

be organized, in accord with the Department of State. So, the result would be exactly the same as that sought by Mr. Guachalla.

I wished to give this explanation, in order to base the vote of the Delegation of which I form a part, in favor of the report of the Committee.

*His Excellency Mr. Guachalla.*—Only one, and last word, sir. I need to justify one of my ideas.

I have said that it seems to me a cause of delay the naming of so many committees. On the other hand, the Honorable Mr. Bermejo thinks that the importance of the affair renders them necessary; in fact, the technical committee, the committee of engineers, etc., are all indispensable; but I would take the liberty to interrogate Mr. Bermejo; what will the Committee do that signs the report, in which it is stated: «this, however, shall not prevent the members of the present Committee from continuing their efforts to attain the desired end?» Where, how will it exercise its functions, what will a committee do whose members have to go to different places? Mr. Davis will reside in Washington, Mr. Matte will return to his residence in Paris or in Chili, Mr. Calvo will return to Washington; many others, like Messrs. Orla and López-Portillo, will remain here; Mr. Elmore will return to his judicial labors in the Supreme Court of Lima, and Mr. Leonard to his country. Consequently, what will this committee do, how will it act?

*His Excellency General Reyes, Delegate for Colombia.*—I will not delay the Conference much in giving, in the name of my Honorable colleague Dr. Bermejo, a reply to the inquiries of the Honorable Mr. Guachalla, relative to the dispersion of the individuals forming the Committee, and who go, some to Paris, others to the United States, others to Perú, to Chili, to Colombia, etc. As this point was discussed in Committee, I can answer it, so that His Excellency as well as the Conference, may know just what was in the mind of said Committee. It was that its members, nine in number, were to remain at the disposition of the one that the Honorable President of the Conference shall name, in order to lend it our co-operation in every sense, in such manner that from Washington Mr. Matte may be addressed, as well as Mr. Elmore, Mr. Estupinian, or any other of those forming the present Committee, who remain bound to act something like its agents, without any one being able to give data, nor contract obligations, nor do anything else, without subjecting himself to the instructions that may be received.

But, Mr. President, now that I have taken the floor to make this reply to the Honorable Delegate from Bolivia, I beg very seriously to call the attention of the Conference to the point that we are going to vote upon.

My honorable colleagues of the Committee, among them the Honorable President Mr. Davis, have said to me that this point would only vary in form and not in principle. I believe that also in principle would this project for an Intercontinental Railway be affected, if the modifications presented by His Excellency Mr. Guachalla were adopted. I say by him, because those submitted to us in the Committee, only bore his signature. Later it has been explained that the Delegation of Mexico also subscribed them.

If we were to accept these modifications, we would come, after eleven years, to do just what the Pan-

American Congress of Washington did: limit ourselves to a simple recommendation; and I ask the Conference: What has been the result of that recommendation? It is only necessary to see the documents presented by the International Office of the American Republics, the data that this can furnish, to convince any one that after eleven years, no advantage has been acquired.

Now, has this Conference less power than that conferred upon the Diplomatic Corps in Washington? I think not, Mr. President. We have been sent by our countries to treat here all matters that may relate to the interests of the Nations composing this American Continent, and among them, undoubtedly, one of the most important is this one of the Intercontinental Railway.

Our Honorable President will name the Committee composed of five individuals; it may also be named by the Diplomatic Corps in Washington, but the latter has no other functions than to maintain amity and good relations between the United States and the respective countries; and we, who are now engaged on this matter, who have studied it, as Mr. Davis says, during four consecutive sessions, who have considered it, point by point, what we want to do is something more practical, something that means business, as these gentlemen from the North say; and for this purpose, we commission the President of the Conference to elect the five members of the Committee. Naturally he will try to form it with those best fitted for the duty, and in the mind of the entire Assembly one of them will be Mr. Davis, due to the fact that he initiated in the Conference at Washington this idea, for the reason that he has labored in railway enterprises, that he has great resources for carrying them out, and that, above all, he has in his heart and mind the noble purpose to achieve before leaving this world that great work of the Intercontinental Railway.

With regard to the other members, His Excellency the President will see, who, among the Diplomatic Corps resident in Washington, are the ones that can assist toward the attainment of the end that we all propose. Thus we will have only five members, and will not have charged an entire Diplomatic Corps, a body with which it is so difficult to unite, the task of carrying out the project, which the Conference may be sure will be given its death blow, if it approves the modification that we are at present discussing.

*His Excellency the President.*—The two hours, during which the Rules and Regulations permit that the morning session be prolonged having passed, discussion will be suspended, to be continued at the next, according to the order of the day, which will be read, their Excellencies Messrs. Davis and Pineda retaining their right to the floor.

SESSION OF DECEMBER 23, 1901.

*Secretary Duret.*—We will now take up the order of the day and continue the discussion of the amendment to the report of the Committee on the Pan-American Railway, presented by their Excellencies Messrs. Guachalla and Pineda.

*His Excellency Mr. Bermejo Delegate of the Argentine Republic.*—Replying to a question from the Honorable Delegate from Bolivia, with reference to one of the articles of the report under discussion, as to what would happen when the members composing

the Committee named by the Conference would depart, each to his own country, and if they could, in such case continue to form a part of it, I will say to His Excellency, that precisely what he considers as an impediment, constitutes, in my opinion, a powerful reason in favor of said report. The article states, after speaking of the Committee to be appointed by His Excellency the President of the Conference: «this, however, shall not prevent the members of the present Committee from continuing their efforts to attain the desired end,» and this will impel them to diffuse the scheme and do for it in their respective countries, all they can, in order to see the accomplishment of the railway.

This is the reply which, as an act of courtesy, I give to the Honorable Delegate who has honored me with the question.

*His Excellency Mr. Guachalla, Delegate for Bolivia.*—The Delegations of Mexico and Bolivia have made a modification which will probably terminate the debate, and with which, as I understand, the Committee presided over by the Honorable Mr. Davis, is in conformity. It reads as follows:

«Art. 10th. And that the United States of America be invited to *initiate* near the Ministers of the «other Republics accredited in Washington, D. C. «the most adequate measures resulting in . . . .»

If, as I believe, the Honorable Committee accepts this modification, the Delegations of Mexico and Bolivia will withdraw their motion, and will adhere in every part to the two articles, just as they are worded.

*His Excellency Mr. Davis, Delegate from the United States of America.*—Mr. President: Having consulted with the other members of the Committee, I accept in their name the amendment which has just been submitted, and I hope that as offered by His Excellency Mr. Guachalla with said amendment, the Conference will approve the two articles of the report of the Committee, still pending.

*Secretary Duret.*—The reporting Committee being in accord with the modification proposed by His Excellency Mr. Guachalla, it withdraws its amendment and therefore, the discussion upon article 10th of the report with the modification referred to is continued. No one has the floor. The Conference is asked if it approves said article.

The ballot having been taken, the article was approved by a unanimity of fifteen votes, the Delegations from the Dominican Republic and Hayti having abstained from voting.

*Secretary Duret.*—Article 11th. is now under discussion.

*His Excellency Mr. Davis.*—Near the end of the article there is an error and I move to make it read as was intended by the Committee. Instead of «calling a Convention to arrange,» it should be «arranging.» This does not change the sense at all but corrects an error. Mr. Calvo can explain it.

*His Excellency Mr. Calvo, Delegate from Costa Rica.*—I see no difference between the proposition made in Spanish and the printed copy that we have before us. The remark of His Excellency Mr. Davis refers simply to the translation, and I think that the difficulty would be obviated by comparing it with the text in Spanish.

*Secretary Duret.*—The correction in the English text, indicated by His Excellency Mr. Davis, will be made. The discussion is continued. No one has the floor. It is asked if Article 11 is approved.

The ballot having been taken, the article was approved by 15 votes: the Delegations from the Dominican Republic and Hayti having abstained from voting.

*Secretary Duret.*—The Chair rules that the matter be referred to the Committee on Engrossing.

SESSION OF DECEMBER 27, 1901.

*Secretary Duret.*—The Chair, in compliance with the understanding arrived at in the eleventh Resolution upon the Pan-American Railway, in the part relating to the appointment of a committee of five members resident in Washington, so that the same may enter upon the discharge of its duties after the closing of this Conference, has designated as members of said Committee Messrs. Henry G. Davis, Manuel de Azpiroz, Andrew L. Carnegie, Manuel Alvarez Calderon and Antonio Lazo Arriaga.

SESSION OF JANUARY 22, 1902.

*Secretary Duret.*—In compliance with the agreement proposed by the Secretary, and which has been approved by the Conference in today's session, the Honorable Delegates are advised that the reports of the Committees on Engrossing, on Commerce and Reciprocity, Sources of Production and Statistics and on the Pan-American Railway are placed at their disposal.

The text of the said report on the Pan-American Railway, reads as follows:

*Engrossing Committee.*—*Intercontinental Railway.*—The undersigned have the honour to submit the following text for the resolutions adopted by the Conference relative to the project of an intercontinental railway.

*The Second International American Conference.*—Considering that the three corps of engineers employed by the former Committee on Intercontinental Railway have made explorations from the Northern limit of Guatemala to the Northern limit of the Argentine Republic, during the years 1893 and 1894, and have presented their report on the work, accompanied by the respective maps; and,

Considering that the said report shows that it is practicable to construct a railway, which will traverse the Republics of the Continent from North to South, and that in case the railways in actual operation are utilized, the length of the lines to be constructed, would be 5,456 miles, and the estimated cost of the entire work would be \$174,290,271 gold, or \$32,000 gold per mile; and,

Considering that it is a well-known fact that railroads develop the natural resources, increase the commerce and wealth, and add to the general prosperity of the countries traversed by them; and,

Considering that international railways consolidate the friendly relations amongst States, unite them by common interest, and assure peace between them,

RESOLVES:

First. That it ratifies the resolution of the Washington Conference, which recommended the construction of the complementary lines of the International Railway, which is to traverse the different Republics, uniting the railway systems of the United States with those of the Argentine Republic, and connecting the principal cities situated on the line

1. See page 73.



of said railroad, as much as the common interests may permit, or, in case this should be impracticable, to construct branch lines to connect said cities with the main trunk line; and finally, utilizing the lines already in operation, wherever such may be possible and compatible with the surveys and conditions of the Intercontinental Railway.

Second. That the Republics interested in the execution of this work, assist it in every way that may be in their power, and especially that they exempt the same from import duties on the materials necessary for the construction and operation of the Railway, but, with the necessary provisions to prevent abuses of such privilege; and that the real and personal properties of the enterprise be exempted from all national, state, provincial and municipal taxes; exempting it from all custom house and other duties on its traffic in transit through the different Republics; and that they assist the enterprise as much as possible by subsidies, grants of lands, or by the guaranty of a minimum interest on the capital invested in each country.

For that purpose it is hereby recommended, that all persons who favor the construction of the said Railway, earnestly endeavor to procure, from the respective governments, the granting, in favor of this enterprise, of these or other liberal subsidies such as may be found most convenient and feasible in each country.

Third. That the United States of America be invited to initiate with the representatives and diplomatic officers of the other Republics accredited in Washington, the adoption of such measures as may be deemed best calculated to result in sending to the said Republics, within one year, competent and reliable persons, whose duty it shall be to accurately determine the resources of each country, and the location and condition of the railway lines now in

operation, the existing condition of their commerce and the prospects for business for an intercontinental line, in case said line be constructed, and also to ascertain what concessions each of the respective Governments is willing to grant to the enterprise.

Fourth. That the President of the Conference shall appoint a Committee of five members, resident in the United States of America, which shall enter upon its functions after the adjournment of this Conference, with power to increase the numbers and to substitute them whenever necessary; to appoint such sub-committees as may be deemed proper, and to report to the next Conference on the result of its labors; to furnish all possible information on the work of the Intercontinental Railway, and to aid and stimulate the successful execution of said project as much as possible, all of which, however, shall not prevent the present Committee from continuing their efforts to attain the same end; and finally that the Commission, in accord 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 duly authorized representatives of all the Republics of this Continent, for the purpose of perfecting a Convention to arrange for the construction of the proposed Intercontinental Railway.

Hall of Sessions.—Mexico, January 6th, 1902.—(Signed.) *Alberto Elmore.*—*Alberto Blest Gana.*—*Rosendo Pineda.*

The resolution on the Pan-American Railway, drafted in the same terms as the above report, was signed on January 21st, 1902, by the Delegations of the Argentine Republic, Bolivia, Colombia, Costa Rica, Chili, Ecuador, El Salvador, United States of America, Guatemala, Honduras, Mexico, Nicaragua, Paraguay, Peru and Uruguay.

### NUMBER 3.

## Customs Congress.

SESSION OF THE 29th OF NOVEMBER, 1901.

*Secretary Duret.*—His Excellency Mr. William I. Buchanan, Delegate from the United States, has submitted a proposition for the revision and use of the commercial nomenclature of the American Republics, published by the Bureau of said Republics. The proposition, which by decision of the Chair has been referred to the Committee on Commerce and Reciprocity, reads as follows:

REMARKS submitted by William I. Buchanan, of the United States Delegation, on the subject of Commercial Nomenclature, with a project for the revision and use of the Nomenclature of the American Republics, as heretofore issued by the Bureau of the American Republics.

Mr. President:

In the very instructive outline presented by the Honorable Mexican Delegation with regard to the action the Mexican Government has taken since the close of the Washington Conference upon the various subjects considered at the Conference, I have noted with interest the views expressed upon the subject of commercial nomenclature.

The importance of that subject to the commerce of the Republics represented here is one that has been frequently and forcibly brought to my attention, and I have reached the firm conviction, as a result of my observations with regard thereto, that if a uniformity of name and description can be secured for the common articles of Pan-American commerce, and such nomenclature be officially adopted and made the basis of the customs schedules and laws of the Republics of this Hemisphere, that a distinct and valuable step forward in all that appertains to the general betterment of their commerce will be gained.

Realizing that such results are those hoped for from the work of this Conference, I venture to bring the subject to the attention of the Conference, with the hope, and in the belief, that action will be taken that will make effective, to a very considerable degree at least, the substance of the most excellent and desirable project concerning nomenclature submitted to the Washington Conference by Mexico's distinguished and always to be remembered diplomat and statesman, Don Matias Romero.

I am quite certain that it is unnecessary to urge upon any one who had commercial dealings with countries other than his own, the desirability, from every point of view, of having a uniform commercial nomenclature in practical, official, daily use in the custom houses of this Hemisphere, and equally certain that no argument will be required to convince the distinguished Delegates here present that such a measure, in so far as it may be possible to carry it out, would undoubtedly be of practical value to the commerce of their respective countries, and, hence, that it thus becomes a fitting and proper subject for our consideration and favorable action.

As the honorable Delegates know, the Washington Conference made provision for the preparation of a commercial nomenclature in English, Spanish and Portuguese, the work to be submitted to each of the Governments that participated in that Conference, with the evident intent that it should be adopted and used by each Government in its customs administration.

The contemplated work was prepared with great care by the Bureau of American Republics, and is now in the possession of the different Governments represented here; beyond that point, however, no action, I believe, has been taken by any one of them to make practical use of the work, and therein lies the reason why I deem it proper to bring the subject to the notice of the Conference.

I am certain that any one who has examined the printed volumes of which I speak will cordially agree with me in saying that the work is one of which the Bureau of American Republics may be proud, and that it is a valuable addition to the world's knowledge. It is equally worthy of note as being the first attempt made in any part of the world to codify and make uniform in three languages the names of the tens of thousands of articles which enter into the commerce carried on between the Republics of this Hemisphere.

Notwithstanding that all this is true and that the general excellence of the work is to be heartily commended, it is to be admitted, as well, that the work is defective in translation in many instances, and, that it is far from complete. That this should be true is not strange, when we recall the fact that, in collecting the material, the compilers had no previous work which could be taken as a guide. Such would not now be the case, since the work of which I speak would itself form the basis required, upon which a careful, exhaustive and satisfactory revision of the entire nomenclature contained in, or omitted, from the volumes in question could be made. This work, I believe, should now be undertaken by the countries, represented at this Conference, and that a thorough and correct commercial nomenclature, embodying the common articles of production, and those of exportation and importation, of the different Republics composing this Conference should be prepared and published, and that when this has been secured that it should be officially adopted by each of the Governments represented here, and thereafter used and made the basis of the customs tariff schedule of each such Government.

With the view of concretely placing the subject thus briefly outlined before the Conference, I beg leave on behalf of the United States Delegation to submit the following:

WHEREAS, The Second International Conference

of the American States believes that the use by each Government represented therein, of a uniform commercial nomenclature of the products and commerce of the American Republics, in English, Spanish and Portuguese, would be of great utility and advantage to the commercial relations existing between said countries, and, that the «Commercial Nomenclature of the American Republics» issued heretofore by the Bureau of American Republics forms a satisfactory basis for such work;

THEREFORE, The Second International Conference of American States earnestly recommends to the Governments represented therein the following:

(a). The careful revision and completion, in English, Spanish and Portuguese, and under the direction of the Customs Division of each of said Governments, of the «Commercial Nomenclature of the American Republics» heretofore issued by the Bureau of American Republics;

(b). The compilation and publication by the Bureau of American Republics of the said revised and completed work, or, in the event this shall be for any reason made impossible, by a Committee of three to be designated by the Secretary of State of the United States, two members of which Committee shall be residents of countries represented at this Conference, other than the United States; the cost of such compilation and publication, including the expenses of said Committee, if it shall be constituted, to be paid by the Secretary of State of the United States from the fund provided for, under (d) below;

(c). That one year after the completion and publication of the said work, as provided for under (b) above, each Government represented at this Conference shall officially adopt the said nomenclature, and thereafter use it in its customs tariff schedule and law; and,

(d). The appropriation by each Government represented at this Conference of such proportionate amount of the sum of Forty Thousand Dollars Gold (which sum shall be the maximum amount to be expended for the purposes above set out) as may be found to be due from each Government by the application to said total sum of the rule now in force in the Bureau of American Republics for determining the amount due from each such Government for the maintenance of said Bureau, the said proportionate amount to be transmitted by each Government to the Secretary of State of the United States, and to be held in trust by that officer for general purposes above set-out, and specifically named under (b) above.

SESSION OF THE 20th OF DECEMBER, 1901.

*Secretary Macedo.*—The Committee on Commerce and Reciprocity has submitted its report, which by ruling of the Chair will be printed and distributed among Their Excellencies the Delegates. Said report reads as follows:

REPORT of the Committee on Commerce and Reciprocity.—Second International American Conference.—9th. Committee.

The Committee on Commerce and Reciprocity has studied most carefully the various matters which are embraced in the extended scope of its labors, and it has the honor to present to the Conference the result of those studies, prefacing them by a brief exposition of the fundamental principles which have been its guide.