

ever neutral for the purpose of securing freedom of traffic."

*Ninth.* We also recommend: That the delegates to this Conference and others favoring the railway, urge their governments, as strongly as they consistently can, to grant liberal concessions to the enterprise, of whatever kind seems best to each country.

*Tenth.* And that the United States be invited to send reliable, competent persons to all the Republics of America to ascertain the resources of the different countries, the location and condition of existing railroads, present trade conditions, and prospects of traffic for an Inter-Continental line, if completed and what concessions would be made by each government toward the enterprise.

*Eleventh.* That this Committee continue in existence, report to the next Conference, and have power to convene, add to its membership and appoint subcommittees, in order that it may give whatever information, aid and encouragement it can, to bring the Inter-Continental Line to a successful completion.—*H. G. Davis.*—*J. B. Calvo.*—*Baltasar Estupinian.*—*Alberto Elmore.*—*Francisco Orla.*—*José López Portillo y Rojas.*—*Augusto Matte.*—*Rafael Reyes.*—*José Leonard.*

SESSION OF THE 4TH OF DECEMBER, 1901.

*Secretary Macedo.*—The report of the Committee on Pan-American Railway is under discussion, as a whole.

Upon the Secretary commencing to read the above report, His Excellency Mr. Davis, Delegate from the United States, requested the floor.

*His Excellency Mr. Davis, Delegate from the United States of America.*—Mr. President: I understand that the clerk is reading the report of the Committee on Pan-American Railway. If so, I suggest that by unanimous consent we dispense with the further reading of it, as it has been on our desks for two or three days; and that we proceed to the discussion of the report.

*Secretary Macedo.*—The Conference is asked if, in accordance with the motion of the Hon. Mr. Davis, President of the American Delegation, the further reading of the preamble is dispensed with, reading only the resolutions contained in said report.

*His Excellency the President.*—It is dispensed with.

*Secretary Macedo.*—The above report is under discussion as a whole.

*His Excellency Mr. López-Portillo y Rojas, Delegate from Mexico.*—Mr. President: As a member of the Committee on Pan-American Railway, I have requested the floor in order to make an important explanation with regard to the report under discussion.

At the time the Hon. Mr. Davis, Delegate from the United States and Chairman of said Committee, submitted his report to it, all the members of the Committee agreed thereto, and we did not only approve but applauded it; we thought it a very important work, carefully drawn up containing interesting data, abundant information, and full of noble intentions and aspirations.

As regards the point of neutrality, I believed, and do yet believe, that the proposition of Mr. Davis included only such sections of railroad lines not yet constructed and by no means those already constructed or which may be constructed in each country by special concessions granted with entire inde-

pendence to the company or companies organized to build the great line, which is to connect the three Americas. But some of my honorable colleagues expressed doubts, stating that, according to the text of said report, the conclusions to be drawn were just the contrary, since in the report it is proposed to connect the new sections to be constructed with the railroads now in operation; and that said neutrality would include both the lines in operation and those to be built hereafter. Thinking that I was wrong regarding the intention of the report, I had an interview with the Hon. Mr. Davis, Chairman of the Committee, and asked him what was his idea on the matter; and I had the pleasure of learning from His Excellency Mr. Davis' own expressions, that my opinion was absolutely right, as he stated to me that his intention had been to propose neutrality only on the new sections of railroad to be constructed by the company or companies to be organized for the purpose of carrying out such an important work. But in view of said doubts and as some members were of a different opinion, thinking that this point was of the greatest importance and appreciating the advisability of explaining it so as to render the construction of the Pan-American Railway easier and more practicable, I made up my mind to submit an explanatory proposition. I say that this explanation seems to me to be advisable, because in case there was a doubt left it might give rise to difficulties in the construction of the railroad, as the different Nations might be alarmed, thinking that the idea was to neutralize not only the lines to be constructed, but also those which have been built by the individual efforts of each Nation.

Therefore, so as not to interfere with the idea of the proposition, I take the liberty to submit to the Conference a new text for clause 8th, which refers to neutrality, under the following terms:

«8th. That the Railway to be built, must be declared perpetually neutral by special conventions of the nations interested, to assure free traffic. Railways already constructed or that may be built in future by private concessions of each Nation, and independently of the Company or Companies which may be formed to execute the works destined to complete the Continental Railway, shall not be considered as comprised in said declaration of neutrality, and shall continue to be exclusively controlled by their own contracts and local laws.»

I make a formal proposition so that clause 8th of the final recommendations of the report, under discussion, be amended according to the above terms.

*His Excellency Mr. Davis.*—Mr. President: The explanation, as given by my colleague on the Committee, is I think correct, and I see no objection to it. But I think that it is the intention of the Committee and I also think it would be best, to let the report remain as it is, and then the substitute offered by His Excellency Mr. López-Portillo for the eighth section would be an explanation, and may be added to the report as an explanation, as it is not only the approval of the members of this Conference, that we must obtain, but it is the capitalist, and that of the money centers where we have to go to get the two hundred million dollars which it is estimated the road will cost. Therefore, I ask my colleague if it would not answer his purpose just as well to have the explanation attached to the report and to let the report go in as it now stands, with that explanation.

*Secretary Macedo.*—The Chair, based on art. 17th of the Regulations, has ruled that the proposition of His Excellency Mr. Portillo y Rojas, be referred to the reporting Committee, for its consideration.

*His Excellency Mr. Davis.*—Mr. President: I of course submit to the decision of the Chair, but I wish to say that the Committee has expressed its ideas in the report as nearly as possible in accord with those suggested by His Excellency Mr. López-Portillo. We wish to proceed with the work before the Committee and if this proposed action were taken it would delay a session, at least. I ask my colleague on the Committee whether or not it would be agreeable to him to have it added as a memorandum, or as an explanation, and not have the delay of referring it to the Committee.

*His Excellency Mr. Pineda, Delegate from Mexico.*—Mr. President: I regret very much to disagree with the proposition of the Hon. Mr. Davis, President of the American Delegation; but in my opinion the most obvious thing to do, in order not to interrupt the discussion and not to interfere with the idea of the Intercontinental Railway, would be to let the ruling of the Chair stand, in order that all the members of the Committee may carefully consider the true basis and text of the addition or proposition submitted by the Mexican Delegate. Otherwise, if approved here during this debate, without due consideration and in the inadequate way in which resolutions under similar circumstances are passed, it would, undoubtedly give rise to serious difficulties.

The most obvious, most practical thing to do and that which would be in accordance with the Regulations, would be to let the ruling of the Chair stand, and that the Committee may carefully consider the new text or addition submitted by the Hon. Mr. López-Portillo.

*His Excellency Mr. Davis.*—Mr. President: The words contained in the report are precisely those adopted by the First Pan-American Congress; there is no change whatever. That Conference was unanimous in its recommendation. The Committee before which this comes is unanimous in recommending the report as it stands. I dislike very much to have the report sent back to the Committee upon a matter that is of no moment. Rather than do that, if my colleagues on the Committee will agree with me, I will accept the explanation—for it is only an explanation—of the present eighth article. I will say to the Chair, that I expect to leave very soon and I would be very glad to proceed with this report, if we can do so consistently and properly.

Perhaps some of my colleagues on the Committee can answer or say whether or not the method I suggest would be acceptable to them. Of course, I cannot undertake to accept it for them.

*His Excellency Mr. Elmore, Delegate from Peru.*—The above point was discussed at the session held by the Committee, and the amendment proposed by the Hon. Mr. López-Portillo was not unanimously accepted. I did not explain why I would vote against it; the question seemed to me a very serious one, and I had the honor to be seconded by other members of the Committee. I therefore think that the best thing to do would be to continue discussing the rest of the report, and leave pending the part relating to clause eighth, which is the cause of the present debate.

*His Excellency Mr. Davis.*—I submit to the ruling of the Chair, of course, as I stated in the begin-

ning; but I dislike the delay, if we could avoid it.

*Secretary Macedo.*—The Chair resolves, in accordance with art. 17th. of the Regulations, that its ruling relative to the proposition submitted by His Excellency López-Portillo y Rojas that it be returned to the Committee, will stand; but the Chair agrees with the motion of His Excellency Mr. Elmore, to the effect that the discussion as a whole and even in detail, excepting the 8th. resolution, may continue, until the Committee submits a report on the new text proposed by His Excellency Mr. López-Portillo y Rojas. Discussion, therefore, continues, on the report, as a whole.

*His Excellency Mr. Leger Delegate from Hayti.*—Mr. President: As my country has not any direct interest in the matter, the Delegation of Hayti will abstain from voting.

*Secretary Macedo.*—No one has requested the floor. The Conference is asked whether it approves the report, as a whole. The votes are now to be taken up.

*His Excellency Mr. Davis.*—I will take the liberty to submit to the consideration of the Conference the following reasons, in support of the desirability of building the Pan-American Railway:

1. The report has been unanimously adopted by all the members of the Committee.

2. The engineers, who have made the surveys in Central and South America, reported that the Railway may be constructed at a reasonable cost.

3. There is a general desire that the Railway should be constructed, and a general belief that it will be of great value when built.

4. Civilization and commerce will be developed greatly by the Railway, if it should ever be constructed.

5. Transportation of passengers, mail and express will be made with greater regularity and rapidity, as well as general traffic.

6. The productions of the soil, forests and mines will be of great value.

7. The railway will increase the value of property, and will employ many people.

8. It will make articles of first necessity more abundant and cheaper.

9. It will bring the Republics and people in closer connection, and will have a tendency to prevent war and favor peace.

10. The Railway will introduce great sums of money into the Republics and will increase the value of property for many miles on both sides.

11. In case of interruption of maritime transportation by war, with or between the great powers, the Railway will continue in operation.

12. There will be great saving of time in the mails, passengers and traffic in general.

13. It will increase commerce and the value of products, and will reduce the price of manufactured articles.

14. The districts, peoples and cities which lack railroad facilities, may be considered behind the times.

15. The friendly, political and commercial relations among the Republics will be increased.

16. The interior regions of the Republics have to send their products, intended for export, to ports many miles distant.

17. The seaports of Central and South America, used for exportation, do not reach 100 in number.

18. If the Railway is constructed, there will be

more than a thousand stations for the taking of passengers and mails and for public service in general.

19. With the Railway in operation, there would be no necessity for the Delegates and mail from South America to go to Europe or to the United States in order to go to Mexico.

20. It is believed that the Railway which will unite all the Republics, will be remunerative for those who undertake it, and will increase the commerce and friendly relations between the Republics, and will save time and money.

*Secretary Macedo.*—The votes will continue to be taken up.

*His Excellency Mr. Carbo, Delegate from Ecuador and the Dominican Republic.*—Mr. President: As the Dominican Republic has nothing to do, on account of its special geographical location, with the Intercontinental Railroad, it will abstain from taking part in the debate; but expresses through me its fervent desire that this wonderful scheme be carried out, because it feels sure that such work will aid in uniting the American Republics.

After taking the votes, Secretary Macedo stated: The report is approved as a whole by 17 votes, the Delegations of Hayti and the Dominican Republic having abstained from voting. The report will now be discussed in detail. Section first is under discussion.

Without discussion articles 1st. to 7th. were approved by 17 votes, the Delegations from Hayti and Dominican Republic having abstained from voting.

*Secretary Macedo.*—Section 9th is now under discussion, the 8th being left pending until the Committee submits a report thereon.

*His Excellency Mr. Bermejo, Delegate from the Argentine Republic.*—I call the attention of the Committee to the fact that, in my opinion, said section could be suppressed. The provisions contained therein are to the effect that the Delegates themselves might make recommendations. I do not think this of any consequence, especially if it is taken into account that art. 7th., already approved, establishes all that is necessary to encourage and support the continuation of this work: in that article it is established, not as a recommendation, but as a resolution, that the execution of the work must be protected by all possible means, among others, by guaranteeing the interest, grants of lands, subsidies, and finally, by all those means which are used in our countries to assist this kind of enterprises. Considering said provisions, it seems to me that it would be advisable to suppress art. 9th., and I so propose it to the Committee.

*His Excellency Mr. Davis.*—Mr. President: The Committee has thoroughly considered this question and are unanimous that there would be more interest taken by the Committee as it now exists, that they are more familiar with the circumstances and situation than any party, or department, to which the matter might be referred. As I understand it, the Bureau of American Republics has been suggested. That Bureau has all the work it ought to do and is not familiar with the question. The Committee who now have this in charge believe that it will be more likely to succeed if the same Committee is retained, with power to add to its number, as that would greatly help in bringing about assistance to the Road.

What the Committee wants is to have the road built, and if the subject is referred to some other

parties who are not familiar with the subject, it may terminate as the other one did; when the Conference at Washington adjourned, the railroad was dead; there was no one to take care of it or look after it.

So, I hope, the article just as it stands will be favorably voted upon.

*His Excellency Mr. Bermejo.*—It seems to me that this recommendation is of no great importance: to a certain extent it is of no purpose, because it is made by ourselves to ourselves.

*His Excellency Mr. Davis.*—What the Delegate from Argentine says is correct to a large extent.

The Committee thought it well to ask the Delegates to give their aid in the matter, and insist that the resolution under discussion cannot be of any harm, but on the contrary it may prove to be very advantageous to an enterprise, the importance of which is recognized by all.

*Secretary Macedo.*—The Conference is asked whether section ninth is approved. The votes are now to be taken up.

After taking up the votes, there were sixteen votes in the affirmative against that of the Argentine Republic. The Delegations of the Dominican Republic and Hayti abstained from voting.

*His Excellency Mr. Matte, Delegate from Chili.*—It might be convenient for the Secretary to note an error which exists in the article just approved. It reads «comparable efficacy,» and it must say «compatible efficacy.»

*Secretary Macedo.*—The rectification indicated by His Excellency Mr. Matte will be made. Article 10th is under discussion.

*His Excellency Mr. Pineda, Delegate from Mexico.*—I do not think that the amendment I will submit to the Conference and to the Committee will interfere with the resolution of the important matter under discussion, and for such a reason and because it will really take but a few minutes, I hope that the Committee will accept it.

The tenth resolution reads as follows: «And that the United States be invited to send reliable, competent persons to all the Republics of America to ascertain etc., etc., etc.» Considering that the Intercontinental Railway has already obtained the unanimous vote of all America, and some day will receive its assistance, its endeavors and work in its favor, would it not be better that, in view of the above circumstances, all America should contribute to constitute said technical committee? I therefore propose that the following be stated: «That the United States be invited to initiate with the other Republics of America, the appointment of a Committee of reliable and competent persons to ascertain the resources of the different countries, the location and condition of existing railroads, etc.»

The above is my proposition.

*His Excellency Mr. Davis.*—I understood His Excellency Mr. Pineda to say a substitute: it now seems to be an amendment. I ask that it be read again.

The amendment was read.

*His Excellency Mr. Matte.*—I take the floor only for the purpose of seconding the amendment of Mr. Pineda.

I believe that the assistance of all may give greater facilities to the enterprise, and at the same time, gentlemen, it will unite us in a work of common utility.

*His Excellency Mr. Davis.*—So far as I am concerned it would be acceptable; but I am only one of the Committee, and cannot therefore speak in the name of all its members.

*Secretary Macedo.*—The Chair has ruled that the proposition of His Excellency Mr. Pineda be referred to the Committee for its consideration, and that discussion on article tenth be in the mean time suspended. Article eleventh is under discussion.

*His Excellency Mr. Carbo.*—I request the Committee to kindly inform us on the following point: Which Committee the above article refers to, the one signing the report, or that which proposes art. 10th?

*His Excellency Mr. Davis.*—The one signing the report.

*His Excellency Mr. Guachalla, Delegate from Bolivia.*—According to the reply just given by Mr. Davis, I think this article must also be sent back to the Committee, because it is a supplementary part of the previous article. I must at once state that I do not believe that the honorable and very competent Committee can continue its labors, since several of its members will have to return to different places. I think, gentlemen, that it is a fixed idea among the members of the Conference that, in the reorganization of the International Bureau of American Republics, all the Diplomatic Corps residing in Washington must take part. And I also believe, gentlemen, that said Diplomatic Corps, whose President shall be as at present, the Secretary of State of the United States, ought to be entrusted with the organization of the works for the construction of the railroad, supply the necessary data and preside over in the preparation of this project by directing the technical Committee.

Permit me to call the attention of the Committee to this suggestion, and I ask that discussion on the article in question be postponed, in order that the Committee may complete it with the suggestions I have just made.

*His Excellency Mr. Calvo, Delegate from Costa Rica.*—Mr. President: The suggestions made by the Hon. Mr. Guachalla and the proposition of the Committee on Pan-American Railway, cannot, in my opinion, agree with each other. We have heard, here, an argument regarding the Committee on Arbitration, in which it was stated that a large number of members in a Committee are always a drawback to its labor. Furthermore, we do not know yet the resolution of the Conference on the reorganization of the Bureau of American Republics. But this fact does not prevent all the members of the Diplomatic Corps residing in Washington, and the Representatives of the Republics forming the Bureau, from initiating and taking part in the work of the Committee, so that it may continue with its labor, helping it as much as possible, in order to prevent the failure of the scheme, as happened after the meeting of the First Conference. There is, besides, the advantage of having a special Committee taking a full interest in the preliminary works, as stated by the Hon. Mr. Davis, in order that this matter so important to all America be decided upon.

For all these considerations, my opinion is that the continuation of the present Committee, adding to it some other members, would be of the greatest advantage and might contribute very efficaciously, to the success of this great enterprise.

*His Excellency Mr. Carbo.*—I consider the opinion of the Hon. Mr. Davis fully advisable, because none other than the present Committee would take more interest in carrying out the railroad; but I do not consider the idea practicable, because when the Conference closes its sessions, the greater part of its members signing this report will leave for their respective countries, and the result would be that the Committee would not reside in Washington.

I therefore propose, as a conciliatory measure, that we find a way whereby the Nations whose representatives sign the report, may form a part of the Committee to act in Washington. For instance, the Committee in the United States could be made up by Mr. Davis, as President, and His Excellency Mr. Calvo, who is Minister at Washington. The Hon. Mr. Alberto Elmore is not a Minister, but could be substituted by the Hon. Mr. Alvarez Calderon, as well as the Hon. Mr. Francisco Orla by the Hon. Mr. Lazo Arriaga. The Hon. Mr. López-Portillo could be substituted by the Mexican Ambassador, and His Excellency Rafael Reyes by His Excellency Carlos Martínez Silva, etc. In this way the Committee at Washington could be formed, in which all Nations would be represented, changing only the names of its members.

*His Excellency Mr. Elmore.*—Mr. President: When the resolution in question was adopted by the members of the Committee, I understood that the idea was that said Committee continue in existence, so that it might not prolong the labors of the Conference; but not with the same members, because this was neither necessary nor possible. Therefore, as such was the resolution adopted, and it having been agreed that a Committee at Washington should continue for the same purposes as the present, that Committee could be organized by means of a special resolution.

In this manner the clause under debate can be approved, leaving the question of the election of the Committee to be decided afterwards; for the idea is not to have the same members, but to have the same Committee undertake the work referred to.

*His Excellency Mr. Guachalla.*—I have suggested the idea of postponing the debate on art. 11th, in order that it might be referred back to the Committee for its consideration and completion; but as I have noticed that what is now being discussed is the essential part of said article, I will hold the floor in order to give my opinion on the subject.

It is true that the actual Committee must disappear, because the members forming it now have to return to their homes, and only a few members will return to Washington, as, for instance, Mr. Calvo, who is Minister of his country in the United States. Mr. Davis himself does not permanently reside at the Capital of the United States.

On the other hand, my belief is that as soon as the Conference terminates, the mission of those who have come to it will also terminate, and therefore the Conference cannot grant powers to its members, but only the Governments which have accredited said members.

For these reasons I believe that, since the question is to build a railroad to be called Pan-American, all those representing Latin America at Washington must take part in the scheme; and we can arrive at this decision: that the American Diplomatic Corps residing in Washington, in undertaking the execution of the recommendation of the Conference, may