any other locality under the jurisdiction of one of the powers appointing them, as they may deem it advisable for the greater success of the operations they may undertake, and the facility for communications with the Governments of their dependence.

ARTICLE 15. To the end that the said board of Directors shall have all the independence and liberty necessary to the fullest discharge of their duties, it has been agreed, and is hereby expressly agreed, that each of its members shall enjoy all the privileges and immunities of a diplomatic agent, wherever he may be located.

ARTICLE 16. The prizes captured by the naval force of the confederation shall be distributed intact among the officers, marines, and crew making the capture; the classification of prizes, the court where they are to be adjudicated, and the manner in which the distribution is to be made shall be regulated by a special agreement.

ARTICLE 17. The repairs needed by the federated navy by reason of injuries received at sea or in war shall be made without distinction on the account of the said confederation, with the fund that for the purpose shall be apportioned among the contracting parties in proportion to their respective contingents, and shall be placed at the disposal of the board of Directors. And in order that it may have at once a fund available for the first repairs that may be necessary, there shall be delivered to it

upon its organization the sum of \$300,000, being made up as follows: The Republic of Colombia, \$85,000; the Republic of Central America, \$37,146; and the United States of Mexico, \$177,140.

ARTICLE 18. In case any of the contracting powers should have in its service other armed vessels, or should arm any hereafter, not belonging to the confederated navy, and one or more of them should assist with one or more of the said navy in the capture of enemies, they shall share in all the benefits as though they belonged to it.

ARTICLE 19. If upon concluding peace with Spain, as contemplated by this convention, the contracting parties should agree to disband the allied navy, the same vessels which each one contributed to its organization, according to the agreement referred to in article 10, or those which shall have replaced them according to the provisions of article 17, shall be returned to their original owner.

ARTICLE 20. For the purpose of protecting the coasts of the contracting parties on the Pacific Ocean, it has been agreed that the Peruvian Republic shall maintain constantly thereon, on the same war-footing above set forth, a fleet composed and made up of two squadrons in the manner provided for separately, and said fleet shall be directed and maintained by its Government, with entire independence of the board of direction.

ARTICLE 21. By virtue of the provisions of the preceding article it is further agreed that the Republic of Peru shall not be included either in the burdens or the advantages stipulated for the powers assisting in the organization of the naval forces on the Atlantic Ocean, under articles 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19 of this convention; it being well understood that if fortunate events permit the powers which fitted up the Atlantic squadron to be re-imbursed of their expenses, then the Republic of Peru shall also be re-imbursed, subsequently to them, of the expenses she may have incurred on the Pacific Ocean; and in the same way, if the Republic of Peru succeeds in reimbursing herself of the expenses incurred on the Pacific coast, the balance shall be set aside for distribution among the allied powers on the Atlantic.

ARTICLE 22. The American powers adhering to the treaty of perpetual union, league, and confederation, of this date, in the terms prescribed in article 25 of the same, shall also furnish their contingents on land and sea, in the same proportion as the other allied powers, and they shall be added to those already designated.

ARTICLE 23. The duties and obligations to which the contracting parties have bound themselves by the present convention on contingents relating to the present war in which they are engaged against the King of Spain, shall be understood as applicable to any other war they shall agree to sustain in common, if upon declaring it the parties agree upon them.

ARTICLE 24. The present convention shall be ratified, and the ratifications shall be exchanged in the town of Tacubaya within a period of eight months, or before, if possible,

In testimony whereof the Ministers Plenipotentiary of the Republics of Colombia, Central America, Peru, and the United States of Mexico have signed and sealed these presents with their respective seals in this city of Panama, on the fifteenth day of the month of July, in the year of our Lord 1826.

[L. S.]	PEDRO BRICEÑO MENDEZ.
[L. S.]	PEDRO GUAL.
[L. S.]	ANTONIO LARRAZABAL.
[L. S.]	PEDRO MOLINA.
[L. S.]	MANUEL DE VIDAURRE.
[L. S.]	MANUEL PEREZ DE TUDELA.
[L. S.]	JOSÉ MARIANO DE MICHELENA.
[L. S.]	JOSÉ DOMINGUEZ.

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*Agreement referred to in article 2 of the convention on contingents of this date, concluded between the Republics of Colombia, Central America, Peru, and the United Mexican States.*

[Confidential.]

The undersigned, Ministers Plenipotentiary of the Republics of America, met in the General Assembly of Panama, pursuant to the provisions of the convention on contingents signed on this day, have adjusted and concluded the agreement following:

PART FIRST—*Relating to the Army.*

ARTICLE 1. The contingent assigned to each of the contracting powers shall be divided into three equal corps, of which the first shall be at all times on the coast ready to embark and go to the aid of the one which shall be invaded; the second shall be stationed at a distance from the coast not to exceed forty leagues, ready to replace the first whenever it shall move; and the third shall be held in reserve to replace the second in turn.

ARTICLE 2. As the object of the three corps spoken of is not only to go to the assistance of the ally invaded, but also to defend the territory of the power that must furnish them, each Government may locate the second and third corps where it deems most advisable, so long as in its judgment they shall be in a position to replace each other successively, or to combine with the first in case of urgent need.

ARTICLE 3. The contingents shall not be due except in case the invasion is serious; that is to say, exceeding five thousand men actually landed, attempting or taking possession of some strong point or fortification on the coast, or should have penetrated the country to the distance of thirty leagues.

ARTICLE 4. In case the invasion exceeds five thousand up to ten

thousand men, each ally shall contribute to the assistance of the invaded the sixth part of its contingent, or the half of the first corps. Should the invasion be greater than from ten to fifteen thousand men, the full first corps shall be contributed. And should it exceed this latter number up to twenty-five thousand or more, the contingent shall consist of the first two corps. The full complement of each contingent shall only be furnished when the successes attained by the enemy render probable the subjugation of the power invaded.

ARTICLE 5. In case two or more allies shall be invaded simultaneously, the assisting forces of the rest shall move to the defense of that where the enemy has carried the greatest forces, unless otherwise resolved in the Assembly.

ARTICLE 6. In case one of the allied powers should have inimical forces in sight threatening disembarkation, and whose number should portend a serious invasion, at the same time that it receives the notice requiring the contingent in favor of others of the allies, the former may withhold the dispatching of its troops, and shall not be bound to give its equivalent in coin; but it shall reply, stating the fact, and in the event of the removal of the threatened danger the obligation shall be renewed.

ARTICLE 7. The cavalry corresponding to each contingent shall move with saddles, bridles, and other equipments, the necessary horses being at the expense of the party assisted while in its service.

ARTICLE 8. The artillery force of each contingent is left to the prudence of the several Governments, and shall not be furnished except in case the invaded ally shall expressly request it. In such case the invaded ally shall provide the horses necessary for the train and transportation while in its service.

ARTICLE 9. The power invaded shall request the assistance each ally should give according to the proportion above established, and the ally called upon shall either put its contingent in march within sixty days, reckoned from that of receipt of notice, or offer, in reply, the equivalent spoken of in the next article.

ARTICLE 10. Whenever any of the contracting parties shall fail to respond promptly with the contingent corresponding to it within the time prescribed by the preceding article, it shall pay monthly to the power invaded the sum of thirty dollars for each man due, which payment shall be made at the end of every month.

ARTICLE 11. In case the ally called upon can not respond with troops, but with the equivalent sum, according to the preceding article, it shall so state immediately, in order that the ally invaded can draw upon it for the amounts accrued monthly; it being well understood that the obligation to pay the equivalent in coin shall begin seventy days from the receipt of the notice of requisition.

ARTICLE 12. Whenever a Government shall have to make a payment of any sum to another of the allies for the assistance which should be given according to this agreement and article 3 of the convention as

to contingents, it shall be done in cash or in bills of exchange on the banks of the United States of the North or of London.

ARTICLE 13. As it is impossible to comprehend in an agreement all the details of a plan of operations which depend upon that which each power shall adopt for its own defense, taking into account its points and resources, the allies shall agree among themselves separately upon all these details.

ARTICLE 14. As it can well happen that one of the allies being called upon by another to furnish its contingent in troops can not, for want of transports, place them in the invaded territory, notwithstanding their state of readiness therefor, it is agreed that the difficulties being insurmountable or extremely burdensome to the allied State, after it has made every effort and has heard the means suggested to it by the diplomatic agent of the State asking assistance, the party called upon shall not be obligated to pay the equivalent in money; and should any difference arise between the power requesting the assistance and that which should give it, the same course shall be followed as has been agreed upon touching the settlement of all differences.

PART SECOND—*Relating to the Confederated Navy.*

ARTICLE 15. The object of this part of the agreement being to gain naval superiority over the present common enemy, it has been agreed that the confederated navy shall consist of three battle-ships of from 70 to 80 guns; six frigates of from 44 to 64; 8 corvettes of 24 to 34; 6 brigantines of from 20 to 24, and one sloop-of-war of from 10 to 12 guns, the cost of these vessels being estimated, striking an average of the gun capacity, at \$700,000 for a war-ship; \$420,000 for a frigate; \$200,000, a corvette, and \$90,000 a brigantine.

ARTICLE 16. Therefore each of the Powers constituting the Atlantic Navy shall furnish the contingents assigned them in the treaty, with the following vessels: Colombia, one battle-ship of from 74 to 80 guns; two frigates of 64, and two of 44; Central America, one frigate of from 44 to 64, one corvette of from 24 to 34, and two brigantines of from 20 to 24; the United States of Mexico, two battle-ships, of from 70 to 80; two frigates of 64, and two others of 44; six corvettes of from 24 to 34, and three brigantines of from 20 to 24 guns.

ARTICLE 17. As the total of the cost of the vessels assigned to each power results in those of Colombia exceeding by \$164,286 the money quota due by it, it has been agreed that this excess be paid with the \$155,811 lacking in that of Central America, and the \$8,475 wanting in Mexico to fill theirs; and as these two amounts added still show a deficit of \$10,000 it has been agreed that Colombia deduct this amount from the first sum it shall have to pay to the repair-fund, according to Article 17 of the Treaty.

ARTICLE 18. The objects to which the operations of the Confederated Navy shall be directed are: First, defend and protect the coasts and

seas of the said Republics against all foreign invasion ; and, second, to seek and follow the Spanish navy to annihilation and destruction, wherever it may be found.

ARTICLE 19. It shall be one of the principal cares of the Board of Direction that the vessels shall be always in the best condition for service, to which end it shall inform the several Governments monthly of the status of the repair-fund, in order that funds which have been used shall be replaced, or those needed in excess be transmitted. These reimbursements and exchanges of funds shall be made always in the same proportion as the first \$300,000, of which Article 17 of the Convention as to contingents speaks, were appropriated.

ARTICLE 20. The Board shall organize the auditing department for the administration of the repair-fund, appointing the employés it shall seem absolutely necessary in the premises, and fixing the respective salaries, which shall be paid out of the said fund ; all under instructions issued by the respective Governments, to which it shall give timely account of its actions.

ARTICLE 21. The fleet the Peruvian Republic shall maintain in the Pacific Ocean, pursuant to Article 20 of the Convention, shall consist of the vessels which in the allotment in Article 16 of this agreement, are lacking to complete the total force designated in the 15th, that is to say: one frigate, one corvette, one brigantine and one sloop-of-war; and the two cruising stations they shall constantly maintain are, one from the southernmost boundary of said Republic to the port of Panama, and another from this port to the northernmost limit of the United States of Mexico on the Pacific.

ARTICLE 22. The present agreement may be revised and amended in whole or in part, whenever the allies deem it convenient.

In testimony whereof the undersigned have signed and sealed the present agreement in the City of Panama, on the fifteenth day of the month of July, in the year of our Lord 1826.

[L. S.]	PEDRO BRICEÑO MENDEZ.
[L. S.]	PEDRO GUAL.
[L. S.]	ANTONIO LARRAZABAL.
[L. S.]	PEDRO MOLINA.
[L. S.]	M. L. DE VIDAURRE.
[L. S.]	MANUEL PEREZ DE TUDELA.
[L. S.]	JOSÉ MARIANO DE NUCHELENA.
[L. S.]	JOSÉ DOMINGUEZ.

The treaties above inserted did not meet by far the expectations of Bolivar, nor did they correspond to the instructions which he had caused to be given to the Peruvian Plenipotentiaries. Nevertheless, he submitted them for approval to the Peruvian Congress, and did not make any public display of his intense disappointment.

The Peruvian Congress did not grant the ratification. The Congresses of Mexico and Guatemala also refused it. Only Colombia approved of them, and this only partially. The movement therefore failed, and the relations between the American States remained in the condition in which they were before.

Don Rafael Fernando Seijas, in his important work on the "International Spanish-American Law, Public and Private," refers to this Congress in the following terms:

"The subject has not only a historical interest. The necessity of union between these States is the aspiration of patriotism as strong now as when presented to the perspicacious mind of Bolivar. He saw beforehand all its importance, and the students of history feel compelled to acknowledge the great fore-sight of that statesman. He desired to avoid the evils which might arise out of the intercourse of these new States with the great Powers; he wanted to extinguish the germs of civil discord, to kill the spirit of revolt, to establish peaceful methods for the settlement of all disputes, and make them as far as possible powerful, capable of all progress and aggrandizement, and equal, not formally and on the paper, but actually and practically, to the great nations of the world.

"The plan failed; only four Republics were represented at Panama by their Plenipotentiaries, after not a few delays and embarrassments; others were absent either because of objection to the idea or owing to their being involved in internal discussions. The treaties and conventions there signed received the approval neither of the originator of the idea nor of the Legislatures of the parties represented at the capital of the Isthmus, with the exception of Colombia, and this failure of ratification and exchange rendered them a dead letter. Notwithstanding the Ministers' agreement to continue the sessions at Tacubaya, owing to the unhealthfulness of Panama, and to meet thereafter every two years, they held no further conferences. The political disturbances of the years succeeding that of 1826 prevented the Liberator from again engaging himself in the undertaking, and from that time it was lost to sight. Shortly thereafter the great Colombia, the ally and intimate friend of Peru, to whom the latter owed her freedom, found herself involved with this sister in the war which terminated with the battle of Tarqui. The destruction of the great Republic succeeded. The peace between Venezuela and the other two sections was exposed to grave dangers, and the latter in reality did break out in hostilities. While these events were taking place the chosen son of Caracas passed away, his last words to the Colombians showing the deep conviction he retained to the end of his days of the excellence of a close union of the American nation."\*

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\* Seijas—El Derecho internacional hispano americano. Vol. I, page 7.

## II.

## THE CONGRESS OF LIMA OF 1847.

The failure of the Congress of Panama did not prevent the nations of America from again making an effort in favor of unification of their interests, and in promotion of their common safety and welfare.

Five years after the return of the Panama plenipotentiaries to their respective homes the Government of Mexico extended an invitation to the American Republics to meet in a new Congress, either at Tacubaya, Panama, or Lima. But this invitation, made under date of March 13, 1831, was not accepted, or if accepted, never carried into effect.

Five years later, on December 18, 1838, Mexico repeated her efforts in that direction, and urged Venezuela to join her in persuading the other nations of the New World to hold the Conference to which they had been invited in 1831, and carry its programme into execution. That programme was—

The union and close alliance of the new States for the purposes of defense against foreign invasion, the acceptance of friendly mediation of the neutral States for the settlement of all disagreements and disputes of whatever nature which might happen to arise between the sister Republics, and the framing and promulgation of a code of public law regulating their mutual relations.\*

This request was repeated by Mexico August 6, 1839, and April 2, 1840;† and although it seems that the Government of New Granada answered to the Government of

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\* Torres Caicedo.—*Union Latino-americana*, p. 42.

† This persistency in the efforts of Mexico caused a distinguished writer (Don Ramon Sotomayor Valdes) to say that the idea of an International Congress, which had been Bolivar's favorite scheme, took firm possession of the minds of Mexican authorities (*habia ido á posarse en la cabeza del Gobierno mexicano*) who made strenuous efforts to assemble on Mexican soil the representatives of the Spanish-American Governments, and offered them a palace in the picturesque town of Tacubaya, at about 3 miles from the City of Mexico.—(*Historia de Chile durante los cuarenta años transcurridos desde 1831 hasta 1871*, por Don Ramon Sotomayor Valdes, vol. I, p. 387.)



Mexico (1840), accepting the invitation with enthusiasm, and suggesting Tacubaya as the best place for the holding of the Conference, nothing further was done and the project continued to be unexecuted.

But at last, in 1847, the Republics of Bolivia, Chili, Ecuador, New Granada, and Peru decided to carry out the idea and meet in a Conference at Lima for the purpose of "maintaining their independence, sovereignty, dignity, and territorial integrity, and of entering into such other compacts as might be conducive to promote their common welfare." They also bound themselves to allow all the other American Republics who should be willing to join them in the deliberations to do so at any time, or adhere to their agreements.

The first meeting of this "American Congress," which decided to extend an invitation to the United States, was held at Lima, on the 11th of December, 1847, Bolivia being represented by Señor Don José Ballivian; Chili, by Señor Don José Benavente; Ecuador, by Señor Don Pablo Merino; New Granada, by Señor Don Juan Francisco Martin; and Peru, by Señor Don Manuel Ferreiros.

Between the 11th of December, 1847, and the 1st of March, 1848, in which the Congress adjourned *sine die*, nineteen meetings were held.\* As their protocols and the papers annexed to them are rather voluminous, and have been printed in the book of Señor Torres Caicedo,† which is comparatively easy to consult, the insertion thereof in these notes has been deemed unnecessary. On the other hand, the interest purely historical which those documents have, since no practical results were reached by the deliberations which they witnessed, is by no means so great as to justify an inconsiderate increase of this work.

The results of the labors of the Congress of Lima of 1847, says Señor Torres Caicedo, were a treaty of confederation, another of commerce and navigation, a consular convention, and a postal treaty. The consular convention was approved by the Government of New Granada. All the other treaties became dead letter.

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\* December 11, 16, 17, 20, 21, 23, 24, 28, 30, and 31, 1847; January 4, 8, 10, 17, 18, 21 and 24; February 8, and March 1, 1848.

† *Union Latino-Americana*, from page 111 to page 241.

Although, as it has been stated, the United States were invited to join the assembly, their presence there would not have been exactly within the scope of that Congress. It was intended exclusively to render the relations of the Spanish-American Republics with each other as close and as intimate as they could be; and nothing which was not of Spanish origin could come well within its jurisdiction.

Nothing can be more natural, interesting, and necessary for the Spanish-American Republics [says the preamble of the draft of a treaty of confederation, which the plenipotentiaries of New Granada, Chili, and Bolivia submitted on the second meeting] than to put an end to the state of isolation from each other in which heretofore they have found themselves, devise efficient means to secure their firm union for the purposes of defending their independence, sovereignty, dignity and interests, or arrange (always by peaceful and friendly methods) the differences and disagreements which may arise between them. They being bound to each other by the ties of a common origin, a common language, a common religion, common customs, and the common cause for which they have struggled, as well as by their geographical position, the similarity of their institutions, and their analogous necessities and reciprocal interests, can not but consider themselves as parts of one and the same nation, which must unite their forces and their resources for removing all the obstacles which prevent the destinies assigned to them by nature and civilization from being accomplished.

It can not be plainer, therefore, that the whole of this affair was purely Spanish-American, and that in it there was no proper room for the United States. On the other hand, the United States were then at war with Mexico.

A curious incident, witnessed by the protocol of the last session, relative to the plan of Spain of turning the islands of Cuba, Porto Rico, and San Domingo into one monarchy or empire, more or less under her control or influence, deserves attention. No better idea can be formed of it than by inserting the text of the protocol itself. It reads as follows :

*Protocol of the Conference held on the 1st of March, 1848, Señor José Benavente, presiding.*

The plenipotentiaries of Bolivia, Chili, Ecuador, New Granada, and Peru having met together, the protocol of the Conference of February 8th ultimo was read and approved, and the protocols and other documents which could not be signed at the previous session were signed.

The plenipotentiary from Ecuador said that he had instructions from his Government to bring to the knowledge of the plenipotentiaries a note from the Ecuadorian consul at Caracas, bringing the intelligence that by reason of the war the United States are waging against Mexico the Spanish Government, by agreement with a great potentate and with Marie-Christine, proposes to convert the islands of Cuba, Puerto Rico, and the Spanish portion of San Domingo into a monarchy, and at the same time to unite on the continent the States which formed Colombia to establish an empire; that to carry this scheme into effect General Juan José Flores has been sent on this mission, and it appears that the purpose is to throw these countries into a state of anarchy, so as to present to them as a peace-maker the monarch who is to rule them. The other plenipotentiaries stated that although it appears little probable that such a scheme to establish monarchies in America by the means indicated may be attempted to be carried out, nevertheless they re-iterate their statements in the Conference held on the 24th day of January, and they do not doubt that should any of the events there mentioned take place, their Governments would act in accordance with the stipulations of the treaty of confederation, so soon as through mutual communications they shall recognize the necessity of doing it.

There being no further business to engage the Plenipotentiaries, they have closed their Conferences by signing the present and last of the protocols thereof.

D. S. BENAVENTE.  
 JUAN DE FRANCISCO MARTIN.  
 PABLO MERINO.  
 MANUEL FERREIROS.  
 JOSÉ BALLIVIAN.

The passage referred to in the protocol of January 24 is as follows:

The plenipotentiary from Ecuador stated that, complying with his instructions, he called the attention of the Congress to a serious matter, which was the military expedition planned and organized in Spain by ex-General Juan José Flores, for the purpose of reconquering these countries and returning them to the mother country. That in proof of this fact the Ecuadorian Government had received advices from its confidential agent in London and from the minister for foreign affairs of Chili, asserting that ex-General Flores did not desist from his plan even after the embargo of the steam-ships and transports which were to carry the said expedition; that he had gone to Belgium for the purpose of making new enlistments; that the minister for foreign affairs of Chili had expressed himself in like manner in his last year's report to Congress; that ex-General Flores, after his arrival in North America, had stationed himself in Jamaica, from which point he was stirring up discord and fomenting revolutions in Ecuador by means of writings and confidential letters which he had addressed to the present com-

manding general at Guayaquil and to other parties, and even by transmitting funds to various persons to cause an uprising in the country; that two revolutions, one in Guayaquil and another in Quito, had been discovered and crushed out; that news had been received that Don Andres Santa Cruz was in league with Flores to stir up like disturbances in Bolivia and Peru, for he had lately written to a distinguished person in Chili, that on the least expected day he would be on these shores, because Bolivia had broken the conditions under which he had agreed to expatriate himself and go to Europe; that for all these reasons he proposed to the American Congress that a public or secret treaty be entered into, by which the Confederated Republics should bind themselves to refuse asylum within their respective territories to ex-General Flores, as the enemy and perturber of the peace of America.

The other plenipotentiaries stated that they had no instructions from their governments empowering them to enter into negotiations upon the subject suggested by that of Ecuador in the way he proposed; that the treaty of confederation already stipulated all that was necessary in the premises in general, and that it was as applicable to the case of General Flores attempting an invasion (section 4, article 2) as it was to his trying to create disturbances in Ecuador from others of the Confederated Republics (article 14); and that the governments, should necessity arise, would act in accordance with these stipulations even in case the treaty should not have been ratified, for they are in keeping with the principles which were expressed by the said governments from the moment notice was had of the plan of General Flores.

The two articles of the treaty of confederation above cited are as follows:

ART. II. Pursuant to the foregoing article, and for the purposes therein set forth, the *casus fœderis* shall be understood to arise:

\* \* \* \* \*

SEC. 4. Whenever adventurers or unauthorized parties, either with their own means or under the protection of any foreign government, shall invade, or attempt to invade, the territory of any of the Confederated Republics with foreign troops to intervene in the political matters of the country, or to found colonies or other establishments to the prejudice of the independence, sovereignty, or dominion of the respective Republic.

ART. XIV. \* \* \* \* \* Offenders charged with the crimes of treason, rebellion, or sedition against the government of one of the Confederated Republics, who shall seek asylum in another of them, shall not in any case be delivered up; but they may be expelled from the country wherein they have sought asylum, or be interned as far as fifty leagues from the frontiers or coasts, whenever there shall be proper grounds to fear their fomenting conspiracies or threatening their own country in any other way. The expulsion and interning shall only be done by the government of the Republic affording the asylum.

## III.

## THE "CONTINENTAL TREATY" OF 1856 AND OTHER MOVEMENTS PREVIOUS TO 1864.

The Republics of Peru, Chili, and Ecuador entered into and signed on the 15th of September, 1856, at the city of Santiago, a treaty of league and confederation, which has been called "the continental treaty," for the purpose of

cementing upon substantial foundations the union which exists between them, as members of the great American family, which are bound together by the ties of a common origin, similar institutions, and many other signs of fraternity, and rendering the relations between them and their citizens closer, by removing obstacles and restrictions, and promoting moral and material progress, as well as giving further guaranties of their independence and territorial integrity.

Peru was represented by Señor Don Cipriano C. Zegarra, Chili by Señor Don Antonio Varas, and Ecuador by Señor Don Francisco Xavier Aguirre; and as agreed upon by the treaty, the Government of Peru was assigned the duty to communicate with and ask the other Governments of America to adhere to its stipulations.

Señor Torres Caicedo has given the full text of this compact;\* but as it never became a law, and many of its particular provisions were made the subject of criticisms and amendments by the Government of Peru itself, as well as by others, it seems unnecessary to insert it.

Señor Torres Caicedo says:

Above all, this treaty has the capital defect of showing a spirit hostile both to the United States (owing to the Walker's expeditions of those days) and to the monarchical forms of government, although the Empire of Brazil was wisely invited to the Union.†

The same sentiment of alarm which the Walker enterprises had produced caused Don A. J. de Irrisari, the representative of Guatemala in Washington, to hold conferences in the latter city, with the other ministers of the Spanish-American Republics in the United States, for devising the best manner to accomplish the plans of Bolivar. Nothing

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\* *Union Latino-Americana*, p. 241 and the following.

† *Ibid.*, p. 50.

has been published of what was done at those conferences, which ended in no practical effect whatsoever.

That feeling of alarm seems not to have been subdued or mitigated for some years afterward, as we find Costa Rica, as late as on the 14th of August, 1862, when discussing with Colombia a "continental league," to express herself as follows:

As to the participation to be given in this matter to the Government of the United States of North America, my Government believes that such participation would be indispensable if the question were to protect continental interests, taking the word "continental" in its broader sense, or to defend ourselves against danger on the part of Europe; but our weak and divided nationalities, our race looked at with contempt, our societies and institutions not yet settled, are threatened by other dangers against which we must look for protection. There are not always at the head of the Great Republic moderate, just, and upright men as those who form the administration of President Lincoln.

There are parties there whose doctrines can be fatal for our not yet well-established nationalities, and we must neither forget the lessons of the past nor lose sight of the fact that the cessation of the vandalic filibustering expedition of 1855 and the following to 1860 was due to the intervention, although tardily carried into effect, on the part of Europe.

Under this aspect of the question, if our Republics could have the guaranty that they have nothing to fear from the United States of North America, it is indubitable that no other nation could be more useful and favorable to us. Under the shelter of her powerful eagles, under the influence of her wise institutions, and under the spur of her astonishing progress our newly-born nationalities should receive the impulse which they now need, and would be permitted to march with firm step, without experiencing the troubles and difficulties with which they have had to struggle \* \* \* .

In view of the above considerations, the idea has occurred to my Government that a new compact might be draughted by which the United States of North America should bind themselves solemnly to respect, and cause others to respect, the independence, sovereignty, and territorial integrity of the sister Republics of this continent; not to annex to their territory, either by purchase or by any other means, any part of the territory of the said Republics; not to allow filibustering expeditions to be fitted up against the said nations, or to permit the rights of the latter to be in any way abridged or ignored.

Resting upon a treaty of this kind, our Republics would admit without diffidence, and without preoccupations in regard to the future, the idea of an intimate alliance with the North American people; they would feel as if they had entered into a new life, and be possessed of greater strength; they would get rid of the serious and just fears which

our race has felt; they would march together with a firm step towards such an unity of institutions and interests as to change the face of the American nations, and lay the strongest foundation for our great continental alliance.<sup>1</sup>

#### IV.

### THE CONGRESS OF LIMA OF 1864.

On the 11th of January, 1864, the Government of Peru issued a formal invitation to all the governments of the Spanish nations of America to join in a Conference, or Congress, to be held at Lima, or elsewhere if so decided by them, to devise some means of accomplishing a Latin-American Union and "organize into only one family" the different Republics which had been Spanish colonies.

The circular which to that effect was sent by the Peruvian Secretary of foreign relations, Señor Don Juan Antonio Ribeyro, stated the points to be discussed at the proposed Congress in the following way :

1. To declare that the American nations represented in this Congress form one single family, bound together by like principles and identical interests to maintain their independence, their autonomic rights, and their national existence. This declaration of the community of views, of material strength and moral force, in nowise prejudices or curtails the liberty of each State to make in its internal administration the changes and innovations conducive to the increase of its individual prosperity.

2. To negotiate an international treaty to facilitate epistolary correspondence, in order that this vehicle, so suited to mercantile operations and the progress of civilization, shall have all the securities, guaranties, and immunities necessary to the promotion of public and private interests in behalf of the American communities. It is necessary that the communication shall not be expensive, that the secrecy of letters shall be respected to the extent of fanaticism, and that the conscience of man, often confided to the faith of the governments, shall never, or for any motive, be revealed or ridiculed to the detriment and offense of the dignity of the nation, to the impairment of justice, and to the transgression of the laws, civil as well as moral.

3. To bind the governments, in consideration of the Union established, to furnish each other all the statistical data which shall afford

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<sup>1</sup> Torres Caicedo—*Union Latino-Americana*, p. 273 and the following.

a perfect idea of their wealth, population, natural and artificial means at their command to defend each other in common, to develop themselves now individually, now collectively, and to form a homogeneous whole, which shall serve as a guaranty of general peace and of respect for fundamental institutions.

4. To dictate all the measures and accept all the principles which shall lead to the settlement of all boundary disputes, which are, in nearly all the American States, the cause of international quarrels, of animosities, and even of wars, as disastrous to the honor as to the prosperity of the nations. States which were at another time subject to the same dominion, it is not strange that, separated by emancipation, they should have frequent disputes and differences regarding territories and other rights of the same character, for the settlement of which measures are needed in keeping with the present civilization, with the reciprocal needs of the American States and with the general well-being of the continent.

5. To irrevocably abolish war, superseding it by arbitration, as the only means of compromising all misunderstandings and causes for disagreement between any of the South American Republics. Our credit, our well-being, and our common happiness demand the adoption of this measure, in which the hopes of America are centered.

6. To remove all the pretexts which serve as a foundation for treason to the American cause, prescribing the moral punishments to be visited upon those who, through covetous passions, shall enter into arrangements unfavorable to the independence of any of the States, to its institutions, and to the stability of the general peace. This declaration is all the more necessary, since upon it depends in great part the ulterior destinies of the continent.

Chili answered enthusiastically to this invitation, under date of February 18, 1864, and was followed by Bolivia on the 26th of February of the same year, and by Colombia on the 2d of June. It is to be noticed that the latter Republic, in promising to attend the Congress, expressed "the opinion that the United States ought not to be invited, because their policy is adverse to all kind of alliances, and because the natural preponderance which a first-class power, as they are, has to exercise in the deliberations might embarrass the action of the Congress."\*

The consent of the nations having been obtained, the Congress met at Lima, on the 14th of November, 1864, which was selected for its being the anniversary of the birth of Bolivar.

At its inaugural session, which was attended with un-

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\* Torres Caicedo, *Union Latino-Americana*, page 82.



usual pomp and imposing ceremonies, the following plenipotentiaries were present:

For Bolivia, Señor Don Juan de la Cruz Benavente.

For Chili, Señor Don Manuel Mont.

For Ecuador, Señor Don Vicente Piedrahita.

For Colombia, Señor Don Justo Arosemena.

For Guatemala, Señor Don P. A. Herran.

For Peru, Señor Don José G. Paz Soldan.

For the Argentine Republic, Señor Don Faustino Sarmiento.

For Venezuela, Señor Don Antonio L. A. Guzman.

In referring to this Congress, Señor Torres Caicedo says: "The labors of this Congress are not yet known (he wrote in 1865.) Its sessions have been secret; and strange to say, indiscretion has shined by its absence."\*

The text of the circular of invitation, and the answers of Chili, Bolivia, and Colombia, can be seen in full in Appendix "E" to the book of Señor Torres Caicedo, from page 277 to 303.

The published account of the first session reads as follows:

MEETING OF THE AMERICAN CONGRESS.

NOVEMBER 14, 1864.

At 2 o'clock this afternoon, as heretofore announced, there met in the house prepared for the purpose and which is known by the name of Torre-Tagle, the most excellent the plenipotentiaries to the American Congress, the most excellent the council of ministers, the diplomatic and consular corps, the courts of justice, the civil, military, and treasury officers, and a large number of distinguished persons of the capital. After they had all taken the seats previously assigned them, the minister for foreign affairs of the Republic, Mr. Calderon, addressed the following words to the plenipotentiaries:

"Gentlemen: The Government of Peru, faithful interpreter of the sentiments of the Peruvian people and of all America, congratulates the august assembly I am addressing and which to-day begins its important public and general work. Much must be expected from the personal character of the members composing it, as well as from the very nature of their labor, which can not but consult the interests of the Continent, in which are centered just hopes of prosperity, of peace, and of happiness."

Mr. Paz Soldan, minister plenipotentiary of Peru in the American

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\* *Union Latino-Americana*, page 86,

Congress, as president of this august assembly, pronounced the following discourse:

“Gentlemen: The countries of America should give a vote of gratitude to their Governments, which, faithfully interpreting their desires and recognizing the necessity and importance of more closely binding their relations and making them more intimate, have resolved to establish them upon the solid basis of union and fraternity. Widening the sphere of relations between sister countries, with sincerity and good faith, the American Union will identify and assimilate their rights, their necessities, and interests with those of all the nations of the earth.

“The destiny of humanity leads it to form one large family. Reason, justice, and right are common benefits allotted by God to all men and distributed equally among them all. Union, like sociability, is joint and indivisible, and no one can be excluded from the participation to which he is entitled. The respect for justice and right, the enlightenment which every day increases owing to improved means of commerce and to the telegraph, and the frank and generous communication with all the people upon the face of the earth, are indispensable conditions to secure for every political society respect and lasting existence.

“But these priceless benefits can not be secured if internal order and peace are not established; without these progress moves with distrust and slowly. Peace also is deceiving if it be not founded on honor and liberty, on independence and justice, and on the strict community of duties and interests.

“These have, undoubtedly, been the motives which have impelled the Governments of America to appoint the Representatives here met together. All of them are deserving the gratitude of the New World; when their upright and enlightened intentions shall be well known and appreciated, they will receive, also, a solemn vote of adhesion and sympathy from the civilized peoples and Governments of the Old World.

“The American Congress whose sentiments I have to-day the high honor to express, thankfully acknowledges the congratulations showed upon it by the Peruvian people upon this solemn day, so justly desired and looked forward to by America. The congress will endeavor solicitously and to the best of its ability to devise the ways and means to realize the many hopes that are centered in it.

“As the representative of Peru, in its name and that of its government, it becomes my duty to tribute a just homage of gratitude to the most excellent governments so worthily represented in this assembly of free people.

“Peru, which had the honor to invite all America to form a union, without sentiments or interests other than those common to all countries, has, without causing offense to any one, had the still greater honor of having its voice heard, its capital accepted for the holding of the American Congress and the sincerity of its purposes recognized. For this reason, no doubt, in the hour of her bitter conflict, when her territory was violated and her independence threatened Divine Provi-

dence willed that she be not alone. Its finger has proved itself mighty, and upon meeting here so opportunely we have seen its high purposes, that America shall not be alone, dispersed and uncared-for, but rather united and firm to maintain its just rights, not to attack those of others.

“Worthy representatives of the governments of America, the Peruvian people extend to you their thanks! Accept them.”

The President then declared the sessions of the American Congress open, which concluded the exercises; the American plenipotentiaries, the council of ministers, the cabinet and the diplomatic corps, repairing immediately thereafter to one of the balconies of the house to receive the military honors given by the detachments from the army stationed at the capital. A tremendous crowd obstructed San Pedro and adjacent streets.



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CORRESPONDENCE

RELATING TO

THE PROPOSED CONGRESS OF PANAMA

IN

1881.

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CORRESPONDENCE RELATING TO THE PROPOSED  
CONGRESS OF PANAMA IN 1881.

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*Mr. Dichman to Mr. Evarts.*

LEGATION OF THE UNITED STATES,  
*Bogota, December 5, 1880.*

SIR : The Colombian minister at Washington has probably informed you before this of a circular note addressed by his government to the governments of the other Spanish-American Republics, based upon Article III of the projected treaty between Colombia and Chili, reported in my No. 205, of the 7th of September last, and having for its object a meeting of plenipotentiaries of all the Spanish-American states at Panama in September, 1881, for the purpose of executing with each other an international treaty or convention, similar to the one executed between Colombia and Chili, and thus not only established the principle of international arbitration for the determination of any differences which may arise between any of the co-signatory states, as a part of the public law of this continent, but also provide for the practical application of this principle by constituting the President of the United States the permanent arbitrator under the proposed treaty.

On the same subject I am in receipt of a note from the Colombian secretary of Foreign Relations, inclosing a copy of the circular note above mentioned, and requested me to solicit your good offices with governments of the several Spanish-American Republics to the end that they may be induced to accept the invitation of the Colombian Government.

Although this action of the administration of President Nunez in extending the invitation above mentioned may perhaps be premature, in view of the fact that the treaty between Colombia and Chili, upon which it is based, has

not yet been approved and ratified, I nevertheless beg leave to recommend the solicitation expressed in the accompanying note of the Colombian secretary of foreign relations to your favorable consideration, for I am sure that the laudable object of providing for the more harmonious relations between the republican nations of this continent and the increased moral influence of the Government of the United States is a matter in which you are deeply interested.

The inclosed correspondence does not disclose the fact that a plenipotentiary from the United States is invited to join in the execution of the proposed treaty or convention. This is probably owing to the reason that the position assigned to the Government of the United States by the proposed treaty is to maintain and exercise a friendly and judicial impartiality in the differences which may arise between the powers of Spanish America.

I would, however, respectfully recommend that if this proposed meeting of plenipotentiaries should take place the Government of the United States be represented upon the occasion, in order to convey to that body the interest felt in the United States in its proceedings, and to manifest the willingness of the President of the United States to accept the trust which by the proposed treaty it is intended to confer upon him, if such should be his pleasure.

I am, &c.,

ERNEST DICHPMAN.

[Inclosure 1 in No. 232.—Translation.]

*Señor Santamaria to Mr. Dichman.*

UNITED STATES OF COLOMBIA, NATIONAL EXECUTIVE POWER,  
DEPARTMENT OF FOREIGN RELATIONS,  
*Cartagena, October 14, 1880.*

MR. MINISTER: I have the honor to inclose to your honor the circular which, under date of the 11th instant, I have sent to the republican Governments of Spanish America, inviting them to be represented before my Government at Panama in the month of September, of the coming year, with the object that all of them may give adhesion to the convention celebrated between Colombia and Chili upon the subject of the preservation of international peace, which I also inclose to your honor.

As the reunion of all the representatives of the Republics of this part



of the world may, and doubtless will, give an occasion for establishing the principles of international law which should rule in the future in their relations among each other and with the nations of Europe, and as your honor has demonstrated to me the convenience (apparent from every point of view) of the reunion of a congress for the indicated object, for the cause of democracy and the civilization of these peoples, I beg your honor to have the goodness to interest yourself with the Government of the United States, to the end that it may use its good relations with all the others of America, excepting that of Brazil, to induce them to send their representatives to Panama at the designated time.

The co-operation of the Government of your honor will doubtless be of the greatest efficacy in furthering an object so important for all America.

With sentiments of most distinguished consideration, I subscribe myself your honor's attentive and obedient servant.

EUSTACIO SANTAMARIA.

[Inclosure 2 in No. 232.—Translation.]

*Circular Note of Colombia Government.*

UNITED STATES OF COLOMBIA,  
DEPARTMENT OF FOREIGN RELATIONS,  
*Cartagena, October 11, 1880.*

Mr. MINISTER: Your excellency will find herewith an authenticated copy of the convention celebrated in Bogota on the 3d of last September, between the Governments of Colombia and Chili, by virtue of which the two republics bind themselves forever to settle whatever differences or controversies may arise between them through the civilized and humane method of arbitration, and to obtain by treaty from other sister peoples the celebration of similar mutual conventions, with the object of forever banishing international wars from the American Continent.

My Government, the initiator of this measure, considers it of such importance that it has not lost a single moment in making it known to all other Governments of America, in order that they may, as soon as possible, indorse this idea and adopt as an integral and essential part of American international law the principle incorporated in the said convention.

Peace is an essential necessity for Spanish America, and there is visible anxiety to secure this inestimable boon, and to maintain it throughout our continent. In fact, great efforts are being made everywhere to disseminate public instruction amongst the masses, foment commerce and industry, and at the same time vigorously suppress all elements of discord. Order will thus be established upon solid bases, and as the knowledge and practice of republican institutions are extended internal wars will seldom occur.

But international dissensions may arise, especially on questions of boundaries and by straining a point of honor.

Nations like ours, comprising immense territories, should not ruin or dishonor themselves by bloody and disastrous wars for portions of uninhabited, and in many cases uninhabitable, regions, which, as far as the civilization and humanity of America is concerned might as well belong to one nation as another.

Wars of this kind should be averted, and this would be the case, doubtless, if all the nations of the continent adhere to the saving principle embraced in the compact celebrated between Colombia and Chili.

The President of the Republic, desiring to assist all sister governments in the adoption of so humane a measure, has resolved to return to Panama in the early part of September of the coming year, and he has ordered me to request your excellency to appoint a representative of your Republic to proceed to said city with sufficient powers to sign the aforesaid convention, not only with my Government, but with those of the other American Republics that may send representatives.

The city of Panama being in easy communication with the capitals of all the American Republics, and as it were the center of this continent, is the most appropriate point for the representatives of them all to assemble, and it is for this reason that, by order of the executive power, I extend to the Government of your excellency this invitation, which I hope will not be disregarded, since its object is of such importance to America.

With the well established hope to receive in Bogota a speedy and satisfactory reply from your excellency, I avail myself of this opportunity to present to your excellency the sentiments of the highest and most distinguished consideration with which I subscribe myself,

Your excellency's very attentive and obedient servant,

EUSTACIO SANTAMARIA

His Excellency the MINISTER OF FOREIGN RELATIONS OF CHILI.

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CONVENTION FOR THE PRESERVATION OF PEACE BETWEEN COLOMBIA  
AND CHILI.

[Translation.]

The United States of Colombia and the Republic of Chili, desiring to provide a solid basis for the cordial friendly relations that have always existed between the two nations, and at the proper time to strengthen the sentiments of international fraternity which should serve as the foundation of the peace and prosperity of the Americas, have resolved to conclude, in this behalf, a convention, and to this end have appointed plenipotentiaries, as follows, to wit :

His excellency the President of the United States of Colombia, Don Eustacio Santamaria, secretary of state in the department of foreign relations.

His excellency the President of the Republic of Chili, Don Francisco Valdes Vergara, chargé d'affaires of said Republic in the United States of Colombia; who, after having exchanged their full powers and having found them to be in good and due form, have agreed upon the articles following:

ARTICLE I.

The United States of Colombia and the Republic of Chili bind themselves in perpetuity to submit to arbitration, whenever they can not be settled through diplomatic channels, all controversies and difficulties, of whatever nature, that may arise between the two nations, notwithstanding the zeal which their respective governments may display to prevent them.

ARTICLE II.

The selection of the arbitrator, in case the necessity for his appointment shall arise, shall be made by a special agreement, in which shall be also clearly set forth the question in dispute and the procedure to be observed in such arbitration. In case no agreement can be reached upon such an arrangement, or if that formality be expressly waived, the arbitrator fully authorized to exercise the functions thereof shall be the President of the United States of America.

ARTICLE III.

The United States of Colombia and the Republic of Chili will endeavor, at the earliest opportunity, to conclude with the other American nations conventions like unto the present, to the end that the settlement by arbitration of each and every international controversy shall become a principle of American public law.

ARTICLE IV.

This convention shall be ratified by the high contracting parties according to their respective formalities, and the ratifications shall be exchanged in Bogota or in Santiago within one year from date, if possible.

In testimony whereof these presents are signed in Bogota on the third day of September, in the year one thousand eight hundred and eighty.

[L. S.]

EUSTACIO SANTAMARIA.

[L. S.]

FRANCISCO VALDES VERGARA.

United States of Colombia national executive power. Bogotá, September 3, 1880.

Let the present convention be approved. The president of the Union.

[L. S.]

RAFAEL NUÑEZ.

The secretary of foreign relations.

EUSTACIO SANTAMARIA.

*The Reply of Chili.*

REPUBLIC OF CHILI,  
DEPARTMENT OF FOREIGN RELATIONS,  
*Santiago, November 5, 1880.*

Mr. MINISTER: I have the honor to inform your excellency that my Government has approved the convention signed *ad referendum* on the 3d of September last, by the chargé d'affaires of this Republic, near your excellency's Government, and designed to submit to the decision of an arbitrator the controversies and difficulties which may arise between Chili and the United States of Colombia. In consequence said convention will be submitted by my Government to the deliberation of the National Congress at the next regular session.

I beg your excellency to be pleased to bring this fact to the knowledge of his excellency the President of the Colombian Republic, that he may be informed, in this manner, of the approval the convention has met, since it is not possible to transmit to Mr. Valdes Vergara the full powers he has solicited for the purpose of exchange with those exhibited by your excellency on that occasion, as it is presumed he has begun his trip to Washington, pursuant to instructions previously issued.

When the convention shall have been approved by the National Congress I shall have the honor to advise your excellency to the end of proceeding with the exchange of the ratifications.

It is a pleasure in this connection to offer to your excellency the tribute of the high considerations with which I have the honor to be your excellency's attentive and sincere servant.

MELQUIADES VALDERRAMA.

His Excellency the MINISTER OF FOREIGN RELATIONS  
OF THE UNITED STATES OF COLOMBIA.

*Reply of the Dominican Republic.*

DEPARTMENT OF STATE FOR FOREIGN RELATIONS,  
*Santo Domingo, November 30, 1880.*

MR. MINISTER: This department of state has received your excellency's circular, dated the 11th of October last past, together with an authenticated copy of the convention concluded in Bogota on the 3d of September last, between the Government of Colombia and that of Chili, by virtue of which the principle of arbitration is laid down as the basis of American public law in international controversies, and inviting the Government of the Dominican Republic to send, by September of next year, a representative to the city of Panama with powers sufficient to sign the said convention in company with the other Governments of the American Republics there represented.

The executive, before whom I have laid said circular and who considers peace Spanish-America's greatest need, applauds the generous initiative of the Colombian Government, and hastens to adhere at once to a measure of saving potency for the people inhabiting the southern part of this continent; applause and adhesion all the more spontaneous since the idea developed with so much tact by your excellency, aside from being opportune, coming on the trail of a disastrous war between two sister countries, and in view of others threatened, no less bloody and unjustifiable, is, to the mind of this Government, the only practical means of making effective the immortal idea of the liberator Bolivar, for from the first meeting of a congress of plenipotentiaries other like reunions will spring and, as a consequence, the Latin-American Amphictyony or Confederation.

The Dominican Republic is guided by motives of a still more important nature in adhering to the policy of the South American Continent, in which Colombia has so nobly taken the lead, for, situated in the center of the western hemisphere, like the faithful pivot of the two dishes forming the scales of the new world, the aspirations for its future cause it to desire, now more than ever, in view of the interoceanic canal at Panama, that the hopes

of an embryonic continent be realized, founding in the Antilles a social organism corresponding to the natural one of the archipelago and converting it into the focus of universal civilization.

And who knows but that the congress to which your excellency is pleased to invite the Government of the Dominican Republic will discover, in furtherance of that Antillian ideal, with the aid of the ever just and elevated attitude of Colombia in international affairs, the peaceful solution adapted to the natural growth of the life and interest of the nations up to the present engaged in realizing or preventing the natural development of the human destinies in America.

Animated as it is by this well-founded hope, the Government of the Dominican Republic will exert itself to respond opportunely to the invitation which your excellency has been pleased to transmit in the name of the Government of Colombia, and meanwhile the undersigned grasps the opportunity to present to your excellency the expression of his most distinguished consideration.

The secretary of state, of justice, public works, and public instruction, in charge *ad interim* of the department of foreign relations.

ELISEO GRULLONE.

His Excellency the MINISTER OF FOREIGN RELATIONS OF  
THE REPUBLIC OF COLOMBIA, BOGOTA.

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*The Reply of Peru.*

DEPARTMENT OF RELATIONS AND WORSHIP,

*Lima, December 4, 1880.*

Together with the authenticated copy of the convention concluded on the 3d of September last at that capital, between your excellency's Government and that of Chili, in which is stipulated the settlement of all the differences between the two nations by means of arbitration, I had the honor to receive your excellency's note, under date of February 11, of the current year, the object of which is to invite Peru to adhere to the said convention.

In proof of the fact that the salutary idea it sets forth has for many years been that entertained by this Republic, it is proper to recall that in the year 1865, there being at that time in session in Lima an American Congress, on the initiative and invitation of our Government, there was adjusted by all the plenipotentiaries there met together the draft of a treaty, which should exist, authenticated, in the archives of that department, and which I take pleasure in transmitting to you herewith, printed and duly authenticated, that nothing may be wanting.

From it your excellency will see that in the memorable year of 1865 the same grand idea which now claims the attention of the Government of the Colombian Union had already taken official form and, in consequence, my Government can not but espouse it, much less when in the conference of Arica, held on the 22d, 25th, and 27th of October last, to put an end to the present war on the Pacific, the great Republic of the north mediating spontaneously and at its own request, Peru exerted herself for the adoption, everything else having failed, of the peaceful as well as impartial and just measures advised.

Therefore, my Government concurring with that of your excellency, which it congratulates for the resurrection of that fraternal compact, and which it does not doubt will be accepted by the other Republics invited to adhere to it, there only remains for me to frankly state, as I have the honor to do here, the dangers perhaps inevitable, which the fulfillment of the convention will find in one of its original signers, which has just shown such little satisfactory proof of a sincere purpose to be faithful to obligations of this character, which, it may be said, bound it morally, and at any rate should be taken for granted among brethren who in their unfortunate differences seek only justice.

Under these circumstances, and my Government not wishing to risk anything in a matter of such grave import, it awaits the termination of the present war to give a practical form to the acceptance which, in principle, it can not but lend to an idea which it has always most cordially entertained. As to the rest, and referring to the

general reflections of your excellency upon wars originating in questions of boundaries and national pride, my Government believes that one and the other, whatever their importance, should be decided by the rules of justice and of dignity, the supreme standard of countries who know their rights and know also the obvious importance of always respecting those of others.

I take pleasure in this connection in renewing to your excellency the assurances of the high consideration and distinguished regard with which I am your excellency's attentive and obedient servant,

PEDRO JOSE CALDERON.

His Excellency the SECRETARY OF STATE IN THE DEPARTMENT OF FOREIGN RELATIONS OF THE UNITED STATES OF COLOMBIA.

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*The Reply of Costa Rica.*

NATIONAL PALACE, SAN JOSE, *December 6, 1880.*

Mr. MINISTER: I have received the important communication dated by you at Cartagena on October 11 of the current year, and I find attached an authenticated copy of the treaty concluded in Bogota on September 11 last between the Governments of Columbia and Chili, by virtue of which the two Republics bind themselves for all time to settle any difficulties or controversies which may arise between them through the humane and civilized method of arbitration, and to secure from the other sister countries the negotiation of mutual treaties similar to that, with the object of forever banishing international wars from the American continent.

Disgrace would fall upon any country priding itself upon its culture whose government should hesitate in adhering to a compact which has been demanded for a long time, aside from the sentiment of universal fraternity, never before this century so appreciated and widespread, by our like origin and institutions, which protect the Latin-American nations from many of the elements of discord natural to contentious Europe, and which call



upon them through the ties of blood to form one great family, free and happy, such as was dreamed of by the immortal Bolivar, as is longed for by every American in whose bosom beats a generous heart.

The considerations set forth by your excellency to prove the advantages of the compact can not be stronger nor more applicable. The saving principle of arbitration not only secures us against all chances of armed controversies which deluge us with blood, devastate our lands, and paralyze our progress, but it must even contribute much to the reform of our political existence by accustoming us to submit to argument instead of force the success of our aspirations, and to admit the authority of an arbitrator who in internal questions is naturally the instrument for settling our frequent disputes. I look upon this, most excellent sir, as replete in results directly and indirectly tending to the happiness of America and to the imperishable glory of democracy.

Your excellency informs me that the President of the Republic, wishing to facilitate to all the sister nations the adoption of so humanitarian a measure, has resolved to return to Panama about the beginning of September of the coming year, and that he has requested you to ask me to appoint a representative from this Republic to said city, with sufficient powers to sign the aforesaid convention, not only with that government but with the other American Republics who may send representatives there, and I take pleasure in promising your excellency, in the name of the most excellent President, General D. Tomas Guardia, that the representative of Costa Rica will be present at the coming congress of Panama.

I close with wishes that no nation of Latin-America shall fail to have a representative at that meeting of peace, which can so greatly influence their future destinies, and conveying to your excellency the expression of the highest esteem and consideration with which I subscribe myself your most obedient servant,

JOSE ANTONIO CASTRO.

His Excellency the MINISTER OF FOREIGN RELATIONS OF  
THE UNITED STATES OF COLOMBIA.

*The Reply of Mexico.*

MEXICO, *December 18, 1880.*

MR. MINISTER: I have the honor to acknowledge the receipt of the attentive note your excellency was pleased to address me, bearing date the 11th of October last, transmitting me an authenticated copy of the convention concluded in Bogota on the 3d of September between the Government of Colombia and that of Chili, to settle by means of a friendly and peaceful arbitration whatever difficulties or controversies might arise between the two Republics, and to secure the conclusion between the other American nations of like conventions, to the end of banishing international wars for all time from this continent.

Your excellency has been pleased to state at the same time that to carry out such a noble purpose the President of Colombia will go to Panama in September of next year, and that he has issued instructions to your excellency to request of the Government of Mexico the sending of a representative to said city, with powers sufficient to sign the said convention with the other plenipotentiaries whom the rest of the American Republics may send there with like object.

The President, whom I informed of said note, has viewed with the liveliest satisfaction the initiative taken by the Colombian Government, and its generous efforts tending to an end so laudable and humanitarian as is that of removing all danger of war among the several countries comprising the American Continent, and has instructed this department to accord to so important a subject a careful study, in order to decide, at the proper time, upon the sending to Panama of the Mexican representative.

In the meanwhile I should convey to your excellency the most expressive thanks for having addressed to my Government so courteous an invitation, which is one proof more of the fraternal relations uniting the two countries, and which Mexico hopes will be every day more binding and cordial.

Upon thus expressing myself, under instructions from

the President, I gladly improve this opportunity, Mr. Minister, to convey to your excellency the assurances of my highest and most distinguished consideration.

IGNACIO MARÉSCAL.

His Excellency the MINISTER OF FOREIGN RELATIONS OF  
THE UNITED STATES OF COLOMBIA, BOGOTA.

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*The Reply of Nicaragua.*

MANAGUA, December 22, 1880.

SIR: My Government's serious consideration has been given to your excellency's attentive note, dated at Cartagena on the 11th of October last, designed to propose that this Republic send a representative to Panama in the month of September next, that he may concur with the representatives of the other Spanish-American countries in the conclusion of treaties which, following that recently concluded between the Governments of Colombia and Chili, a copy of which your excellency was pleased to transmit me, shall provide in perpetuity and as a principle of American public law that every question arising between the nations of the continent shall be settled by the humane and civilized medium of arbitration.

The suppression of war is one of the most noble aspirations of the present day, in which humanity marches with rapid strides towards perfection, thanks to the peaceful labors of the nations. The relations between them established are daily multiplied, creating new and mutual interests, which can only prosper under the protecting shelter of universal concord.

To realize that grand aspiration, at least among the nations of the American family, does the honorable initiative of the Government of Colombia tend, and which that of Nicaragua embraces with enthusiasm.

The employment of the medium proposed to settle any difficulties that may arise between these countries will insure not only their dignity and their rights, which will no longer be exposed to the dangers of war, but will also

preserve their mutual sympathies, and prevent disturbances which would paralyze their development for a long time.

It is, therefore, very pleasant to me to communicate to your excellency that the Government of this Republic will be represented at Panama at the time designated.

Meanwhile I have the honor to renew to your excellency the expressions of the great regard and distinguished consideration with which I subscribe myself your very attentive and obedient servant,

AD. CARDENAS.

His Excellency the MINISTER OF FOREIGN RELATIONS OF  
THE GOVERNMENT OF THE UNITED STATES OF COL-  
OMBIA, BOGOTA.

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*The Reply of the Argentine Republic.*

MINISTRY OF FOREIGN RELATIONS,  
*Buenos Ayres, December 30, 1880.*

Mr. MINISTER: The undersigned, secretary of state in the department of foreign relations, has had the honor to receive and bring to the notice of the President of the Republic the note which, under date of the 11th of October last, the honorable minister of foreign relations of Colombia was pleased to address him, and he performs the pleasant duty of replying thereto.

The Argentine Government has learned with satisfaction of the treaty concluded between the United States of Colombia and the Republic of Chili, and duly esteems the invitation it has been favored with to adhere to the principle of arbitration embodied in that convention. Provisions tending to preserve the peace and strengthen the bonds of the nations of this continent will always have the sympathy of this Republic, which consigned American fraternity among the rules of its international policy from the very dawn of its independence.

Arbitration is certainly a noble aspiration of the present day, and the Argentine Government can point with pride to its endorsement, from an early date, of that measure

which wisely reconciles the requirements of justice with the generous sentiments of mankind. It had occasion to stipulate for it with the most excellent Government of Chili in 1856 to settle boundary controversies then existing and those that might thereafter arise. It declared in 1874 in official documents given over to the domain of publicity "to be resolved, with or without treaties, to settle all international controversies by arbitration," and, faithful to those declarations, it adopted in 1876 to settle its controversies with Paraguay, after a long war, begun for reasons of honor and of security, and in which its arms and those of its allies completely repelled the advances of that nation.

Easy would it have been for this Republic, in the end, to retake the territories which were unlawfully retained through the agency of its internal disturbances and the indulgent policy adopted after the emancipation. But neither the facilities existing for the recovery nor the consciousness the Argentine Government had of its right were able to weaken the moderation which prevailed ever in its relations with friendly States; and the undersigned can recall with legitimate pride that his Government presented the high example of submitting to the award of an impartial power the right to territories to which it considered itself indisputably entitled and which it could have recovered at the expense of most costly victims.

"Peace is certainly a most important necessity for Spanish-America" and it to-day depends upon the foresight of its Governments. Fortunately the times have passed when the principal object of political societies on this continent was the defense of their independence against foreign aggressions and schemings.

Europe no longer entertains thoughts of conquest or of chimerical recoveries. These were abandoned in view of the unconquerable attitude of the countries; and if the continental congress suggested by Colombia should meet, it will probably not be for the purpose of following the almost exclusively defensive programme mapped out by Bolivar.

The alarms and mistrust which suggested to the liber-

ator that patriotic idea have disappeared in the natural development of more nations. The wants of civilization, the great interests of commerce, which make themselves felt everywhere; the facilities for communication and transportation, which stand out among the advancements of the century, and the liberality with which America delivers its richness to men born in every latitude of the globe, are the beneficent influences which swallow up the antagonisms of both worlds.

But the efforts of these countries to maintain order and the sincere administration of republican institutions would be really fruitless if the armed conflicts to which the honorable minister of foreign relations alludes could easily come about and if they are allowed to assume the desolating shape which humanity condemns.

Noble is, therefore, the desire to prevent those dangers and the discredit accompanying them. The undersigned is instructed to inform his excellency the honorable minister that in so laudable an undertaking Colombia may count upon the concurrence of the Argentine nation, linked from her very beginning to the vicissitudes and the destinies of South America. However, the invitation the undersigned has had the honor to receive suggests some observations of general interest, and he will submit them with the frankness which should prevail in the relations of countries bound together by happy intimacies.

The Argentine Government accords to arbitration all the importance attributed to it by the Colombian, but believes that the purpose of the note to which it replies will not be realized because that principle alone is embodied in the plan.

The writer can sorrowfully point, in support of his statement, to the present war upon the Pacific Coast, in whose flames so many elements of order and common prosperity are consumed.

Bolivia and Chili solemnly agreed upon arbitration, and notwithstanding this agreement, suggested by prudence and fraternity, differences not originally affecting the honor or the dignity of those nations were left to the decision of the sword.

Neither the calamities of a protracted struggle, whose termination is already the desire of mankind, nor the good offices American and European nations proffered, nor the interposition of an impartial and justly respected power have succeeded in inclining the two belligerents to the arbitration they agreed upon; and the war which continues annihilating those countries demonstrates that the principle embodied in the recent convention of Colombia is not a sufficient guaranty for the preservation of peace.

It is necessary, in view of this, that it be accompanied by other no less important principles; and if the Congress of plenipotentiaries which the Government of Colombia initiates is to meet, it should be empowered to approve all the declarations and agreements conducive to the cementing of continental harmony.

The former Spanish colonies once established as free and sovereign nations, they proclaimed as the basis of their public law the independence of each, and the integrity of the territory by them occupied, or that territory upon which some established themselves by peaceful agreement between the people and the governments.

These principles were the firm foundation of American solidarity. They sprung from an identity of interests and aspirations. They were strengthened by the struggles of a period of patriotism and sacrifices, and came, in 1824, to control in the diplomatic relations of the independent Republics.

These should be written upon the first page of the proposed conference, for they have the indorsement of the countries, and should be considered as legacies of the emancipation.

It is necessary to expressly declare unlawful all attempts at conquest or forcible annexation, which would raise permanent obstacles to future stability.

Annexations attained by the force of arms were in Europe the cause of great rivalries and resentments, and they would be in America a mad attack upon the fraternity of countries bound together by nature and history.

“Forcible annexations,” said Lord Russell in 1859 to the English ambassador in Paris, “cannot be mitigated by

the reasons generally advanced, for, if force and not right were the rule determining the territorial possession, the integrity and independence of lesser States would be in permanent danger."

It is important also to protect the American nationalities from seditious separations which have never been known in this Republic, but which did not fail to be attempted in other places, instigated by turbulent ambitions.

Some governments have embodied in their constitutions clauses providing for such cases; and it is recognized among the doctrines intended to preserve the general order that forcible separations are prohibited, for every act of that nature requires the consent of the nation in which it is verified.

The division of Colombia into three independent Republics was sanctioned by that country.

The Provinces of Potosi, Chuquisaca, Cochabamba, and La Paz, belonging to this Republic, became in 1825 a part of the new Republic of Bolivia by act of the Argentine Congress; and the rich segregations which went to constitute Uruguay and the Republic of Paraguay were legalized by the will of the nation. The Argentine believes that that principle should be upheld by express agreements. It was maintained by the United States of the North in their memorable struggle against the seditious theories of nullification, and for Colombia it has the pleasant precedent of having been proclaimed by the Liberator, who declared: "to be anarchical the separation of any State or province without the consent of the political society to which it belongs."

The Government of the undersigned believes that it would be advisable to have it well established in the international agreements that there are not in Spanish-America territories which may be considered *res nullius*, and that all territory comprising it, however deserted or removed it be, belongs to the former Spanish Provinces, invested, after 1810, with the rank of free and sovereign States.

Having reached this point, the undersigned feels called upon to touch lightly upon some of the points in the note



he replies to regarding uninhabited lands. He believes that if sundry pretensions founded on that fact were permitted the tranquillity Colombia aims at would vanish.

The American Republics being owners of the extensive territories comprised within the colonial limits, having not long ago inaugurated the policy of colonization and labor, which rapidly increases population and makes deserts fruitful, can not admit that the circumstance of there being at present uninhabited localities, more or less extensive, weakens the power of their rights.

If the want of population could be alleged as a warrant for the unlawful retaining of another's property; if the possibility of occupying points, at present uninhabited, could be relied upon as a legitimize means of acquiring them, discord would reign in the relations of countries which Providence has destined to develop through the bonds of confidence and cordiality.

The honorable president accepts no wavering in this regard, and believes that the efforts and the wishes of every Government should combine to establish historical fact and justice as the only source of title to territory in this part of the world.

Easy it is, in the judgment of the Argentine Government, to prevent, by means of prudent stipulations, that claims for damages and all questions which may be settled by pecuniary indemnities should become wrangling contentions, rendering arbitration futile, and believes that agreements tending to insure that in no case shall hostilities break out among the South American nations without notice, transmitted sufficiently in advance to reconcile the necessity of war with the freedom of action during peace, would meet with general approval.

The first of these suggestions accords with the liberal spirit of these nations, and the second will allow the governments to stimulate the advancement of the states over which they preside without having to divert those means necessary to the peaceful development of their resources to precautionary elements of security and defense.

It is not impossible that, notwithstanding the concurrence of the governments in the principle of arbitration

and their approval of the ideas suggested in this note, disturbances may arise which, as has happened on the Pacific, will break asunder the good understanding existing between two or more nations; and it is in keeping with the conciliatory programme which Colombia favors to mitigate the consequences of that calamity.

If America meets together to render armed struggles less feasible, it is natural it should study the way to insure, if, despite the common effort, they occur, their not being accompanied by the desolation which marked the somber marches of the armies of the olden time.

The writer could go on at length with suggestions relating to the patriotic purposes of the invitation to which he replies, but he deems it proper to limit himself to those which can more directly contribute to the strengthening of the general tranquillity, leaving it to the governments to initiate other measures which are surely worthy of consideration by an international congress.

The undersigned does not harbor the pretension of having presented new ideas to the consideration of the Colombian Government, and declares without reserve that some of those suggested in this note already have the indorsement of the people and that others have the prestige of the approval of the men who became pre-eminent in the great campaigns of the revolution.

His excellency Mr. Santamaria will deduce from the foregoing that the Argentine Government does not consider the stipulation for arbitration alone an efficacious measure for putting an end to international controversies. That in its opinion we could only attain that end by embodying in American public law the principles already referred to and other analogous ones, which, by removing troublesome differences, will be now and hereafter the true guaranties of peace.

The honorable President of the Republic has instructed the undersigned to submit to the most excellent Government of Colombia the foregoing observations and to inform it that, grateful for the invitation with which he has been favored and in the hope that the observations will be accepted, he will adopt the necessary measures that this

Republic may be represented at a conference having a wider scope than that proposed. His excellency considers that this one, being limited to the subscribing of the convention recently concluded in Bogota, responds but feebly to the elevated purposes of Colombia and will leave unsatisfied aspirations and wants which are worthy of consideration.

The honorable President has further instructed the undersigned not to bring this communication to a close without renewing the assurances that the Argentine Government, faithful to the antecedents of the nation, will contribute all the means within its power to prevent those unfortunate wars which break asunder the bonds of a glorious solidarity.

The undersigned improves the opportunity to renew to his excellency the honorable minister of foreign relations the assurances of his highest and most distinguished consideration.

BERNADO DE IRIGOYEN.

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*Response of the Colombian Secretary of Foreign Relations.*

UNITED STATES OF COLOMBIA,  
DEPARTMENT OF FOREIGN RELATIONS,  
*Botoga, April 19, 1881.*

Mr. MINISTER: The River Plata press has published and ours has just reproduced one of your excellency's notes, dated December 30 of last year, which is a reply to the circular in which my government, informing those of republican America of a convention for peace and arbitration arrived at between Colombia and Chili, invited them to adhere to this act of elevated as well as advantageous international policy and requested them, moreover, to send, before a certain date, to the city of Panama, their representatives for the purpose of there giving a solemn and definite form to their adhesion.

The original text of your excellency's said note has not yet been received in the department under my charge, but my government does not hesitate to consider the printed

version authentic, and because of the exhaustiveness and ability with which your excellency has treated the subject of this correspondence, as well as in view of the proximity of the date set for the realization of our purposes, the President of Colombia has issued special instructions to me, a succinct relation of which in this note will bring about, I am sure, the agreement now almost reached between the two governments on the lines laid down by your excellency.

My Government's said circular did not set forth, as its character of a simple invitation to agree upon the general principles embodied in that of arbitration precluded it, the detailed exposition of each and all of said principles. Moreover upon proposing therein that the Spanish-American nations, whose advanced political institutions compel them to observe the most equitable international rules, adopt arbitration as a means of settling their controversies, it was understood that the basis necessary to this end must be the express adoption of the doctrines of justice and the principles of common security which your excellency sets forth in the elaborative part of your note, doctrines and principles which in Colombia constitute not merely a theory more or less popular or changeable but the unvarying history of its policy, and the standard of action of all of its administrations.

The history of the great Republic of Colombia, as well as the contemporaneous history of the single section which now bears that glorious name, is too well known to your excellency and your illustrious Government to make it necessary for me to enter upon the enumeration of the abundant precedents it affords of the general adoption and putting into practice of those sound doctrines.

In the long and complicated record of its negotiations as to boundaries, Colombia has never for a moment deviated from the fundamental principle of the *ute possidetis* of law, or be it from the colonial administrative tradition in force at the historical time when the war of independence ended, the present Spanish-American nations were organized.

Our foreign policy, but an extension of our domestic policy, has been and is so peaceful, fraternal and friendly

towards all countries, and more especially towards those who share with us history, institutions, and tendencies, that, happily, there have not been many opportunities to prove, even in the flush of success, our adhesion, firm and based on conviction, to all those triumphs of progress which give to modern international law its most noble and fruitful character, that is, that of a code of morals which assures mutual respect and harmony among all nations.

When, notwithstanding this, as a consequence of the natural imperfection of things human, war broke out, and the arms of Colombia were victorious, she did not go a whit beyond what is in keeping with countries governed by public opinion, and in which so safe a guide is enlightened enough and sufficiently untrammelled to deny support to enterprises exclusively engendered by ambition and force.

Professing such doctrines and keeping in line with such precedents, Colombia has always ignored the pretended existence of territories without owner, or which can be considered *res nullius*; and on a stated occasion, when the fillibusterism epidemic laid waste the Central American coast, she solemnly protested against the policy of a great nation, in so far as it tended to give weight and authority to the acts of the victorious usurpation. "Be its importance what it may," it said at that time, "and its power, consisting more than all in the patriotism of its sons, it can not and ought not to admit, by its authority or its silence, such principles, in its judgment, at variance with the inherent sovereignty of the nations and a constant menace to the peace and the independence of those which have established themselves on these continents."

Finally, our conventional law, and particularly that establishing and defining our relations with Spanish countries, comprises all those measures of Christian foresight tending to prevent war, and which, even on the eve thereof and its most doleful extremes, favors and stimulates the peaceful mediation of neutral and friendly States.

This succinct relation of the character of our policy and of the principles upon which it is based, will carry, I doubt not, to the mind of that illustrious Government the con-

viction that the considerations with which your excellency explains at length the purposes of a common agreement between the Republic States of South America, have not been expressly omitted by ours. It is to be hoped, therefore, that the Argentine Republic will not fail of representation at Panama, a convention to which the majority, if not all of the other Spanish States, have already offered to send a representative. It will not be out of place to say to your excellency that Colombia's initiatory, so kindly characterized and embraced by your Government, is intimately related to the great destinies reserved for that portion of the Colombian territory, with the character which our policy has imprinted upon it. Across that isthmus there is to be cut, in fact, a neutral canal which will place the two hemispheres in communication. There the diversified races and various civilizations of the world are called to mingle and consolidate, and it is natural that the Spanish-American countries, participators, too, in the future advantages of so great an enterprise, should be those called upon to inaugurate with their mutual understanding and the noble obligation to settle their controversies rationally, the era of active and fruitful peace which those works of labor and of universal capital promise the countries of the world.

The Argentine Republic occupies, it is true, a geographical position which removes her somewhat from the enjoyments of those benefits, but the people and Government are too enlightened to ignore the fruitful solidarity of all progress, even though the theater of its action be removed.

My Government counts upon this note being satisfactory to that of that Republic, and entertaining so pleasant a hope, I have the honor to express to your excellency the sentiments of high consideration with which I subscribe myself,

Your obedient servant,

RICARDO BECERRA.

His Excellency Mr. BERANDO DE IRIGOYEN,  
*Minister of Foreign Relations of the Argentine Republic,*  
*Buenos Ayres.*

*The Reply of Guatemala.*

DEPARTMENT OF  
FOREIGN RELATIONS OF GUATEMALA,  
*Guatemala, January 3, 1881.*

MR. MINISTER: I had the honor to receive your favor, dated October 11 of last year, and an accompanying copy of the treaty signed in Bogota on the 3d of last September.

Your excellency is pleased, through your note, to extend an invitation to the Government of Guatemala to send a representative, in September of the current year, to the city of Panama with the object of extending the treaty between Colombia and Chili, which has for its object the abolishment of national wars in America and the settlement, by arbitration, of all questions arising between the various countries.

The idea is as philanthropic as it is grand and beneficent. Its fulfillment will be one of the greatest triumphs of modern civilization.

Should the project fail, it will still be an honor for Colombia to have made so noble an effort towards its accomplishment.

The Government of Guatemala congratulates itself as the recipient of so flattering an invitation, and has the honor to assure your excellency, through me, that it will send to Panama, on the steamer of the last of August, the representative requested.

This opportunity affords me the honor to assure you that I am your excellency's most obedient servant,

LORENZO MONTÚFAR.

HIS EXCELLENCY THE MINISTER OF FOREIGN RELATIONS OF  
COLOMBIA.

*The Reply of Salvador.*

DEPARTMENT OF  
FOREIGN RELATIONS OF SALVADOR,  
*San Salvador, January 5, 1881.*

MR. MINISTER: I have had the honor to receive your excellency's courteous dispatch, dated October 11 of last year, accompanying a copy of the treaty entered into

between Colombia and Chili on September 3 of the same year.

Your excellency's government, inspired by the principles of the soundest policy, and essentially humanitarian, is pleased to invite my government, together with those of the other Latin Republics, to send representatives to Panama in September of the present year in order that they may adhere to the said treaty and establish as a principle of the international law of Latin-America the obligation in perpetuity to settle by arbitration all controversies which may arise between any of the contracting countries which it has not been possible to settle through diplomatic channels.

My government at once enthusiastically accepts so philanthropic an idea, the realization of which will prove the most glorious achievement of modern civilization, and at the proper time it will send its plenipotentiary to Panama.

I avail myself of this opportunity, Mr. Minister, to convey to your excellency, together with the admiration and sympathy which the noble Colombian nation has always inspired in me, the sincere assurances of regard and respect with which I have the honor to be your excellency's most attentive and faithful servant,

S. GALLEGO.

His excellency the MINISTER OF FOREIGN RELATIONS  
OF THE UNITED STATES OF COLOMBIA, BOGOTA.

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*The Reply of Ecuador.*

DEPARTMENT OF  
FOREIGN RELATIONS OF ECUADOR,

*Quito, January 5, 1881.*

MR. MINISTER: Your excellency's important note, dated October 11 last, and the authenticated copy of the convention concluded in Bogota on the 3d of September last between the plenipotentiaries of Colombia and Chili, were received and by me laid before his excellency the President of the Republic, who has instructed me to ex-



press to your excellency his most sincere acknowledgment for the invitation extended to my government, thus giving it another proof of the fraternal regard in which it is held by the cabinet at Bogota, and which that at Quito returns, hoping that the relations between the two countries may be every day more intimate.

The saving principle of arbitration for the settlement of international controversies, especially touching questions of boundaries and national pride, will make of the territory of the continental nations accepting and practicing it the land of promise for mankind, where America may offer to all nations the conjunction of the most sublime triumphs of civilization.

Even laying aside the preceding remarks, my government could not decline your excellency's generous invitation without violating a duty, for in Ecuador the important principle of international arbitration in the negotiation of public treaties has been raised to a constitutional canon. The article to which I allude in our constitution says, literally:

“In every negotiation for the conclusion of international treaties of friendship and commerce it shall be proposed that differences between the contracting parties should be settled by arbitration by a friendly power or powers, without resorting to arms.”

If, then, this Republic has been the first in South America to give, to a certain point, a practical form to the most humane and transcendent principle of modern civilization, its Government will also be one of the most solicitous to be represented at the congress of plenipotentiaries to meet in Panama next September.

I gladly take this opportunity to renew to your excellency the distinguished consideration with which I subscribe myself your very attentive and obedient servant,

CORNELIO C. VERNAZA.

The Most Excellent MINISTER OF FOREIGN RELATIONS  
OF THE REPUBLIC OF COLOMBIA, BOGOTA

*The Reply of Bolivia.*

DEPARTMENT OF FOREIGN RELATIONS OF BOLIVIA,  
*La Paz, January 10, 1881.*

SIR: I have had the honor to receive, together with your courteous communication of the 11th of October of last year, an authenticated copy of the convention concluded in Bogota between the United States of Colombia and the Republic of Chili, by virtue of which both nations bind themselves in perpetuity to decide all their controversies through the humane means of arbitration, and to agree upon analogous conventions with the other States to the end that the settlement of every conflict by those means shall become a principle of American public law. And with such lofty purposes, which tend to wipe out from the continent the calamities of war, your excellency is pleased to invite the Government of Bolivia to take part in the international council initiated by the most excellent Government of Colombia.

It does your excellency's Government great honor to have been the prime mover in a scheme which, if carried out to its fullest extent, will exercise a beneficent influence on the destinies of all America, and pave the way to the aggrandizement of the nations of the remotest posterity. As a matter of fact, what progressive movement war could impress on our continent is beyond comprehension. If in wise and cultured Europe it has been continuous, owing to causes destined to disappear completely, it is meaningless in nationalities which, united and free, sprang from the Spanish colonies. Here in America do not exist those great and irremediable antagonisms of race, of creeds, of superiority, of obstinate traditions, which, failing to accomplish peaceful development, break out in armed conflicts. On the contrary, a thousand circumstances unite to maintain that republican America is destined to be the true home of justice, of law, and of peace. The nationalities comprising it, of common origin and destiny, emancipated from the decadent mother country, vigorously impelled by identical necessities, and thanks to heroic sacrifices, have obeyed the progressive movement

which has brought out the advanced doctrines of the good understanding of the nations of the New Continent.

With vast territories that in the course of centuries will offer space and accommodations to the most increasing population, and with prodigious sources of wealth, powerful stimulant which encourages work, the new Republics providentially charged to herald the advent in all its splendor of democracy and its strict application to international existence, need to firmly unite by all possible bonds to show themselves great, powerful, and strong before the civilized world.

\* \* \* \* \*

In Europe itself, where the wiping out at one stroke of antagonistic precedents accumulated in the course of time is not attainable, the substitution of arbitration for war has already passed from the meditations of the wise into the public conscience, and it may be looked upon as definitely embodied in the science of international law.

\* \* \* \* \*

My Government, convinced that all international agreements preparing the way for the abolishment of war, or tending to civilize it in behalf of peace, are the great aspirations of cultured nations, hastens gladly to send to Panama at the time designated by your excellency, the Bolivian representative, armed with the fullest powers to sign, together with the Government of Colombia and the representatives of the American Republics who extend so frank adhesion to the principle of arbitration, the great compact of continental good understanding initiated by your excellency's Government.

\* \* \* \* \*

In connection with so worthy a motive, I have the honor to express to your excellency the sentiments of particular distinction and respect with which I subscribe myself,

Your obedient and faithful servant,

C. CARRILLO.

The Most Excellent MINISTER OF FOREIGN RELATIONS  
OF THE UNITED STATES OF COLOMBIA, BOGOTA.

*The Reply of Uruguay.*

DEPARTMENT OF FOREIGN RELATIONS,  
*Montevideo, January 28, 1881.*

The undersigned, Minister Secretary of State in the Department of Foreign Relations, has the honor to reply to the note he received recently, addressed by the Most Excellent Minister of Foreign Relations of Colombia, under date of October 11 last.

With that note your excellency transmits the treaty concluded between the United States of Colombia and the Republic of Chili, by which the two Republics bind themselves in perpetuity to settle whatever difficulties or controversies may arise between them through the humane and civilized medium of arbitration, and to secure from the other sister nations the negotiation of similar conventions, for the purpose of forever banishing international wars from the American Continent.

Your excellency manifests that your Government, being the initiator of this measure, considers it of such importance that it has wished not to lose one moment in making it known to all the others in America, so that they may at once adhere to it, and the principle the said convention embodies be adopted as an essential and integral principle of American public law.

His excellency the President of the Republic, having informed himself of so important a document, has instructed the undersigned to convey, through your excellency, his cordial congratulations to the illustrious Government of Colombia for the noble and patriotic invitation, together with his sincere adhesion to the initiative with which he is honored, which he will endeavor to carry into effect by the means and in the form prescribed in the constitution of the Republic with reference to international compacts.

His excellency, the President, considers the convention of the 3d of September, 1880, as the happy complement of the wise and humane resolution of the plenipotentiaries of the Congress of Paris in 1856 to the effect that: "States between which any serious misunderstanding should arise

should, before resorting to arms, appeal, as far as circumstances shall permit, to the good offices of a friendly power.”

That resolution met with the approval of the Eastern Government (Uruguay), as well as the majority of the governments of Europe and America; but a sorrowful experience has shown that it was forgotten, or ineffectual to prevent disastrous wars.

Obligatory arbitration will undoubtedly have greater efficacy, but there will be surely no objection to accompanying it with other provisions to guaranty its enforcement.

Controversies and difficulties of every kind being submitted to arbitration, disputes as to boundaries or territorial integrity should be understood as being included, and so your excellency's note would indicate when it asserts that the saving principle which the transcendent compact concluded between Colombia and Chili embodies will undoubtedly secure the prevention of war growing out of international disputes, especially upon questions of boundaries.

The beneficent views of that agreement will be more surely realized by laying down principles and rules which shall render those controversies impossible.

The Eastern (Uruguayan) Government hopes that that of Colombia will accord with these ideas in view of the official declaration of its most excellent envoy extraordinary and minister plenipotentiary in France.

His excellency, in a note of the 9th of December to the Uruguayan legation in Paris, accompanying a copy of the said treaty, requests that he recommend to his Government to subscribe the arbitration treaty through the representative it sends to the Panama congress in the month of September, and adds: “It is also possible that in said congress there be adopted some other principles as essential to American public law, which can not be like the European in every particular, be it because of diversity of circumstances or difference in administration.”

Having explained the sense in which the President gives his adhesion, the undersigned reiterates in the name of his

excellency the most sincere congratulations to the most excellent Government of Colombia for the lofty sentiments which inspire it in favor of the peace and harmony of the American nations, and which contribute so much to strengthen the friendly relations which happily exist between the United States of Colombia and the Eastern Republic of Uruguay.

The undersigned honors himself in greeting his excellency, Mr. Eustacio Santamaria, with the most distinguished consideration.

JOAQUIN REQUEÑA Y GARCIA.

His excellency, Mr. EUSTACIO SANTAMARIA,  
*Minister of Foreign Relations*  
*of the United States of Colombia.*

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*The Reply of Honduras.*

DEPARTMENT OF FOREIGN AFFAIRS,  
 REPUBLIC OF HONDURAS,  
*Tegucigalpa, February 20, 1881.*

MR. CHARGÉ D'AFFAIRES. I have had the honor to receive your very courteous dispatch, dated at San José de Costa Rica, on the 2d of December last, and by which you were pleased to inform me that your Government had directed you to transmit the circular letters which it had addressed to the Central American Governments, urging them to conclude an arbitration convention which may settle peacefully the disagreements or questions which may arise between the contracting parties. And you have accordingly transmitted, together with your said dispatch, the circular intended for the Government of this Republic.

It gives me pleasure to inform you that my Government adopts, with the profoundest satisfaction, the humane and fraternizing proposal of the Government of the United States of Colombia; and that accordingly it has had the honor to reply, promising to send a representative to Panama to sign the important arbitration convention sug-

gested from motives whose elevation can not be sufficiently appreciated.

The reply which my Government makes to the circular in question accompanies this despatch, and I beg that you will be pleased to forward it to its distinguished destination. I deem it proper to state that, being in doubt as to your being still at the capital of that Republic, my Department has transmitted directly to his excellency the secretary of foreign affairs of Colombia a duplicate of the reply to the circular of your Government.

I avail myself of this opportunity to offer you the assurances of my most respectful and distinguished consideration.

Your devoted and faithful servant,

RAMON ROSA.

His Excellency the CHARGÉ D'AFFAIRES  
OF COLOMBIA IN COSTA RICA—BOGOTA.

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*The Reply of Honduras.*

DEPARTMENT OF FOREIGN AFFAIRS,  
REPUBLIC OF HONDURAS,  
*Tegucigalpa, February 20, 1881.*

Mr. MINISTER. I have had equal honor and pleasure in receiving, together with your interesting dispatch of October 11 last, an authenticated copy of the convention entered into at Bogota, on the 3d of September of the year last past, by the Governments of Colombia and Chili, and by which the two Republics bind themselves in perpetuity to remove whatever difficulties or controversies may arise between them by the humane and civilized method of arbitration, and to recommend to the other sister nations the celebration of mutual conventions similar to the one in question, with the object of eliminating forever from the American continent all international wars.

Your excellency, after setting forth appropriately and with notable elevation and lucidity of ideas, the reasons which moved your Government to celebrate that most important convention already mentioned, was pleased to add that his excellency the President of the Republic of the

United States of Colombia, desiring to facilitate for all the sister nations the adoption of so beneficent a measure, has determined to return to Panama early in September of the current year, having first directed you to request my Government to send a representative of this Republic to said city, empowered to subscribe said convention, not only with your excellency's Government, but with the Governments of the other American Republics which shall send their representatives thither.

Let me be permitted to state to your excellency that, in the opinion of my Government, honor redounds to Colombia, honor redounds to all Latin-America, from the adoption of the great and (in many respects) transcendent idea which the Colombian Government has put forward on the occasion of the celebration of said convention with Chili, by proposing that its provisions—provisions which are certainly of incalculable importance to the peace and the civilization of the countries of Spanish-America—be adopted by the Governments of the States which upon this continent are historically destined to bring into actual existence “law” in the sense in which that stands for right (“*derecho*”), to the advantage of humanity and the honor of our age.

Such ideas, which nourish the faith of enlightened spirits in a future of peace, of progress, and of fraternity for the nations of the New World, are doubtless those which have suggested to your excellency's Government the happy thought of putting an end, through the authoritative intervention of the law, to the international conflicts and wars which from an early date have impoverished, discredited, and even dishonored the nations of America (nations) which began their career with a profound sense of right (“*derecho*”); which have achieved social and political reforms most worthy of being prized; and which by their genius and their command of the elements of wealth and prosperity are destined to win at no distant day, by their union, their order, and their progress, the most benevolent and respectful consideration of the civilized world.

It has fallen to the lot of your excellency's Government to promote, in a spirit of elevated humanity, the definitive



establishment of the peace of Spanish-America; to subserve one of its most important interests, and to prepare the advent of that Latin-American Union anticipated by the genius of Bolivar the Liberator, and which is to-day the aim of the enlightened policy of your excellency's Government; for, in truth, to assure the peace of the Latin-American countries, to connect and strengthen their interests, to cause their fraternity to be realized from day to day, is to go straight toward a Latin-American Union, is to give a full and transcendent reality to what was once the most beautiful dream of the greatest man of republican America.

Under the influence of what your excellency has said, and of the considerations above expressed, which naturally inspire a genuine enthusiasm, I can not refrain from saying to your excellency, with sincere satisfaction, that my Government is disposed to send to the city of Panama, in the beginning of September next, a representative fully empowered to join your excellency's Government and the Plenipotentiaries of the American Republics in concluding the arbitration convention which is to put an end to the period of fratricidal wars on our continent, and open the happy era of peace and fraternity among the nations of Spanish-America.

Let your excellency's Government accept the heartiest congratulations of my Government on the great thought which it has enunciated in the interest of civilization and the future of America, and let your excellency receive the assurances of my highest and most distinguished consideration, with which I subscribe myself your attentive and obedient servant.

RAMON ROSA.

His Excellency DON EUSTACIO SANTAMARIA,  
*Secretary of State in the Department of Foreign Affairs of  
the Government of the United States of Colombia, Bogota.*

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NOTE.—The Congress of 1881, to which the foregoing papers refer, was not held, as it appears, owing to the war which broke out in South America just about the time which had been fixed for its meeting.



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CORRESPONDENCE  
RELATING TO THE  
PROPOSED CONGRESS AT WASHINGTON  
IN  
1882..

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CORRESPONDENCE RELATING TO THE PROPOSED  
CONGRESS AT WASHINGTON IN 1882.

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[Circular Letter.]

*Mr. Blaine to Mr. Osborn.*

No. 156.]

DEPARTMENT OF STATE,  
*Washington, November 29, 1881.*

SIR: The attitude of the United States with respect to the question of general peace on the American continent is well known through its persistent efforts for years past to avert the evils of warfare, or, these efforts failing, to bring positive conflicts to an end through pacific counsels or the advocacy of impartial arbitration.

This attitude has been consistently maintained, and always with such fairness as to leave no room for imputing to our Government any motive except the humane and disinterested one of saving kindred States of the American continent from the burdens of war. The position of the United States as the leading power of the New World might well give to its Government a claim to authoritative utterance for the purpose of quieting discord among its neighbors, with all of whom the most friendly relations exist. Nevertheless, the good offices of this Government are not and have not at any time been tendered with a show of dictation or compulsion, but only as exhibiting the solicitous good-will of a common friend.

For some years past a growing disposition has been manifested by certain States of Central and South America to refer disputes affecting grave questions of international relationship and boundaries to arbitration rather than to the sword. It has been on several such occasions a source of profound satisfaction to the Government of the United States to see that this country is in a large measure looked to by all the American powers as their friend and media-

tor. The just and impartial counsel of the President in such cases has never been withheld, and his efforts have been rewarded by the prevention of sanguinary strife or angry contentions between peoples whom we regard as brethren.

The existence of this growing tendency convinces the President that the time is ripe for a proposal that shall enlist the good-will and active co-operation of all the States of the Western Hemisphere, both north and south, in the interest of humanity and for the common weal of nations. He conceives that none of the governments of America can be less alive than our own to the dangers and horrors of a state of war, and especially of war between kinsmen. He is sure that none of the chiefs of governments on the continent can be less sensitive than he is to the sacred duty of making every endeavor to do away with the chances of fratricidal strife. And he looks with hopeful confidence to such active assistance from them as will serve to show the broadness of our common humanity and the strength of the ties which bind us all together as a great and harmonious system of American commonwealths.

Impressed by these views, the President extends to all the independent countries of North and South America an earnest invitation to participate in a general congress, to be held in the city of Washington on the 24th day of November, 1882, for the purpose of considering and discussing the methods of preventing war between the nations of America. He desires that the attention of the congress shall be strictly confined to this one great object; that its sole aim shall be to seek a way of permanently averting the horrors of cruel and bloody combat between countries, oftenest of one blood and speech, or the even worse calamity of internal commotion and civil strife; that it shall regard the burdensome and far-reaching consequences of such struggles, the legacies of exhausted finances, of oppressive debt, of onerous taxation, of ruined cities, of paralyzed industries, of devastated fields, of ruthless conscription, of the slaughter of men, of the grief of the widow and the orphan, of embittered resentments, that long sur-

vive those who provoked them and heavily afflict the innocent generations that come after.

The President is especially desirous to have it understood that in putting forth this invitation the United States does not assume the position of counseling, or attempting, through the voice of the congress, to counsel any determinate solution of existing questions which may now divide any of the countries of America. Such questions can not properly come before the congress. Its mission is higher. It is to provide for the interests of all in the future, not to settle the individual differences of the present. For this reason especially the President has indicated a day for the assembling of the congress so far in the future as to leave good ground for hope that by the time named the present situation on the South Pacific coast will be happily terminated, and that those engaged in the contest may take peaceable part in the discussion and solution of the general question affecting in an equal degree the well-being of all.

It seems also desirable to disclaim in advance any purpose on the part of the United States to prejudge the issues to be presented to the congress. It is far from the intent of this Government to appear before the congress as in any sense the protector of its neighbors or the predestined and necessary arbitrator of their disputes. The United States will enter into the deliberations of the congress on the same footing as the other powers represented, and with the loyal determination to approach any proposed solution, not merely in its own interest or with a view to asserting its own power, but as a single member among many co-ordinate and co-equal States. So far as the influence of this Government may be potential it will be exerted in the direction of conciliating whatever conflicting interests of blood, or government, or historical tradition may necessarily come together in response to a call embracing such vast and diverse elements.

You will present these views to the minister of foreign relations of the \* \* \* enlarging, if need be, in such terms as will readily occur to you, upon the great mission which it is within the power of the proposed congress to accomplish in the interest of humanity, and upon the firm

purpose of the United States to maintain a position of the most absolute and impartial friendship towards all. You will thereupon, in the name of the President of the United States, tender to his His Excellency the President of \* \* \* a formal invitation to send two commissioners to the congress, provided with such powers and instructions on behalf of their Government as will enable them to consider the questions brought before that body within the limit of submission contemplated by this invitation. The United States, as well as the other powers, will in like manner be represented by two commissioners, so that equality and impartiality will be amply secured in the proceedings of the congress.

In delivering this invitation through the minister of foreign affairs you will read this dispatch to him and leave with him a copy, intimating that an answer is desired by this Government as promptly as the just consideration of so important a proposition will permit.

I am, etc.,

JAMES G. BLAINE.

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THE REPLY OF VENEZUELA.

*President Guzman Blanco to Minister Carter.*

CARACAS, *January 5, 1882.*

ESTEEMED SIR: The minister of foreign relations has acquainted me with the contents of your note in relation to the American Congress in Washington at the end of the present year. This idea is so transcendental, elevated, far-seeing, and practical that, although an official reply will be sent by this Government, I hasten personally to express, through you, my felicitations to the President and statesmen who direct the policy of North America. The future of South America may be looked upon as assured under the safeguard of the great Republic, which is at once our teacher and our model.

Receive, Mr. Minister, with the gratitude, the assurances of the esteem of

Your most obedient servant,

GUZMAN BLANCO.

HON. G. W. CARTER.



*Secretary Seijas to Minister Carter.*

CARACAS, *January 7, 1882.*

SIR: I have the honor to inform your excellency that I have received and submitted for the consideration of the President of the Republic the official communication from your legation of the 29th ultimo, in which you convey the information that the President of the United States of America has under consideration the formation and assembling of a Peace Congress, to be composed of all the independent States of North and South America, to convene in Washington on the 22d of November, 1882, with the object of discussing and adopting practicable means, distinct from a recourse to arms, for the adjustment of controversies which may arise upon questions of boundaries or other causes among the independent political communities of the Western hemisphere, or between different divisions or sections thereof, to the end that the misfortunes and grievous burdens of war may be averted.

Your excellency refers for an explanation of the nature and objects of the proposed Congress to the letter of the most excellent Mr. Blaine, Secretary of State, a copy of which you inclose and which you had previously read to me.

The moment that the illustrious American heard the contents of these communications read he regarded the idea expressed in them as grand and worthy of being accepted with enthusiasm by all the Spanish-American Republics, as being in the direct line of their aspirations and coincident with that which inspired Bolivar to the formation of the Congress of Panama, so fervently commended by the President of the United States, Mr. John Quincy Adams.

It is certainly an occasion of gratification that the first republic of the world, faithful to its noble antecedents, in view of the increasing disposition of these countries to seek in arbitration and not in force the solution of international difficulties, and to regard it as their friend and mediator, after having, on various occasions, interposed its good offices and succeeded in preventing conflicts or putting an end to those already in existence, without any preten-

sions to a dictatorship and solely as a manifestation of common friendship, moved solely by impulses of philanthropy and civilization, has taken the lead in a matter of so much importance to the other nations of the Western continent, and eagerly takes advantage of the great influence derived from its immense progress and power to terminate the horrible calamities of war between brothers, and deigns to preside over the deliberations of a Peace Congress, which has for its object the search for the means of arranging future misunderstandings without an appeal to war and its fatal consequences.

And their pleasure is increased by the contemplation of the fact that the United States are proceeding in a manner which respects the independence, the other attributes of sovereignty, and especially equality between themselves and the nations invited to compose the Congress, offering to bring to bear all their influence towards the conciliation of all opposing interests in the states which accept the invitation, of even assuming the expenses of the organization of the Congress, the interpretation and publication of its proceedings, etc., as your excellency has informed me in an official communication of a later date.

A proposition so exalted carries within itself the assurance of its successful accomplishment by the Government which has undertaken it; hence, there is especial reason for the hope that on the present occasion there shall be no failure of the efforts dedicated to the suppression of war between the nations of the American continent. Should this be successful, the example will not be lost on the other hemisphere, and the world shall witness the disappearance of that scourge and the substitution for the consolation of humanity and as a manifest sign of progress, of practices of love for the lives and property of men united in fraternal accord.

It is proposed to put in execution the same thought which ruled the breast of every Venezuelan when, from the 19th of April, 1819, they repeated the heroic and prophetic cry: "Long live Free America!"

It is the far-seeing anticipation of the immortal Bolivar when in the midst of a war to the death he proclaimed it

to the Argentines and invited them to a fraternal embrace upon the summits of the Andes in the center of the continent on the day of his last victory.

It is the plan formulated by Bolivar as the consummation of the work of independence, and for whose realization he convoked the Congress of Panama in 1825.

And, finally, it is the luminous design with which other continental congresses have since convened, among them that of Lima in 1864, in which Venezuela participated.

The President of the Republic, who has had occasion to appreciate the good-will and mediation of the United States in its favor, and who expects everything as the outcome of a solid and permanent peace between the nations of America, accepts with pleasure the invitation for the Peace Congress in Washington, and in due time will designate the two Commissioners to represent Venezuela, providing them with the necessary powers and instructions.

I renew to your excellency the assurances of my high consideration.

RAFAEL SEIJAS.

The Most Excellent Mr. GEO. W. CARTER,  
*Minister Resident of the United States of America.*

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THE REPLY OF GUATEMALA.

*Secretary Cruz to Minister Logan.*

DEPARTMENT OF  
FOREIGN RELATIONS OF GUATEMALA,  
*Guatemala, January 12, 1882.*

SIR: I have had the honor to receive your excellency's communication, accompanied by a copy of the highly important dispatch recently transmitted by your excellency's Government inviting the independent governments of America to participate in a general peace congress, to be convened in the city of Washington, and which is to enter upon its labors on the day of November, 1882.

I immediately laid before the President of the Republic your excellency's communication and the very notable dis-

patch to which it refers, and the purpose of which was to invite my Government to send two representatives to the congress to be held under the auspices of the Government of the United States of America, which has generously offered to defray the expenses and make the arrangements for the realization of that exalted and friendly project, leaving to the invited nations only the expenses of their own representatives.

The President has welcomed this exalted idea with the greatest enthusiasm, and has received with profound and heartfelt satisfaction the invitation extended to my Government. It could not be otherwise in view of his sincere and manifest consideration and deference for the great Republic, by whose friendship and cordial attitude he feels honored, and whose institutions and greatness he admires; it could not be otherwise in view of the probability that only under the auspices and through the initiative of so worthy and powerful a nation will peace be practically realized between the peoples of this beautiful continent, now so frequently distressed by inexplicable contests and wars, but who need only internal tranquillity and union and cordial relations among themselves, to profit fully by the abundant elements of prosperity which they possess, and to fulfill the great destinies to which they are called.

My Government therefore gladly undertakes to send to the congress, which will mark an epoch in history, two representatives, with full powers and instructions to discuss and point out the best methods for preventing wars between the nations of America. It rejoices to learn that the United States are about to add to the long catalogue of glories which constitute their history the incomparable glory of converting into a reality what until now has been deemed only the most beautiful dream of philanthropy and the greatest but almost impossible aspiration of humanity.

Your excellency will permit my Government to communicate, through you, to the Government of the American Union the most cordial felicitations and earnest thanks. The first step has been taken; the movement has been initiated, and it can not be doubted that it will be carried to

a successful termination, led as it is by the nation which never retreats from its purposes, but, on the contrary, pushes them forward with resolution and enthusiasm, so as to astonish the other nations which wonder at its energy and vigor.

I avail myself of so welcome an occasion again to assure your excellency that I am, with the most distinguished consideration and esteem,

Your very faithful and attentive servant,

FERNANDO CRUZ.

His Excellency Mr. CORNELIUS A. LOGAN, etc., *present*.

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THE REPLY OF BRAZIL.

*Secretary De Sa to Minister Osborn.*

DEPARTMENT OF FOREIGN AFFAIRS,

*Rio de Janeiro, February 8, 1882.*

I have had the honor to receive the note which Mr. Thomas A. Osborn, envoy extraordinary and minister plenipotentiary of the United States of America, was pleased to address me on the 3d instant, repeating the invitation which in our interview of that day he extended in the name of the President of the United States that Brazil send two commissioners to the congress to be opened in Washington on November 22d, to consider and discuss the means to prevent war between the nations of America.

In answer to that note I have the honor to communicate to Mr. Osborn that his Majesty the Emperor, by agreement with his ministers, has resolved to accept said invitation, and that accordingly Brazil will be represented in the proposed congress, in conformity with the terms of the dispatch of the American Government of which the honorable minister had the goodness to leave me a copy.

I avail myself with the pleasure of this opportunity to reiterate to Mr. Osborn the assurances of my high consideration.

F. FRANCO DE SÁ.

Mr. THOMAS A. OSBORN, etc.

## THE REPLY OF SALVADOR.

*Secretary Gallegos to Minister Logan.*

DEPARTMENT OF FOREIGN AFFAIRS OF SALVADOR,  
*San Salvador, February 13, 1882.*

SIR: I have had the honor to receive your excellency's courteous dispatch dated January 4 last, and with it a copy of the notable and important circular which the Cabinet at Washington has addressed, under date of November 19 of the year last past, to the Governments of the American continent, inviting them to send plenipotentiaries to a congress which is to assemble in that capital on the 22d day of November of the present year, and which will endeavor to discover means for preventing wars between the nations of the New World.

The President of the Republic has carefully studied the important considerations which have suggested to the American Government that grand and humane idea, as also the exalted views which it entertains as to the matters to be submitted to the deliberations of the congress; and recognizing in both that spirit of fraternity and americanism characterizing the principal tendencies of the nations of this continent, in harmony with their noblest and most positive interests, he (the President) could not but welcome with enthusiasm the generous views of the American Government, whose leadership in a work of civilization and peace destined to exalt the good name and assure the progress of these Republics, he congratulates.

My Government, then, accepts at once the invitation extended to it by that of your excellency; and, in compliance with its wishes, proposes to send, on the occasion mentioned, the two plenipotentiaries who are to represent it, with appropriate instructions.

In the meantime I take pleasure in reiterating to your excellency the assurances of distinguished consideration with which I have the honor to subscribe myself,

your most attentive servant,

SALVADOR GALLEGOS.

HON. CORNELIUS A. LOGAN,  
*Minister Resident of the United States in Central America, Guatemala.*

## THE REPLY OF NICARAGUA.

*Secretary Medina to Minister Logan.*

MANAGUA, *February 14, 1882.*

SIR: Your polite communication dated the 4th of January last, inclosing a copy of a dispatch which your excellency had received from the Department of State, conveying instructions to invite all the States of Central America, in the name of your Government, to send two special commissioners to the general Peace Congress proposed to be held in Washington during the month of November next, has been received.

Without time to properly respond to this important communication, and applauding the philanthropic purposes your excellency's Government has in view, I restrict myself at this time to informing you that the Government of this Republic will take the matter under serious consideration, and that in due time I shall have the honor to communicate to you the resolution which may be adopted.

It affords me much pleasure to renew to your excellency the assurances of my distinguished consideration.

F. J. MEDINA.

Hon. CORNELIUS A. LOGAN,

*Minister of the United States in Nicaragua.*

## THE REPLY OF HONDURAS.

*Secretary Rosa to Minister Logan.*

MINISTRY OF FOREIGN RELATIONS,

*Tegucigalpa, February 20, 1882.*

Mr. MINISTER: I have received the communication of your excellency of the 4th of January last, and with it the important dispatch of his excellency the Minister of State of the United States of America, inviting my Government, through your excellency, to be present, by means of two commissioners, at the Peace Congress to be assembled in Washington on the 22d of November of the current year. I have referred the contents of the aforesaid documents, so worthy of high appreciation, to His Excellency the Presi-

dent of this Republic, who has instructed me to say to your excellency that the Government over which he presides fully reciprocates the noble sentiments and elevated aspirations which the dispatch of his excellency the Minister of State of the United States contains ; that it accepts with much pleasure the cordial and noble invitation addressed to it through your excellency, and that in due time he will appoint two commissioners, with ample instructions, to attend the great Peace Congress which, it is to be hoped, for the welfare of Latin America and the honor of the United States, will settle questions of the greatest interest to the future of the nations of the American continent.

I regret that your excellency has not been able, by reason of ill health, to visit this capital, where my Government would have been pleased to hear your opinions and remarks on this important affair. But this regret is in part compensated by the pleasure I have in congratulating you for the lofty sentiments expressed in your communication.

You excellency will be pleased to communicate the terms of this dispatch to his excellency the Minister of State of the United States, and receive the assurance of my distinguished consideration.

Your very attentive servant,

RAMON ROSA.

His Excellency CORNELIUS A. LOGAN,  
*Minister Resident of the United States in  
 Central America, Guatemala.*

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THE REPLY OF BOLIVIA.

*Secretary Zulocti to Minister Adams.*

MINISTRY OF FOREIGN RELATIONS OF BOLIVIA,  
*La Paz, February 24, 1882.*

SIR: On the 18th instant I had the honor to receive your excellency's note of the 16th, with which you were kind enough to transmit a copy of a dispatch from the Department of State of the United States to the legation which your excellency so worthily occupies, intended to invite the Government of Bolivia to an American



Congress which shall meet at Washington on the 22d of November of this year. In pursuance thereof, your excellency has been pleased to invite my Government officially to send its representatives to said Congress, called to deliberate upon matters affecting the future peace and prosperity of all the nations of the continent.

This very important dispatch will be brought to the knowledge of my Government, and I am sure it will be appreciated as it deserves, because of the high ends the congress has in view in behalf of America and the stability of its governments, and because of the high purposes with which the most excellent Government of the United States initiates said Congress.

It will be very agreeable to me to transmit to your excellency the reply of the Government of Bolivia.

Meanwhile, expressing my acknowledgment of your excellency's kind attention, I beg to remain with consideration and respect,

Your attentive and obedient servant,

P. JOSÉ ZILOCTI.

His Excellency Mr. CHARLES ADAMS,

*Minister Resident of the United States.*

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THE REPLY TO COSTA RICA.

*Secretary Castro to Minister Logan.*

DEPARTMENT OF FOREIGN RELATIONS,  
*National Palace, San José, February 25, 1882.*

SIR: The very courteous and lucid communication of your excellency, dated 4th of January last, has reached my hand, accompanied with an authenticated copy of the important dispatch which was addressed to your excellency the 29th of November last by his excellency James G. Blaine, Secretary of State in the Cabinet of Washington.

The dispatch alluded to endeavors to show the increased advantage that would accrue if all the independent countries of North and South America should take

part in a general Congress, to meet on the 22d of November of the present year in the city of Washington, and whose principal object will be to consider and discuss means to prevent war between the American nations. To that end, and carrying into effect the lofty aims of the President of the United States in this regard, he invites, in the same dispatch, and also through your excellency, His Excellency the President of this Republic to send two commissioners to the said Congress, provided with the necessary powers and instructions, to take into consideration the questions which might be submitted to said Congress, within the scope of the invitation.

The President of Costa Rica, to whose knowledge I brought the note of your excellency and the copy of the dispatch referred to, has long recognized the necessity of the measure which the President of the United States now suggests and the considerable advantage the Americans will derive from it, as is evidenced by the multitude of documents emanating from the Cabinet of Costa Rica, and the recent punctuality with which the President of this Government sent its representatives to an American Congress, which was agreed to convene in Panama the 1st of December of the year just past. With the same spirit he may enter upon the consideration of the newly proposed Congress and give a definite reply; but he deems it prudent to wait until he ascertains if the Government of the United States persists in its project of an American International Congress since future events, such as the declination of the invitation by the Government of Colombia, may cause it to change its mind.

The Government of the United States will understand, without doubt, the justice of the stand taken by Costa Rica, and here with this occasion I reiterate the assurance of my appreciation and distinguished consideration.

JOSÉ MA. CASTRO.

Hon. CORNELIUS A. LOGAN, etc.

## THE REPLY OF MEXICO.

*Secretary Mariscal to Minister Morgan.*

DEPARTMENT OF FOREIGN RELATIONS,

*Mexico, March 23, 1882.*

MR. MINISTER: I have the honor to reply to your excellency's note, of December 15 last, by which, referring to our interview of the same date, and to the important despatch addressed to you from Washington on November 29th by the Hon. Secretary of State, of which document you were pleased to leave me a copy, you extended, in the name of the Government of the United States of America to the President of the United States of Mexico an invitation to send two commissioners to a general congress of all the independent countries of North and South America, which is to assemble in Washington on November 24th, 1882, for the purpose of examining and discussing means to prevent war between the American nations, such commissioners to have the powers and instructions necessary to the fulfillment of their mission.

The end which your excellency's Government has in view in extending this invitation deserves the sincerest approbation and applause of the Governments to which the invitation is addressed. To avoid the evils of war, which the honorable Mr. Blaine eloquently describes in a few words, is without doubt the noblest of aspirations, that which is most important to the moral and material progress of the nations; that which is fraught with the grandest consequences for humanity. This project, so interesting that it recommends itself to the nations of the globe, acquires double importance when suggested to nations which, like those of the New World, are united to one another, be it by ties of blood, by common political institutions, or at least by the peculiar position in which they all alike stand toward the nations of the Old World. Certain it is that no American Government can, or at least should, feel less impressed than that of your excellency by the dangers and horrors of war, especially when waged by sister nations; and certain also is it that no chief magistrate in the continent of Columbus can be less sensible

than the President of the United States of the necessity of putting an end to those fratricidal struggles. The one difficulty, if any, which will present itself will be as to the practical means by which we may attain an end which is at once justly applauded and universally desired.

The attitude assumed by the Washington Government in this humane enterprise is worthy of the praise of the entire world and the most favorable consideration on the part of the nations concerned. Your excellency's Government deserves especial praise for its respect for the Law, which makes no distinction between the feeble and the strong, when it protests that it does not pretend to dictate or coerce in this matter, but only to manifest the good will, the disinterested solicitude of a friend. In the very act of protesting against force, of promoting its absolute proscription among the American nations, that one of those nations which has undertaken this generous propaganda (though she is the most disinterested, inasmuch as her greater resources make war less dangerous to her) clearly could not take advantage of her position as the principal power of the New World to impose by her authority the methods of putting an end to discord among her neighbors, but could only appeal, as she does, to friendly persuasion, by way of leading them to a voluntary agreement, the only source of rights and of obligations for sovereign communities.

Since 1853 that Government has been engaged in this glorious undertaking, in consequence, as I understand, of a recommendation from the Senate to the President that, whenever it should prove possible, there should be inserted in treaties made an article looking to the submission of the difficulties arising between the contracting parties to the decision of arbitrators chosen by common consent; and even before that date, in 1848, a similar clause had been inserted, with prudent limitations, in the treaty of peace concluded that year by our two nations. It is thus not strange that the United States should now recommend the same idea to all the States of America in general, nor is it strange that Mexico should be found disposed to adopt it.

The Mexican Government, which was sorry not to be able to accept Colombia's invitation to participate, through its representatives, in a congress which was to assemble in Panama for the purpose of signing a treaty similar to that which Colombia had concluded with Chili, binding themselves in perpetuity to submit to arbitration all the questions which might arise between the signatory powers; that Government, which, while admiring and applauding the aims of such a negotiation, could not think that the terms in which they were then embodied were compatible with the just and legitimate interests which it is bound to defend, has now the satisfaction to find that in the project for an American Peace Congress, proposed by your excellency's Government, the serious difficulties which prevented it from participating in the one proposed by Colombia have been obviated.

It appears that in the congress now proposed representation is to be accorded to all of the nations of America, without excluding any, either because of the peculiarity of its form of government, or on account of its superiority in the possession of the elements of power; and that all are to assume the same obligations, upon a footing of perfect equality. This circumstance imparts to the present project a practical importance which, from the point of view of this Republic, was lacking in the earlier one. Furthermore, no specification is made in the project of the United States of the means to be adopted for preventing war, nor is any particular draft of the proposed convention suggested for adoption. Complete liberty is thus left to the parties in interest to discuss and agree upon these points, and to designate, if arbitration should be adopted, the cases in which it can be resorted to, and those in which resort to it is deemed impracticable. It is intended, too, that the commissioners shall meet at a time when questions which are now pending (and in reference to which interests may have come into existence, which would have to be respected) will have been decided, or shall have wholly disappeared.

The Mexican Government, then, does not encounter on this occasion the difficulties which before repelled it, and

it deems it compatible with the national interests to send its representatives to an assembly which is to discuss the methods of insuring peace in the American continent. For these reasons the President of this Republic accepts with pleasure the invitation which, through your excellency, has been addressed to him by the President of the United States of America, to send two representatives to the International American Congress which is to meet in Washington on the 24th of November next.

I take pleasure in communicating this to your excellency, reiterating in this connection, the assurances of my exalted consideration.

IGNACIO MARISCAL.

His Excellency PHILIP H. MORGAN, etc.

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NOTE.—Owing to the international complications in South America the proposed Congress of 1882 was postponed, and the following communication to that effect was sent to the several Governments which had been invited:

[Circular letter.]

*Mr. Frelinghuysen to Mr. Osborn.*

DEPARTMENT OF STATE,

*Washington, August 9, 1882.*

SIR: The President, through the medium of your legation, in November last, extended to the Government of \* \* \* an invitation to be represented at a Congress of American States, which it was proposed to hold in Washington on the 22d day of November next, for the purpose of considering questions connected with the preservation of peace on the American continent, and it is presumed that you have, in compliance with the Department's instructions, communicated the invitation to the Government of \* \* \*

At the time that proposal was put forth the President expressed the fervent hope that by the date fixed for the meeting of the Congress the questions now dividing some

of the republics of the southern continent would have disappeared, and that the representatives of the several commonwealths could meet with freedom to discuss the future aspects of the question, unaffected by any existing national difficulties.

The President, however, now directs me to instruct you to inform the Government of \* \* \* that inasmuch as that peaceful condition of the South American Republics, which was contemplated as essential to a profitable and harmonious assembling of the Congress, does not exist, and he having besides on the 18th day of April, 1882, submitted the proposition to Congress without evoking an expression of its views on the subject, and no provision having been made by it for such a Congress, he is constrained to postpone the projected meeting until some future day.

While thus giving due notification to the friendly governments interested, the President can not but express his belief that the fact of such a Congress having been called has not been without benefit, it having directed the attention of the people of the United States, as well as of the Republics of South America, to the importance of having a more defined policy, to be satisfactory to all, governing the international relations of the republics.

You will communicate this dispatch to the minister for foreign relations of \* \* \* at an early day by reading it to him, and, if he shall so desire, leaving with him a copy of it.

I am, etc.,

FRED'K. T. FRELINGHUYSEN.

To the foregoing communication Guatemala, Ecuador, Salvador, Uruguay, and Paraguay replied as follows:

#### GUATEMALA.

NEW YORK, 17 WEST FORTY-SECOND STREET,

*Legation of Guatemala, June 5, 1882.*

To the Honorable SECRETARY :

The invitation to a Peace Congress, issued by the Government of the United States in November of the year

last past, was received with enthusiasm by the Government of Guatemala.

The message of President Arthur to the Congress of the United States upon the same subject gave rise to a fear that the beautiful conception of a Peace Congress was not to be realized.

It is not incumbent upon me to consider the objections which have been urged against such a Congress, save only in so far as those objections have reference to my country.

Guatemala, Honduras, and Salvador are to-day bound together by the ties of the sincerest friendship. This friendship extends to Nicaragua, while as to Costa Rica nothing exists which can prove an obstacle to the Peace Congress.

I pray your excellency to be pleased to send a copy of this note to the Congress of the United States, so that it may be had in mind when the Peace Congress shall be discussed.

I am your excellency's most attentive and respectful servant,

LORENZO MONTÚFAR.

His Excellency the Secretary of State,

F. T. FRELINGHUYSEN.

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ECUADOR.

MINISTRY OF FOREIGN RELATIONS OF ECUADOR,

*Quito, September 15, 1882.*

Mr. MINISTER: Having had the honor to receive the note which, under date of December 1, the Hon. James G. Blaine, Secretary of State in the Department of Foreign Relations of the Government of the United States of America, was pleased to send me, inviting the Government of Ecuador to send representatives to the American Congress which it was desired to convene in Washington on the 22d of November, 1882, I was instructed by the President of this Republic to accept the invitation, and I replied to the note, under date of March 18 of the present year, stating that my Government would at the proper time send two representatives to the Congress.



To-day I have again been honored by the receipt of the important note which, under date of August 9 last, your excellency has been pleased to address to me, stating that it has been decided to postpone the assembly to a future day, because peace in the South American Continent—that essential condition to the holding of the Congress—has not yet been re-established, and because the American Legislature has closed its sessions without taking action upon the President's message as to said Congress.

My Government, grateful for the invitation sent to it to participate through its representatives, as also for the courtesy with which your excellency's Government has been pleased to communicate the postponement recently decided on, for the reasons mentioned in the said note, has directed me to inform your excellency that, there being such good reasons for the delay in the meeting of the Congress, it accepts the postponement without comment.

I take advantage of this opportunity to reiterate to your excellency the assurances of the distinguished consideration with which I subscribe myself your excellency's attentive and obedient servant,

FRANCISCO ARIAS.

His Excellency the MINISTER OF FOREIGN  
AFFAIRS OF THE UNITED STATES OF AMERICA,  
*Washington.*

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SALVADOR.

DEPARTMENT OF FOREIGN RELATIONS,  
REPUBLIC OF SALVADOR,  
*San Salvador, October 3, 1882.*

Mr. MINISTER: I have had the honor to receive in due time your excellency's polite communication, dated September 9 last, inclosing a copy of a note addressed to your excellency by the Secretary of State at Washington, the purpose of both papers being to inform this Government that, inasmuch as there remain still unsettled the differences between certain of the Republics of South America, whose pacification is deemed an essential condition to the assembling of the International Congress convoked for the month of November next, the American Government has

decided to postpone indefinitely the meeting of such congress, at which it hopes that this Republic will still be represented when the time comes.

It is much to be regretted that the questions on the Pacific have not yet been settled in a way which should harmonize the interests of the Republics concerned therein, and that in addition to this there should exist those other reasons which the foreign Secretary of the American Government so correctly sets forth, for postponing to a more distant date the meeting of the Congress, thus delaying the discussion of very important questions, the settlement of which would better define American international law, and at the same time exert the most beneficent and transcendent influence in promotion of the tranquillity and progress of the nations of the continent.

The hope nevertheless remains that so beneficent an idea has not been abandoned, and that later, when the exceptional conditions through which several sister Republics are now passing shall have changed for the better, it may prove possible to realize in practice with enthusiasm and success this grand idea.

The Government of Salvador, which was one of the first to applaud and accept the invitation which on the 4th of January last was addressed to it by your excellency for the purpose mentioned, will certainly not be the last to appear at Washington through its representatives when the time shall come to carry out the plan; and in communicating to your excellency the favorable attitude which my Government maintains toward the project stated it gives me pleasure to reiterate the assurances of the distinguished consideration with which I am

Your excellency's attentive and faithful servant,  
SALVADOR GALLEGOS.

His Excellency MR. HENRY C. HALL, etc.

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URUGUAY.

MONTEVIDEO, *October 12, 1882.*

MR. CHARGÉ D'AFFAIRES: I have brought to the knowledge of his Excellency the President of the Republic the

note addressed to you by the Secretary for Foreign Affairs of North America, and of which you were good enough to leave an authenticated copy in this department, with reference to the postponement of the Congress which was to have met in Washington on the 22d of November of the present year, for the purpose of discussing questions connected with the maintenance of peace in the American continents.

As soon as he was informed of the felicitous idea of your Government of bringing about a reunion of the plenipotentiaries of the nations of America, with aims so exalted and attractive, the President of the Republic welcomed it with joy, and at once accepted with pleasure the invitation extended to him to participate in the proposed Congress, so informing your predecessor, General Caldwell.

Believing and trusting, as he does, that the results of that Congress can not but prove exceedingly efficacious in the maintenance of peace in the countries of America, thus promoting their progress and welfare, the President of the Republic directs me to request that you be so good as to communicate these sentiments to your Government, with the hope that, perhaps soon, it may be possible to realize the noble aims of the North American Government, which has known how to interpret faithfully those of the nations which have been invited to send representatives to the Congress.

Having thus carried out the directions of his Excellency the President of the Republic, I have the honor to reiterate to you the assurances of my distinguished consideration.

OSCAR HORDEÑANA.

Hon. WILLIAM WILLIAMS,  
*Chargé d'Affaires of the United States of America.*

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PARAGUAY.

ASUNCION, *October 17, 1882.*

MR. CHARGÉ DE AFFAIRES: I have had the honor to receive your polite note of the 4th of this month, with which you had the kindness to send me the copy of the communi-

cation to which the honorable Secretary of State for the United States had sent to the legation of which you have charge, referring to the reunion of the Congress of American States, which was to have assembled on the 22d of next November. I have complied with the grateful duty of bringing the said communication to the knowledge of this Government, which has taken notice of the motives which have determined the Government of the United States to postpone the projected reunion until new notice.

In thanking you for the attention it is an honor to me to renew the assurances of my most distinguished consideration.

JOSÉ S. DECOUD.

His Excellency WILLIAM WILLIAMS,  
*Chargé de Affaires for the United  
States of America, Montevideo.*

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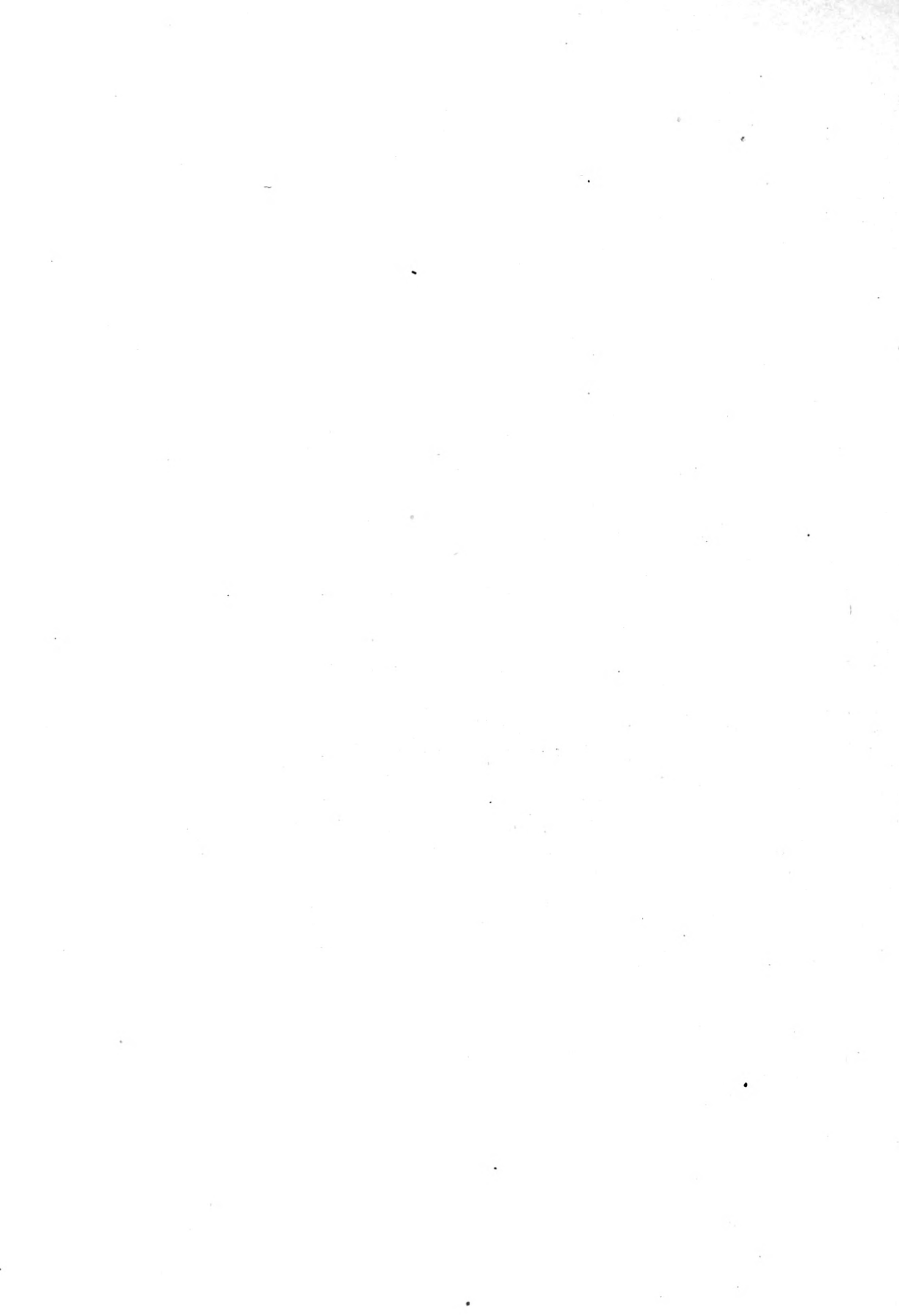
THE SOUTH AMERICAN CONGRESS

AT

MONTEVIDEO.

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1888—1889.



## THE SOUTH AMERICAN CONGRESS AT MONTEVIDEO.

1888—1889.

The "South American Congress," which held its sessions at Montevideo from August 25, 1888, to February 18, 1889, was not properly a movement towards political or commercial unification of all the nations of America. It was merely a congress of jurists, and by its nature and for all purposes and effects exclusively South American. But it must be mentioned, nevertheless, in this place, not only because it was an important exponent of the civilization of the States of the southern portion of this continent, but also because it was an advanced step towards the satisfaction of a necessity deeply felt in America.\*

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\* On the 9th of December, 1877, the anniversary of the battle of Ayacucho, which put an end to the Spanish rule in South America, another Congress of Jurists had met at Lima, Peru, at the invitation of the Peruvian Government. As it appears from a note of the Department of Foreign Relations of that Republic, dated May 21, 1878, that Congress was attended by plenipotentiaries from Bolivia, Cuba (whose independence had been recognized by Peru), Chili, Ecuador, Honduras, Peru, the Argentine Republic, and Venezuela. Later on Costa Rica sent a representative, and still later Guatemala and Uruguay adhered to the conclusions reached.

The meetings which were held by that assembly of distinguished men of law were many and had the following result:

1. A treaty for the establishment of uniform rules in the matter of private international law, dated November 9, 1878.
2. A treaty of extradition, dated March 27, 1879.

Both documents appear as an Appendix to the report sent to the Peruvian Congress in 1879 by the Secretary of Foreign Relations of that Republic. The report of 1878 contains also interesting details about the inauguration of this Congress of Jurists.

If extradition treaties are entered into without difficulty between the different States, the decisions of foreign courts in criminal matters, even if not final, being thereby caused to be respected, so far at least as the arrest of the offender and his delivery to the court of original jurisdiction are concerned, no argument seems to be necessary to prove that the same thing must be done in civil matters, and that the interests and rights of great moment often involved in judicial acts of one country should also be caused to be respected and enforced in others.

Some nations have secured the satisfaction of this necessity by means of treaties, as it has happened, for instance, between Colombia and Spain. But certainly it is better, if practicable, to try to reach this result by collective action in a conference of many, if not all, the nations interested in securing it, even if no other reason could be given than the benefit which always is derived from international meetings, when undertaken and conducted under the inspirations of common friendship and good will.

The idea of causing the South American Congress to convene seems to have occurred simultaneously to the Governments of the Argentine Republic and of the Oriental Republic of Uruguay. So it appears from the following interesting document:

PROTOCOL PROVIDING FOR THE HOLDING OF THE CONGRESS.

In Buenos Ayres, on the fourteenth day of the month of February, of eighteen hundred and eighty-eight, the minister of foreign relations of the Argentine Republic, Doctor Don Norberto Quirino Costa, and his excellency the envoy extraordinary and minister plenipotentiary of the Oriental Republic of Uruguay, Doctor Don Gonzalo Ramirez, being met in the office of the former for the purpose of carrying into immediate realization the idea in which their respective Governments have coincided, of calling together a congress of juriconsults of the several nations of South America to make uniform, by means of a treaty, the several subjects embraced by private international law, recognizing the want of unity existing in the legislation of the several countries, and persuaded of the importance of removing the obstacles that in many cases that difference presents, all of which will disappear from the moment a uniform legislation shall facilitate civil relations between individuals, or a common law is established to adjust differences in case of inability to prevent them, both conferees agreed as follows:



First. The Argentine and Oriental Governments shall invite separately, but simultaneously, the Governments of Chili, Brazil, Peru, Bolivia, Ecuador, Colombia, Venezuela, and Paraguay to the meeting of an International South American Law Congress, whose object shall be the conclusion of a treaty embracing the subjects embodied in private international law.

Second. The Congress shall meet in the city of Montevideo, its opening taking place on the 25th of August next.

Third. Each of the governments adhering to the holding of the Congress shall be represented therein by two plenipotentiaries or delegates.

Fourth. The Argentine and Oriental Governments shall mutually agree as to the terms of the note of invitation to the other South American Governments, which shall be addressed to them in the early part of the month of March next, in order that they may have time sufficient to be represented in the Congress on the day set for its installation.

It was so agreed, the Conference terminated, this protocol being signed in duplicate for purposes of record and other effects.

N. QUIRNO COSTA,  
GONZALO RAMIREZ.

DEPARTMENT OF FOREIGN RELATIONS,  
*Buenos Ayres, 20 February, 1888.*

Approved:

JUAREZ CELMAN,  
N. QUIRNO COSTA.

Seven nations were represented in this Congress by the following plenipotentiaries:

The Argentine Republic by Doctor Don Roque Saenz Peña and Doctor Don Manuel Quintana.

Bolivia by Doctor Don Santiago Vaca Guzmán.

Brazil by Doctor Don Domingo de Andrade Figueira.

Chili by Don Guillermo Mata and Don Belisario Prats.

Paraguay by Doctor Don Benjamin Aceval and Doctor Don José Z. Caminos.

Peru by Doctor Don Cesareo Chacaltana and Doctor Don Manuel Maria Galvez.

And the Oriental Republic of Uruguay by Doctor Don Ildefonso Garcia Lagos and Doctor Don Gonzalo Ramirez.

Doctor Don Ildefonso Garcia Lagos and Doctor Don Roque Saenz Peña were elected, respectively, the former president and the latter vice-president of the Congress.

The secreteries were Don Ricardo I. Pardo and Don Oscar Hordeñana, chief clerks, respectively, the former of

the department of foreign relations of the Argentine Republic, and the latter of the same department of the Oriental Republic of Uruguay.

This Congress held thirty-five meetings, with the following result:

1. A treaty on international civil law.
2. A treaty on international commercial law.
3. A treaty on international penal law.
4. A treaty on international law of procedure.
5. A treaty on literary and artistic property.
6. A treaty on trade-marks.
7. A treaty on patents.
8. A convention on the practice of the liberal professions.
9. A protocol, containing provisions of a general character additional to the foregoing instruments.

Some of these treaties have been subsequently approved and ratified by the South American nations, and are the law of the land in the countries which have so approved them. Other nations, as, for instance, Chili, has rejected one (the treaty on international civil law) and accepted the others; and in other nations they are still under study.

The following speeches with which the Congress was closed will certainly be read with interest.

Doctor Garcia Lagos, President of the Congress, expressed himself as follows:

Gentlemen, on a day memorable in the annals of my country, and in the midst of sympathetic demonstrations toward you as eloquent as they were harmonious, I inaugurated six months since the sessions of this Congress, greeting you as the molders of American law and fraternity.

A generous and grand idea inspired us. But one thought animated us, the success of the task before us, yet we did not conceal a certain feeling of trepidation at the contemplation of the arduousness of an undertaking in which others had failed

Mutual helpfulness having given heart to our faith, and the goal having been reached, I have to-day the honor to address you for the last time to congratulate you in the name of the President of the Republic for the notable success which has crowned the labors of this Congress of plenipotentiaries, presenting, as it has, to the several Governments a series of treaties which form a veritable code of private international law, the most complete, systematic, and practical recorded in diplomatic annals.

And in saying this, gentlemen, there is not any arrogant exaggeration; for we recognize—and we recognize it willingly—that in the preparation of that task we have consulted the works of the most eminent jurists and thinkers of modern times, and also that it has been comparatively easy for us to arrive at proper conclusions upon points which appear as veritable problems in the international jurisprudence of other countries whose political and social conditions differ from those of the nations represented in this Congress.

In this way, keeping those precedents in view, or disregarding them at times to accept other principles more in keeping with, or better adapted to, the peculiar character or necessities of our countries, the Congress has succeeded in establishing fixed rules for the settlement of the differences arising from the conflict of the laws regarding private relations in civil life as well as in commercial interchange and maritime traffic. It has succeeded in reconciling the demands of justice with the right of personal liberty. It has laid down the recognition of the right to literary, artistic, and industrial property within the limits marked out by social interest; it has prescribed reciprocal privileges for the exercise of the liberal professions; and it has determined, in fine, the jurisdiction over all legal relations affecting persons, acts, and property, as well as the special rules to be followed in the conduct and decision of proceedings, the principle of the territoriality of the laws, which means mutual respect for the sovereignty of the states, prevailing and being confirmed in all the wide range covered by its provisions.

Gentlemen, you have brought your mission to a close, and what is still more, you have discharged it with a wisdom and liberal and progressive spirit worthy of America. So signal a service rendered in behalf of the development of their international relations and the science of law is already applauded by the countries on either bank of the Plata, represented on this auspicious occasion by the high magistrates presiding over them, and it will be applauded on the morrow in your countries as one of the acts which more faithfully marks the stage of your political progress and your social culture.

Let us express the fervent hope that this work shall become still more profitable, and that, leaping the boundaries of our continent, it may very soon obtain the adhesion of other states of Europe and America, thus daily strengthening more, through the certainty and stability of all laws, the well-being of their citizens who may come to live on our soil, under the protection of its institutions.

Before we, who have up to to-day participated in the same fatigues, shall separate, permit me, my hand grasping yours, to congratulate you sincerely and feelingly for the success achieved, and to assure you that the honorable President of the Republic will in a short time carry out the announcement made in his last message to the honorable Congress relative to the sanction of the treaties.

And now, tendering a respectful greeting to the illustrious Presidents

of the Republics of the Plata who organized this Congress, as well as to the other chiefs of state who have given it their effective co-operation, I declare the sessions closed.

His excellency Dr. Quirno Costa, Secretary of Foreign Affairs of the Argentine Republic, followed, pronouncing the following discourse:

Honorable plenipotentiaries, it becomes my pleasant duty to extend to you the congratulations of the Argentine Government for the happy outcome of your labors, which will so largely contribute to the closer binding of the South American countries, uniting them still more through the enactment of a common legislation touching the principles which have been the object of your deliberations.

The fruit of your labors has been eight international compacts, and if opinions have not harmonized on all of them, still the fraternal and patriotic spirit which has inspired each one of the members of the Congress must be recognized; it being left to the Governments to seek in time the solutions which shall best subserve the common interests by reaching an agreement upon questions of form, or upon matters of substance, in so far as shall be in keeping with the constitutional law of the several countries.

In the vast programme of your work you have had scope enough to embrace in their varied phases the most complicated problems of private international law, considering it in its broadest sense, as it is considered by noted writers, and as demanded by the progress of science which tends to expand its component parts, thus obeying modern advancement which develops it in the same ratio as the relations between nations grow more intimate and communication more frequent.

You have established the rules most in keeping with the principles of law, making laws respecting persons, things, and acts, and with this triple object in view, the treaties negotiated embrace matters civil, commercial, and penal, the programme of your labors being completed by the most advanced declarations relative to literary property, which, like property in other things, could not be disregarded in view of our constitutional laws, and by Governments who maintain such extensive relations with the Old World, which not only sends us capital and muscle, but also the literary and scientific works of its great thinkers.

No nation can consider itself wounded by the conclusions arrived at by the International South American Congress, and far from this, the nations of Europe will find new proofs that it has been sought to proclaim principles which will be influential in the way of fostering good relations with the countries with whom we exchange our products and divide our riches.

Honorable plenipotentiaries, there was a time when the genius of Bolivar entertained the idea of a great congress to organize a South American confederation, and when the fruitful spirit of Monteagudo, giving form to the thought of the great captain, laid out with manly

word the programme of an assembly of representatives of the Governments of this portion of America.

An offensive and defensive alliance against any European nation was sought, and the object of the Congress of Panama was to provide for this which was deemed a necessity; but on this occasion the eagle of the Orinoco did not meet with the success it did at the "embrace" of Guayaquil, when it hurled the Spanish lion from the Andes to the other side of the seas, and which, on that solemn occasion, was inspired by sentiments of sublime patriotism, picturing in its mind, perchance, the field of Ayacucho, where the last cannon's roar proclaimed to the world that the Republics destined to be the pride of the Latin race were free and independent.

Before this time, gentlemen, San Martin had foretold also, in the presence of eternal snows and upholding the strong arm of O'Higgins, that the freedom of Chili would be secured at Chacabuco, crossing with his cannon the most towering and inaccessible peaks, once more to carry out the compact of Chilians and Argentines, who, conquerors in Maipu, carried triumphant the flags of the two nations even unto the uttermost limits of America.

Besides that of Panama, other attempts were made in the same direction. It was the embryonic period of the people who had just freed themselves. At times they lost faith in the future, and, believing themselves threatened by enemies from beyond seas, they saw their strength weakened by the disorder incident to the struggle, and which greatly increased when the common enemy had once been conquered.

Those perils have passed, and the South American nations abide in the midst of the peace and progress with which they will dismiss the nineteenth century, to become great and powerful in the twentieth, which, as has been said, will be the century of America.

With abiding faith in the great destinies awaiting each one of the South American nations, all enjoying close relations with the old world, as defined by their laws, all bound to make right prevail, and with elements of inexhaustible wealth, each country is the architect of its own fortune, but united all in the interest of the future of South America, whose sons desire that it shall always be said of the States forming it: "All for each, and each for all."

Gentlemen, the greatness of the countries of this part of the continent, their power as autonomic entities, depends to-day upon peace, upon liberty, and upon the development of their own elements, strengthened by others, which upon joining shall commingle to form an harmonious whole, which, without losing sight of its origin, which we should never deny, for it honors us, shall present extensive horizons to labor and to collective and individual action under the law.

Alliances against the nations of the old continent had their day and their reason during the struggle for independence, and even after that, when Europe could be ruled by one will, or when the policy of its

Governments savored of the adventurous or was inspired by dreams of conquest.

To-day there exists in America on the north a great nation, and on the south budding States, which occupy a distinguished station among civilized countries, and what is more, so as to entirely eradicate the fears of the days, we have tightened the ties that bind us to Europe by daily increasing commerce, by the immigration we are receiving, and which has commenced to blot out our deserts, and finally by the mutual respect we command, she, as well as us, so that we may consider ourselves already as indispensable factors in the advancements of the world.

We have not, then, to extend the battle lines as in the heroic periods of our history, but we do have to recognize each other as brothers, as before, and to seek in the inspirations of patriotism, in the invocation of the spirits of our illustrious dead, and even in our own advantages, the means which shall forever prevent bloody conflicts, which would paralyze the great future reserved for us.

Honorable plenipotentiaries, when the minutes of your sessions shall be read, the importance of your work, the science and experience revealed by the international adjustments by you arrived at known, your Governments and the jurists of Europe and America, who await them with all the interest aroused by a body of eminent men, such as you form, shall have passed upon them, the International South American Congress will be ever remembered with gratitude by the countries whose interests it has more closely served, and with respect by men of science, just as the indisputable merit of other efforts in the same direction, among which shines the Congress of jurists, held in Lima a few years since, on the initiative of the Government of Peru, should be held in remembrance and recognized. There should be recognized also the intelligent and patriotic co-operation in this Congress of the Governments of Paraguay and Bolivia, worthily represented by their plenipotentiaries.

It will always be said that on the banks of the Plata, in the capital of the Oriental Republic of Uruguay, which merited from the world the name of the New Troy, was held the first International South American Congress on the initiative of the two nations bathed by the great river; that there were prescribed the rules which shall forever prevent the conflict of the laws of seven sovereign States, realizing what to many was a dream, and which up to the present time has been an impossibility for countries occupying a high station among nations.

Countries recently come into being, which struggled half a century to constitute themselves, each having passed through critical periods in the various epochs of their national history, and republics or monarchies, direct your gaze to-day over the vast continent, and you will discover only the foot-prints of the endeavors of peoples and governments to reach a proud station among nations, be it in the field of free institutions or in that of material advancement wherein all struggle by means of labor.

Thus, in the matter of institutions not long ago we witnessed the solemn spectacle of the abolition of slavery in Brazil, a grand event the whole world has applauded, a magnificent action, which once more revealing the manly character of a monarch worthy of the nation he rules, reveals also the just and humanitarian heart beating within the bosom of the Emperor Pedro II, initiator of the idea realized to the honor of his name and in the midst of the enthusiasm of the people whose destinies he rules.

The Montevidean Congress is, gentlemen, another happy and beneficial event, in that we are seen united, the countries bound together by solemn compacts which record the most liberal principles of the science of law. Every one knows that with a union of the people, the union of the governments is the most logical of consequences.

Honorable Plenipotentiaries: Upon declaring, in the name of my Government, that your sessions are closed, I must say to you, as a proof of the esteem your labors have merited, that the first act of the Most Excellent the President of the Argentine Republic, upon reassuming the administration of the nation, will be to approve the eight treaties you have negotiated, so as to transmit them to the Honorable Congress with the special recommendation which so useful and important international acts merit.

And now, gentlemen, I beg that you will rise to give thanks to Providence for the favors bestowed upon you during your labors, and as a mark of respectful consideration to the Oriental Republic and its Government, which has shown and shows us such cordial and never-to-be-forgotten hospitality, and whose distinguished roll in the International South American Congress will ever be a seal of honor which shall occupy a leading place in the pages of its history.





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LEGISLATION AND PROPOSED LEGISLATION  
IN THE  
CONGRESS OF THE UNITED STATES  
REFERRING TO  
THE INTERNATIONAL AMERICAN CONFERENCE.

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LEGISLATION AND PROPOSED LEGISLATION  
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The following is the legislative history of the International American Conference in the Congress of the United States:

On the 21st of January, 1880, the Hon. David Davis, of Illinois, by request of Mr. Hinton Rowen Helper, introduced the following bill, which is the first suggestion found in the records of Congress of legislation leading to the International American Conference:

[S. 1095 Forty-sixth Congress, second session.]

IN THE SENATE OF THE UNITED STATES,  
*January 21, 1880.*

Mr. Davis, of Illinois (by request), asked, and by unanimous consent obtained, leave to bring in the following bill; which was read twice and referred to the Committee on Commerce:

A BILL for the encouragement of closer commercial relationship between the United States and the Republics of Mexico, Central America, the Empire of Brazil, and the several Republics of South America.

Whereas from the southern boundary of the United States to the Argentine Republic, and also the Republic of Chili, a distance of about four thousand five hundred miles, including Mexico, Central America, the United States of Colombia, Venezuela, Peru, Ecuador, Brazil, Bolivia, Paraguay, and Uruguay, containing a population, in all, of about forty million of industrious and progressive people, with whom the people of the United States hold, and desire to maintain, the most friendly relations and with whom a closer and reciprocal interest in trade and commerce ought to be encouraged, yet with whom the people of the United States have no facilities for intercommunication, except by long sea voyages, although no great physical obstacle exists

to the construction of a through line of railroad running at the foot of the eastern slope of the great mountain chain, from its northern to its southern termini, which would open that vast interior region to our manufactures and commerce; connected on the eastern side at the headwaters of navigation with a grand river system that extends for thousands of miles through the United States of Colombia, Guiana, Venezuela, Brazil, Uruguay, Paraguay, and the Argentine Republic, and on the Pacific side with the principal sea-ports, by means of branch railroads similar to those that have been constructed in Peru, and terminating with one branch on the Pacific at the sea-port of Valparaiso and on the Atlantic side with a branch at Buenos Ayres; and

Whereas it is considered that this great international work can be constructed through the united efforts of the several Governments of the Republics and the Empire of Brazil, through whose territory it would pass, guided by the advice and experience and assisted by the material aid from the commercial and railroad interests of the United States: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to initiate such action as may lead to the adoption of measures that may form a basis for the organization of an international administration, to which shall be intrusted the duty of carrying forward the work of constructing said railroad, that the President of the United States be, and he is hereby, authorized and requested to invite all the Governments of the said several Republics of Mexico, Central America, South America, and the Empire of Brazil to send duly appointed delegates to meet in convention in the city of Washington, upon the third Monday in June, eighteen hundred and eighty, to adopt such measures as may be considered the most practicable to carry forward the proposed work in the interest of peace, commerce, and mutual prosperity; that the sum of fifty thousand dollars, now in the Treasury of the United States and not otherwise disposed of, be, and is hereby, appropriated, or so much thereof as may be necessary, and placed to the credit of the Secretary of State, to defray, in a manner becoming the dignity of the United States, the expenses incidental to the holding of said convention.

#### IN THE SENATE, 1882.

On the 24th of April, 1882, at the suggestion of Mr. Hinton Rowen Helper, Mr. Cockrell, of Missouri, introduced the following bill:

A BILL to authorize the appointment of a special commissioner for promoting commercial intercourse with such countries of Central and South America as may be found to possess the most natural and available facilities for railway intercommunication with each other and with the United States.

*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, authorized and directed to appoint, for a term of two years, a special commissioner whose duty it shall be to proceed in regular order, and as soon as it may be convenient, to Guatemala, Honduras, Salvador, Nicaragua, Costa Rica, Colombia, Ecuador, Peru, Bolivia, and the Argentine Republic, and there obtain specifically all the facts and information of every nature which may be utilized in extending friendly and commercial intercourse between those and the adjacent countries and the United States.

SEC. 2. That it shall also be the duty of the said commissioner to ascertain the disposition and purposes of the inhabitants of the several countries named with reference to railway intercommunication with themselves, respectively, and with the United States, and what provisions, guaranties, and privileges, if any, they have already granted, or may be inclined to grant, to secure the benefits of more speedy and perfect postal communication and unobstructed trade and travel between themselves and the people of the United States.

SEC. 3. That it shall further be the duty of said commissioner to transmit to the Secretary of State careful and complete reports from each and every country visited by him, and the various reports so transmitted shall be retained in the Department of State for such reference and use as the public interests may require. Copies of the same reports may at any time be subject to the order of Congress.

SEC. 4. That the salary of the said commissioner shall be eight thousand five hundred dollars per annum; and that he may employ, as translator and secretary, an assistant of his own selection, but subject to the approval of the Secretary of State, at a salary of three thousand dollars per annum.

SEC. 5. That the sum of eleven thousand five hundred dollars per annum, for the period of two years as aforesaid, is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, to pay the salaries of the said commissioner and his assistant under appointment as thus authorized.

#### MR. MORGAN'S BILL.

On the same day, April 24, 1882, Mr. Morgan, of Alabama, introduced in the Senate the following:

A BILL for the encouragement of closer commercial relations between the United States and the Republic of Mexico, Central America, the Empire of Brazil, and the several Republics of South America.

Whereas from the southern boundary of the United States to the Argentine Republic and the Republic of Chili, a distance of about five thousand miles, including Mexico, Central America, the United States of Colombia, Venezuela, Peru, Ecuador, Brazil, Bolivia, Paraguay, and Uruguay, containing, in all, a population of about forty million of industrious and progressive people, with whom the people of the United

States hold and desire to maintain the most friendly relations, and with whom a closer and reciprocal intimacy in trade and commerce is desirable and worthy of encouragement, yet with whom the people of the United States have no facilities for intercommunication except by sea, although no great physical obstacle exists to the construction of a through line of railroad along and at the foot of the eastern slope of the great mountain chain from Central America to Chili, which would open that vast region to our manufactures and commerce, connected on the eastern side at the headwaters of navigation with the grand river system that extends for thousands of miles through the United States of Colombia, Guiana, Venezuela, Brazil, Uruguay, Paraguay, and the Argentine Republic, and on the Pacific side with the principal seaports by means of branch railroads similar to those that have been constructed in Peru, and terminating with one branch on the Pacific at the seaport of Valparaiso and on the Atlantic at Buenos Ayres; and

Whereas it is considered that this great international work can be constructed through the united efforts of the several Governments of the Republics and the Empire of Brazil, through whose territory it would pass, guided by the advice and experience and assisted by material aid from the commercial and railroad interests of the United States: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to initiate such action as may lead to the adoption of measures to form a basis for the organization of an international administration to which shall be intrusted the duty of encouraging the work of constructing said railroad, the President of the United States be, and he is hereby, requested to invite all the Governments of the said Republics and the Empire of Brazil to send delegates to meet in a convention in the city of Washington, at a time to be designated by the President, during the present year, anno Domini eighteen hundred and eighty-two, then and there to adopt such measures as to them may seem the most practicable to undertake and carry forward the work herein proposed, in the interest of peace, commerce, and mutual prosperity; that the sum of       dollars, now in the Treasury of the United States and not otherwise disposed of, be, and is hereby, appropriated, or so much thereof as may be necessary, and placed to the credit of the Secretary of State, to defray in a proper manner becoming to the dignity of the United States the expenses incidental to the holding of the said convention.

#### ADVERSE ACTION IN THE HOUSE OF REPRESENTATIVES.

Similar bills at the same time were introduced in the House of Representatives, and were referred to the Committee on Foreign Affairs. On the 20th of June following Mr. Kasson, of Iowa, submitted the following report:

## REPORT:

[To accompany bill H. R. 6023.]

The Committee on Foreign Affairs, to whom was referred the bill (H. R. 6023) to authorize the appointment of a special commissioner for promoting commercial intercourse with such countries of Central and South America as may be found to possess the most natural and available facilities for railway intercommunication with each other and the United States, respectfully report the bill back to the House with the recommendation that it do not pass, and ask that the committee be discharged from the further consideration of the same, and that the bill and report be laid on the table.

## REVIVAL OF THE SENATE BILLS.

On the 8th of February, 1883, Mr. Cockrell, of Missouri, introduced a bill very similar to that previously proposed by him for the appointment of a special commissioner to visit the several Republics of Central and South America. A similar bill was introduced at the same time in the House of Representatives.

At the beginning of the next session Mr. Cockrell re-introduced the bill in the Senate, and it was also re-introduced in the House. On the 11th of December, 1883, Senator Sherman re-introduced the bill that had been proposed the year before by Mr. Morgan, of Alabama, for the appointment of a commission to visit Central and South America. The same bill was introduced in the House by Mr. Jordan, of Ohio.

## A CUSTOMS UNION PROPOSED.

In the first session of the forty-eighth Congress Mr. Townshend, of Illinois, proposed the following, which was referred to the Committee on Commerce:

JOINT RESOLUTION requesting the President to invite the co-operation of the Governments of American nations in securing the establishment of free commercial intercourse among those nations and an American customs union.

Whereas the establishment of free commercial intercourse among the nations now existing upon the continent of America will promote the friendly political relations, internal commerce and industry, and secure a more extensive market for the surplus products of each of said nations: Therefore,

*Resolved 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 to invite the co-operation of the Governments of the American nations in securing the establishment of a commercial league by and between the said nations to be known as the Customs Union of America, the arrangement of a common basis of import duties from other countries than those which may compose said league, and that the commercial intercourse among the people of all the American States may be freed from the payment of any customs or other dues whatever; and that a common system of weights and measures may be also established for the purpose of facilitating said intercourse.

#### FAVORABLE ACTION IN THE SENATE.

On the 3d of March, 1884, Mr. Cockrell introduced in the Senate the following bill, which was the basis of an amendment added to the diplomatic and consular appropriation bill of that year, authorizing the appointment of the commission which, during 1884 and 1885, visited Central and South America:

A BILL to authorize the appointment of three commissioners to visit the principal countries of Central and South America for the purpose of collecting information looking to the extension of American trade and commerce, and the strengthening of friendly and mutually advantageous relations between the United States and all the other American nationalities.

*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, authorized and requested to nominate and, by and with the advice and consent of the Senate, to appoint, for a term not exceeding two years, a special commission of three persons, whose duty it shall be to proceed, as soon as it may be convenient after such appointment, to the sixteen distinctively independent countries here designated, in the order indicated, namely, Mexico, Guatemala, Honduras, Salvador, Nicaragua, Costa Rica, Colombia, Venezuela, Ecuador, Peru, Bolivia, the Argentine Republic, Chili, Uruguay, Paraguay, and Brazil, and inquire diligently after and collect such information as may be useful in extending trade and commerce, and in strengthening the subsisting friendly relations and reciprocally sustaining principles and policies between those several neighboring nationalities and the United States.

SEC. 2. That it shall also be the duty of such commission to inquire into and ascertain the feelings and inclinations of the peoples of those countries with reference to railway intercommunication between themselves, respectively, and the United States, and likewise what guarantees, immunities, and privileges, if any, have already been granted by them, or that they may hereafter be willing to grant, looking to the



increase and quickening of postal communication, commerce, trade, and travel between their own inhabitants, respectively, and the inhabitants of the United States.

SEC. 3. That it shall be the further duty of such commission to transmit their reports, in writing, from time to time, to the Secretary of State of the United States, concerning the matters and interests hereinafore mentioned, which reports, when received, shall be preserved in the Department of State for such reference and use as the public welfare may seem to require.

SEC. 4. That each of the said commissioners shall receive the sum of five thousand dollars per annum as compensation in full for the services rendered by him under the provisions of this act; and the said commission shall be allowed, during the said term of two years, for necessary and official expenses, a sum not exceeding thirty-five thousand dollars, to be certified and audited in the manner usual with the Department of State; but the said commission may, if in their experience and judgment it shall be necessary, employ an assistant well versed in the Spanish language, at a salary, payable by the United States, of not more than two thousand five hundred dollars per annum.

SEC. 5. That the sum of seventy thousand dollars, payable by the Secretary of the Treasury of the United States, upon the warrant of the Secretary of State, be, and the same is hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, or so much thereof as may be necessary, to pay the salaries and expenses of the said commissioners and their assistant during the said term of two years.

#### REPORT OF THE COMMITTEE ON FOREIGN RELATIONS, 1884.

The bill having been referred to the Committee on Foreign Relations, was returned to the Senate with the following favorable report:

#### REPORT.

[To accompany amendment to the consular and diplomatic appropriation bill.]

The Committee on Foreign Relations beg leave to report the accompanying amendment, which they propose to the bill making appropriations for the consular and diplomatic service for the year ending June 30, 1885, in lieu of bills S. 347, 594, and 1700, which bills the committee recommend be indefinitely postponed, and ask that the amendment herewith be referred to the Committee on Appropriations. The subject matters embraced in the above-mentioned bills have been carefully considered by the committee, and their views are contained in the letter from the Department of State dated March 26, 1884, hereto appended and made a part of this report.

## MR. FRELINGHUYSEN'S PROJECT.

DEPARTMENT OF STATE,

*Washington, March 26, 1884.*

SIR: I have the honor to acknowledge the receipt of your letter of the 5th instant, inclosing copies of two proposed amendments to the consular and diplomatic bill for an appropriation to defray the expenses of a conference of independent American nations to promote commerce and general peace, and in which you inform me of the courtesy of the committee in submitting the amendments for my consideration, with the request that if the President approve of the proposition, to place it within his power, so far as expenses are concerned, to invite such a Conference that I submit a draft of an amendment, such as I regard as proper, or that I indicate which of the two I prefer.

I am thoroughly convinced of the advisability of knitting closely our relations with the States of this continent, and no effort on my part shall be wanting to accomplish a result so consonant with the constant policy of this country and in the spirit of the Monroe doctrine, which, in excluding foreign political interference, recognizes the common interest of the States of North and South America. It is the history of all diplomacy that close political relations and friendship spring from unity of commercial interests. The merchant or trader is the forerunner and aid to diplomatic intimacy and international amity. With the spirit of the proposed amendments I am in harmony.

But certain practical objections to the mode suggested occur to me. I fear that a congress so soon to meet without previous conference with the several Governments, and without the preparation of a well-digested programme for discussion, might be unable to accomplish a valuable result. The views of the States which are to be parties to the Conference should be obtained, their wishes and aims carefully considered, and thereupon the scope and purpose of the congress carefully defined and outlined in the invitation.

The disadvantage of summoning a congress without some definite assurance of general accord and without an announcement of its programme was shown in 1880, when the Colombian Government convoked a congress of Spanish-American States at Panama to concert measures for preserving peace between them by means of international arbitration. Few States were represented, and the Conference failed to develop unity of views, and broke up without accomplishing anything, except, perhaps, a prejudice against the renewal of the project.

Moreover, it is probable that the other States, certainly the smaller and less powerful among them, would desire a treaty of alliance, requiring of the United States protection and defense in case of attack, not only by European powers, but by their more powerful neighbors on this continent. Material aid also in the construction of their railroads and other similar public works would be expected, neither of which propositions could be entertained by us. In the Conference the

smallest State would have a voice equal to that of the United States, and while we need not necessarily be bound by the conclusions reached, it would weaken rather than strengthen our influence with these countries if we should feel forced to reject measures adopted by the Conference.

Considerations of much this character influenced the failure of the notable project for an American congress at Panama during Mr. Adams's administration, in 1828-'29. The congress was proposed by the South American States, then recognized by us as independent, but still nominally at war with Spain. Its purposes were mutual alliance and preservation of peace among them. President Adams and Mr. Clay favored the project, but continued opposition, in and out of Congress, developed the general belief that the only result would be to make the United States the protector of the whole republican system of the continent, thus giving the minor States the benefit of a special protection which the United States did not need for themselves and could not adequately expect from the rest. The United States commissioner, although appointed, did not attend the congress, and owing to the disordered condition and conflicting interests of the Spanish-American States it attained no result. (See note to Dana's *Wheaton*, p. 99, *et seq.*)

The true plan, it seems to me, is to make a series of reciprocity treaties with the States of Central and South America, taking care that those manufactures, and as far as is practicable those products, which would come into competition with our own manufactures and products should not be admitted to the free list. By these treaties we might secure for valuable consideration so as not to violate the most favored-nation clause of other treaties, further substantial advantages. Such, for example, as the free navigation of their coasts, rivers, and lakes.

Indiscriminate reduction of duties on materials peculiarly the production of Central and South America would take from us the ability to offer reciprocity and we would thus lose the opportunity to secure valuable trade. Removal of duties from coffee, without greatly cheapening its price, deprived us of the power to negotiate with the coffee-growing countries of Spanish-America highly advantageous reciprocity treaties, and indiscriminate reduction of duties on sugar would complete our inability to establish favorable commercial relations with those countries which form our natural market, and from which we are now almost entirely excluded. If we confine the reduction of duties on such articles as sugar and coffee to those Spanish-American countries which are willing to negotiate with us treaties of reciprocity we cheapen these products for our own people and at the same time, gain the control of those markets for the products of our fields and factories.

Another point seems well worthy of consideration. The United States are great producers of silver, and every market which can be opened for this valuable product is to our direct advantage. Great Britain, on the other hand, strives to disparage and exclude it as a

means of exchange; for its use in this way depreciates her wealth and works to her disadvantage. The states of Central and South America are also silver producers, with interests like ours. It would, therefore, be advantageous, and is probably practicable, to agree upon a common silver coin equal in value, say, to our gold dollar, or to some other appropriate standard, which, under proper regulation as to coinage, etc., should be current in all countries of this continent. Thus value would be given to our silver products, and commerce with these countries would be aided.

I suggest that it would be well to make an appropriation giving to the President power to appoint a commission to carefully consider what the best interests of North and South America and the Isthmus require; to send, if found advisable, delegates to confer with the Governments of the other countries, and, after this commission has made its report upon the most feasible means of carrying out measures of mutual advantage, then, empowering the President, if he sees proper, to call the convention. A body so convened would meet with its general object and scope marked out, and would know beforehand what wishes of the other states this Government is unable to comply with, thus avoiding what might seem a rebuff should we feel obliged to decline a project matured by the congress without our assent.

I inclose herewith a draft of an amendment embodying these views which meet the President's approval.

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

FRED'K T. FRELINGHUYSEN.

Hon. JOHN F. MILLER,

*Chairman Committee on Foreign Relations, United States Senate.*

#### FAVORABLE REPORT IN THE HOUSE OF REPRESENTATIVES.

A similar bill was introduced in the House of Representatives and reported favorably from the Committee on Foreign Affairs by Mr. Charles Stewart on the 7th of May, 1884. The following is a copy of Mr. Stewart's report:

#### REPORT.

[To accompany bill H. R. 6926.]

The Committee on Foreign Affairs have carefully considered the two following bills, the first being H. R. 124, entitled "A bill to authorize the appointment of a special commissioner for promoting commercial intercourse with such countries of Central and South America as may be found to possess the most natural and available facilities for railway intercommunication with each other and the United States," and the other being H. R. 124<sup>o</sup>, entitled "A bill for the encouragement of closer commercial relationship, and in the interests of, and the perpetuation of, peace between the United States and the Republics of Mexico and Central and South America and the Empire of Brazil."

Inasmuch as the purposes sought to be effected by the passage of these two bills are substantially the same, they may be considered together, and the objects which they seek to attain may be stated to be, viz :

(1) To strengthen the subsisting friendly relations between this country and the Republic of Mexico, and the different Governments of Central and South America.

(2) To promote greater commercial intercourse between the United States and the before-named countries.

(3) To ascertain the feeling and inclinations of the peoples of Mexico and the countries in Central and South America with reference to railway communication between said countries and the United States; and likewise, what guaranties, immunities, and privileges, if any, have already been granted by them, or that they may hereafter be willing to grant, for the purpose of increasing and quickening postal communication, trade, and travel between their countries and the United States.

Although both bills have in view the accomplishment of the same purposes they are widely divergent in the means sought to be employed. One provides for the appointment by this Government of a single commissioner, who may, if, in his experience and judgment it shall be necessary, employ an assistant, and this commissioner shall visit the countries hereinbefore named for the purpose of acquiring such information as will aid in the accomplishment of the objects heretofore mentioned; the other seeks to attain the same end by empowering the President of the United States to invite all the Governments of Central and South America, and also the Republic of Mexico, to meet in convention in the city of Washington, upon such a day as he may appoint, during the year A. D. 1884, for the purpose of considering and adopting such measures as will tend to promote the same great policies. The committee is of opinion that no convention of the countries named should be invited until the wishes of said Governments in relation thereto be ascertained, and therefore it can not recommend the passage of a bill which makes provision for the immediate call of such a convention; and it is also of the opinion that the magnitude and importance of the duties to be performed are too much to be intrusted to a single commissioner. Entertaining these views, the committee has prepared a substitute for said bills, which is herewith reported, and it recommends that the bills H. R. 124 and H. R. 1240 do lie upon the table, and that the substitute in lieu thereof be adopted.

The committee deem it not improper to call attention to some facts and to make some suggestions which may serve to show the importance of legislation for the accomplishment of the purposes sought to be attained by the two bills before mentioned; and which purposes, it is thought, can be more certainly accomplished by the adoption of the substitute accompanying this report. All the countries with which we seek to cultivate amicable and commercial relations, with the excep-

tion of one, are republics, and because of the similarity in forms of government, there is a bond of sympathy between them and us which would have long since produced more intimate relations, both social and commercial, but for obstacles which can now be removed by the enlightenment and progress of the age.

Brazil is the only country in South America without a republican form of government, but this vast country is peculiarly fortunate in having a great and progressive statesman for its Emperor, who has excited the admiration of all good and wise men by his persistent efforts to develop the resources of his extensive domain, and to improve in every possible way the condition of his people. We may with entire confidence rely upon the co-operation of Brazil in all undertakings which will promote reciprocal relations of friendship and commercial prosperity.

Central and South America have an area of nearly 8,000,000 square miles, and the development of the resources of this vast territory can hardly be said to have begun; and its capabilities for the production of mineral and agricultural wealth can not be approximately estimated.

With but a partial development of its resources, its foreign commerce, both imports and exports, for the year ending June 30, 1883, amounted to \$694,793,000, and more than one-half of this amount of business was done with Great Britain, and less than one-fifth of it was done with the United States. The following tabular statement is believed to give a correct idea of the commerce of Mexico and the different States in Central and South America.

## FIRST EXHIBIT.

Countries.	Value of the foreign commerce of the several countries, respectively, of South and Central America and Mexico, with all other countries during the year ending June 30, 1883.		
	Value of exports of the countries designated.	Value of imports of the countries designated.	Total value of foreign commerce with all the world.
Mexico .....	\$28,835,000	\$29,290,000	\$58,125,000
Guatemala .....	4,368,000	3,054,000	7,422,000
Honduras (all) .....	3,415,000	2,885,000	6,300,000
Salvador .....	5,208,000	3,450,000	8,658,000
Nicaragua .....	2,110,000	1,300,000	3,410,000
Costa Rica .....	6,470,000	4,220,000	10,690,000
Colombia .....	20,126,000	19,367,000	39,493,000
Venezuela .....	16,534,000	13,860,000	30,394,000
Guianas (the three) .....	15,613,000	12,998,000	28,611,000
Ecuador .....	11,271,000	9,663,000	20,934,000
Peru .....	43,866,000	28,690,000	72,496,000
Bolivia .....	3,202,000	2,709,000	5,911,000
Chili .....	46,482,000	27,160,000	73,642,000
Argentina .....	60,389,000	61,246,000	121,635,000
Uruguay .....	22,660,000	19,410,000	42,070,000
Paraguay .....	4,439,000	3,627,000	8,066,000
Brazil .....	119,106,000	95,955,000	215,061,000
	413,094,000	338,824,000	752,918,000

## SECOND EXHIBIT.

Countries.	Value of external commerce between the United States and the several countries, respectively, of South and Central America and Mexico, during the year ending June 30, 1883.		
	Exports from the United States to the countries designated.	Imports into the United States from the countries designated.	Total commerce with the United States.
Mexico .....	\$15,483,000	\$3,462,000	\$23,945,000
Guatemala .....	1,626,000	3,160,000	4,786,000
Honduras (all) .....	621,000	732,000	1,353,000
Salvador .....	457,000	589,000	1,046,000
Nicaragua .....	276,000	438,000	714,000
Costa Rica .....	466,000	983,000	1,449,000
Colombia .....	5,485,000	6,990,000	12,475,000
Venezuela .....	5,967,000	6,672,000	12,639,000
Guianas (the three) .....	2,119,000	2,826,000	4,945,000
Ecuador .....	496,000	1,150,000	1,646,000
Peru .....	297,000	965,000	1,262,000
Bolivia .....	83,000	323,000	406,000
Chili .....	1,520,000	2,272,000	3,792,000
Argentina .....	3,121,000	4,968,000	8,089,000
Uruguay .....	1,612,000	4,164,000	5,776,000
Paraguay .....	81,000	243,000	324,000
Brazil .....	9,253,000	48,382,000	57,635,000
	48,963,000	93,319,000	142,282,000

An examination of the above statement will show that the total amount of our imports from Central and South America for the year ending June 30, 1883, was \$84,857,000, and that our exports to those countries for the same year amounted to \$33,480,000, showing a balance of trade against us to the amount of \$51,377,000.

An intelligent citizen of this country, who has traveled over a great portion of South America, in a recent publication, speaking of the commerce of that country, says:

"It always grieved me exceedingly, and was particularly offensive to my sense of the fitness of things, to find almost everything in the way of foreign merchandise throughout the length and breadth of my routes of European manufacture. At different points along the Atlantic and Pacific coasts, in many cities of the plains, in various towns on the mountain slopes, on the apex of Potosi and on the tops of other Andean peaks higher than Mount Hood, I have gone into stores and warehouses and looked in vain—utterly in vain—for one single article of American manufacture. From the little pin with which the lady fastens her beau-catching ribbons to the grand piano with which she enlivens and enchants the hearts of all her household; from the tiniest thread and tack and tool needed in the mechanic arts to the largest plows and harrows and other agricultural implements and machines required for use on the farm—all these and other things, the wares and fabrics and light groceries and delicacies in common demand; the

drugs and chemicals sold by the apothecary; the fermented malt and spirituous liquors in the wine saloon; the stationery and fancy goods in the book-store; the furniture in the parlor and the utensils in the kitchen, are, with rare exceptions, of English, German, Spanish, or Italian manufacture. And what makes the matter still more unsatisfactory and vexatious to the North American and more expensive and otherwise disadvantageous to the South American, is that these articles are, as a general rule, inferior both in material and make to the corresponding article of American manufacture."

This condition of things ought to be changed at the earliest practicable moment; and there should be no balance of trade against us in our commerce with those countries, and in order to effect such a change in our commercial relations with Central and South America the committee earnestly recommends the adoption of the substitute herewith reported, believing that it will serve to initiate such policies as will be of great advantage not only to the population of this country, but to the inhabitants of Central and South America.

Our commercial relations with Mexico are more satisfactory. From the tabular statement hereinbefore given it appears that the foreign commerce of Mexico, both exports and imports, in the aggregate amounted to the sum of \$58,125,000, and that nearly one-half of this commerce was done with the United States. It also appears that for the year ending June 30, 1883, that with Mexico there was a balance of trade in our favor amounting to \$7,021,000. Our proximity to Mexico has had much to do with building up our commerce with that country; but much more is due to the liberal and progressive spirit by which the Mexican Government has been actuated in encouraging and protecting the investments of American capital.

Already American enterprise is actually engaged in constructing railways in Mexico, and to-day one may go from New York all the way by rail to the city of the Montezumas, the Mexican Central Railroad now being in operation from Denver to the City of Mexico. The Atchison and Topeka Railroad Company has built one of its lines through Mexico to the city of Guaymas, on the Pacific. One other line of railway is in operation from Laredo, Tex., to and beyond the city of Monterey, and other lines of railway are being rapidly pushed from Texas towards the City of Mexico and to points on the Mexican Pacific coast. The construction of these roads has infused new life and energy into Mexico, and her rapid increase in wealth and material prosperity is assured. But Mexico reaps not all the benefits resulting from these investments of American capital, for our commerce with that country has greatly increased and is continually enlarging.

Why may not like results be obtained in the States of Central and South America by the investment of American capital and the application of American energy? A duty imposed upon the commissioners by the bill herewith reported is to ascertain the feelings and inclinations of the Governments of Central and South America with reference to rail-



way communication with the United States. The idea of building a railway from the United States to the Argentine Republic is somewhat startling to those who have never given the subject a thought, but a little reflection will convince any one that no insuperable obstacle is in the way of such an enterprise. A railroad from some point in Texas, or elsewhere in this country, where a connection is formed with the railroad system of the United States to the City of Mexico, and thence through the Republic of Mexico and Central America and along the Isthmus of Darien, passing east of the Andes through South America to the Argentine Republic, would meet with but few natural obstacles in the way of its construction, and the distance will not exceed 6,800 miles, and it may be shortened to 6,000 miles by commencing its construction at the City of Mexico, where it will connect with roads already built and in process of construction. Distance and natural obstacles have never thwarted American enterprise in the construction of railways. Already have several lines of railway been stretched across this continent, either of which, from ocean to ocean, is more than 3,000 miles in length. While it may be true that a railroad from the United States to the Argentine Republic is of greater magnitude, yet it is believed that the obstacles to its completion are no more formidable than were encountered eighteen or twenty years ago in the construction of our first transcontinental line.

In the United States, with an area of something over 3,000,000 square miles, we have now about 125,000 miles of railroads, which, with all their appurtenances, have cost not less than \$5,000,000,000. South and Central America, with a population very nearly as large as that of the United States, and with an area of nearly 8,000,000 square miles, have an aggregate of 8,452 miles of railroads, this being a less number than is found in one single State in this Union. From Guatemala and Honduras to Chili and the Argentine Republic, embracing the several independent and progressive commonwealths of Salvador, Nicaragua, Costa Rica, Colombia, Venezuela, Ecuador, Peru, Bolivia, Brazil, Paraguay, and Uruguay, the conditions of topography, soil, climate, population, productions, and all other circumstances, actual and prospective, are believed to be such as to invite and fully justify the construction of the great line of railway suggested by this bill, and when it is constructed our commerce will be enlarged to such an extent as at this time to defy anything like a correct estimate of its value, and then we will be in a position to say to European Governments in the memorable words of President Monroe:

“That we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.”

It is believed that no topographical difficulty exists that will prevent the construction of the proposed railway. The trouble is in another direction. The capital with which the road is to be built and operated must be protected by the pledged faith and proper guaranties of all the

Governments that may be interested in the building and maintenance of the colossal enterprise ; and this protection must be extended at all times, in time of war as well as in time of peace.

While it is true that the commissioners will not be confined to an investigation of the practicability of connecting this country with the States of Central and South America by railways, but must extend their investigations to all other means and facilities, whereby closer commercial relations with said States and this country may be promoted, it is also true that they will be charged with no more important duty than to obtain all information which may show the feasibility of constructing such railways with entire safety to those who may invest their money in building and operating the same.

It may be thought by some that the duties imposed upon the commissioners by the bill herewith reported can easily be performed by our ministers and consuls in Mexico and Central and South America without an additional expense to this Government. If such an objection be made, we beg that it shall be remembered that the provisions of the bill contemplate an integrity and singleness of purpose which can be conveniently advanced and achieved only by a special commission. One section of the bill, when enforced, will bring to said commissioners all the assistance which the diplomatic officers of this Government in those countries may be able to render. It would be impossible for ministers and consuls who are widely separated to have that concert of action which would exist with a commission charged with the performance of specific duties, and without such concert of action no good could be accomplished. Besides, the sending of a special commission to Mexico and to the different nationalities in Central and South America would be a higher manifestation of our regard for those Governments, and would demonstrate the sincere desire of this Government to cultivate with them such relations as will be of mutual benefit.

#### THE "SOUTH AMERICAN COMMISSION" AUTHORIZED.

The following is an extract from the act of Congress making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1885 :

For three commissioners to be appointed by the President, by and with the advice and consent of the Senate, at a compensation of seven thousand five hundred dollars each. Said commissioners shall ascertain the best modes of securing more intimate international and commercial relations between the United States and the several countries of Central and South America, and for that purpose they shall visit such countries in Central and South America as the President may direct.

For one secretary to said commission, to be appointed by the Presi-

dent, by and with the advice and consent of the Senate, three thousand dollars; and in addition to the foregoing amounts such further sum as may be required for the reasonable expenses of said commission, such expenses to be paid upon the certificate of the chairman thereof and approved by the Secretary of State; and said commission shall report their action to the President, for transmission to Congress, with such recommendation as he may deem fitting.

Under the authority of this bill the President of the United States appointed a commission, consisting of George H. Sharpe, of New York; Solon O. Thacher, of Kansas; and Thos. C. Reynolds, of Missouri, with William Eleroy Curtis as secretary, to visit the several countries of Central and South America to ascertain the best modes of securing more intimate international and commercial relations. This commission held conferences with the merchants and manufacturers of the United States in Boston, New York, Philadelphia, Baltimore, New Orleans, and San Francisco, and then visited each of the several countries in turn.

George H. Sharpe having resigned in March, 1885, William Eleroy Curtis was appointed commissioner to succeed him. This commission made from time to time a number of reports, which were printed by order of Congress, and appear as H. R. Ex. Doc. 226, Forty-eighth Congress, second session, and H. R. Ex. Doc. 50, Forty-ninth Congress, first session. These reports recommended that an invitation be extended by the United States to the several other Governments of America to join at Washington in a conference to promote commercial intercourse and to prepare some plan of arbitration.

#### THE CUSTOMS UNION PROPOSITION ADVERSELY REPORTED.

On the 21st of December, 1885, Mr. Townshend, of Illinois, re-introduced his joint resolution requesting the President to invite the co-operation of the Governments of the American nations in securing the establishment of free commercial intercourse among those nations, and an American customs union.

On the 15th of April, 1886, Mr. McCreary, of Kentucky, from the Committee on Foreign Relations, made the following report:

## REPORT :

[To accompany H. Res. 14.]

The Committee on Foreign Affairs, to whom was referred joint resolution (H. Res. 14) requesting the President to invite the co-operation of the Governments of American nations in securing the establishment of free commercial intercourse among those nations and an American customs union, have considered said resolution and report the same with an adverse recommendation.

## RESOLUTION TO PROMOTE ARBITRATION.

On the 26th of January, 1886, Mr. Worthington introduced in the House of Representatives the following joint resolution :

JOINT RESOLUTION to authorize the President of the United States to invite the autonomic Governments of America to send delegates to an international American congress to arrange for the arbitration of all national differences.

*Resolved 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 is hereby, authorized, through the Secretary of State, to invite the autonomic Governments of America with which the United States has diplomatic relations to send delegates to an international American congress, to be held at such time and place as he may designate, for the purpose of agreeing upon and recommending for adoption to their respective Governments a definite plan of arbitration of all questions, disputes, and differences that may now or hereafter exist between them ; and that the President is hereby authorized to appoint such a number of delegates from the United States as he may see fit, who shall serve without compensation other than their expenses, and to take such other steps as may be necessary for the execution of the purposes of this resolution; and that the sum of twenty-five thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses that may be incurred under this resolution.

On the 15th of April Mr. McCreary, from the Committee on Foreign Affairs, made the following report :

## REPORT.

[To accompany H. Res. 94.]

The Committee on Foreign Affairs, to whom was referred joint resolution (H. Res. 94) to authorize the President of the United States to invite the autonomic Governments of America to send delegates to an International American Congress to arrange for the arbitration of all

national differences, have had the said resolution under consideration, and report the same with an adverse recommendation, and ask that it lie on the table.

#### THE RAILWAY SCHEME REVIVED.

On the 8th of February, 1886, was re-introduced into both Houses of Congress the bill of Mr. Hinton Rowen Helper, authorizing the President of the United States—to invite all the Governments of the said several Republics of Mexico, Central America, and South America, and the Empire of Brazil, to meet in convention, in the city of Washington, upon such a day as he may appoint, during the present year, anno Domini eighteen hundred and eighty-six, to consider such questions as relate to the best mode of establishing upon a firm and lasting basis peaceful and reciprocal commercial relations, and also to adopt such measures as may be considered the most practical to carry forward the construction of the said railroad in the interests of peace, commerce, and mutual prosperity; and that the sum of fifty thousand dollars, now in the Treasury of the United States and not otherwise disposed of, be, and is hereby, appropriated, or so much thereof as may be necessary, and placed to the credit of the Secretary of State, to defray, in a manner becoming the dignity of the United States, the expenses incidental to the holding of said convention.

#### ARBITRATION IN THE SENATE.

This bill was returned by the Committee on Foreign Affairs with an adverse recommendation. On the 15th of February, 1886, Senator Logan of Illinois, introduced in the Senate the following bill, which on the 6th of May was reported adversely from the Committee on Foreign Relations, and indefinitely postponed.

A BILL to authorize the President of the United States to send delegates to an international American congress to arrange for the arbitration of all national differences.

*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 is hereby, authorized to invite the Governments of America with which the Government of the United States has diplomatic relations to send delegates to an international American congress, to be held at such time and place as may be designated, for the purpose of agreeing upon and recommending for adoption to their respective Governments a definite plan of arbitration of all questions, disputes, and differences that may now or hereafter exist between them; and that the President is hereby authorized to appoint such a

number of delegates from the United States as he may see fit, not to exceed ten in number, to be divided equally between political parties, who shall serve without compensation other than their expenses, and to take such other steps as may be necessary for the execution of the purposes of this act; and that the sum of twenty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses that may be incurred under this act.

SENATOR FRYE'S ORIGINAL BILL.

On the 23d of February, Senator Frye, of Maine, introduced in the Senate the following :

A BILL to promote the political progress and commercial prosperity of the American nations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President be, and he hereby is, authorized and directed to invite, on behalf of the Government and people of the United States, delegates from each of the Republics of Central and South America, from San Domingo, and the Empire of Brazil to assemble in Washington on the first day of October, eighteen hundred and eighty-seven, to meet delegates on the part of the United States, to consider and decide upon such questions as shall be to the mutual interest and common welfare of the American people; that each of the independent nations of this hemisphere shall be entitled to send as many delegates as it shall for itself determine, but in deciding questions in the congress no delegation shall have more than one vote.

SEC. 2. That in forwarding the invitation to the constituted authorities of the several independent Governments of the American hemisphere, the President of the United States shall set forth that the congress is called to consider—

First. Measures that shall tend to preserve the peace and promote the prosperity of the several Republics and the Empire of Brazil, and to preserve the present integrity and territorial conditions of each as they exist against forcible dismemberment.

Second. Measures toward the formation of an American customs union, under which the trade of the American nations shall, so far as is possible and profitable, be confined to American waters, and there shall be a free interchange of the natural and peculiar manufactured products of each.

Third. The establishment of regular and frequent lines of direct steamship communication between the ports of the United States and the ports of Central and South America.

Fourth. The establishment of a uniform system of custom regulations in each of the independent American states to govern the importation

and exportation of merchandise, a uniform method of determining the classification and valuation of such merchandise in the ports of each country, and a uniform system of invoices.

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

Sixth. The adoption of a common silver coin which shall be issued by each Government in such an amount proportionate to the population of each as may be determined upon, the same to be legal-tender in all commercial transactions between the citizens of all of the nations of the American hemisphere.

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.

SEC. 3. That such delegates as may attend the said congress shall be the guests of the Government of the United States, and shall be entertained, from the time of their arrival in this country until their departure, in such a manner as shall be consistent with the dignity of the nation and the importance of the duty they are appointed to perform; and that the sum of one hundred 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 of the Secretary of State.

SEC. 4. That the President of the United States shall appoint, by and with the advice and consent of the Senate, twenty-four delegates to the said congress, selected equally from the political parties, of whom at least three shall be learned in international law, and the remainder, men who are actively engaged in agriculture, manufacturing, and the exportation and importation of merchandise.

#### A COMMON SILVER COIN PROPOSED.

On the 16th of March, 1886, Mr. Reagan, of Texas, introduced the following in the House of Representatives :

A BILL to provide for a conference of the American nations on a common standard silver coin, and for other purposes.

Whereas it is desirable that all the American nations, producers of silver, and using almost exclusively silver coins in the operations of their domestic and foreign trade, should agree upon a common standard silver coin, equal in value, size, weight, and fineness, current in all of them; and

Whereas the result of such agreement is likely to be highly beneficial to each and all the contracting parties, and will increase their commercial and friendly relations: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That immediately after the passage of this act the President shall invite the Governments of all the American Republics and the Empire of Brazil to join the United States in a conference to agree upon a common standard silver coin, equal in value, size, weight, and fineness, current in all of them; such conference to be held at such place on the American continent, and at such time, within six months from the passage of this act, as may be mutually agreed upon by the Governments joining the same, whenever the Governments so invited, or any three of them, shall have signified their willingness to unite in the same.

SEC. 2. That the sum of fifteen thousand dollars is hereby appropriated, out of any moneys now in the Treasury and not otherwise appropriated, or so much thereof as may be necessary, and placed to the credit of the Secretary of State, to defray, in a manner becoming the dignity of the United States, the expenses incidental to the holding of said convention.

#### MR. M'CREARY'S ORIGINAL BILL.

On the 29th of March, 1886, Mr. McCreary, of Kentucky, introduced the following :

A BILL authorizing the President of the United States to arrange a conference for the purpose of encouraging peaceful and reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil.

*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, and the Empire of Brazil to join the United States in a conference to be held in the United States or in one of the Republics named herein, for the purpose of considering questions relating to the improvement of business intercourse between said countries, and to encourage such peaceful and reciprocal commercial relations as will be beneficial to all and secure more extensive markets for the surplus products of each of said countries. The President of the United States shall appoint three commissioners who shall attend said conference on behalf of the United States, and shall report the proceedings thereof to the President, who shall transmit the same to Congress; and the commissioners shall each receive the sum of one thousand dollars and their reasonable expenses, to be approved by the Secretary of State; and the amount necessary to pay such compensation and expenses is hereby appropriated out of any money in the Treasury not otherwise appropriated.



## AN ARBITRATION CONFERENCE AGAIN PROPOSED.

On the same day Mr. McKinley, of Ohio, introduced the following :

A BILL to authorize the President of the United States to invite the autonomic Governments of America to send delegates to an international congress to arrange the settlement of national differences by arbitration.

*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, authorized to invite the autonomic Governments of America to send delegates to a congress to be held at Washington or New York, and at such time as he may designate, for the purpose of revising and formulating and recommending a definite and fixed plan of arbitration of all differences now existing or that may hereafter exist between them, with the understanding that the delegation from each Government shall have but one vote in said convention ; and that the President is hereby authorized to appoint delegates, who shall not exceed twelve in number, equally from the two leading political parties, six of them being learned in international law, and that such delegates shall serve without compensation other than their expenses ; and that the President is hereby authorized to take such other action as may be necessary for the purposes of this act ; and the sum of thirty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses that may be incurred under this act.

## MR. M'CREARY'S ORIGINAL REPORT.

On the 15th of April, 1886, Mr. McCreary, of Kentucky, reported from the Committee on Foreign Affairs of the House of Representatives, the following :

A BILL authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil.

*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, and the Empire of Brazil to join the United States in a conference to be held at Washington, in the United States, 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 be-

tween 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. The President of the United States shall appoint three commissioners who shall attend said conference on behalf of the United States, and shall report the proceedings thereof to the President, who shall transmit the same to Congress; and the commissioners shall each receive the sum of one thousand dollars for their service; and the sum of twenty thousand dollars, or so much thereof as shall be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay said compensation and the reasonable expenses of the conference, to be approved by the Secretary of State.

This bill was accompanied by the following report:

REPORT:

[To accompany bill H. R. 7884.]

The Committee on Foreign Affairs, to which was referred the bill (H. R. 7267) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil, have had the same under consideration, and respectfully report the accompanying bill, and recommend its passage.

This bill, as far as is deemed proper and practicable, is for the accomplishment of the same results sought in joint resolutions 14 and 94 and House bill 5444, to wit, the establishment of more intimate commercial and other international relations between the United States and other autonomic States of the American continent.

The subject of establishing closer international relations between all the Republics of the American continent and also the Empire of Brazil, containing in the aggregate one hundred millions of people, for the purpose of improving the business intercourse between those countries and securing more extensive markets for the products of each is both interesting and important. Sixty years ago this subject was discussed and a conference was suggested between representatives of our Government and the other Governments, and President John Quincy Adams appointed representatives to the Congress held at Panama to consider measures for promoting peace and reciprocal commercial relations between said countries. This Conference was beneficial, but at that time our people were looking more to Europe for business and commerce than to the countries south of us, and no action was taken by our Congress. Now the United States is at peace with all the world and our population and wealth make this the foremost Republic of the world, and our Government should inaugurate the movement in favor of an American conference.

The present depression of business and low price of farm products are caused, to a considerable extent, by a limited market for our surplus products. Some of the best markets we can look to are not far beyond our southern border. They are nearer to us than to any other commercial nation. The people of Mexico and of Central and South America produce much that we need, and our abundant agricultural, manufactured, and mineral productions are greatly needed by them. These countries cover an area of 8,118,844 square miles, and have a population of 42,770,374. Their people recognize the superiority of our products, and desire more intimate business intercourse with our people, but the great bulk of their commerce and trade is with Europe. The Argentine Republic has from forty-five to sixty steam-ships running regularly between Buenos Ayres and European ports, and no regular line between that country and the United States, and our commercial facilities with the other republics of Central and South America are about the same.

In 1884 our exports were valued at \$733,768,764.

Of this amount we exported but \$64,719,000 to Mexico and South and Central America.

Our annual mechanical and agricultural products are valued at fifteen thousand millions of dollars, while we seldom have sold more than seventy-five millions of dollars worth of these products to our nearest neighbors, who buy in Europe at least five times as much as they get here.

The total commerce of the countries named in 1883 was as follows :

Imports.....	\$331,100,599
Exports.....	391,294,781

Of the \$331,100,599 of merchandise sold to those countries, the share of the United States was only \$42,598,469 ; yet we are their closest neighbor.

The disparity of our trade with Peru, Chili, Argentine Republic, and Brazil is both amazing and humiliating.

Last year the imports of merchandise were as follows:

To—	From Great Britain	From United States.
Peru .....	\$6,235,685	\$743,105
Chili.....	11,060,880	2,211,007
Argentine Republic.....	29,692,295	4,317,293
Brazil .....	33,946,215	7,317,293

The following tables exhibit the population of the countries named, and the relations of trade carried on by them with the United States and Great Britain during the last year :

	Argentine Republic.	Brazil.	Central America.	Chili.	Colombia.
Population .....	2,406,000	10,108,291	2,900,000	2,400,396	2,951,323
Exports to Great Britain....	\$5,793,965	\$23,507,165	\$6,526,950	\$12,977,465	\$2,166,380
Imports from Great Britain....	29,692,295	33,946,215	4,624,560	11,060,880	6,107,645
Exports to United States....	4,328,510	45,263,660	6,409,001	604,525	2,342,007
Imports from United States....	4,347,293	7,317,293	2,762,531	2,211,007	5,583,368

	Mexico.	Peru.	Venezuela.	Uruguay.	Dominion of Canada.
Population .....	9,389,461	3,050,000	2,075,242	447,000	4,750,000
Exports to Great Britain....	\$3,502,500	\$10,414,170	\$1,300,565	\$3,283,625	\$15,558,555
Imports from Great Britain....	5,415,765	6,235,685	3,628,680	8,131,640	44,727,095
Exports to United States....	9,367,021	1,704,690	6,309,580	2,734,617	39,000,000
Imports from United States....	6,340,784	742,105	3,043,609	1,682,443	50,000,000

*Total values of free and dutiable merchandise imported into the United States from Mexico and Central and South America during the year ending June 30, 1885, with the estimated amounts of duty collected on such imports.*

Countries from which imported.	Value of merchandise.			Estimated amounts of duty collected.
	Free of duty.	Dutiable.	Total.	
Argentine Republic .....	\$3,154,337	\$1,174,173	\$4,328,510	\$364,933.28
Chili .....	399,464	205,061	604,525	68,386.89
Mexico .....	5,173,441	4,093,580	9,267,021	635,960.72
Central American States .....	6,149,873	259,142	6,409,015	140,759.88
United States of Colombia.....	2,335,083	6,994	2,342,077	1,714.68
Venezuela .....	6,267,887	41,693	6,309,580	20,297.40
Peru .....	1,749,632	15,258	1,764,890	5,148.06
Brazil .....	38,136,191	7,127,469	45,263,660	6,607,377.15
Uruguay .....	2,317,131	417,478	2,734,617	255,480.80
Bolivia, Ecuador, Paraguay, and Patagonia .....	753,321	280	753,601	140.00
<b>Total.....</b>	<b>66,436,368</b>	<b>13,341,128</b>	<b>79,777,496</b>	<b>8,100,198.86</b>

*Per cent.*

Total value of merchandise free of duty.....	83.28
Total value of merchandise subject to duty.....	16.72
Equivalent ad valorem rate of duty on—	
Dutiable merchandise.....	10.15
Free and dutiable merchandise.....	60.72

The consumption of cotton goods in Central and South America and in Mexico amounts to nearly one hundred millions of dollars annually, and although they are so near our cotton-fields, England furnishes about 95 per cent. of these goods.

Cotton fabrics constitute the wearing apparel of nearly three-fourths of those people, and they have to import all they use.

England monopolizes this trade because of her cheap transportation facilities, and because her mills furnish goods especially adapted to the

wants and tastes of the consumers, which our mills have never attempted to produce.

It is very important that transportation facilities between the United States and her southern neighbors should be improved ; for as long as the freight from Liverpool, Hamburg, and Bordeaux is \$15 a ton, they can not be induced to pay \$40 a ton to bring merchandise from the United States.

There is not a commercial city in these countries where the manufacturers of the United States can not compete with their European rivals in every article we produce for export.

The report of the South American Commission shows, by the testimony of the importing merchants of those countries, that aside from the difference in cost and convenience in transporting, it is to their advantage to buy in the United States, because the quality of our products is superior, and our prices are usually as low as those of Europe. In this connection it may be important to consider whether a common standard of gold and silver coins equal in value, weight, and fineness in all of the countries named, and current in all of them, would help to increase commerce and friendly relations among them.

The bill does not seek to control the conference or determine what it shall do, but simply to bring representative men of each Government together, to discuss and recommend for adoption to their respective Governments some plan of arbitration for the settlement of disagreements and disputes that may hereafter arise between them, and to consider questions relating to the improvement of business intercourse 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.

While no scheme may be devised by which all and every disagreement and dispute may be submitted to arbitration in such manner as to always avoid international war, it certainly will be in accordance with the civilization and Christianity of this age to seek to establish a plan of arbitration by which questions of difference may be arranged and settled peaceably.

The Amphictyonic council of Greece, composed of delegates from each of its states, and empowered to examine and decide all their disputes, did much to preserve peace between them for years, and the Achæan league did the same, and was often solicited even by foreign nations to act as arbiter of their disputes, and the recent adjustment of the controversy over the "Alabama claims" shows that the Government of the United States favors arbitration.

While we have great respect for those who advocate a reform of our laws on currency and taxation, we believe that the great questions presented in the bill under consideration should not be delayed, but should receive prompt action, so as to keep pace with the other important subjects referred to.

It is not proposed to intrust to the Conference the power to make final

and definite treaty arrangements—that would be in opposition to our Constitution ; but it is believed that all will be benefited by a conference held under the invitation and auspices of the most prosperous and powerful nation of the American continent, from which assemblage reports of the proceedings shall be made to the respective Governments for proper action.

The bill provides that the commissioners shall report the proceedings thereof to the President, who shall transmit the same to Congress, and it is believed that nothing but common good can grow out of such a conference.

At no time since the organization of our Government has there been a deeper conviction of the propriety of connecting in closer relations our Republic and the Republics of Mexico, Central and South America, and the Empire of Brazil.

Whatever tends to bring into kindly accord the interest and aims of our country and those of our neighbors will be beneficial.

The report of the commissioners, appointed under the act of 1884, shows that the people of these countries are anxious to encourage more intimate commercial relations with the people of the United States.

They say in their report :

“ Unless we have been completely misled by the expressions and protestations of the ruling powers of each and every one of the Governments we have visited, the only estrangement possible between them and us will flow from our own indifference and neglect. Indeed, we have already lost much that naturally belongs to us from this cause. Every President and cabinet officer, every leading and thoughtful citizen we met, joined in the sentiment of gratified surprise that our country had taken the initiative by this embassy in bringing about more cordial and hearty communication between the various Republics and our own. In our effort to reach more intimate relations we have, then, this basis of kindness and desire upon the part of those we seek to reach as a foundation for our action. We shall plant seed in a genial soil, beneath a propitious sky. ”

#### MR. BELMONT'S MINORITY REPORT.

##### VIEWS OF THE MINORITY.

I regret extremely that I am unable to concur with my associates on the Foreign Affairs Committee who advise the House to accept and pass the bill H. R. No. 7267, which requests the President to invite the several Governments on this continent therein named to join this Government in a Conference, and authorizes the President to appoint three commissioners who shall attend the Conference on behalf of this Government, and appropriates \$20,000 therefor. The objects and aims of the Conference, as vaguely mentioned in the bill, are three fold. One is to discuss and recommend for adoption by this Government, and

each of the other Governments, *some plan* of arbitration for the settlement of disagreements and disputes hereafter arising between them. Another is to consider questions relating to the improvements of business intercourse between "said countries." A third is to encourage such peaceful and reciprocal commercial relations as will be beneficial to all, and secure more extensive markets for the surplus products of each of said countries.

If the bill shall become a law this Government will, as befits its dignity and power on this continent, be the initiator of the Conference, and will naturally be considered by the participating nations as the one to take the lead in formulating the propositions to be considered by the Conference. I have seen no indication that the President has suggested or advised the proposed Conference, and if such a Conference is to be convened by his invitation, on the request of Congress, then the promoters in Congress should, as it seems to me, define, with reasonable precision, not only the objects to be sought by those representing this Government in the Conference, but the ways and means by which those objects are to be obtained, including, in the outline, the concessions which our law-making power, as distinct from our treaty-making power, might be willing to make. If the Conference were proposed by other Governments, as was the congress at Panama in 1826, or if the President had initiated the Conference now proposed, and had asked the sanction of the Senate by the confirmation of commissioners, and of the two Houses by an appropriation of money therefor, then the President could be assumed to be in possession of, or to have formulated, the measures to be proposed at the Conference, and the stipulations which, if inserted in a treaty, he would be willing to sign and transmit to the Senate for its action. But, in the present case, the initiation of negotiations to be carried on by the President comes, so far as I am informed, entirely from the House. If the Conference should convene under the proposed bill, and the assembled powers were to ask our commissioners for an outline of their plan as regards the three topics, what reply should the President instruct them to make?

*Arbitration.*—The first topic in the bill is arbitration. It proposes that the Conference shall discuss and recommend "some plan." What plan? Which "disagreements and disputes" are to be submitted to arbitration? What sort of arbitration? Those are problems concerning which the President should, by the bill, be advised, or else most inconvenient consequences might flow from a rejection by the Senate or Congress of a plan or system of arbitration which had been adopted by the Conference on the initiation and advocacy of our own commissioners.

What is arbitration as understood in international intercourse? Vattel defines it to be "a reasonable and natural mode of deciding such disputes as do not directly affect the safety of the nation." The exclusion contained in this definition is most important. It is believed that during the century and a quarter which has intervened since this definition was written, no powerful Government has consented or indi-

cated its willingness to consent generally to the reference to an arbitration, either by neutral Governments or by commissioners, of any but secondary questions, such as claims for pecuniary compensation for injuries, questions of boundary lines, disputes over the interpretation of treaties, and other similar questions. Wars have been prevented by the mediation, or good offices of some friendly Government or Governments, but the exercise of mediation or of good offices is rather a method of *conciliation* than of *arbitration*, which last implies the power of definite and final decision.

The United States ever since the organization of their national Government, and notably in the treaty of peace of 1783, have frequently used with great success arbitration as a method for the settlement of secondary questions. The plenipotentiaries to the congress of Paris of 1856, in their twenty-second protocol, express in the names of their Governments the wish that the States between whom serious difficulties may arise, would, before appealing to arms, have recourse, as far as circumstances will admit, to the good offices of a friendly power. But there again the exceptions "as far as circumstances will admit," and the employment only of good offices (which last is often a simple formality to bring the contending parties together), as distinct from arbitration, which pronounces a real obligatory judgment, are significant.

It may be said that the international tribunal at Geneva was the submission by this Government of a question too important to be called a secondary question, but it is to be remembered that it was by the result of negotiations by the Joint High Commission at Washington that the "three rules" were formulated, which left little to be done at Geneva, excepting to ascertain the facts, apply the rules, and assess the damages. It was the decision of the British Government that war ought not to come out of the "Alabama claims" which led up to the Joint High Commission, which in turn created the tribunal at Geneva.

The bill reported to the House gives no indication of the class of "disagreements and disputes" which this Government will consent to refer to arbitration. Will the United States consent to confer on any tribunal the power to adjudge the cession of territory by us, or the demolition of our fortifications, and to decree anything and everything to be done by us which, according to the present usages of international law, may be imposed upon a defeated nation by its victors in war? Probably not, and, if not, then precisely what class of questions will the United States say may be referred to arbitration? If arbitration is to be a complete substitute for war, then it would seem essential that the jurisdiction of the arbitrators shall cover all "disagreements and disputes" which may possibly lead to war. When a commotion or insurrection or civil war is, to the great possible injury of a neighboring nation, on the point of breaking out within any one of the nations to participate in the Conference, shall the origin of the outbreak, and the claims of the contending parties, be submitted to arbitration, or shall the sphere of arbitration be limited to questions which, according to existing international usage,



are capable of constituting legitimate causes of war? Will the United States consent to submit to arbitration a decision of the question whether or not this Government shall make an apology to some other nation?

Assuming the proposed bill to be so enlarged and amended as to declare definitely the class of questions which this Government may declare to the conference that it is willing, in behalf of itself, to submit to arbitration, then what international machinery shall be provided on this continent to ascertain the facts which underlie the dispute, and give judgment? Shall this international organization, for the settlement of "disagreements and disputes," be of a *permanent* character, with authority to take immediate jurisdiction without waiting until the parties concerned mutually agree to submit to arbitration? Is there to be on this continent a permanent congress of nations, or a new international nation? Are the several independent nations on this continent to form themselves into a federation for the purpose of arbitrating disputes between themselves? If this congress of nations is not to be in perpetual session, then by whom is it to be convened in order to deliver its judgment upon "disagreements and disputes" tending to disturb the peace of the continent? As our own thirty-ninth Government, which is the Federal Government at Washington, clasps and enfolds the thirty-eight State Governments in the union of States, and as is intended to settle disputes and prevent war between them, shall there be a new international nation on this continent, with a congress, a court, and an executive, to settle disputes and prevent war between the several nations?

What limitation shall be placed upon the nature of the award and judgment which this international tribunal may make?

And when the proposed bill has been amended so as satisfactorily to answer these questions, then will come the other question, whether the decisions of this new international tribunal on this continent shall have only a moral authority, or provision shall be made for the physical enforcement of the verdict. Is the new contrivance to be, in the first place, an appeal from force to reason, and then, if reason does not prevail, an appeal back again from reason to force? If there is to be armed force behind the decision of this new board of arbitration, how shall this force be maintained, who shall command it, and what shall be the limit of international expenditure therefor?

If it be said that the proposed bill only contemplates an effort to concert measures between the independent Governments on this continent to exercise a *moral* authority between nations where "disagreements and disputes" unfortunately arise, and thus settle them in an amicable and satisfactory manner, it may be said that this Government has already given ample indication that such is its wish. But if, on the other hand, a chief object of the proposed bill is to urge the several Governments of the Republics of Mexico, Central and South America, to agree on "some plan of arbitration for the settlement of disagreements and disputes that may hereafter arise *between them*," but which do not directly concern this Government, then it will deserve consideration

whether, uninvited by those Governments or either of them, it will be prudent for this Government to thus attempt to participate in the mutual relations of other independent Governments on this continent, and whether, if we do thus endeavor, we shall not thereby enter upon a field of effort from which hitherto our well-established policy and the warning voice of Washington have excluded us.

Arbitration as a means in the affairs of individuals of obviating the necessity of recourse to courts of law, or in the affairs of nations of preventing the arbitrament of the sword, has much to commend it. Courts of *conciliation* are scarcely less effective and benevolent than courts of *arbitration*, whether in individual or international affairs. But before the proposed bill shall become a law, ought not Congress to define the circumstances and conditions under which the decision of the arbitrators shall *not* be binding? Surely an independent government can not be expected to be bound if the arbitrators are incapable (as perhaps this Government had reason to suspect in its latest arbitration of the fishery question); or if the arbitrators acted in bad faith; or if the contending parties have not been misunderstood; or if the award shall have been in excess of the terms of the reference; or if the decision shall have been contrary to natural justice. These questions and others like them will naturally come to the front on the assembling of the proposed conference, and our commissioners will naturally ask for instructions from the President. The law which initiates the congress should, as it seems to me, clearly intimate to the President its opinion.

In July, 1873, Mr. Gladstone said in the House of Commons that a general and permanent system of arbitration would make practical progress, not by attempting permanent international concert, which would then be premature, but by "a steady adherence on the part of those powers who are readily inclined and convinced and persuaded, on the subject to principle, first governing themselves by justice and moderation, and next losing no opportunity of recommending a peaceful settlement of disputes between nations."

*Improvement of "business intercourse."*—The second topic to be discussed by the conference concerns "the improvement of business intercourse between said countries." And here, again, what is to be accomplished by the President in that direction seems rather vague and difficult to practically deal with. Does the "improvement of business intercourse between said countries" imply and include the improvement of the means of transportation by land and by sea? Does this Government intend to commit that large problem to an international conference, and to hold out the expectation to the Governments participating in such conference that this Government will be bound by the result of the deliberations? Or, if not, then should there not be in the bill a limitation and definition of the subjects relating "to the improvement of business intercourse between said countries," concerning which a conference is invited?

*Markets for surplus products.*—The third object of the proposed con-

ference is declared in the bill to be the encouragement of "such peaceful and reciprocal commercial relations as will be beneficial to all and secure more extensive markets for the surplus products of *each* of said countries." It is to be inferred from this language that one of the objects which this Government seeks to promote is the obtaining of "more extensive markets for the surplus products of Mexico, Brazil, and the States of Central and South America." It is not to be assumed that this Government will initiate a conference between themselves and the other Governments on this continent in order to monopolize *for ourselves* the purchase of "the surplus products of each of said countries." It is not to be assumed that either of those countries will undertake to sell its surplus products to none else but ourselves. The purpose is, on the contrary, declared to be such "reciprocal commercial relations" as will secure more extensive markets for the surplus products of *each*. Whether or not all who dwell on this Western Hemisphere, or even we of the United States of America, would be more prosperous and better off if all commercial relations with the Eastern Hemisphere were prohibited or prevented, is of course a very large question. But so long as the people and the governments on this continent which are at the south of us shall find on the other continent, and not find on this continent, the surplus capital and money which they need, it will not be reasonable for us to hope that Mexico, Brazil, and the Republics of Central and South America will cease to hold commercial intercourse with Europe, or that European holders of the indebtedness of those states will cease to exercise very potential influence in their affairs, and in the end control, it is feared, any conference to be assembled under the proposed bill. There is no danger that the primacy of the United States of America upon this continent, which comes of their situation, population, wealth, enterprise, energy, and determination to assert their rights, will be questioned or denied. But it is true, nevertheless, that we seek an outlet for the surplus product of our skill and our prosperous labor, and for that reason we should welcome the enlargement of "such peaceful and reciprocal commercial relations" between us and the Spanish races to the south of us. For the same reason we should encourage similar "peaceful and reciprocal commercial relations" with the five millions and more of people of our own race, speaking our own language, reading our newspapers, and living under laws and political institutions similar to our own. And for the same reason we should encourage "peaceful and reciprocal commercial relations" with the peoples who inhabit the islands of the Gulf of Mexico, and the surrounding seas, which islands are now the colonial dependencies of European governments. But the Dominion of Canada to the north of us and the islands of the Gulf to the south of us are excluded from the arrangements contemplated in the proposed bill.

Nothing is now so desirable for our own people as a free and reciprocal interchange of products between ourselves and the people of other nations on this continent. But what now hinders such free inter-

change so much as our tariff laws? If this Government shall invite Brazil, Mexico, and the Republics of Central America and South America to join us in a conference to promote such free and reciprocal interchange of products, what concessions in our tariff schedules is the President to be authorized to instruct our commissioners to propose on our part? The question on our own tariff will naturally and immediately come up for discussion and consideration. Shall, for example, our commissioners be authorized to offer to the Argentine Republic to admit its wool into our ports free of duty?

No one can be more sensible than I am of the great advantages which in our country flow from that free commercial intercourse, unvexed by tariffs or custom-houses, which the Federal Constitution secures. I wish by some possible and wise contrivance those advantages now enjoyed by and between Maine and California, Florida and Alaska, could be realized by and between every nation and every producer on this hemisphere from Baffin's Bay to Cape Horn. But is this Government now in condition to successfully ask in a diplomatic way the accomplishment of such a result? To use Mr. Gladstone's language, should we not first of all begin to govern ourselves in tariff matters with "justice and moderation?" And then, too, does opinion in this House tend to tolerate a reform or protective system by treaties? What is to be the fate of the Sandwich Islands treaty and Mexican treaty? Is there not a disposition against the sugar arrangements of the Hawaiian Islands treaty to even sacrifice the great political and naval advantages which that treaty gives to us, situated as these islands are in the track of traffic between California and China, Japan and Australia?

And if we can not successfully compete in our own jurisdiction with foreign manufacturers, excepting by the aid of prohibitory or impeding tariff rates, I am at a loss to understand how our commissioners to the proposed conference can convince Mexico or Brazil or the Republics of Central and South America that we can, in their jurisdiction, compete successfully against those same manufacturers and offer our products at cheaper prices than European manufacturers can offer similar articles.

So far as this bill (7267) endeavors to accomplish an increase of trade by the exchange of products between the people of our own United States and the people living under other governments on this continent (including the colonies hereon possessed by European governments) the object is one which deserves encouragement and success; but it may well be doubted whether such an object can be best promoted by international conferences and treaty stipulations. So far as the welfare of our own Government is concerned, it is to be feared, as I have already said, that the deliberations of an international conference between the representatives of this Government and of other independent governments established and having the seat of authority on this continent, would be in danger of injurious interference, so far as this Government

is concerned, by the intrigues of those in Europe who are the holders of so large a part of the indebtedness of Central American or South American States.

It is true that the trade and commercial intercourse now existing between foreign peoples on this continent and other peoples are not altogether carried on with ourselves. The following statements will exhibit the population of the independent states on this continent, including the colonial Dominion of Canada, and the relation of trade carried on by them with the United States to the trade carried on by them with Great Britain, and the vessels in which it is carried on :

	Argentine Republic.	Brazil.	Central America.	Chili.	Colombia.
Population .....	2,406,000	10,108,291	2,900,000	2,400,396	2,951,323
Exports to Great Britain . . .	\$5,793,965	\$23,507,165	\$6,526,950	\$12,977,465	\$2,166,380
Imports from Great Britain . . .	29,692,295	33,946,215	4,624,560	11,060,880	6,107,645
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Imports from United States . . .	4,317,293	7,317,293	2,762,531	2,211,007	5,583,368

	Mexico.	Peru.	Venezuela	Uruguay.	Dominion of Canada.
Population .....	9,389,461	3,050,000	2,075,245	447,000	4,750,000
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Exports to United States . . .	7,267,021	1,763,890	6,309,580	2,734,617	39,000,000
Imports from United States . . .	8,340,784	742,105	3,043,609	1,682,443	50,000,000

*Total values of free and dutiable merchandise imported into the United States from Mexico and Central and South America during the year ending June 30, 1885, with the estimated amounts of duty collected on such imports.*

Countries from which imported.	Value of merchandise.			Estimated amounts of duty collected.
	Free of duty.	Dutiable.	Total.	
Argentine Republic.....	\$3,154,397	\$1,174,173	\$4,328,570	\$364,993.28
Chili .....	399,464	205,061	604,525	68,396.89
Mexico .....	5,173,441	4,093,580	9,267,021	635,960.72
Central American States .....	6,149,873	259,142	6,409,015	140,759.88
United States of Colombia .....	2,335,083	6,994	2,342,077	1,714.68
Venezuela .....	6,267,887	41,693	6,309,580	20,297.40
Peru .....	1,749,632	15,258	1,764,890	5,148.06
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Uruguay .....	2,317,139	417,478	2,734,617	255,480.80
Bolivia, Ecuador, Paraguay, and Patagonia .....	753,321	280	753,601	140.00
Total.....	66,496,368	13,341,128	79,777,496	8,100,198.86

	Per cent.
Total value of merchandise free of duty.....	83.28
Total value of merchandise subject to duty.....	16.72
Equivalent ad valorem rate of duty on—	
Dutiable merchandise .....	10.51
Free and dutiable merchandise .....	60.72

Statement showing the value of imports and exports of merchandise carried in American and foreign vessels, respectively, in the foreign trade of the United States with Mexico, Central America, the West Indies, and South America during the year ending June 30, 1885.

Countries.	Imports.		Exports.		Total.	
	In American ves-sels.	In foreign ves-sels.	In American ves-sels.	In foreign ves-sels.	In American ves-sels.	In foreign ves-sels.
Mexico * .....	\$3,748,890	\$2,841,767	\$4,799,254	\$1,560,359	\$8,548,144	\$44,402,26
Central American States and British Honduras ..	4,915,347	1,713,028	2,337,733	754,551	7,293,080	2,466,579
THE WEST INDIES.						
Cuba .....	28,975,822	13,330,271	8,074,752	631,408	37,050,574	14,261,679
British West Indies .....	2,560,874	7,802,507	2,589,694	4,621,185	5,150,568	12,423,692
Porto Rico .....	2,590,135	3,514,128	691,113	878,092	3,281,248	4,392,220
Hayti .....	626,464	1,844,972	1,060,268	2,227,021	1,706,750	4,571,993
San Domingo .....	1,311,746	149,673	937,566	49,135	2,249,312	198,808
French West Indies .....	419,654	727,861	752,205	666,768	1,171,859	1,394,629
Dutch West Indies .....	233,479	153,189	440,463	228,379	673,942	379,568
Danish West Indies .....	169,275	167,028	435,836	150,323	605,111	317,351
Total .....	36,887,449	27,689,629	15,001,915	9,750,311	51,889,364	37,439,940
SOUTH AMERICA.						
Brazil .....	10,108,298	35,155,362	3,681,883	3,635,410	13,790,181	38,790,773
United States of Colombia ..	774,597	1,567,480	4,917,069	666,300	5,691,666	2,233,780
Venezuela .....	4,357,892	1,951,688	2,128,394	915,215	6,486,268	2,866,903
Argentine Republic .....	3,338,446	990,064	2,543,715	2,132,786	5,882,161	3,122,850
Uruguay .....	496,594	2,238,023	382,402	1,300,041	878,996	3,538,064
Chili .....	290,342	314,183	1,581,687	629,320	1,872,029	943,503
British Guiana .....	390,309	531,045	775,886	764,771	1,266,195	1,295,816
Peru .....	811,245	953,645	511,585	230,530	1,332,830	1,164,165
Dutch Guiana .....	258,212	7,127	277,364	21,654	585,576	28,781
French Guiana .....	1,803	.....	81,184	29,660	82,987	29,660
All other South America ..	558,224	195,377	383,740	44,271	941,964	239,648
Total .....	21,385,962	43,903,994	17,364,909	10,369,948	38,750,871	54,273,942
Grand total .....	66,937,648	76,147,418	39,725,728	22,435,169	102,590,850	98,582,587

\* In addition to the merchandise stated as imported and exported in vessels, merchandise to the value of \$2,676,364 was imported, and merchandise to the value of \$1,981,171 was exported "in cars and other land vehicles."

Until there shall be a reform of our own laws of currency and taxation, and a plan adopted that promises permanency, there will be, it is feared, little hope of a successful result of diplomatic negotiations with the neighboring governments on this continent looking to an increase of trade and commercial intercourse by them with ourselves. What reply could our representatives make to-day when asked what our policy about currency and taxation is to be? The theory of our existing tariff legislation is that our own manufacturers can only be saved alive against foreign competition by preventing, through a custom-house tax, on nearly every completed manufacture our own people from buying a similar fabric in a foreign country. That tariff legislation has, it is be

lieved, created the very evil which the proposed bill and one of the proposed joint resolutions would endeavor to remove.

One of the difficulties with which we in the United States have now to contend is that, by reason of our present tariff laws, we can not in our own workshops compete with European manufacturers, notwithstanding the great advantage we have from the efficiency of better paid and better educated labor. So long as such tariff laws shall be maintained it is not believed that any diplomatic negotiations will enable the United States to do in the Dominion of Canada, or in Mexico, or in Central America, or in South America what we can not do at home—which is to compete with European manufacturers. Freedom to *buy* in these communities we now have, and we can enlarge its use to any degree, but freedom to *sell* to those communities we can only enlarge by producing equally good articles which we will sell at least as cheaply as our European competitors. All schemes whatever for retaining a protective system and gaining foreign markets are impossible of success, no matter how many railways we may build or steam-ships we may subsidize. It will be seen from the statistics already given that a large part of the products of our neighbors to the south of us are now admitted at our custom-houses free of duty, but the difficulty of increasing the exports of our manufactured products to those countries remains, because our protective tariff inflicts what, owing to the increased cost of manufacture, is in effect *an export tax* upon our products, which frustrates the efforts of our enterprising and inventive people to have more complete possession of the neighboring markets upon this continent.

The annual report of Secretary Manning to Congress, and his subsequent communications on currency, taxation, and tariff reform, together with the recent report of the Bureau of Labor, clearly indicate how and when a removal of the existing business depression is to come. A rehabilitation of silver and a restoration of the old price of that metal by open mints for all comers bringing gold or silver; free coinage of full legal-tender coins of both metals on an international ratio contemplated by the second section of Mr. Bland's law of 1878, and endeavored to be promoted by Secretary Bayard; a sound system of finance; and a wise adaptation of the burden of taxation to the back that must bear it, will do more to open markets for our products in South America than will any diplomatic negotiations to be carried on by the President, and should precede such attempted negotiations.

PERRY BELMONT.

#### THE SENATE BILL AS ORIGINALLY PASSED.

On the 6th of May Senator Frye reported from the Committee on Foreign Relations of the United States Senate the following bill as a substitute for several similar measures which had been referred to that committee.

A BILL to promote the political progress and commercial prosperity of the American nations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President be, and he hereby is, authorized to invite, on behalf of the Government and people of the United States, delegates from each of the Republics of Mexico, of Central and South America, Hayti, San Domingo, and from the Empire of Brazil, to assemble in Washington on the first day of October, eighteen hundred and eighty-seven, or as soon thereafter as practicable, to meet delegates on the part of the United States, to consider such questions and recommend such measures as shall be to the mutual interest and common welfare of the American states.

SEC. 2. That in forwarding the invitation to the constituted authorities of the several independent Governments of the American hemisphere, 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 is 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 in such an amount proportionate to the population of each as may be determined upon, 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.



SEC. 3. That the sum of one hundred 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, twenty-four delegates to said conference, who shall serve without compensation other than their actual necessary expenses, of whom at least three shall be learned in international law, and the remainder men who are actively engaged in agriculture, manufacturing, and the exportation and importation of merchandise.

SEC. 5. That the Secretary of State shall appoint such clerks as may be necessary, and provide for the publication by the Public Printer of so much of the proceedings of the conference, in both the English and Spanish languages, as the conference may acquire.

#### REPORT OF THE SENATE COMMITTEE.

This bill was accompanied by the following report :

#### REPORT.

[To accompany bill S. 2362.]

Your Committee on Foreign Relations, to whom was referred Senate bill 1616—a bill “to promote the political progress and commercial prosperity of the American nations”—have considered the same, and report the accompanying bill as a substitute therefor, with a favorable recommendation.

Your committee annex and make a part of their report the accompanying statements of the United States commissioners to South and Central America, made before them, together with certain extracts from the testimony taken by said commissioners in their investigation.

[Remarks of S. O. Thacher before the sub-committee of the Committee on Foreign Relations upon the bill introduced by Hon. William P. Frye, entitled “An act to promote the political progress and commercial prosperity of the American nations.”]

Mr. CHAIRMAN : The measure before the committee is in part the outgrowth of the act of Congress of July 7, 1884, providing for a Commission to the States of Central and South America for the purpose of ascertaining the best modes of promoting more intimate international and commercial relations between those countries and our own.

Having filled as well as I could the position of commissioner under that law to those countries, you have kindly invited me to place before you the results of my observations so far as the same are applicable to the proposed legislation.

In the final report of that commission I have at some length endeavored to gather into a readable review the most obvious reflections flowing from the long journeys and many interesting interviews with the leading officials, merchants, and educated men in those parts. To what I have there said I now add such observations as seem to me pertinent to the question before the committee.

ITS IMPORTANCE IN SOLVING THE INDUSTRIAL PROBLEM.

The question before the committee is one whose magnitude and far-reaching importance can not be too earnestly considered.

It brings into view questions affecting our own welfare as a nation, casting light upon the solution of a grave and ever urgent problem. The industrial outlook of our land is not one of entire sunshine. There are more laborers than there is work for them to do. Where one man is discharged from almost any of the manual occupations there waits one to take his place.

The inflow of laborers from other lands to this is no more a great need. In every department of industrial life there is production beyond consumption. Labor is struggling to hold its position, and is fearful of being displaced or of losing its present ground. The products of farm, shop, and factory were never, within the memory of this generation, so low as they are now. In some branches of production there is a slight reaction from the paralysis of the past, but on the whole, as never before, our future growth, peace, and tranquillity depend on finding more consumers for what we have to sell. In this measure there is an effort to open to our producers of agricultural and manufactured wealth an adequate market.

In vain do we turn our eyes to any other part of the world for a people who at once need and are willing to take from our farms, looms, forges, and wells of mineral oils that which we are able to produce and spare. The nations of Central and South America offer not alone the most alluring and most profitable markets whereby to relieve our excessive productions, but there is no other field.

The statesman who shall secure that great region so contiguous, so easily reached, and so prolific in wants, for the easy disposition of our merchandise, will be entitled to the highest commendation.

Labor can be constantly employed at fair wages when what it produces can be sold at a fair profit. This condition failing, the whole fabric of society suffers alarm. There is no crying need of legislation to reconcile one element of our social progress with another when there is employment for all who are willing to labor at a remunerative compensation.

It seems clear to me that the relations between employer and employé will readily adjust themselves when the venture to which each contributes is one of gain and not of loss. And no law can produce harmony between labor and capital when the enterprise which enlists both proves disastrous.

The easy way and the only way out of the complications and disappointments that yearly are being intensified by the diminishing profitableness of all our industrial enterprises is to seek that market which so cordially invites us, and from which with strange fatuity we have for the last twenty-five years averted our thoughts.

The statistics time and again have been brought before the public, and have at much length been represented in the first general report of the Commission to Central and South America, showing how dismally meager is our trade with those countries, which once were our well-pleased customers, and with whom we could most easily re-establish our former friendly and profitable relations. There is no need of enlarging on this point. It presses itself upon the thoughtful consideration of every law-maker as well as upon the whole people.

A very interesting summary of our trade and that of other nations with Central and South America was published by the Treasury Department in January of last year. It is a brochure comprising statements Nos. 17 to 41, inclusive, of the quarterly report No. 1, series 1884-'85, of the Chief of the Bureau of Statistics. Its preparation, Mr. Nimmo says, grew out of the recent demand for information by Senators, Representatives, and others interested in the trade of those countries. To the condensed statistics there presented I can not add anything of value except such statements as pertain to subsequent trade relations. These are not within my reach.

Peace, progress, and the manifold blessings of contented producing classes wait on the footsteps of any measure that shall insure to our laborers, our farmers, and our manufacturers a fair chance in the markets of Central and South America. To-day they are nearly closed against them. The causes of this denial to our people of an easy access to those natural depots for our surplus products have been set out very fully in the various reports the Commission to those nations has submitted, and which I learn will in a few days be received by Congress from the Government Printing House. In them and in the many statements subjoined to each of them will be found the remedies for the deplorable state of trade in those parts.

Farther on I will briefly advert to these causes; I only now state the fact.

#### INTERNATIONAL ASPECT OF THE MEASURE.

But the proposed measure rises to a higher plane than that of merely seeking a rich and permanent outlet for our surplus products. It proposes to secure the "political progress" as well as the "commercial prosperity" of those countries and our own. And yet in accomplishing this nobler end we shall certainly contribute to the success of the other.

I can not on this point say more than quote from the final report before mentioned;

"The scope of our mission, as defined by the act of Congress creating it, embraced an inquiry into 'the best modes of securing more intimate international and commercial relations between the United States and the several countries of Central and South America.'

"In the course of our inquiries we became convinced that it is quite as axiomatic that commerce derives support and promotion from friendly political relations as that trade quickens international unity. They mutually aid each other. Whatever tends to bring into kindly accord the diplomatic interests and aims of our country and those of our American neighbors, whatever unifies our national purposes, benefits commerce. Mutual confidences in matters of state foster equal trusts in business transactions. Peoples held together in close political relations naturally have a greater faith in the fidelity of the products of each other. Confidence lies at the basis of every business operation and of every national compact; and where it is found wanting in one, it will not be strong in the other.

"Necessity or profit may force trade into a channel of a purely business character, where international respect or fellowship is slight, but commerce flourishes much more naturally and vigorously under the protecting care of faithful and constant national harmony and concord. The disruption of friendship between nations is a disaster to their mutual trade interests. As we write this report the Spanish people, at home and in the colonies, are resolving against trade with Germany because of the supposed affront in the seizure of the Caroline Islands. Other things being equal, trade will be facilitated by warm international ties; wise and just diplomacy will aid the merchant and trader as much, at least, as they in turn can promote friendly international relations."

OUR EXAMPLE FOLLOWED.

That nations exert an unconscious influence as well as individuals is remarkably illustrated in the history of the Republics of Central and South America.

A people far removed from us by ethnic conditions and civil and religious training, dwelling in cities whose foundations were laid by Cortez, Alvarado, Pizarro, Valdivia, and Mendoza a century before Plymouth Rock, and twice that period ere Bunker Hill and the Declaration of Independence, turned their eyes toward our great example, and for themselves, after heroic sacrifice, destroyed the rule of the rapacious and exacting viceroy, severed the ties of colonial dependence, and erected on the ruins of foreign customs and impositions governments in imitation of our own.

OUR INDIFFERENCE.

Yet during all the subsequent years our country has, until recently, turned an icy look upon these struggling Republics and our diplomacy has been no whit warmer or more friendly towards them than it has towards the several despotisms of the Eastern Hemisphere.

While we have been a conspicuous propagandist of democratic institutions by our deeds and self-deliverance and aggrandizement, we have neglected to aid by sympathy and counsel those who were eagerly hoping for them.

Overtures for a more kindly fraternity have been treated by us with silence, and an effort on the part of these people to draw near to us in more rapid and certain communications have been met by cold indifference.

#### DESIRES FOR A CONVENTION.

The wonder remains that notwithstanding all this neglect to cultivate and encourage those nations they still admire our greatness and long for a nearer bond of union and fellowship. Every line of the reports of the many conferences held by the Commission with the representative men of those nations shows how fervently and with what glad surprise our overture for a convention of all the nations of the American Continent was welcomed.

#### ATTITUDE OF CHILI.

An exception may possibly be noted in the case of Chili. Yet I think that as that Government exhibited an unwonted desire to have realized two objects to be considered in such a conference, and which can be more readily attained through it than in any other way, namely, the adoption of a common silver coin which shall be current in all the countries of the Western Hemisphere, and also the promotion of direct, speedy, and frequent steam navigation between the ports of North and South America, I conclude that at the proper time Chili will not only assent to such a convention, but will be represented there by men of large statesmanship.

It may be well to say that there were three things that gave to the mission to Chili less of warmth than it received in other states. Chili justly regards itself as the most important power on the South Pacific coast. In the interview I had with the President and his cabinet he remarked that the course his Government should take on the matters brought forward by me would be followed by the other powers of that coast, and that consultation with them was needless. It happens that Chili was the last instead of the first nation visited on the Pacific. Again, the letter accrediting the Commission mentioned three persons as being sent to Chili with the highest diplomatic rank; of the three only one appeared. The President declined to recognize the telegraphic permission sent by Mr. Bayard to the secretary of the Commission, Mr. Curtis, to act as commissioner for Ecuador, Peru, and Chili. Here, too, was a cause of irritation and some embarrassment. To this must be added, as I was informed by our minister, Mr. Logan, a certain coolness growing out of the apprehension that with the change of administration in our country would come an earnest effort by our Government to enforce upon Chili the payment of various claims of our

countrymen for alleged losses suffered by them in the war between Chili and Peru. I believe to these apparently minor matters was owing the somewhat defensive and non-committal attitude of Chili.

I have no doubt of there being present at the convention when called by our country representatives from every one of the western powers, and that these delegates will be men of great weight at home in all the matters affecting their foreign relations.

OPINIONS OF LEADING MEN.

To be persuaded of this I need only quote utterances of the public men of those lands on the relations that do or should obtain between their country and ours.

In 1879 the executive power of the Argentine Republic sent to Congress a message urging a subsidy to be granted to establish a line of steamers between the ports of the La Plata and our own. In it occurs the following passage :

“The executive power considers it useless to dilate on the considerations upon the advantages of a direct communication with the most powerful commercial and free nation that has best realized the forms of government that we have accepted, following precisely its example. This other market that opens itself is a new interchange for the men, the ideas, and the products.”

The President of Chili, in responding to the address I made at the time I was presented to him, among other things, said as follows :

“The extraordinary progress of the United States, independent of the advantage gained by the extension of its area, of its geographical position, and the elements which constitute its social organization, is due to the liberal institutions under which the people are governed, and by which it has been proven that the free people are those that really prosper, and are the only ones that have peace as the essential condition of material, intellectual, and moral progress.

“The South American Republics when they made themselves free had in the northern zone an authority they could consult and an example they could follow. If owing to reasons which are well understood they could not copy the edifice you have framed, they have always endeavored at least to inspire in their own people the ideas which have enabled you to advance so resolutely on the road of human liberty and progress. If on this road so happily trodden the American constellation has added to its stars, it is also true that the southern star, following with no less certainty in the same heavens, and pursuing the same purpose, shines to-day with greater splendor and shows that we have not been amiss in seeking the path to glory, liberty, and prosperity.”

Not less earnest and admiring were the words of the President of Guatemala, as witness the following from his response of welcome to our mission :

“It is the source of the greatest gratification to me to receive from

your hands the autograph letter by which his excellency the President of the United States has accredited you as envoys extraordinary and ministers plenipotentiary to my Government. From the very beginning we have embraced with the greatest ardor the plan of the American Congress to send a commission to the Spanish-American Republics for the purpose of securing more intimate and friendly relations between them all.

“Such a noble and elevated purpose can not but have the sincerest sympathy and co-operation from all those who desire the progress of the several nations of the New World, so that in having the honor to receive you and give you a most affectionate welcome, it is gratifying to be able to assure you that you will find on the part of the Government and the people of Guatemala a sincere disposition to aid in the success of your most important mission.

“The grand Republic of the United States is the natural market for the different products we export, and they should find in your rich and populous country consumers who are able to send us in return the great variety of their agricultural and mechanical products with benefit to the producers and consumers of both countries.

“Guatemala has always endeavored to maintain the greatest harmony with the nations which honor us with their friendship, and it has always endeavored very especially to strengthen more and more the cordial relations which have forever existed between this country and the United States, so that when you come, vested with an exalted duty by the grand American Government, inspired with the benevolent sentiments which you have just uttered, I have the honor to congratulate myself upon your arrival, and promise to leave nothing undone to make your visit a success, and enter into bonds with you to unite more closely two peoples which by their analogous institutions, by their geographical positions, and many other circumstances and considerations, should establish a more active and lucrative commerce.”

Without wearying you with these iterations of the desire of the American peoples visited by the Commission to realize such results as are proposed in this measure, I will content myself by adding the following from the President of Mexico, a most progressive and enlightened statesman :

“Mr. Commissioner Thacher then quoted the instructions of the Secretary of State relating to an international congress of delegates from the several nations of the American hemisphere, and asked the views of President Diaz as to the practicability of such a congress and his opinion as to the topics which it should consider.

“To this President Diaz replied that the suggestion was an old one, and had many times been considered by the Mexican Government, which he believed had always favored it. He recited his recollection of the several attempts made in this direction, beginning with Bolivar's plan of 1824, and the attitude presented on each occasion by the several administrations in his own country, showing great familiarity with

the history of the proposition. He said he had always hoped such an international congress would be some time held, as he believed great good could be accomplished if all the American Republics would consent to send delegates to meet upon an equal footing and agree upon measures for the common welfare.

“The chief object to be discussed at such a gathering would naturally be a method of arbitration by which international differences could be peacefully adjusted, and another, equally important, was to confine American trade, so far as possible, to American nations.”

I venture on one more quotation; it is a paragraph from the response of the President of Venezuela:

“I respond in the most frank and cordial manner to the expressions of good-will of your Government, and I view the very elevated object of your mission from the stand-point of its great importance.

“Venezuela and the United States have the same institutions, the same history. They produced the immortal George Washington, “the first in the hearts of his countrymen,” and Venezuela produced the immortal Bolivar, the father of five republics, freed by the impulse of stupendous efforts. Both of them honored by the recognition of the two confederacies, they are to-day the faithful representatives of the association of our interests and aspirations—equality before the law and the truth of democracy.

“With these lofty motives the people of the New World aspire by union to seek the development of their industrial and commercial prosperity and to cement the alliance of views and intents in the reign of equity and the empire of justice.”

#### EFFICACY OF PROPOSED LEGISLATION.

The twofold object unfolded in the title of this bill will, I conceive, in a large degree be realized by its enactment.

The historic fact that our example has led to the creation of republics striving to realize our progress and destiny imposes upon us a different relation to those peoples than that which we hold to other nations. This is intensified by the propinquity of these constitutional governments and by the further consideration that while we have forborne giving them much aid or comfort in the past, we have quite emphatically repeated our objection to the acquisition by any European power of any territory in the western hemisphere.

It is that relation that this measure proposes to exalt in the eyes of the world—to give it form, expression, and efficacy—to assume for the greatest Republic on earth, if not the greatest nation, a significance and moral power toward those states which have found in her antecedents and marvelous development a model for their own institutions, heretofore forgotten or neglected.

The proposed law is a lofty recognition of the truth that no nation with a republican form of government can live to itself alone.



It is this international aspect of the proposed congress that will draw the attention of mankind to its deliberations, and will make it in many respects the most remarkable if not most important assemblage the world has ever seen. Its benign objects, when contrasted with those of other national conferences where the repression of human liberty and progress were the bonds of the confederating potentates, will add to its work dignity and crown its conclusions with the wreath woven for that which ennobles and enlarges humanity.

DIFFERENT PROPOSITIONS OF THE BILL.

The first and seventh propositions of the bill are those on which territorial integrity and national tranquillity depend. The mind at once sees how impossible national dismemberment or aggressive wars would be under the provisions foreshadowed in these suggestive topics.

Peace is the imperative need of these Spanish republics. The tyranny of the mother country is so recent, and it burned so deeply into the subjected provinces, that their chief national dislike is the country whence came the viceroys and rulers over them. But with the disappearance of the Spanish yoke there rose military rulers, and for a time the army made presidents and cabinets.

A government founded on universal and intelligent suffrage can not even yet be said to be fully realized in some of the Latin nations of this hemisphere.

Against violent measures of any kind these provisions of general concord would be powerful defenses.

SAME RESULT AIDED BY PERSONAL KNOWLEDGE OF OUR INTERIOR LIFE.

It is in this direction that a great educating force would be brought to bear upon the delegates from our sister States by a sojourn in our midst under the hospitable welcome of our Government.

Our schools, our higher institutions of learning, our religious life, where church and state are totally independent of each other, our industrial pursuits and growths, our systems of internal improvements, in fine all that intense personal freedom of thought and action out of which has grown our present commanding position, would profoundly impress our visitors and they would carry back to their own lands new views and purposes.

The result would be the same, in part at least, as that I pointed out in the final report as following the education of their young men in our midst:

“Every year there are delegations of young men from each republic finding educational homes and advantages in the schools of Europe, whence they bring back at least far less accurate ideas about and love for American institutions than they would were they returning from our colleges or higher schools of learning. A number of young men from each republic, ingenious and eager for mental improvement and

education, annually educated in our midst, familiarized with our progressive life, the spirit of our laws, the genius of our institutions, and the comprehensiveness of our energy, would, in a few years, make a marked change in the knowledge their people have of the United States.

“They now admire our greatness, but then they would revere the benign principles, the complete tolerance, and the singleness of purpose and aim on which the whole superstructure of American growth, power, and welfare rests. They would feel that the impulses of equality, religious toleration and independence, and the isolation of Government from all aims save those essential to the protection of the person and property of the people, were the secrets of a power and elevation their countrymen so much applaud. They would be missionaries returning to their countrymen with the story of our people, life, and achievements, and holding them up for imitation.

“They would speak of the filling of the great offices of state by a free, uncoerced ballot, and the quiet acquiescence of 55,000,000 of people in the will of the majority, however narrow that might be. What more powerful argument could they bring against the too frequent revolutions in those States that follow their recurring national elections?

“They would point their countrymen to school-houses in the smallest rural district of the great Republic as in the most populous wards of its thronged cities, to the schools of art, technology, industrial pursuits, and classical and scientific acquisitions, whereby the blessings of a free education are brought within the reach of the poorest child in the land. They would tell their people of a state where every form of religious faith is protected but not supported by law, and yet where the spires of churches, temples, and cathedrals rise above the roofs of every city and the groves of every village, hamlet, and neighborhood, scarcely out of sight of the traveler as he passes from ocean to ocean. What stronger motives for the independence of the church and the education of the masses could they place before their patriotic countrymen?”

To this end the delegates should be shown our great centers of trade and business, our manufactories and our appliances for agricultural development, and be afforded by extended tours from the Atlantic to the Pacific coast, from the lakes to the Gulf of Mexico, an opportunity to behold on a grand scale the workings of our elastic institutions.

#### COMMERCIAL FEATURES OF THE BILL.

Turning to the other details of the proposed law, we find they tend to one point—the promotion of trade, the building up of commercial interests by and between the consulting Governments.

This aspect of the matter opens a wide field of inquiry and in some degree of speculation.

The peculiarities of the Latin race in America lead it away from man-

ufacturing pursuits. Valencia centuries ago imported wool from England and returned it in cloths, but the process is now reversed.

Great Britain manufactures for the world, and Spain, with all the colonies she planted, contributes to her commercial supremacy.

In Spain there is cheap fuel and plenty of water-power. In Spanish America, from Mexico to Magellan, there are few coal-fields, but almost everywhere flowing streams, furnishing the cheapest and most abundant power.

Guatemala, Costa Rica, the western slopes of the Andes, Uruguay, and portions of the Argentine Republic have unfailing and enormous stores of this easily-used motor. Yet in Costa Rica I saw only two water-driven mills; in Guatemala there were a few more; yet not one-thousandth part of the water-power was utilized. The Rimac for nearly 70 miles is a dashing cascade, with only a tannery, a brewery, and possibly a few other industries at Lima holding in check for a few minutes its rushing flood.

Chili in the Mopochoco and the Maipo has powerful streams, and hundreds of smaller water-courses find their way to the ocean.

The report from Uruguay calls attention to its internal water-power, and the statements submitted with the report from the Argentine Republic show how immense is the water-power in the Gran Chaco region.

We must conclude, then, that the want of manufactured products in these countries grows out of either or both of two causes; the one a disinclination to take up the patient, steady routine of daily toil necessary to successful manufacturing, and the other a greater profitability in other more congenial pursuits.

Without dwelling on the point, I may say that it is safe to aver that these countries will for years be great consumers of foreign manufactured goods.

In Chili the war with Peru demoralized the soldiers, many of whom were taken from the ordinary pursuits, and, returning from their conquest, failed to take up the peaceful avocations they left; and yet Chili is beyond doubt in manufactures the New England of South America. The special report on this country fully covers this question.

In any trade relations we may establish with those countries we may reasonably count on the permanence of the demand for our goods.

#### OUR COMPETITORS.

The larger portion of the commerce we are seeking has been in the hands of Great Britain, but of recent years another, and what promises to be a more formidable rival, has come to the front.

The German manufacturers, intrenched behind encouraging and protecting legislative walls, have pushed their products far beyond the home demand. Always sure of their own market without competition, they have turned their unflagging energies to secure centers of trade in

the Western Hemisphere. They are clever imitators of every new invention, of every improved machine, and of many of the most useful and popular goods produced in the United States. They send out counterfeits of the famous "Collins" wares, even to the very brand; they make mowers and agricultural implements as nearly like ours as possible. Our sewing-machines are copied by these people, and the imitations are palmed off on the South American trade as coming from the United States. The character and ways of these new rivals for the trade of our neighbors is thus graphically portrayed by our former consul-general in Mexico, Mr. Strother, and I may add that what the German is in Mexico he is in all the other Central and South American nations.

General Strother says:

"For the rest it will still remain with American manufacturers and merchants to solve the question of successful competition with their European rivals, the most formidable of whom at present are the Germans, whose commercial establishments are more substantially planted and more widely extended than those of any other foreign nation. And it may be well here to note their methods and the causes of their success. The German who comes to Mexico to establish himself in business is carefully educated for the purpose, not only in the special branch which he proposes to follow, but he is also an accomplished linguist, being generally able to converse and correspond in the four great commercial languages—German, English, French, and Spanish. His enterprise is usually backed by large capital in the mother country. He does not come to speculate, or inflated with the hope of acquiring sudden fortune, but expecting to succeed in time by close attention, patient labor and economy, looking forward twenty, thirty, or even forty years for the realization of his hopes. He builds up his business as one builds a house, brick by brick, and with a solid foundation. He can brook delays, give long credits, sustain reverses, and tide over dull times. He never meddles with the politics of the country; keeps on good terms with its governors, whoever they may be. He rarely makes complaints through his minister or consul, but if caught evading the revenue laws, or in other illegal practices, he pays his fine and goes on with his business. With these methods and characteristics, the German merchant generally succeeds in securing wealth and the respect of any community in which he may have established himself."

In a conversation with the British minister, Sir Spencer St. John, in Mexico, he observed to me that the success of the Germans in dealing with the revenue officials and in pushing their trade had driven out of Mexico every wholesale English house, whereas the foreign commerce was once largely in the hands of his countrymen.

In passing from this point we must not forget that notwithstanding all this copying of our productions by the German manufacturer, yet the deception deceives few, and that were the markets open to our

dealers the superior material, workmanship, and fidelity of our goods would defy all competition.

The French, equally protected by home legislation and alive to the wants of the South American markets, are increasing their trade there.

Indeed we must meet in the ports of our neighbors the wares of many of the European countries, all of which are borne to their destination in vessels flying their own national ensign.

#### STEAM-SHIPS A NECESSITY.

This brings me to the pivotal point in all our efforts to secure those markets to ourselves. In round numbers \$400,000,000 of imports are consumed annually in Central and South America.

The volume each year rises in magnitude. Of this great business our country should enjoy at least three-fifths.

I may be permitted on this point to repeat the observations I made in the final report.

“Without the frequent and certain appearance of the flag of our country in the waters of these States there can be no strong international ties. “Out of sight, out of mind” is as certain of nations as of individuals. The ships of a country carry its sovereignty, its name, and its character to the ports of the world. “Intimate international relations” suggests association, an interchange of friendly offices, frequent communication, negotiation, intercourse. A friendship with an ocean ever rolling between the friends is a cold thing. The allies we seek in the western hemisphere, except Chili, are almost wholly without a mercantile marine.

“If we would impress them with the value of our friendship, lead them to look to us for sympathy in time of need, invite them to repose confidence in our sincerity for their welfare as nations, we must devise some way of frequent and easy communication. Isolation on our part will increase indifference. There is scarcely a maritime country of Europe whose flag on war-ships, steam and wind driven craft, is not better known in the waters of South America and along the Spanish Main than is that of our country. And yet there is no flag so welcome there as ours.

“Our special reports have shown with what earnestness the people of the Republics we have visited in South America pressed upon us the necessity of establishing American steam-ship lines to increase trade, and to a willingness of those republics to contribute to their establishment. We shall not be called upon to furnish all the money necessary to enable the projected lines to compete with European merchantmen; for so desirous are those countries for regular and frequent steam-ship intercourse with us that we can rely upon their material aid to promote it. We believe that the adjustment and perfecting of the common enterprise between all the parties to the measure would of itself beget confidence and better acquaintance.

“A business enterprise promoted by the different countries would draw to it the patronage of the people of these lands. Patriotism would aid in diverting trade to the new lines, and just as railroads sweeping over State boundaries in our country have tended to the unification of the people of all the States, so would these messengers of commerce promote better acquaintance with the good qualities of each among all the rest, and thereby foster nearer national as well as commercial ties.

“The concurrent testimony of all whom we have consulted, holding positions of influence or information, and the results of our own observation in every port we visited, demonstrate the futility of our efforts to promote trade in the desired direction, so long as freight and passage rates tell so heavily against us and so heavily in favor of our European competitors.

“There is no reason to imagine we can regain the trade we once held in South America, or capture that now possessed by foreign nations, unless we adopt the same measures those countries employed to take that commerce from us and to keep it and its increase. We append to this report the answers to our inquiry sent to the several legations in Europe as to the amount paid by other countries to promote and maintain steam-ship lines to the South American States. They show by what agencies the great volume of commerce of that continent is made to roll to European ports, and prove how useless will be our efforts to turn it unless we use means of equal significance and potency.”

I find the following in the Missouri Republican, of St. Louis, of the 2d instant:

“*Important meeting.*—The board of directors and transportation committee met yesterday and adopted the following resolutions:

“*Resolved,* That in the interest of the trade between the Mississippi Valley and the Central and South American States we recommend that direct mail communication be encouraged between the United States and those countries through the port of New Orleans, and that for the promotion of this object we urge upon our Congressmen, with those representing the other States in the Mississippi Valley, that Congress make liberal appropriation to subsidize any steam-ship line that will establish communication between New Orleans and the countries named.

“*Resolved,* That a copy of these resolutions be forwarded to the various exchanges in the Mississippi Valley, and the Congressmen representing the same, urging their hearty co-operation in this movement.”

No one can question the value to our country of the recommendations made by the St. Louis Board of Trade, and most emphatically is this true of the agricultural and manufactured products of that wide expanse comprehended in the Mississippi Valley. The course of trade in this vast region towards the ports of our neighbors is illustrated in the way hams manufactured in the Western packing-houses find that market. They are shipped to New York, thence to some English port; there they are stripped of their American wrapping and brands, re-

wrapped and branded as of English make, and then shipped to some South American port, where they bring 50 cents per pound.

Direct communication from New Orleans with the markets of the Spanish Main and of the South Atlantic coast, and thence to those of the South Pacific, would add large value to everything the great valley sends to those places. Flour, lumber, agricultural machinery, oils, provisions, and other articles directly affecting the welfare of the farmer and manufacturer would find a higher and better market were the resolutions of the St. Louis Board of Trade adopted by Congress.

#### INTERNATIONAL QUARANTINE.

But this stimulated service would fail of its best results if it was not supplemented by a far better and less vexatious system of quarantine both at New Orleans and the ports above mentioned than now exists.

On this point I refer to that part of the address before the Commission at New Orleans of Maj. B. F. Hilder, found on page 377 of the report of the Commission, at the second session of the Forty-eighth Congress, Ex. Doc. 526, and also to the still more exhaustive and most interesting paper of Dr. Joseph Holt, president of the Louisiana board of health, found at page 382 and following pages of the same document; also to the views of the Commission on the subject, found at page 431, together with the statement of Dr. Burgess, of Havana, on this question, found on page 433.

It will be seen that unless some such system as that outlined by Dr. Holt can be adopted through international co-operation an almost insuperable barrier is erected against continuous steam communication between the entrepôt of the great river and the ports southerly therefrom. More or less yellow fever exists the year around in the ports of the Caribbean Sea, those of the South Atlantic as low down as Rio de Janeiro, and those of the South Pacific to Callao.

Dr. Holt suggests a feasible way to preserve perfect sanitation of the exposed ship, and so obviate, save in very exceptional cases, any serious detention of it when it reaches its destined port.

#### ADDITIONAL TOPICS.

I venture to suggest to the chairman that to the topics already proposed for consideration by his bill he add one covering—

“The best method of sanitating ships and cargoes going from infected ports, and of reducing the time of quarantine detentions.”

And (I may as well here respond to the chairman's invitation to name topics for consideration other than those mentioned in his bill) the following: To the fifth proposition add, “and for the extradition of criminals.”

To-day a refugee from justice, a Boston embezzler or forger, under an assumed name, publishes an American newspaper at Buenos Ayres.

No wonder his presence in that city neither gives respect nor welcome to the character of American citizenship.

It might be well to ask the delegates to bring certain information as to the feasibility or advisability of effecting an all-railroad connection between all the nations; of carrying the steel highway from Mexico south until it meets the one being pushed north by the Argentine Republic through the Gran Chalco and into the almost unvisited regions of eastern Bolivia and western Brazil.

Again, I would add a general invitation to each country represented in the congress to present such different or more specific propositions than those mentioned as it felt inclined.

VALUE OF UNIFORMITY IN CUSTOMS, LAWS, MONEY, WEIGHTS, AND MEASURES.

The propositions of the bill in the second, fourth, fifth, and sixth subdivisions, if carried into general use, would facilitate trade between the nations, and, in fact, tend to an almost entire exclusion of European states from all such branches of commerce as could be carried on without them.

This unity of coin value, of weights and measures, and the uniformity of law touching exports and imports, would inevitably stimulate and enhance business ventures of all kinds between the states governed thereby. The reflections upon the effect of such uniformity are so obvious that they readily come to mind the moment the general proposition is named. In addition to those that lie upon the surface, it may be stated that out of this uniformity would come on our part a closer study of the wants of the people whose trade we seek; the manufacturer would, through branch houses and agents well versed in the language and habits of those countries, know what patterns, widths, lengths, styles, and character of goods his customers require.

The doleful cry of faulty packing and reckless disregard of orders would not be heard. Bills of lading and invoices would utter a language familiar to all. The vexations of the custom-house would disappear. The measure of value would no longer be the shilling of the English, the mark of the German, or the franc of the French, but it would be the dollar of the western hemisphere.

Many difficulties and many years possibly stand in the way of this desired end. But great organizations of capital and labor fill the land with their gigantic forms. Why should not the same idea inform and guide the policies, international and commercial, of the American nations?

The call for this congress will meet a cordial response from the best men of those countries. Such statesmen as Ex-President Sarmiento, the father of the educational system of the Argentine Republic, Chancellor George Huennos, speaker of the house of representatives of Chili and the head of the National University at Santiago, and many more who might be named, will see in this international conference auguries of good, and good only, for the struggling republics of Central and South America.



## LETTER OF MR. REYNOLDS.

[Letter of Thomas C. Reynolds, presenting his views on Senate bill 1616 "to promote the political progress and commercial prosperity of the American nations."]

ST. LOUIS, MO., *April 7, 1886.*

SIR: Responding to the invitation with which, on behalf of the Senate Committee on Foreign Relations, you have honored me, I respectfully present my views on your Senate bill 1616 to promote the political progress and commercial prosperity of the American nations.

Each and all of the seven objects set forth in the second section of your bill are so clearly wise and statesmanlike that comment on them is superfluous. I therefore confine myself to making some suggestions concerning the modes in which, and the extent to which, those objects can be attained.

The meeting at Washington of a congress of delegates from all the independent nations of our hemisphere, for the consideration of those objects, will present peculiar advantages. Prepared for, by our regular diplomatic and consular officials, it would present opportunities for the officials of our Government to be brought into direct communication with delegates specially selected for the purposes of the congress, and those delegates would be in like communication with our officials and with each other.

The roundabout way of communication by the regular diplomatic representatives of the Governments, or by a commission from our own, having constantly to report home for orders, would be avoided. A free interchange of opinions would lead in a very short time to practical conclusions, which it would require years to reach by the regular diplomatic methods.

It should be distinctly understood, and perhaps be in some way indicated in your bill, that the consent of all the Governments invited to the congress will not be indispensable. Power should be given to the President to convoke it, should only some of the Governments invited send delegates to it. Diplomatic correspondence, and information heretofore, would indicate that many of those States would, for various reasons, decline the invitation. The countries south of the equator might find it best to form a customs union of their own. Should only the Governments of the Republics bordering on the Caribbean Sea and Gulf of Mexico—our American Mediterranean—unite in the congress, it should meet without awaiting the action of the other States. A customs union of the latter, south of the equator, would finally gravitate to a like connection with our own part of the hemisphere, as South Germany did towards the customs union of North Germany.

On the general subject of the congress, as well as in regard to the objects specified in the seven clauses of the second section of your bill, the rise and progress of the German customs union (*zollverein*) is practically instructive. I have no authorities to which I can refer, and must rely on my remembrance of observation and information during several years' sojourn at German universities, at a period when that

union was in the course of development. It was composed at first of the Prussian dominions and a few minor contiguous States. As its advantages became evident, other States joined it, under the influence not only of those advantages, but also of retaliatory tariffs against them by the union, and special favors offered to them by it. South Germany long held back, and my recollection is that its States first formed a customs union of their own. The Hanseatic sea-ports (independent sovereignties) hesitated still longer. Indeed, I have an impression that the great commercial city of Hamburg is not yet completely included in the union. Sixty years or more have passed in bringing the union up to its present extent and importance. The causes or pretexts of the reluctance to join it were mainly difference in tariffs, fear of injury to protected industries, and (to a formidable extent in bureaucratic Governments) the opposition of employés to a system which, as they believed, would economize by abolishing their places.

Similar causes may lessen the number of Governments which will accept the invitation to the Congress or unite upon plans to effect the objects mentioned in the bill; but even should only a few be represented in the Congress here, as in Germany, it will be the first step which costs, and afterwards like obstacles will be removed by like means. Should even but one State be willing to unite with us in carrying out any of the objects mentioned in your bill, a beginning will have been secured, and, as in Germany, the adhesion of all the others to a complete commercial and customs union will be a question of time—probably of less than half a century.

Taking by clauses the first section of your bill, I deferentially make these suggestions.

CLAUSE FIRST. .

While a general assent may be expected to measures that shall tend to preserve the peace and promote the prosperity of the several Republics and the Empire of Brazil, the exact definition of those to preserve the present integrity and territorial conditions of each as they exist against forcible dismemberment will meet with serious obstacles. Several Spanish-American States still have treaties mutually guaranteeing each other's territories; but they are not observed by any of them. Several, probably most, of the Spanish-American Republics and Brazil have questions of boundary to settle, and to do so existing territorial conditions of occupancy might have to be changed. To become a party to such questions, even by general or vague declarations, might lead the United States into entangling engagements. Possibly these objects of this clause of your bill could be united with that mentioned in section 7: "an agreement upon, and recommendation for adoption to the respective Governments, of a definite plan of arbitration of all questions, disputes, and differences that may now or hereafter exist between them." As to forcible dismemberment by any European power, the position of the United States is too well under-

stood, and satisfactory to the other American Governments, to need any agreement in the proposed Congress.

CLAUSE SECOND.

The final crowning result which the other objects of your bill would be contributory to, or even accompany, will be the formation of the American customs union proposed in this clause, "Under which the trade of the American nations shall, so far as is possible and profitable, be confined to American waters, and there shall be a free interchange of the natural and peculiar manufactured products of each." I assume that the interchange is to be of all products of each, as our commerce with the countries south of us will always naturally consist, to a very great extent, of our manufactures in exchange for the products of their fields, forests, and mines.

On the details of such a customs union, the honest collection and equitable distribution of the revenues from it, the measures for preventing smuggling, the proper consideration of existing vested interests, the necessary navigation laws defining the origin and ownership of vessels to which the trade is to be confined, and many other important matters, I do not propose to write. But it may not be superfluous to make some observations on what may be necessary to prepare for a customs union, and which in fact, to a limited extent, is such a union itself, viz, a reciprocity treaty.

Among the means to secure more intimate commercial relations between the United States and the several countries of Central and South America, suggested in the first report of the Commission to those States (transmitted by the President to Congress on February 13, 1885, and printed as Ex. Doc. No. 226), were the following (p. 4): "Commercial treaties with actual and equivalent reciprocal concessions in tariff duties." As the words "actual and equivalent" were adopted at my suggestion, an explanation of their full force may not be superfluous. A stipulation in a treaty that certain products of one country shall be admitted free, or at a reduced duty, into another country, may, on paper, appear to offer a reciprocal concession for a like admission of certain other products of the latter country into the former. But the seeming effect of it may be neutralized in various ways, so that it will be, to the one country or the other, not an actual concession. Chief among those ways are, the existence of treaties with other nations, placing them on the footing of the "most favored nation," export duties, home bounties, drawbacks, monopolies, and municipal or other local taxation. The skill of the diplomatist, aided by information from consuls, merchants, shippers, and other experts in the questions, should be exerted to frame the treaty so as to prevent the defeat of its real object by such collateral disadvantages and burdens. To explain them, or point out modes of removing them, severally, would unduly extend the length of this letter.

But one of them, the "most favored nation clause," deserves special consideration. It is understood that Great Britain, Germany, and probably other countries, claim that a reciprocity treaty with the United States by a Spanish American country applies to them, under that clause in their treaties with the last-mentioned country, with the same effect as if their names had been in the treaty instead of or along with that of the United States. For example, should the United States, resuming import duties on coffee, grant to Brazil freedom from them, on the "reciprocal concession" that flour and certain American manufactures should be admitted free into that Empire, Great Britain, which consumes very little coffee of any kind, and probably none from Brazil, would claim the same freedom for her like manufactures. Thus, in return for our being customers of Brazil, in coffee, to the amount of about \$50,000,000 annually, Great Britain, offering no "equivalent" concession in fact, would still be able to drive (or, rather, keep) us out of the Brazilian market for those manufactures which she can supply more cheaply or with greater facility through her lines of steamers.

After much thought on the subject, I have found no surer mode of making reciprocity "equivalent" than by expressing in the treaty itself, and as a condition of it, the real object of every reciprocity treaty, the actual and equivalent increase of the commerce between the parties to it. For illustration, should the United States make a reciprocity treaty with Spain for certain concessions designed to increase our exports to Cuba, in consideration of a reduction of our duties on Cuban sugars, the treaty should provide that that reduction should exist only as long as Cuba imported from the United States at least a certain fixed amount in value annually, and Spain might justly require a like condition as to the annual amount of our imports of Cuban sugars. The custom-house returns of the two countries would readily fix the respective amounts, and the reciprocity of the treaty, whenever it ceased to be actual and equivalent, could be suspended by a proclamation of the President, on due notice to be provided for in the treaty.

As it is undeniable, and even generally admitted, that the "most favored nation clause" entitles a country having the privilege of it to be merely "on all fours" with any other nation, and share the advantages of it only on the identical conditions accompanying them, such a proviso as that above mentioned would effectually block the diplomatic game which Germany is understood to have played upon us in Mexico, by claiming for herself the benefits of our recent reciprocity treaty with that Republic. Taking, in fact, no sugar and little tobacco or anything else from Mexico, she sagaciously offers to remit her duties on them, and claims for her exports to that Republic, mainly in manufactures, the same concessions it made to the United States in order to increase the exports of its own products to our country. With such a proviso as that above suggested, Germany would be beaten on her own diplomatic ground. Mexico would be obligated by the "most favored nation clause" only to offer to Germany the same treaty, *mutatis mu-*

*tandis*, her name taking the place of that of the United States. As her imports from Mexico would not compare with ours, such a treaty would give her no actual advantage over us. So, also, with Cuba in her commerce with Germany, and probably, also, with Great Britain and France. No one of those countries (France and Germany making their own beet-root sugar, and Great Britain being supplied principally by her own colonies) would be able to take from Cuba the amount of sugars which would be the treaty "equivalent" for the concessions made to the United States.

Another important consideration in deciding what kind of a reciprocity treaty to make, or whether to make it at all, is the effect it would have on some equally advantageous indirect trade. By driving out of some South American market some other country which trades with us, we may diminish the purchasing power of that country in our own markets, and increased indirect trade with the former may not compensate us for a loss of trade with the latter. In this connection, the effect of several misused terms is to be deprecated. Generally when our imports from and exports to any particular country do not balance at all, the very bad English is common of speaking of a "balance of trade" for or against us. It is refreshing to notice that in the reports of our Bureau of Statistics that improper phrase is discarded, and the difference between exports and imports is described as an excess of one over the other. An excess of imports over exports in a particular venture may represent a gain, and not a loss. A familiar illustration is that of a Boston ship which, in former times, would take a cargo belonging to the ship's owner, worth, say, \$100,000, to China, and return with one, also belonging to the same owner, worth twice the amount. The difference, being the returns for the expenses of the voyage, the profit in China on the original venture, and that in Boston on the return cargo, would be all gain. The same may be the case with the entire commerce of one country with another, as could be amply shown from the statistics of British trade with Asia, given in Mr. Frelinghuysen's letter on the "Commerce of the world." Of course, in some other special case it might be otherwise.

Another very general error is to treat an excess of imports over exports in our trade with a particular country as a difference which we pay in cash. This is rarely, if ever, the case. It is usually paid in exchange on some other country, obtained by selling to it our own products. Brazil affords a very fair illustration. We take from that Empire directly products many millions in value in excess of what we send directly to it. That excess is paid for by exchange on London, based on our exports of provisions, cotton, etc., and with that exchange the Brazilian pays for English manufactures to be sent to Rio. The indirect trade may be different. The Englishman may sell his manufactures in Brazil, convert the proceeds directly, or indirectly by purchase of exchange, into coffee, with the proceeds of which in New York he purchases provisions to be sent to England. In either case the result

is the same. England gains some profit in exchange, as London is the world's money center, and in freights which her ships carry. But to the extent to which England is crippled in her sales to Brazil, her purchasing power in our provision markets may be diminished.

Therefore, before making a reciprocity treaty, we should carefully consider, in each particular case, whether, even with the profits in exchange and shipping in a direct trade, we may not be losing a more profitable commerce in a different direction, by diminishing the power of others of our regular customers to purchase products from us.

CLAUSE THIRD.

“The establishment of regular and frequent lines of direct steamship communication between the ports of the United States and the ports of Central and South America” is unquestionably indispensable for the promotion of a direct trade between those ports. But to discuss the modes of securing that communication would unduly lengthen this letter; and besides to do so would be entirely superfluous, as every aspect of the subject has been fully presented in the statements of merchants and shippers, which accompany the reports of the commission to Central and South America. Whether encouragement to a direct trade be given by liberal mail contracts, direct subsidies, differential import and tonnage duties, bounties on ship-building, as in France, or even by a return to the navigation laws by which Cromwell transferred England's foreign carrying trade from Holland to herself, and which substantially constituted our own earlier legislation on the subject, two points seem to me clear. Equity would suggest that our citizens on the sea-board are as fully entitled to the expenditure of Government money over and above the receipts from postage, in encouraging foreign trade and intercourse, as our interior settlements are to similar expenditures to facilitate their correspondence with other parts of our own country. The benefits of the former expenditure would indirectly accrue to those settlements, as the latter does to our sea-board. In selecting lines for such expenditures, preference should be given to those which afford us the advantages of proximity and the existence of an already established commerce by sailing vessels or transient steamers. The histories of the American regular steam-ship line between New York and Venezuela, and that connecting the Isthmus of Panama and New York and San Francisco, are very instructive; they have succeeded in building up direct American trade and almost excluding competition in it from foreign steamers, even from “tramps.”

CLAUSE FOURTH.

“The establishment of a uniform system of customs regulations in each of the independent American States to govern the importation and exportation of merchandise, a uniform method of determining the classification and valuation of such merchandise in the ports of each country, and a uniform system of invoices.”

These are of great importance and even in a customs union would have to be considered; but they will be the most difficult to effect until after public sentiment shall have been fully prepared, in Spanish-America and Brazil, for a customs union. Habits, customs, and regulations in such matters are so fixed by usages, probably of centuries, in the various countries of our hemisphere, including our own, that not only revenue officials, but even the merchants themselves, could with difficulty be brought to see the advantages of entire uniformity. Both those classes habitually prefer even a cumbrous routine with which they are familiar to a new one which they will have to learn. Each country would advocate the uniformity which consists in having its own system adopted by all other countries. The more artificial the system might be, the more earnestly would those trained in it insist on its advantages, in the same impulse of human nature that made common-law pleaders object to the beauty and simplicity of civil-law procedure.

Yet, as with the reform of our own laws, much may be done by skillful diplomacy, aided by our merchants, shippers, and their agents, both in our own country and in the rest of our hemisphere, towards a partial if not complete uniformity. Tariffs could be reformed by leading the other Governments (and possibly also our own) to see that the revenue will not be affected and frauds will probably be diminished by simplifying the classification of merchandise; as, for instance, placing under a few general heads the four or five hundred articles, often but slightly different from each other, specified in most, perhaps all, of the Spanish-American tariffs. Arbitrary fines could be abolished, customs regulations be gradually improved, the classification and valuation of merchandise, even under the existing systems, be simplified and made explicit, and especially the modes of redress for wrongs made more liberal, prompt, and inexpensive than they now generally are in Spanish-American countries.

#### SECTION FIFTH.

“The adoption of a uniform system of weights and measures and uniform laws to protect the persons and property, the patent rights, copyrights, and trade-marks of either country in the other.”

Several Spanish-American states have already enacted laws of the kind above described or embodied them in treaties with European powers. An industrious diplomacy would doubtless secure like advantages to the United States. The question of uniformity of weights and measures presents greater practical difficulties. The Latin-race Governments of America have shown a decided tendency to adopt the French metric system, and although, as the experience of France herself suggests, the reception of a new system by a people is of very slow growth, yet that metric system, on account of its intrinsic merits and advantages, has such a hold upon those Governments and scientific men in those countries that probably such a uniformity could be ob-

tained only by our adopting that system, at least in our commercial intercourse with them. There could be no reason for their exchanging their own popular weights and measures, of Spanish *varas*, *leguas*, *libras*, *arrobos*, etc., for our equally unscientific feet, yards, miles, pounds, bushels, etc. Perhaps a practical solution of the question, at least for a long time, in invoices and other commercial documents, could be found in fixing, by treaty or otherwise, the precise equivalents, in our weights and measures, of the old Spanish, as well as of those in the metric system. The uniformity would thus become, in practice, simply a matter of arithmetical computation, as is now the case in the construction of railways in Mexico, by converting miles into *kilometros*.

CLAUSE SIXTH.

“The adoption of a common silver coin, which shall be used by each Government in such an amount proportionate to the population of each as may be determined upon, the same to be legal-tender in the commercial transactions between the citizens of all the nations of the American hemisphere,” presents much more formidable difficulties than any of the other propositions in your bill. To explain them, some account of the currencies of Spanish-America, succinct, but aiming to avoid obscurity, may be useful.

Although some of the Spanish-American states have, theoretically, gold coin, yet, in fact, silver coin is alone in circulation, and, what is more important, is the sole measure of value. Practically they are as much under the silver, monometallic system as India or China. From some cause the silver coin known as the *peso sencillo*, or “simple dollar,” to distinguish it from the old Spanish milled dollar, *peso duro*, or “hard dollar,” is the basis of all their coinages under the names of *bolívar*, *boliviana*, *sol duro*, &c. I conjecture that this “simple dollar,” of the same weight and fineness as the French five-franc piece, arose from the preponderance in Spanish coins of the *peseta*, which was once so current in the United States under the name of “pistareen.” The Spanish milled dollar was legally divided into eighths, called *reales*; the *peseta* was, for the purpose of making small change, coined as of the intrinsic value of a *real* and a half, and the convenience of a decimal system asserting itself, even under such unfavorable circumstances, 5 *pesetas*, although only of the value of  $7\frac{1}{2}$  *reales*, became the current measure of value, instead of the dollar of 8 *reales*. In Spain the *peseta* itself has been adopted, both in commerce and in Government accounts, as the unit of coinage, and I assume it to be of the weight and fineness of the French and Belgian franc, the Greek drachma, the Italian lira, and the Venezuela bolívar, as the Director of our Mint gives to each of them the value of  $19\frac{3}{10}$  cents. His valuations of the Spanish-American coins show that, except in Mexico, the *peseta* or franc is the actual unit of coinage,



With the extensive commerce of those states with France, Belgium, Spain, and Italy, and their intimate connection in habits and ideas with their European kindred of the Latin race, it may be expected that they will adhere with great tenacity to the "common coin" they already have. It would seem that we could do best by either adopting that common coin, for commercial transactions between us and them or by inventing a new silver coin of a fixed weight and fineness and representing a permanent value, not in an artificial ratio of value to gold, but in their own measure of value and as a commodity or as bullion.

It so happens that our own coins of less denomination than a dollar correspond exactly, or very nearly so, in weight and fineness, with the Spanish-American silver coin, two of our half-dollars being equal in intrinsic value to the "simple dollar." There is no good reason why they should not circulate in Spanish America as at par with like weights of parts of the "simple dollar." It has been said that they formerly did so, but that the act of Congress securing their convertibility into our intrinsically much more valuable silver dollars (these also being of legal tender) caused them all to be sent home again. They are now rarely to be seen in any Spanish-American country.

To agree upon an amount of the common silver coin proportioned to the population of each country also presents difficulties, as the amount of circulation needed by each country would not be at all in proportion to population, even if that could be accurately ascertained under the defective census system in Spanish America, and probably not even in proportion to wealth and resources, which would probably have to be only estimated. Such considerations doubtless influenced the Latin Union to refuse admission of Venezuela into it, even after she had adopted the same silver coinage and theoretically became also a bimetallic country. But, should such a limitation be desirable, some other basis could be agreed on. Possibly a proportion to the total amount of each country's average imports and exports, in a certain series of years, would be safe and acceptable.

The other mode above suggested would be to agree upon a new common coin, with a specific name, say a florin, to be of the fineness of our own silver coin, and to weigh precisely half an ounce. It would have the advantage both of being a coin and of representing an ascertained amount of silver, as merchandise or bullion.

With either of these common coins as the measure of value the commerce of the several countries could be carried on, the coinage of each country being legal tender, not for any other kind of money or coins of any other metals or even for silver coins of other denominations, but solely in fulfillment of contracts made specifically in the common coin, as our gold bonds are made payable only in gold coin.

But, of course, here we encounter the immense difficulty that while the Spanish-American countries use silver alone, both for coinage and as a measure of value, we use both silver and gold and attempt to get

and keep a measure of value by fixing, through statutes, a ratio of value between the two metals. To discuss a mode of establishing such a ratio between our bimetallic coinage and the silver monometallism of Spanish America, would unavoidably lead into the mazes of the silver question in our own country. I abstain from entering into them, except by expressing the opinion I have held ever since I examined the subject many years ago (but in which I may be alone), that the whole attempt has been and will continue to be a conspicuous failure and should be abandoned. Contracts could be made in either gold or silver coins, of fixed weights and fineness, according to the intents of the contracting parties, and the ratio of value between the two metals—which even in our own time has varied so much that to keep up the semblance of it we first debased our gold coins and afterwards our silver—could be left to be determined by the immutable laws of even a slowly variable supply and demand, rather than to the dangerous expedient of statutory or treaty regulations, changeable at the will of Governments, which may be in necessity or influenced by false theories or even corrupt. For the convenience of the construction of contracts, a measure of value in either silver or gold could be established by law to define the unit of value in legal tender in contracts in which the metal or coin had not been specified. Under a system by which values were measured in greenback dollars, although at a discount below both gold and silver, and contracts in coin had to be exceptionally so stated, our commerce flourished. The difference in commercial or intrinsic value between the two currencies would be mere matter of computation; the variances would be so gradual as to be scarcely perceptible, except in the lapse of an entire year, and the computations of them, to ascertain value in the one coin or in the other, would be no more difficult or injurious to commerce than like computations of rates of exchange.

But, as our own people are so accustomed to fix rates of value between gold and silver coins and to their being in certain fixed proportions legal tenders for each other—an expedient about as logical and sensible as a statute determining what weight of Indian corn shall be a legal tender for a bushel of wheat, both being in this country, and only one of them in Great Britain, current as food for man—a practical view of a common silver coin for the American hemisphere should take into consideration our existing bimetalism, with its disturbing adjunct of a statutory ratio of value which may not accord with that fixed by commerce in the metals themselves.

With due diffidence, I suggest that our present half dollar, and the subdivisions of it, might be advantageously adopted as the common silver coin, as it is identical, in weight and fineness, with the measure of value and existing coinage of all Spanish America except Mexico. The privilege to convert them, under our statute, into silver dollars would have to be abolished, but their present limited legal tender qualities could be preserved. With like legal tender qualities, at par with like silver coins of Spanish-American countries, they would freely

circulate in those countries, as did Spanish and Mexican coins in our own country in the early part of this century. There would be little return of them, as the limited amount to which they would be legal tender here would be amply supplied by our own mints. The same limited legal-tender quality in our country could be extended without danger to the like coinage of South American countries joining in the agreement; little of it would come to us to compete with our own, and we would reap the advantage that our own would be legal tender, as the proper measure of values, in all commercial transactions in those countries. Brazil, having now merely a depreciated paper currency, might be readily induced to introduce it into her mints; and a change in the coins of Mexico could be as readily made as a like change was in Spain, her present dollar, where contracts call for it, being decreed to be the fair equivalent of  $5\frac{1}{5}$  of the South American franc (one-fifth of the simple dollar). Under such an agreement for a common silver coin, the coinage of it could safely be left free, supply and demand regulating its commercial ratio of value to gold coin. The legal-tender qualities of those coins would be on no unequal or unfair basis. They would have in each country the legal tender extent given to like coins of that country—limited with us as our own, unlimited in Spanish America as their own.

The adoption of a common coin, of the weight of half an ounce of silver, would encounter the difficulties that it would disturb commerce by giving a new measure of value, and the convenience of computing its value by weight might cause it to degenerate into being treated as mere bullion. Nevertheless, could it obtain extensive adoption in commerce as a measure of value, that convenience would increase its utility. Transactions in it could be reduced to gold, or any other currency, by examining the quotations of the market value of silver in gold or in such other currency.

The proposition to adopt a common silver coin of the value of our gold dollar, if coupled with the quality of being legal tender for the latter, seems to me impracticable and illusory, for the simple reason that, should the present value in silver of the gold dollar be adopted, any fluctuation in the comparative values of these metals would affect it. Should gold continue to rise in those comparative values, the silver dollars of South American mints, being of less value than gold dollars, would have a tendency to flood our markets and increase the confusion into which we have already got, by using two measures of value and attempting to force a ratio between them. Should gold fall in comparative commercial value, there would be a strong temptation to exchange gold coins for the Spanish-American common coins, to pass into our circulation and unduly expand it or even be sold as bullion. If the common coin is to be the measure of value and legal tender only in transactions in such coins, and not as equivalent in any fixed ratio for other money or gold, the already established "simple dollar" presents advantages over every other silver coin.

The existence of our bimetallic coinage and artificial ratio of value between gold and silver naturally suggests the question, how are values of merchandise to be computed for the collection of duties where the invoices give amounts in "simple dollars?" The answer is readily found: the value of the new coinage, in our currency, can be annually ascertained by the Director of the Mint and proclaimed by the Secretary of the Treasury, as is now done with the coins of all countries of silver monometallism. The merchant importer or exporter, in ascertaining the cost to him in our currency of goods bought in Spanish America, or the value there, in the common silver coin, of his wares sent thither, need concern himself little about such valuations, as both his payments and receipts will be regulated, as now, by rates of exchange. But he will have a share in adjusting those rates, instead of having them determined for him in London. Should they exceed cost of transportation, interest, and insurance, he can ship American half dollars in legal-tender payment of his purchases in South America. In like manner the South American can send his "simple dollars" to the United States, with the advantage that, instead of being treated as mere bullion, as they would be in Europe, they will have a partial advantage as legal tender, like our own subsidiary coin. The result might eventually be to transfer the exchange market of this hemisphere from London to New York. Of course, beyond the use of the common coin as legal-tender, it would, as any other silver coins, be valuable only as bullion, at the market price, in-currency or gold.

The suggestion of a new silver coin, to be legal tender when a contract calls for it and otherwise only to a limited extent, but without any fixed ratio of value to gold or even our standard silver dollar, is so novel that the foregoing suggestions are made with diffidence. I regret that I have not at hand information about the means by which Great Britain maintains a balance between her own gold monometallism and the silver monometallism of her vast possessions in India. But a study of those means may suggest modes of reconciling our double standard with the single silver standard of Spanish-America. The attempt to do so should not be lightly abandoned; for, as President Arthur said in his last annual message to Congress, by the adoption of a common silver coin for this hemisphere, "the surplus productions of our mines and mints might be thus utilized, and a step taken towards the general remonetization of silver."

In connection with the suggestion of introducing into our domestic circulation a coin based on a measure of value different from our own bimetallic, it may be well to note that even in gold, monometallic England a like plan has been considered. A special cablegram to the St. Louis Globe-Democrat from London on the 11th ultimo states: "At the dividend meeting of the managers of the Bank of England today the question of bimetallicism was discussed, and the coinage of a silver rupee and florin currency for circulation in both India and England was suggested."

## CLAUSE 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."

My personal observation and knowledge of the Spanish-American people through several years of sojourn with them induce me to believe that most, perhaps all, of them will gladly make such an agreement, and the enlightened and able Emperor of Brazil would assuredly join in it. With the tendency of our age towards arbitration, even of private differences between employers and employed, it may be extended between Governments, literally to "all questions," including many of those covered by the second section of your bill, especially those mentioned in the fourth clause, which are the principal sources of disputes between our Government and those of the other American States. Thus this agreement, leading gradually to others, if not simultaneous with them, may become the corner-stone of the international edifice in which, in time, all the nations of this hemisphere will dwell together in the peace and harmony of a great American customs union. Should the congress result in even nothing more than such an agreement it will have fully rewarded our Government for having convoked it, and richly compensate us for the hospitality to be extended to its members.

The impression exists in some quarters that, under such an agreement, our Government would have to assume the often thankless duty of being regular and perpetual arbitrator in all the quarrels of our somewhat excitable sister American communities. The exact contrary is most probable; they might, from over-sensitiveness, systematically avoid giving the United States so conspicuous a mark of leadership. They would most probably select as arbitrator in their disputes some such standing international peacemaker as the late King of the Belgians was in European differences, or some Government entirely unconnected with American interests, or the head of their religion, the Pope, or even, reverting to a former prevalent usage, some university of international reputation for erudition and integrity.

I have, perhaps at too great length, given my views on all the subjects embraced in your bill; but I have done so in the hope to indicate that, even should the proposed congress result in agreements on but few of those subjects and by only some of the States which may send delegates to it, yet such results will amply demonstrate the wisdom of having invited it. And, even should it result in nothing definitive, the knowledge which each of the Governments represented in it will acquire of the views and policies of all the others and the personal intercourse between our own representatives and those of the other countries will lay the foundation of a cordiality between both which

will be advantageously felt in our future diplomatic and commercial intercourse with the other nations of this entire hemisphere.

I have the honor to be, sir, very respectfully, your obedient servant,  
THOS. C. REYNOLDS.

Hon. WILLIAM P. FRYE,  
*United States Senate.*

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#### REMARKS OF MR. CURTIS.

[Address of William E. Curtis, late commissioner from the United States to Central and South America, before the Committee on Foreign Relations, United States Senate, with reference to Senate bill 1616, "to promote the political progress and commercial prosperity of the American nations," March 27, 1886.]

South of the Rio Grande and the Gulf of Mexico, in what is known as Spanish America, are about 48,000,000 of people, engaged in a foreign commerce amounting to over \$800,000,000 a year. This commerce is about equally divided between exports and imports. The exports consist exclusively of raw products and always will, while the imports consist of manufactured merchandise. The Spanish-American people have no taste for mechanical industry and lack the water-power or the fuel to exercise it if they had. They will always be compelled to import all the luxuries and nearly all of the necessaries of life except food, and their wealth must come from the boundless resources with which a prodigal nature has stored the continent.

In 1884 our exports were valued at \$733,768,764, mostly manufactured merchandise. Of this amount we exported but \$64,719,000 to Spanish America. Our annual mechanical and agricultural products are valued at \$15,000,000,000, but we seldom have sold more than \$75,000,000 worth of this product to our nearest neighbors, who buy in Europe many times as much as they ever get here.

We have more trade with either Belgium, Italy, The Netherlands, Spain, Switzerland, Russia, China, Japan, or Australia than we have with all of the Central American States combined. We have nearly as much trade with Greece as we have with Chili. We sell more sewing-machines in Switzerland than we sell in Chili, and Switzerland sells Chili more sewing-machines than she buys of us.

England, France, and Germany have secured a monopoly of the trade of Spanish America by the establishment of quick, regular, and cheap transportation, and we have lost it by neglect. For example, Bolivia has a foreign trade of over \$16,000,000 a year, yet the name of that country does not appear in the tables of our Bureau of Statistics. The chief imports of Bolivia are cotton and woolen goods, agricultural implements, mining machinery, hardware, cutlery, clocks, watches, canned goods, and provisions, a list which could be filled in any commercial city of the United States as cheaply as in Europe. and yet the annual reports of the Treasury Department do not show a dollar's worth of commerce between the United States and that country.

The same conditions exist with other nations in quite as startling a form.

In 1884 the value of manufactured merchandise imported into the several countries of Central and South America was as follows:

Central America:	
Mexico .....	\$30,000,000
Guatemala.....	3,500,000
Honduras.....	750,000
Salvador.....	2,750,000
Nicaragua.....	3,250,000
Costa Rica.....	2,800,000
British Honduras .....	1,250,000
	\$44,300,000
South America:	
French Guiana.....	1,500,000
Dutch Guiana.....	1,700,000
British Guiana .....	10,800,000
Venezuela.....	16,000,000
Colombia.....	13,700,000
Ecuador.....	4,375,000
Bolivia.....	4,500,000
Chili.....	52,600,000
Peru.....	7,600,000
Argentine Republic.....	84,900,000
Uruguay.....	26,000,000
Paraguay.....	1,300,000
Brazil.....	101,000,000
	325,975,000
West Indies.....	117,113,000
	487,388,000

The figures showing the distribution of these imports for 1884 can not yet be obtained, but the exports of the United States, France, and Great Britain to the countries named below in 1883 were as follows:

Countries	United States.	Great Britain.	France.
Central America.....	\$2,003,407	\$4,186,893	\$1,392,113
Colombia.....	6,868,971	6,009,414	5,984,352
Venezuela.....	2,403,705	3,126,123	1,324,468
Brazil.....	9,252,094	34,140,119	15,657,473
Uruguay.....	1,452,812	9,683,712	5,111,211
Argentine Republic.....	3,543,196	30,695,963	24,956,691
Chili.....	2,860,496	21,318,312	9,655,555
Peru.....	493,894	4,811,600	1,760,670
Total.....	28,878,625	113,972,136	65,843,533

The increase of the imports from Great Britain into the Argentine Republic in 1884 was very large and reached a total of \$38,000,000. There was a corresponding increase in most of the other countries.

The following shows the exports from England, France, and the United States to Mexico, Central and South America, the Spanish West Indies, Hayti, and San Domingo of cotton goods, iron and steel, machines and implements, and hardware and cutlery. the goods in which we excel:

Articles.	England.	France.	United States.
Cotton manufactures.....	\$45,738,000	\$6,215,000	\$4,563,000
Iron and steel.....	11,090,000	3,339,000	2,810,000
Machinery, engines, etc.....	8,022,000	1,157,000	6,820,000
Hardware and cutlery.....	3,505,000	114,000	1,254,000
Total principal articles.....	68,355,000	10,825,000	15,447,000

Our total exports to Mexico are greater than those of either England or France, while our total exports to South America are less than one-fourth of those of England, and only one-half of those of France.

During the last twenty years the value of the exports from the United States to the Spanish Americans was \$442,048,975, and during that time we purchased of them raw products to the amount of \$1,185,828,579, showing an excess of imports during the twenty years amounting to \$765,992,219, which was paid in cash. It will thus be seen that our commerce with Central and South America has left a very large balance on the wrong side of the ledger, while those countries have all the time been buying in Europe the very merchandise we have for sale. Being the very reverse of the United States in climate and resources, they constitute our natural commercial allies, and the exchange should at least be even; but they sell their raw products here and buy their manufactured articles in Europe. The principal reason for this is that the carrying trade is in the hands of Englishmen. The statistics show, that, of the total imports into the United States from Spanish America, which, in 1884, amounted to \$159,000,000, three-fourths were carried in foreign vessels. Of our exports to those countries, amounting last year to \$64,000,000, \$46,000,000 were carried in American vessels, while only \$18,000,000 were carried by foreign vessels. It will thus be seen that nearly everything we buy is brought to us from Spanish America by Englishmen, while nearly everything we sell we have to carry there ourselves. The logic of these facts is irreststible.

The most absurd spectacle in the commercial world is the trade we carry on with Brazil. We buy nearly all her raw products, while she spends the money we pay for them in England and France.

In 1884, of the exports of Brazil \$50,266,000 went to the United States, \$29,000,000 to England, and \$24,000,000 to France. Of the imports of



Brazil in 1884, \$35,000,000 came from England, \$15,000,000 from France, and \$8,000,000 from the United States.

Another peculiar feature of this commerce was that of the exports of Brazil to the United States \$32,000,000 was carried in English vessels and \$9,000,000 in American vessels, while of her imports from the United States \$6,000,000 was carried in American vessels and only \$2,000,000 in English vessels. The trade is carried on by triangular voyages. Two lines of steam-ships sailing under the British flag load every week at Rio for New York. Arriving at the latter port they place their cargoes of coffee and hides in the hands of commission merchants, and sail for Europe, where they draw against these consignments, and buy Manchester cotton, Birmingham hardware, and other goods which they carry to Brazil. During the last twenty years this absurd spectacle has cost the United States \$600,000,000, every cent of which has gone into the pockets of English and French manufacturers. We have not only paid for the goods that England has sold Brazil, but as we have had no banking connections with that country and no ships on the sea, nearly every ton of this commerce has paid a tax to English bankers and vessel-owners.

Several years ago when we removed the import tax on coffee, Brazil put an export duty on, so that the attempt of Congress to secure a cheap breakfast for the workingman simply resulted in diverting several million dollars from the Treasury of the United States into the treasury of Brazil, without changing the price of the article. Mexico and the countries washed by the Caribbean Sea produce a better quality of coffee than is grown in Brazil, and if the United States Government would consent to discriminate against Brazilian coffee, raised by slave labor, the nations of Central America and the Spanish Main would reciprocate by admitting free to their ports our flour, lumber, provisions, lard, dairy products, kerosene, and other articles which are now kept from the common people by an almost prohibitory tariff.

Brazil is in such a critical condition, financially and commercially, that if we did not buy her coffee it would rot on the trees, and the Englishmen who control her foreign commerce would have to close their warehouses and throw all the Brazilian planters into the bankrupt court. These Englishmen have secured mortgages upon the plantations of Brazil by supplying the planters with merchandise on credit and taking the crop at the end of the season in payment; but as the crop seldom pays the advances, the mortgages have been lapping over upon the plantations, until now the Englishmen have the Brazilians by the throat, making their own terms, charging one profit on the merchandise sold, another as interest on the advances, a third on the coffee purchased, and a fourth as interest on payments deferred, while they make three profits out of us: first, on coffee they sell us; second, on transportation charges; third, in discounting our bills on London.

The greater part of our exports to Spanish America go to Mexico and the West Indies. Deducting these from the total, it will be found

that we buy over 30 per cent. of what the South American countries have for sale, and furnish them only 6 per cent. of their imports. The balance of trade goes on piling up at the rate of nearly \$100,000,000 a year. This was not always so. Twenty years ago more than half the commerce of this hemisphere was controlled by the merchants of New York, Boston, and Baltimore, and more than half the ships in its harbors sailed from those ports. Now only a small percentage of the carrying trade is done in American bottoms, while English ship-owners who control the transportation facilities permit the Spanish-American merchants to buy in this country only such goods as they can not obtain elsewhere.

The cause of this astonishing phenomenon is our neglect to furnish the ways and means of commerce. We can no more prevent trade following facilities for communication than we can repeal the law of gravity. While we have been pointing with pride at our internal development, England and France have been stealing our markets away from us. The problem of recovering them is easy of solution. The States of Central and South America will buy what we have to sell if intelligent measures are used to cultivate the markets and means are provided for the delivery of the goods.

The Spanish-American nations seek political intimacy with the United States, and look to this, the mother of republics, for example and encouragement. They recognize and assert the superiority of our products. They offer and pay subsidies to our ships. Brazil now pays \$100,000 a year as a subsidy to a 1 American steam-ship line, while the United States Government paid only \$4,000 last year to the same line for carrying our mails. The Argentine Republic had a law upon its statute-books representing a standing offer of a subsidy of 96,000 silver dollars a year to any company that will establish a steam-ship line between Buenos Ayres and New York, under the American flag, and at the same time has twenty-one lines of steam-ships, sailing from forty-five to sixty vessels a month, between Buenos Ayres and the ports of Europe, to which it pays nothing. We have no steam-ship communication with the Argentine Republic whatever. During the last year, out of the millions of tons of shipping represented in the harbor of that metropolis, there were no steamers from the United States, and our flag was seen upon but 2 per cent. of the sailing vessels. Here is a nation purchasing in Europe \$70,000,000 worth of merchandise every year, and only spending about \$4,000,000 in the United States, and these \$4,000,000 represent articles, such as petroleum, lumber, lard and other pork products, which could not elsewhere be obtained.

Thomas W. Howard, United States vice-consul at Uruguay, stated to the Commission that the carrying trade between that country and Europe was done by 567 steamers, of which 203 were English, 118 French, 107 German, 48 Italian, and 14 Spanish, with not one under the American flag; and he said that no steamers ever came from the United States to Uruguay, except occasionally an English tramp char-

tered for a special cargo. The foreign commerce of Uruguay amounts to \$45,000,000 a year, of which over \$20,000,000 are imports of manufactured merchandise. The chief imports are wearing apparel, iron and steel goods, agricultural implements, and machinery. England furnishes 27 per cent., France 17 per cent., Germany 13 per cent., Spain 10 per cent., Italy 6 per cent., and the United States only 5 per cent.

The Spanish-Americans erect statues to Washington and Lincoln, and imitate the United States in all their political and economical endeavors. Their Republics are founded upon constitutions in imitation of that our fathers framed. They have introduced our school system, and they import teachers from the United States.

Even more surprising than our neglect of the commercial opportunities they offer is our ignorance of their condition and progress. We recollect their civilization as we saw it last to be an anarchy of errors. We do not realize that the triumph of liberal intelligence and the influx of modern enterprise have opened to the nations of South and Central America a destiny second only in promise to our own. While it would be useless to seek in those Republics an ideal of self-government, their progress in the last half century has placed them in a situation where their political reform is not only hopeful but assured.

The development of the southern half of South America is nearly as rapid as that of the United States. Immigration is flooding in, internal improvements are opening new and fertile fields, and wealth is increasing in a ratio enjoyed by no other section of the globe.

Chili, Uruguay, Paraguay, and the Argentine Republic, almost a *terra incognita* to us, are booming like our Western Territories. In 1876 the imports of the Argentine Republic were valued at \$36,000,000; in 1884 they had reached \$80,000,000. In 1876 the merchandise brought to that country from England, France, and Germany was valued at only \$18,000,000, while in 1884 it was more than \$53,000,000. The entire imports from the United States for twenty years were \$6,000,000 less than those from the three commercial nations of Europe for the year 1884.

Within the last three months the Government of the Argentine Republic has made contracts for \$59,000,000 worth of railway improvements, including a line of road northward into Bolivia and two lines across the continent to Chili, so as to bring the commerce of the Pacific slope into the harbor of Buenos Ayres, instead of taking it around the Straits of Magellan.

In 1874 the foreign commerce of Chili amounted to \$42,000,000; in 1884 it reached \$132,000,000. From \$50,000,000 to \$60,000,000 in merchandise is imported into Chili every year, of which England furnishes over \$20,000,000, France over \$12,000,000, Germany over \$8,000,000, and the United States \$3,000,000.

Adding the imports of Brazil to those of Uruguay, Chili, and the Argentine Republic, it will be found that the aggregate value of manufactured products introduced into those four countries annually reaches

the enormous sum of \$250,000,000, of which England furnishes nearly one-half, France about \$50,000,000, Germany about \$35,000,000, and the United States about \$17,000,000.

We have no adequate conception of the present magnitude of these markets, nor of their prospective value. The manufacturers of the United States can supply almost every article represented in that \$250,000,000, with the exception of a few articles of luxury which we ourselves import. The consumption of cotton goods alone amounts annually to over \$65,000,000, and 95 per cent. is supplied by the mills of Manchester.

Cotton fabrics now and always will constitute the wearing apparel of three-fourths of the people, and they must be imported. England monopolizes this trade, because her mills furnish an article especially adapted to the wants and tastes of the consumers, which our looms have never attempted to produce. The assertion that we can not compete with Manchester prices is absurd. The only reason we are undersold is that we send an honest fabric to compete with a dishonest one; but as long as the English manufacturers send cargoes of pipe-clay and starch to the tropical countries our exporters must furnish the same article or be undersold. There is a grim humor in the fact that the popularity of our cotton goods is so great that nearly every bale of this bogus fabric shipped from Manchester to the South American nations bears the coat-of-arms of the United States, and is marked "Best American drillings, Mass, U. S. A."

There is not a commercial city in Spanish America where the manufacturers of the United States can not compete with their European rivals in every article we produce for export. The report of the South American Commission shows, by the testimony of the importing merchants of those countries, that aside from the difference in the cost and convenience of transportation it is to their advantage to buy in the United States, because the quality of our products is superior, and our prices are usually as low as those of Europe.

But as long as the freight from Liverpool, Hamburg, and Bordeaux is \$15 a ton, they can not be induced to pay \$40 a ton to bring merchandise from the United States.

The control of the transportation facilities being in the hands of European merchants, assisted by liberal subsidies from Governments that encourage them in seeking trade, there is a natural and effective discrimination against freights from this country, and is usually cheaper to ship goods from New York via Hamburg to the South American countries than to send them direct.

The bill which Mr. Frye has introduced contemplates an assemblage of delegates from these Spanish-American nations at Washington for the purpose of considering measures to bring them into closer political and commercial relations with the United States.

Under instructions from the late Secretary of State, Mr. Frelinghuysen, the South American Commission submitted to each of the Governments it visited a series of propositions covering the suggestions con-

tained in this bill, and, with the exception of Chili, each of the Governments visited promptly and cordially accepted the propositions made. The Commission was not instructed to conclude conventions of any character, but was directed to initiate a movement this bill is designed to promote. The Government of Chili declined to enter into any compact whatever with the United States, by treaty or otherwise. The propositions were submitted to the President of that Republic in the presence of his entire cabinet and discussed at length, but the only one that Government was inclined to accept was that relating to the establishment of a common silver coin. This suggestion they very cordially approved, and its importance was enlarged upon by the President of Chili and his minister of finance.

The proposition to hold a congress of American nations was not declined by Chili, but taken under advisement, the Government reserving the right to accept or decline an invitation to such a congress when the United States was prepared to submit a plan in detail, defining its scope, the subjects to be considered, and the extent of the powers intrusted to the delegates.

Even if the contemplated congress should fail to reach any conclusions upon the subjects proposed for it by Congress, a visit by the leading men of the Spanish-American nations of the United States will be productive of great good.

The report of the South American Commission upon this subject says :

“The attainment of closer international and commercial relations between our country and these Republics is easily accomplished. Our reports have frequently called attention to the feeling of admiration with which the progress, wealth, and power of our land are regarded by the other countries of the Western Hemisphere. They one and all find in our history a model for their own institutions, and our moral support and approbation are prized above those of any and all other nations. Hence our advance toward a more perfect understanding and greater confidence will meet with a quick and true response. There will be no prejudices to overcome, no antipathies to remove, few differences of constitutional life to adjust. The result of our observations leads us to believe that these Republics have felt that our country heretofore has given them too little thought ; that in its greatness and introspection it has failed to take a warm interest in the trials and struggles of peoples who are striving to realize for their own countries something of the peace and prosperity that belong to what they always term “*La Grande Republica.*” Unless we have been completely misled by the expressions and protestations of the ruling powers of each and every one of the Governments we have visited, the only estrangement possible between them and us will flow from our own indifference and neglect. Indeed, we have already lost much that naturally belongs to us from this cause. Every President and cabinet officer, every leading and thoughtful citizen we met, joined in the sentiment of gratified surprise that our country had taken the initiative by this embassy in bring-

ing about more cordial and hearty communication between the various Republics and our own. In our effort to reach more intimate relations we have, then, this basis of kindness and desire upon the part of those we seek to reach as a foundation for our action. We shall plant seed in a genial soil, beneath a propitious sky.

“To the foregoing considerations we may add the beneficial influence of the proposed convention of representatives of the States of the Western Hemisphere. Our several reports show with what warmth the suggestion has been welcomed by nearly every country we visited. It is cordially indorsed by all save Chili, which only gave a qualified assent.

“The general opinions of the Governments visited point to the propriety of this country’s issuing the call for the convention, fixing time, place, membership, and also suggesting in the invitation a list of topics for discussion, at the same time conceding to every State represented the right to bring forward such other subjects affecting the welfare of all as it may deem best.

“Not only should the call and programme emanate from our Government, but the assembly should convene in the United States under its hospitable welcome and direction. The details we do not enter upon, though we may be permitted the quite obvious reflection that the range of topics should be so varied that in some one or more of them each State should feel a particular interest, and the general scope of all tend to the prosperity and common good of all. We can well believe that the discussion of these topics which pertain to the common weal would be followed in each State with profound interest, the conclusions reached, especially if found with much unanimity, of great practical good, and the general result of a joint deliberation of the several people on questions of moment to each would inevitably weave into firmer fabric the warp and woof of the threads of friendship and interest and communication reaching from one to all the rest. Neither need we point out the value to our country in many ways of filling the position of a generous host, welcoming to our homes and estates guests whose good opinion we desire to win by sincere courtesy and a just revelation of our noble national character. To this end the representatives should enjoy extended opportunities to become familiar with the marvelous economies, politics, industry, education, and religion out of which our greatness has sprung. No limited or contracted parsimony should bound our efforts to exhibit in fair colors the magnitude and glory of that temple of freedom in which we worship. Every section of our land would reveal to their eyes, in language stronger than words, the wealth, progress, and happiness that attend a people whose institutions are founded on equality, where the poorest and weakest citizen has his wrongs redressed and his rights protected equally with the strongest and most wealthy. From such a survey they would carry home deeper respect for a country whose religion, unaided by the civil power, builds shrines in every neighborhood where the humblest may kneel and adore according to his conscience, where education rains down on every rank

of life manifold blessings, and where obedience to the expressed will of the majority is deemed a sacred duty.

“In such a convention could be discussed, as was suggested by some of the States consulted, the plan of agreeing upon a common silver coin which should be current among all the States of the American continent at its face value. This proposition has been favorably entertained by all the Governments advised with as one which would add value to the silver product and prove a potent factor in promoting commerce between the countries adhering to it.

“The States of Central and South America stand ready to respond heartily to our call for such a convention, and once held it would prove doubtless the forerunner of many more, whose influence would be puissant in promoting more intimate relations both international and commercial.”

The reports of the Commission show that the suggestions for a common currency was favorably received by all the Governments visited, including Chili. All the Spanish-American countries are now under a system of silver monometallism.

There is no gold to be seen; silver is not only the current coin, but the legal tender everywhere. These countries have paper money, but its value is regulated by the silver coin that prevails in each; they do not even coin their own production of gold.

The report of the Director of the Mint for 1884 shows that the entire product of gold in Spanish-America for the three years previous was \$25,000,000, of which only \$1,500,000 was coined.

From the same report it is shown that for the three years the product of silver in Central and South America, including Mexico, was \$143,000,000, of which \$84,000,000 was coined, and of this total Mexico produced over \$86,000,000 and coined \$73,000,000. Deducting from the total the product and coinage of Mexico, we find that the total product of silver in Central and South America for three years was only \$57,000,000, or about \$19,000,000 a year, while the total coinage for three years was only \$11,000,000, or less than \$4,000,000 a year.

Bolivia is the next largest producer of silver. Deducting the product and coinage of Bolivia for three years, we find that the remaining nations of Central and South America produced only \$19,000,000 in silver during the three years, and coined only six millions of this product, or about \$2,000,000 a year. The balance of the product is shipped to Europe in ore.

Chili, Colombia, Bolivia, Peru, and Venezuela are the only nations producing silver to any amount.

From the report of the Director of the Mint it is shown that the total circulation of paper money, gold coin, and silver coin in Spanish America, and including Mexico, is \$340,000,000, of which \$243,000,000 is paper money, and Brazil issues about three-fifths of the latter amount. For the details of the financial situation in the Spanish-American countries I would refer to the report of Mr. Reynolds, of the

South American Commission, who has given special attention to that subject.

The balance of trade against the United States with these countries of Central and South America amounts annually to nearly \$100,000,000. This balance is paid in bills of exchange on London, the proceeds of which are expended there in the purchase of merchandise which our markets could supply at as low figures and in as good quality as that of Europe. It was remarked nearly everywhere that English merchants of whom the South American importers were buying their goods might not accept such a coin in payment, and the reply invariably was that in such an event they would come to the United States to buy their goods. All commercial transactions in these countries now are calculated in pounds, shillings, and pence, the local currency never entering into foreign commercial transactions.

In every one of these nations, with the exception of Chili, the proposition for a reciprocity treaty was also heartily received. We admit free of duty into our ports the products of a people who have prohibited ours from entering theirs. Duties that are almost prohibitory are placed upon flour, petroleum, provisions, lumber, and other articles imported from the United States, so that they are placed beyond the reach of the masses of the Spanish-American people. Human transactions are usually based upon reciprocity, but have never entered into our commerce with Spanish America.

Our Government might have received concessions for the admission of our peculiar products free, or at a reduced rate of duty, had we been enterprising enough to enter negotiations in that direction. Almost everywhere the South American Commission found a willingness on the part of the Governments it visited to enter into commercial treaties whereby our peculiar products might be relieved from the almost prohibitory taxation, without any further concessions upon our part beyond giving the pledge not to impose duties where they do not now exist. As an illustration: The little Government of Costa Rica proposed to remove the duty from cattle, salt, preserved meats, mineral, coal, raw cotton, timber for building purposes, brick, tile, lime, and agricultural and mining machinery, which they buy in the United States, provided the articles they produce, such as sugar, coffee, cocoa, and other articles which they send us are placed upon our free list. The sugar exported from Costa Rica last year was valued at only \$278, so that there need be no fear of injuring our sugar interest by making the concessions they desire. The only articles which we now import from South America under a duty are sugar and wool, and almost the only wool we import is the coarse variety used in the manufacture of carpets, which is not produced in the United States.

All our carpet wools come from Chili, Uruguay, and the Argentine Republic; most of our sugar comes from Cuba. The production of sugar in all the South American countries would not be sufficient to supply one-fourth of the demand in the United States, if we should take all



that is raised there. As a matter of fact none comes now. The South American Republics can not compete with the slave labor of Cuba, and never will; but if their product were admitted free of duty they would give us in exchange valuable concessions that would enable our farmers and manufacturers to find a market for their surplus.

With the exception of petroleum, nearly all of our exports to Central and South America come from the Southern States and the Northwest, and consist of breadstuffs, provisions, lumber, furniture, etc. Flour is so expensive that none but the rich can use it, the price often being as high as \$25 a barrel, two-thirds of this cost representing the import duty. If the duty upon flour were removed in all the South American countries the exports from the United States would be very largely increased, and the removal of that duty could be obtained by an exchange in favor of sugar, while the almost prohibitory duty upon lumber, provisions, and other goods would be given in exchange for the removal of the duty on carpet wools. Petroleum is a very important item in the commerce of South America. Gas is scarce and high, owing to the lack of fuel, and almost the entire population burn candles. Petroleum put on board a ship at 15 cents a gallon in New York is peddled out in the South American cities in pint bottles at 25 cents each, or 40 cents for a quart bottle, the light of a single lamp for an evening costing at least a quarter of a dollar, which of course, prohibits its use by the common people.

Three-fourths of this price represents the duty, as it is the practice of the South American Governments to tax the necessaries of life and admit the luxuries free. As an illustration: A certain Government which charges a duty of 400 per cent. ad valorem on our kerosene oil admits watches, jewelry, and diamonds at a duty of 90 cents a pound.

Still more important is some arrangement with the South American nations for a uniform system of customs regulations. Their present system was inherited from the old Spanish tyrants, and an importer is fined for failing to cross a *t* or dot an *i*; for a misspelled word, or an erasure of any kind in his invoice.

The customs officials receive compensation from the fines and penalties which they impose, and are therefore constantly tempted to injustice. This is a greater embarrassment to merchants of the United States than to those of other nations, because the English, the German, and the French have agencies and branch houses in nearly every one of the South American ports. These agents are constantly associating with the customs officials, keep them good natured by means of their own, and are able in case an error is detected to settle it without any considerable loss, while a manufacturer or merchant of the United States who is a stranger to the customs officials and who has no friends to watch his interests in the ports to which his goods go, is constantly subjected to the most harassing and disastrous fines and penalties. I could relate hundreds of instances that came to my attention, in which the customs officials of South American ports were induced by English

agents to drive American merchants out of trade by imposing upon them fines and penalties for the most trivial mistakes in their invoices, and other reasons. For example: The captain of a ship who entered a South American harbor with a cargo of goods, for the first time, was fined \$250 for neglecting to salute the captain of the port when he came on board his vessel. It was afterwards discovered that this was done at the instance of the captain of an English tramp steamer, who had been running between that port and New York, and had failed to get the cargo which the American skipper carried.

The merchants of New York, as is shown in the reports of the South American Commission, find that there is no profit in a trade where they are compelled to submit to such whims of officials and the jealousies of rival merchants. By a proper system of treaty the United States could induce the South American nations to adopt a uniform system of rules regulating the appraisement and classification of goods which would obviate all the difficulties described.

There have been two attempts to hold an international congress of American nations. In 1825, during the administration of John Quincy Adams, General Bolivar, who was then President of the United States of Colombia, invited the several American nations to join in a congress to be held at Panama in June, 1826.

President Adams accepted the invitation, and nominated Richard C. Anderson and John Sargent as delegates on the part of the United States, and William B. Rochester as secretary to the mission. The message containing the nominations was referred to the Committee of Foreign Relations of the Senate, by whom a report was made on the 16th of June, 1826, condemning the mission, and concluding with a resolution declaring it inexpedient for the United States to join the proposed congress.

The report was rejected by the Senate, and on the 14th of March, 1826, the recommendations of the President were adopted by a vote of 24 to 19. On the 21st of April the House of Representatives, by a vote of 133 to 61, passed a bill making appropriations for the mission.

Orders were transmitted to Mr. Anderson, who was then minister to Colombia, to attend the congress, but, on his way to Panama, he died of a malignant fever. His colleague, Mr. Sargent, found it impossible to attend the congress, and thus the United States was not represented.

The congress was held, however, on June 22, 1826, and continued in session until July, concluding a treaty of friendship with all the American powers who had been invited to join.

The congress adjourned to meet in February, 1827, at Tacubaya, a suburb of the City of Mexico. Mr. Poinsett, United States minister to Mexico, was appointed commissioner to this congress in place of Mr. Anderson (deceased), and Mr. Sargent, his colleague, went to Mexico, but the congress did not assemble, owing to disturbing revolutions in nearly all the countries invited to join.

In 1881, as will be remembered, Mr. Blaine sent invitations to the

Spanish nations to meet the United States in a similar congress, and they were generally accepted, but, subsequent to the retirement of Mr. Blaine from the Cabinet, the enterprise was abandoned, to be renewed by Mr. Frelinghuysen, his successor in office, through the South American Commission, as has been related.

#### THE ACTION OF THE SENATE.

Senator Whitthorne, of Tennessee, asked that the above bill be taken up for consideration on the next legislative day, and on the 12th of June he spoke at length in support of the measure. On the 17th of June, 1886, the bill was passed by the Senate, upon the motion of Mr. Frye, and, reaching the House of Representatives on the 19th instant, was referred to the Committee on Foreign Affairs, but no action was taken thereon.

At the beginning of the first session of the Fiftieth Congress Mr. Sherman re-introduced Mr. Helper's bill for the intercontinental railway commission. Mr. Reagan re-introduced his bill to provide for a conference of American nations with reference to a common silver coin, and Mr. Frye introduced the bill, which had passed the Senate at the previous session, authorizing the President to invite the other American nations to participate in a conference at Washington. On the 15th of February, 1888, Mr. Frye's bill was reported favorably from the Committee on Foreign Relations.

#### THE CUSTOMS UNION PROPOSITION REVIVED.

Mr. Townshend, on the 4th of January, 1888, introduced the following bill:

A BILL to promote the establishment of free commercial intercourse among the nations of America and the Dominion of Canada by the creation of an American customs union or zollverein.

Whereas the establishment of free commercial intercourse among the nations of America and the Dominion of Canada will promote the friendly political relations, internal commerce, and industries, and secure a more extended market for the surplus products of each of said countries: Therefore,

*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, authorized and requested to invite*

the co-operation of the Republics of Mexico, Central and South America, the Empire of Brazil, and the Dominion of Canada in securing the establishment of a commercial union by and between the said countries, to be known as the Customs Union of America, the arrangement of a common basis of import duties from other countries than those which may compose said union, and that the commercial intercourse among the people of all the countries included in said union may be unrestricted and free from the payment of any customs or other dues whatsoever; and that a common system of silver coinage, weights, and measures may be also established for the purpose of facilitating such intercourse.

SEC. 2. That in order to accomplish said purposes the President be, and he is hereby, authorized and requested to invite delegates from each of said countries, to assemble in Washington, District of Columbia, on the second Monday of March, eighteen hundred and eighty-nine, to meet delegates on the behalf of the United States; that each of said countries shall be entitled to send as many delegates as it for itself shall determine, but in deciding questions in the Congress no delegation shall have more than one vote.

SEC. 3. That in forwarding the invitations to the constituted authorities of the said several countries, the President of the United States shall set forth that the Congress is called to consider: First, measures to secure the establishment of an American Customs Union so as to provide for absolute reciprocity of trade between all the countries embraced in the said union free from all customs or other duties; second, to encourage the establishment of regular and frequent lines of direct steamship communication between the ports of the United States and the ports of all said countries by modification of navigation and maritime laws and other effectual legislation; third, the establishment of a common basis of import duties and a uniform system of custom regulations in each of said countries to govern the importation and exportation of merchandise from other countries than those included in said union; fourth, the adoption of a uniform system of weights and measures, and uniform laws to protect the person and property and the patent right, copyright, and trade marks of either country in the other; fifth, the adoption of a common silver coin which shall be issued by each Government in such an amount proportionate to the population of each as may be determined upon, the same to be legal tender in all commercial transactions between the citizens of all of the countries included in said union; sixth, 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.

SEC. 4. That the President of the United States shall appoint one person from each State to said Congress as delegate on behalf of the United States to same, without compensation other than their expenses, to be selected equally from the political parties.

SEC. 5. That the sum of one hundred thousand dollars, now in the Treasury of the United States and not otherwise disposed of, be, and the same is hereby, appropriated, or so much thereof as may be necessary, and placed to the credit of the Secretary of State to defray, in a manner becoming the dignity of the United States, the expenses incidental to the holding of said Congress.

Mr. McKinley re-introduced his bill to authorize a Conference to determine a plan of arbitration between American nations, and Mr. Yardley proposed a similar measure. On the 4th of January, 1888, Mr. McCreary, of Kentucky, re-introduced his bill authorizing the President to arrange for an International American Conference, and on the 9th of February reported the same favorably from the Committee on Foreign Relations.

#### THE BILL AUTHORIZING THE CONFERENCE BECOMES A LAW.

On the 29th of February, 1888, Mr. McCreary's bill as reported from the Committee on Foreign Affairs was passed, and when it reached the Senate was referred to the Committee on Foreign Relations. On the 21st of March, Mr. Frye reported it back to the Senate with his bill as a substitute, which was passed on the 22d of March, and a committee on conference, consisting of Messrs. Frye, Dolph, and Brown, was appointed on the 28th. Messrs. McCreary, Russell, and Morrow were appointed as conferees on the part of the House. The conference report was submitted and adopted by the House on the 4th of April, 1888, but it was rejected by the Senate on the 25th of April, 1888. On the 27th of April a new conference was ordered, and an agreement having been reached, the bill was finally passed by both Houses on the 10th of May, 1888, and on the 28th of May following it was announced that it had become a law without the President's approval.















