

ed with examining the technical part of the work be appointed at once.

The Delegations of Mexico and Bolivia do not desire a simple recommendation, but a formal obligation, and for that purpose they stipulate in a compulsory manner, as the essential basis of their amendment, that the Commission be appointed by the Diplomatic Corps residing at Washington. The idea advanced by the Delegations must have had some effect on the mind of the Committee, because it has modified the project, and it has done well in doing so, because the ideas expressed on this floor whether they be great or little, are deserving of consideration, no matter who may propose them.

But I observe, that instead of bettering the situation, it has become worse in regard to the Committee which is to be appointed, because according to the two reformed articles, the 10th. and the 11th., it is now not one Commission; there are many: the first, the technical one, which is to attend to the work of exploration in the several countries of America and is to be appointed by agreement with the Department of State of the United States; the Commission which is to be appointed by His Excellency the President of the Conference, and besides the latter the present Committee, which also continues to exist. There are already three, and there is still another one, because according to Art. 11th. a Congress is to be called, also charged with studying the project of the Railway. In this manner, there are so many Commissions, that the idea will necessarily encounter great difficulties in its realization.

All this makes me believe, that we pursue a much more practical idea because in the first place, we do not desire that the United States be invited for the purpose of making the appointment in accord with all the American Republics; we desire that it be made immediately, selecting persons within or outside of the Diplomatic Corps, technical ones or others, who may go to the very field of operations and make the investigations and studies that may be necessary. According to the report of the Committee, the subsidiary one is to be appointed by all the nations within the course of a year, and today or tomorrow the other one the most important, is to be appointed by His Excellency the President of the Conference. We desire, that there should be but one Commission, composed of the number of members, more or less, which the Diplomatic Corps of the American Corps of the American countries, in accord with the Department of State at Washington, is to appoint. This Commission, appointed in that manner, will select the technical experts that are to visit the different countries, to make a study of the territory, to do all which the article may provide, and which is the same as that established by the Delegations of Mexico and Bolivia, because these latter have copied the same article, modifying only the essential part of the organization of the Commission.

In short, the nations are expected to do the smallest part of the work, and His Excellency the President the greater. It does not appear to me reasonable, that a Conference, the mandate of which will very soon come to an end, prolong its functions, by granting powers to any of its members. This precedent would also obligate us to a continuance of the Committee on International Law, because the study of that will never be finished, as well as of the Com-

mittee on Commerce and Reciprocity, because we are under the necessity to develop our commercial interests and make our relations closer, every day. It is desired that the Congress should survive itself, that it be a Phoenix, as it were, which rises to life again from its own ashes.

I have a great deal of respect for His Excellency Mr. Davis, which I take great pleasure in stating, and I request the interpreter to translate my remarks faithfully. I am the first one to ask, that the Honorable American Delegate should form part of that Commission, because he is an enthusiastic advocate of the idea, and because he will collaborate towards its fulfilment with his practical experience; but I, Honorable Gentlemen, only desire correctness in the proceedings, so that we may not be charged with doing things which are not logical and rational.

In order that it may not be believed that I have not interpreted correctly the report of the Committee, and as Article 11th. is not yet under discussion, I am going to read that Article, although the amendment of the Delegations of Mexico and Bolivia refers to the two Articles 10th. and 11th.:

«That the President of the Conference shall appoint a Committee of five members, residing in the United States of America, said Committee to commence its work after the adjournment of this Conference; and that said Committee shall have the right to increase the number of its members or to replace, when necessary, any member; to appoint such sub-committees as may be deemed proper to report to the next Conference on the result of its labors; to furnish all possible information as to the work of the intercontinental railway and to aid and stimulate the carrying into effect of said project as much as possible; this, however, shall not prevent the members of the present Committee from continuing their efforts to attain the desired end; and finally, that the Committee, in unison with the Secretary of State of the United States of America and with the Ministers of the interested countries, resident in Washington, may cause to be convoked, within the period of one year, an Assembly composed of representatives of all the Republics of this Continent with proper credentials, for the purpose of calling a Convention to arrange for the construction of the proposed Continental railway.»

For our part, we believe it more practical, more expeditious, that it should be done by a single commission, appointed by the Diplomatic Corps resident at Washington; in this manner, the representatives of America will organize the Commission and the necessary sub-commissions, and will make the necessary treaties and conventions, if such be required; they will execute, finally, all that which His Excellency Mr. Davis proposes. It will be seen that we are going beyond that which the Committee desires. We want that the idea be carried out in a more practical manner, and that it be more in accord with the conditions governing our existence. We cannot appoint commissions which are to survive us, inasmuch as our mandate will terminate with the close of the sessions of the Conference.

For all these reasons, Mr. President, I request Your Excellency to please rule that our motion be inserted in the minutes, and that it be considered in the debate, jointly with the two articles of the Committee. If it should be necessary, I shall again ask for the floor, but it seems to me that what I have stated is sufficient.

*His Excellency Mr. Calvo, Delegate for Costa Rica.*—Mr. President: I desire to give an explanation of what happened in the session of the Committee, when this matter was discussed.

The proposition which His Excellency Mr. Guachalla has read, was duly considered, but as the copy which was furnished to us, was only signed by His Excellency Mr. Guachalla, and besides, there was a line which said: «For the Delegation of Mexico,» we asked Mr. López-Portillo, member of said Delegation and of the Committee on International Railway, which one of the Mexican Delegates, would sign the proposition, and he stated to us that he did not know that his Delegation had taken part in the matter. But this, Messrs. Delegates, has no great importance for us, inasmuch as the proposition, in the form in which it was first read by His Excellency Mr. Guachalla, was duly considered and it was unanimously resolved, that the article be worded in the form in which it was originally presented.

*His Excellency Mr. López Portillo.*—Mr. President: In the original draft of the tenth recommendation, it was expressed that only the United States should name the technical Commission, and in the session in which that recommendation was discussed, His Excellency Mr. Pineda objected to it, stating that in his opinion all the interested nations should take part in the appointment and formation of said Commission. Afterwards, when the Committee on International Railway met for the purpose of acting upon this modification and the other points, a proposition signed by His Excellency Mr. Guachalla, was in effect submitted, which is the one that he has just now read, which proposition was signed by His Excellency, and it was also indicated, in lead pencil, that the Mexican Delegation was to sign it. My honorable colleagues in the Committee asked me what I knew of this particular point, and I replied, that I had neither any knowledge nor instructions in this respect. I afterwards was informed that the Mexican Delegation had been in accord with the recommendation of His Excellency Mr. Guachalla, which is no more than a combination of the tenth and eleventh propositions of the original project.

However, as it was very correctly stated by His Excellency Mr. Calvo, the ideas contained in the proposition of His Excellency Mr. Guachalla were taken into consideration, and it was unanimously resolved to adopt the same in their essential part, although in a different form, and with the wording as has been proposed. So that, whatever I may say with regard to this particular matter, must be considered as my personal opinion, and not as the expression of the sentiments of the Mexican Delegation, as the latter had been of a different opinion.

In my opinion, there is no substantial incompatibility between the idea of His Excellency Mr. Guachalla and the provisions contained in the tenth and eleventh recommendations, because, from the knowledge I have gained, from the remarks made by His Excellency the Delegate from Bolivia, the only things which he objects to in it, that the mode of procedure provided for in the present wording of the proposition is somewhat complicated; that the commissions are too numerous, and that these proceedings may be accomplished in a much shorter way, than the extensive one projected.

But I do not believe that this is such a grave question, that the proposition submitted by the Commit-

tee on Pan American Railway cannot be accepted. In effect, if things are considered with leisure, it will be seen that even in the amendment of His Excellency Mr. Guachalla, the formation of various commissions is provided for, because His Excellency says: My proposition, which is also signed by His Excellency Mr. Pineda, stipulates, that a commission be at once appointed from among the diplomatic representatives of the American nations, which commission shall appoint the technical commission, and shall conclude the treaties and conventions which may be occasioned by the construction of the Railroad. I see, that in this amendment only one commission has been omitted, because if the Diplomatic Representatives accredited at Washington are to act in this matter, it will not be in the ordinary exercise of their functions, but in those which this Conference may have intrusted to them, and consequently, they will form a first Commission. Afterwards, these same representatives will appoint the technical Commission, and then we have two and finally, as His Excellency Mr. Guachalla has correctly remarked, various sub-Commissions may be appointed, so that the number of the Commissions will not be so small as it appeared at first sight.

By a different method the same result may be arrived at, because the President of the Conference, to whom this matter will be intrusted, as a demonstration of respect for the Conference itself, may appoint, if he thinks fit, the Diplomatic Representatives resident at Washington, which Representatives can in their turn appoint the technical Commission, and do all the rest of what His Excellence Mr. Guachalla desires. Consequently in substance there is nothing omitted in the project; the mode of proceeding is the only thing in which they differ, and as it appears to me, that this is unimportant, we deal with an essential matter, I, for my part, and without complicating the Mexican Delegation in my personal opinion, believe that the draft of the proposition, in the terms in which the Mexican Delegation has submitted it, may be accepted without further discussion.

*His Excellency Mr. Matte, Delegate from Chili.*—It appears to me, Mr. President, that if in the amendment offered to the Conference the two ideas submitted to the Committee were embodied, then the question of the wording could be no more than a matter of detail.

What were the two ideas offered for the consideration of the Conference and which were referred to the Committee for its examination? One was suggested by my distinguished colleague and friend, Mr. Pineda, who objected to the provision that the United States were to be the only ones who would have direct charge of the preparation of the preliminary investigation and the work of this project. That, in my opinion, represented a very proper idea, which is that we all ought to share the responsibilities and the burdens of the scheme and this has been indicated in the article, which says as follows:

«And that the United States of America be invited to initiate with the other Republics the adoption of such measures as may be deemed most fitting to result in sending within one year, to said Republics, competent and reliable persons,» etc., etc.

Therefore, Mr. President, the above article covers fully the idea suggested by the Hon. Mr. Pineda.

The second idea suggested by the Hon. Mr. Gua-

challa was to the effect that the Diplomatic Corps at Washington should be entrusted with the appointment of a Committee, to continue the labors. This idea is also contained in art. 11th., which reads as follows:

"That the President of the Conference shall appoint a Committee of five members, residing in the United States of America, said Committee to commence its work after the adjournment of this Conference, etc., etc.,"

We are all here, Mr. President, Ministers Plenipotentiaries; we all represent our countries, and, is it not the same thing that the election be made by the Diplomatic Corps at Washington, or by the Diplomatic Corps assembled here? Therefore, the right to interfere in the matter, which His Excellency Mr. Guachalla wants to confer on the Diplomatic Corps at Washington, is conferred by this Conference on His Excellency the President, Mr. Raigosa, so that he may act in its name.

His Excellency Mr. Guachalla stated that the Diplomatic Corps would make the appointment of a committee composed of five reliable persons, and the Committee thought that such action should be relegated to the Conference. I take the liberty to ask: who could prevent that we should appoint a committee of five members who shall remain to act on this matter? And in order that His Excellency may be convinced that there is nothing anomalous in this point I will state that there has just been read the report of the Committee on International Law, in which it is provided that a Committee of five jurists shall continue, in order to prepare the respective codes. Is it not so that the Bureau of American Republics also continues in its functions? Was it not resolved at the Conference of Washington, in 1890, that a Committee should continue to consider the proposition of the Pan-American Railway? I cannot see, therefore, that there is any contradiction, but, on the contrary, the idea of the Hon. Mr. Guachalla has been accepted and is included in the second report of the Committee.

Now, Mr. President, we must say it frankly. If, fortunately, there is, for the undertaking of this great scheme, a man entirely exceptional, on account of his constancy, his knowledge and acquaintances, such as Mr. Davis is, and if, as I understand it schemes are only carried into practice by those who have faith in them and are capable of keeping them alive through their energies, I think that this enterprise will be accomplished, because there is a man destined to carry it out. Otherwise, if we leave this plan to be taken care of only by the Governments, it will again be postponed for another ten years until taken up again by a new Conference.

It has been said, Mr. President, that there were too many committees. Perhaps, my distinguished colleague, His Excellency Mr. Guachalla has not read the text carefully, because in the proposed amendment it is stated that the President of the Conference shall appoint a committee of five members; and I am sure, without making any suggestions, that he will select persons entirely reliable and that he will elect His Excellency Mr. Davis. This committee, Mr. President, will prepare the necessary financial elements to carry out the work, and after a year the Ministers or Representatives of each of the American Nations will meet in Washington in order to continue this work.

I must call attention to the fact that on several occasions, as the members of the Conference must have noticed it, we the Chilean Delegates have endeavored to keep a way from recommendations, and have insisted on arranging the matters which we have come to discuss here, in the form of conventions; but as in the present case there have been no elements necessary to prepare the work, that is why we have fixed the term of one year, and that is why we have said: let all the Governments be invited so that after the term of one year they may meet at Washington in order to sign a convention. In this manner, Mr. President, the matter in question would not remain unsettled, since we are all bound to keep our promises.

The reason why the United States have been invited to take the initiative, was because it is necessary for some one to take such initiative. It is provided that all the Republics of America will do such and such a thing, as proposed in the text submitted by the Hon. Mr. Guachalla, and if no one be entrusted with initiating this work, we may feel sure, Mr. President, that nothing will be accomplished.

I believe, Mr. President, that the two fundamental ideas which have been submitted to the Conference, have been considered by the Committee in its second report: the first idea, that is, that in which it was suggested that the expenses incurred in the preliminary works should not be paid by the United States alone, and the second idea, that is, that in which it was suggested that the committee should be appointed by the Diplomatic Corps, which was the idea of the Hon. Mr. Guachalla.

*His Excellency Mr. Guachalla.*—The Hon. Mr. López-Portillo thinks that my objection to the large number of committees which must be appointed according to the report of the Railway Committee, can also be applied to the proposition of the Mexican and Bolivian Delegations, because he understands that the assignments of the direction of the works referred to, to the Diplomatic Corps means to establish another committee. Permit me to state that, in my opinion, this is not so. The Diplomatic Corps are not appointed in a Committee by His Excellency the President of the Conference; the Diplomatic Corps simply accept the obligation to undertake these labors at Washington, through its own members who form part of this Conference. Therefore, a committee is not formed, but simply a compromise is made by the Diplomatic Corps to work toward the building up of the Railroad.

If in the proposition of the Mexican and Bolivian Delegations there are sub-committees, these also exist in the proposition of the Committee, and therefore, if this constitutes an objection, it must apply to both propositions.

The Hon. Mr. Matte has stated that the report of the Committee on International Law provides that the Diplomatic Corps residing at Washington must appoint a Committee of five jurists, entrusted with the preparation of the respective codes. Now, then, the Mexican and Bolivian Delegations propose that, as it is necessary to continue the preliminary works of the Railroad, the Diplomatic Corps residing at Washington shall appoint a committee, etc. The case is exactly the same, and therefore, the quotation, very opportune, by the way, made by Mr. Matte, comes to strengthen my own arguments.

Mr. Matte has also stated that my idea was includ-

ed in the proposition of the Committee. It is true that the Diplomatic Corps, according to one of the paragraphs of art. 11th, has a share in the works; but such a share is very small in comparison with that assigned to it in our amendment. The difference, therefore, is quite substantial.

What the Mexican and Bolivian Delegations desire is the following: that there may not be so many committees; that the labors be simplified; that the Diplomatic Corps, who are the representatives of all the countries directly interested in the construction of the Pan-American Railway, be the only committee in existence, calling in to form part thereof, all those may have interest, and ability, who may have done some work beforehand, and lastly, who may be, as stated by Mr. Matte, as enterprising and possess as many other good qualities as Mr. Davis. We want one single Committee; and afterwards the necessary sub-committees will be appointed.

I will close by repeating that with the proposition of the Mexican and Bolivian Delegations this great advantage will be secured: what could be done in one year, can be done immediately.

*His Excellency Mr. Davis.*—Mr. President, I shall be very brief, not wishing to take up the time of the Conference; but there are a few facts connected with the enterprise that I, as Chairman, think I ought to explain.

The Railroad Committee, after the amendments to articles 8th, 10th and 11th were referred to it, had three or four sittings, and one or two of them at least lasted some hours. The final conclusions of the Committee, after these meetings, are expressed in the report, as unanimously adopted by the Committee. The Committee in its personnel, represented nine Republics, from Chili, on the South, coming on up through Soth America, Cental America and Mexico to the United States. What is now before us is the unanimous conclusion of those nine men, after a number of sittings and hours of consideration. The idea is not only what will be agreeable to us in all particulars, but what will most likely accomplish the object we all have in view and all hope for, and so the fewer complications we add to the Committee's report the better. Capital, as we all know, is timid, and looks carefully before it invests. So that there is a double meaning and a double thought in the Committee's report, it being their object to cover all the ground which could reasonably be expected in the way of safeguards for the American Republics and at the same time not throw obstacles in the way of capital that we must have—or no road.

The Honorable Delegate from Bolivia has been kind enough to refer to myself, and to say he thinks I ought to be a member of the Committee. I am, of course, willing to do my work, wherever I am, and expect to do what I can for the enterprise, whether I am on the Committee or not. The Conference, however, knows that I am not a Minister from any of the countries, and if it is left entirely to the members of the Diplomatic Corps, with no one at the head of them particularly, and some of them, perhaps, not as enthusiastic as we are in favor of the Railroad, the work may not receive the same attention as it would as provided for under the eleventh article of the Committee's report, which article, it is true is not at present under discussion. That article begins by stating that the President shall appoint five persons resident in Washington. That residing in Wash-

ington was to allow him to appoint Ministers who might take an interest in the enterprise and to authorize the Committee to fill the vacancies which may result from the absence of any of its members. We all know the adage, that, «too many cooks spoil the broth» and if it is relegated to persons, not possessing the same interest in the matter as the Honorable Delegate from Bolivia (for I believe that he is as heartily in favor of it as we are), I am afraid that we would not obtain the desired results. The question is not, as to what will please us. Let us attain, if possible, the method which will be the most practical for the advancement of the future Pan-American Railroad. I am sure that all the members present are most heartily in favor of this project, but it will not suffice to merely acknowledge approval, we must not in any way, impede or obstruct its accomplishment.

I hope that the Committee's report will be adopted as presented. I see no reason for changing it, inasmuch, that it is true that the Honorable Delegate from Bolivia has suggested the greater substance of that which is contained in the Committee's report and according to the opinion of the Committee, most adequately and properly worded.

*Secretary Macedo.*—In accord with the provision of art. 17, as amended, of the Rules and Regulations, the Conference is asked if it approves the amendment presented by Their Excellencies Messrs. Guachalla and Pineda.

*His Excellency Mr. Bermejo, Delegate for the Argentine Republic.*—I am going to say very few words, Mr. President, basing the vote of the Delegation of which I form part.

Undoubtedly the report that is now under consideration by the Conference improves the former one; it has saved the difficulties that the first one presented respecting several points, more especially that of neutrality, referred to in the eighth proposition. I believe the new report of the Committee proposes, with the fair criterion that was to be expected of it, the most adequate means to carry out the project of the Railway.

I beg to state, moreover, that the observation made by the Honorable Delegate from the United States, Mr. Davis, to the effect that it is more probable that this Conference may patronize the enterprise with better success than the Diplomatic Corps residing in Washington, is well founded, because the Conference of Mexico is the one that has conceived and given form to the idea, and it is natural to expect that the Committee said Conference is to organize will be the one to take it up with the most warmth and enthusiasm for its accomplishment. For this reason with respect to the capital point, whether the Diplomatic Corps resident in Washington be the one to carry out the work, or the Conference, I vote for the latter.

Respecting Article 11 of the present report, which establishes that the Diplomatic Corps, in accord with the Government of the United States, should name the commission which is to go to the respective countries interested in order to study its economical conditions, and the state of its railway systems, so as to determine the means and protection with which the Governments are to contribute to the work, naturally, the most probable is that each Government shall give instructions to its Diplomatic Minister resident in Washington, so that the Commission may