

























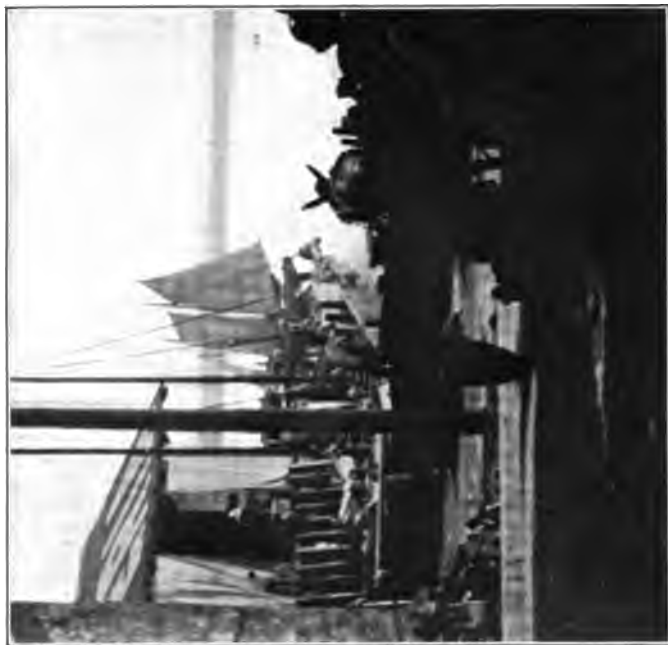








**CAPTAIN CRAWFORD AND HIS PET  
MONKEY.**



**A GLIMPSE OF PANAMA BAY.**





## **Up-Country in a Coasting Steamer 373**

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him. When he shot an order at one of them, the man jumped as though he had received an electric shock. Beppo had been a pearl fisher and had sailed these waters for twenty years continuously. His actual capacity was that of pilot, a highly important one on a trip which is all the way through narrow channels, among small islands and rocks, upon a poorly charted coast. (I had a better chart than the captain was furnished with.)

The engineer was, of course, a Scotsman, McMurray by name. In the evenings he would come up from the bowels of the boat, where his engines were constructed on the lines of a daschund, and, perching himself on the rail beside our cabin, would smoke his short, black pipe and tell yarns in a brogue that brought the smell of heather to your nostrils. He and Captain Crawford had brought this Noah's Ark from Liverpool round the Horn to Panama. The story of that voyage would make an epic of seamanship.

None of the officers ever wore a coat, or changed his shirt. They all started the voyage with dirty linen, which was soon filthy. Like the passengers, they wore slippers constantly, the company's cap doing duty for uniform, but

even this Captain Crawford only donned in the terminal ports. There was a pronounced absence of red tape. The quarter deck was contrived by shutting off a space about the wheel with a rope. Our cabin was by courtesy included in the enclosure.

The captain did not seem to keep any log, but I may have been mistaken about this. If he had one, it must have been interesting. I pumped him on the subject, hoping to get a chance to read the log, if such a thing was in existence, but he skilfully evaded the question.

The crew were merely cargo shifters. They didn't swab, much less holy-stone, and the decks were covered with dirt and pitch stains. The ship's bell was struck less than half a dozen times in two days.

The boat was fairly alive with ants and cockroaches. At night the latter would run all over one's face and body, so that the only way to secure sleep was by hanging a hammock on deck. But when the vessel happened to be anchored for the night in a river the mosquitoes put this out of the question.

One had to eat with great circumspection. The ants were in everything. My clothes, bag-

## **Up-Country in a Coasting Steamer 375**

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gage, camera, pistol holster, everything in short, was full of them.

It was dark by the time we had docked at Sona, and the unloading was carried on by lamp-light. We lay there all night devoured by mosquitoes and sand flies.

In describing the little discomforts of this trip I have no thought of intimating that it was anything but pleasurable. The man who does not enjoy roughing it, loses the spice of travel, and should never go beyond easy reach of Pullman cars and modern hotels. This journey up to Chiriqui was delightful. It involved no actual hardship, and every annoyance was relieved by a humorous element in the situation. Had the discomforts been twice as great, they would have been more than offset by the beauties of the scenery, the novel manifestations of human and animal life, the moonlit seas and the gorgeous sunsets. Furthermore, I was not lost to the fact that the National Navigation Company did not run its boat for my special benefit, and that the arrangements and conditions were doubtless well enough adapted to the tastes and requirements of the majority of persons patronizing the line. I often wonder why travellers do not more com-

monly bear this point in mind. The amusingly pettish criticisms of foreign hotels and customs which do not happen to tally with their ideas of the fitness of things, recorded by some of them, mark them for greenhorns and unreasonable beings.

It was the morning of Easter Sunday when we steamed out of Sona River, and we expected before nightfall to be landed on Coiba, or rather Rancheria, a neighboring island. The agent of the steamship company had once been interested in pearl fisheries which had their headquarters on Rancheria. The enterprise had been abandoned some years before, but he assured us that we would find a village and some good huts on the island. The latter belonged to the company and the agent urged us to occupy them. This proved to be another of his wild flights of fancy. However, we had not entirely lost faith in him at that time and determined to follow his advice. The easternmost point of the island, Punta Marguerita, was the place from which it had been arranged that we should signal passing steamers when we were ready to be taken off, and it seemed to be wise to reconnoître this island first, and afterwards get some of the natives to row us over to Coiba,

## Up-Country in a Coasting Steamer 377

which is only about five miles distant from it.

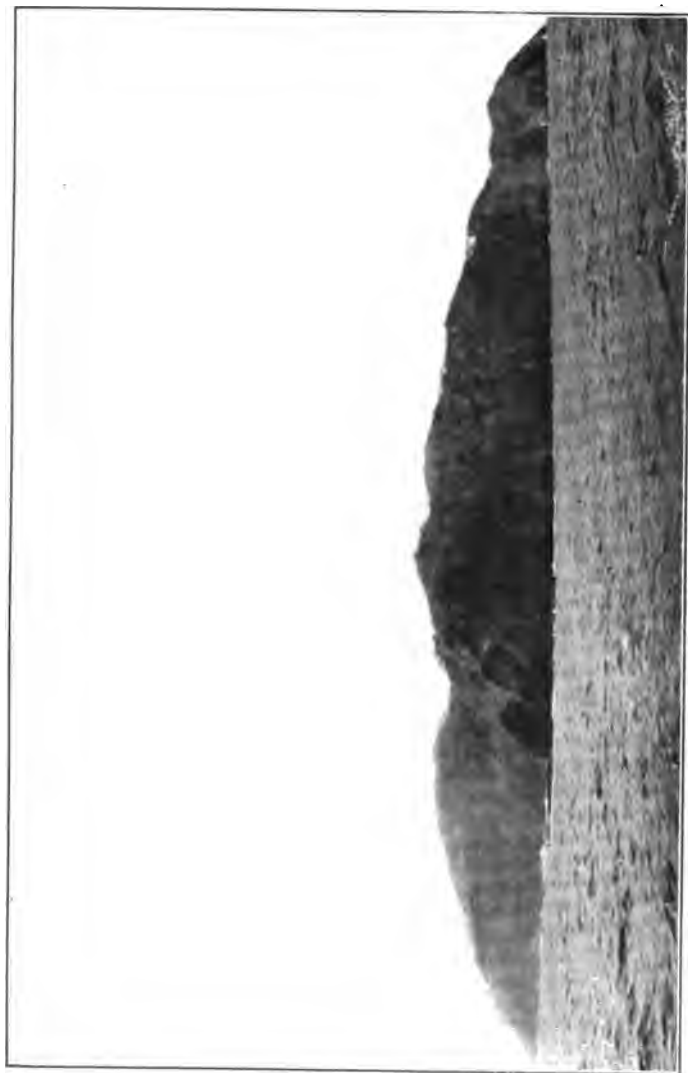
It was about five o'clock in the evening when the "David" came to anchor, entirely out of its course and in the midst of a number of nasty rocks, about two miles from Rancheria. Beppo and one of the crew rowed Brown and myself and our belongings to the island. We landed on a patch of sandy beach, about two acres in extent. On the edge of this were two deserted huts, which the jungle would shortly take into its embrace. The little open space was entirely enclosed by heavy growth, quite impenetrable, except with the aid of the machete. Back in this wilderness somewhere the village that had stood in the open a few years before was now buried beyond sight.

Our first thought was to congratulate ourselves that we had not arrived after dark. In that case, trusting to the agent's report of conditions, we should probably have left the boat and sent it back to the ship without investigation. Our one chance for continued life would then have lain in the somewhat unlikely chance of attracting the attention of the people on Coiba. We would have been shut in on our little sand patch without water. The under-

growth came down thickly to the sea at every other part of the shore within view. We might have risked the danger of becoming meat for sharks by attempting to wade round to the point from which our signal was to have been given, but it is doubtful whether our state would have been bettered by success.

However, we did not waste much time in conjectures, but started, after a short delay, to row across to Coiba. On the way Beppo told us stories of pearl fishers' fights with sharks and drew our attention to the great shells of the pearl oyster, many of them larger than dinner plates, lying thickly at the bottom of the sea. It was difficult to believe that we were looking down over thirty feet, so clear and still was the water. A little uneasiness was occasioned in our minds by a school of young whales, through which we had to pass on our way. There was no fear of their intentionally harming us, but if one of them should happen to come up under the boat and give it a playful whisk with his tail we knew that the consequences would be tragic.

Suddenly we rounded a projecting rock and shot into a little cove. On a narrow beach running back to the *monte* were six or eight na-



ISLAND OF COIBA.





tives, stark naked. At the unexpected sight of us they ran for the shelter of their nearby hut and presently emerged in the garments which were reserved for rare trips to the mainland, thirty-five miles away. This family of old-time pearl fishers were the only inhabitants within miles. We learned from them that similar little groups were to be found at widely separated points around the coast, but that the total number of inhabitants of the island would not amount to one hundred. Asked what was the prevailing condition of the islanders, they answered: "Necessidad!" They were extremely poor, but their condition was probably not an unhappy one. They toiled not, neither did they reap. Nothing whatever was cultivated, but they had plenty to eat between fish, deer, bananas and cocoanuts.

President Obaldia had provided us with a letter addressed to alcaldes and other officials, but these people could not read. It was to meet such a contingency that we had manufactured a document that was calculated to strike awe into the ignorant breast. The basis of it was a certificate of admission to practice before the Supreme Court of the Canal Zone. This was signed in large characters and blood-red ink by

“Buster Brown,” “Tommy Dodd,” and “Weary Willie.” A large red seal held down two yellow cigar ribbons in the left-hand corner. The document was punched and tied up with a piece of red tape and a brass employe’s check of the I. C. C.

Impressed by the imposing appearance of this document, the Coibans told us all that they knew about their island, which was not much. It was too thickly covered with forest and undergrowth to be penetrable. No one, to their knowledge, had gone into the interior these many years back. They believed that there were Indians back among the central mountains, because gourds, hand-fashioned, and other articles of human use had come down from time to time in the streams to the coast.

President Obaldia had told us how, a generation ago, Coiba had produced the fattest cattle and the heaviest sugar cane in all Panama. An American, named Captain Harkness, had settled not far from the point where we landed and had set up a sugar mill. He died on the island and his place was abandoned. The remains of it have long since been swallowed up by the wilderness.

A lumbering operation on a large scale might

be established on this island with profit, and after the trees had been cleared, the extremely rich land would yield abundant crops of various kinds. The island is about thirty-five miles in length and from seven to ten in breadth. It is well watered and slopes in every direction from a small group of mountains that occupy the interior.

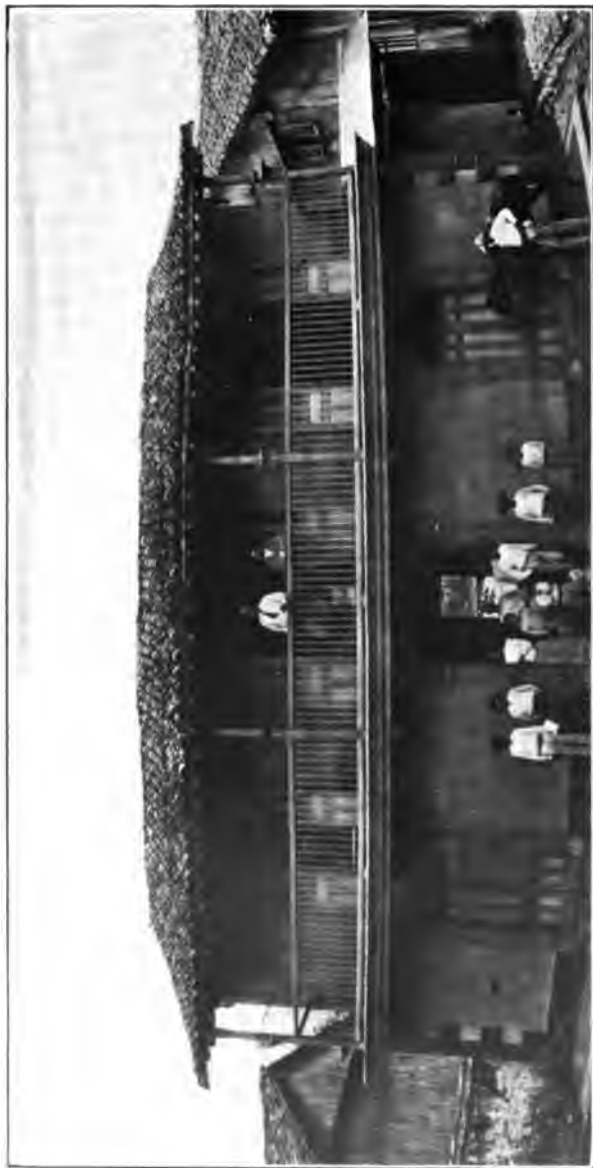
Without machete men it would not be possible to make an excursion across the island as we had intended and it was evident that machete men in sufficient numbers could not be had. So, after buying some fruit and a pet deer from the islanders, we rowed back to the ship in the light of the moon, arriving at about ten o'clock.

The remainder of our journey did not differ in any important respect from the former part of it. We arrived in due course at Pedragal, the port of David, and there we were met by Don Lorenzo Obaldia, the manager of his father's Chiriqui ranch, and one of the most genial and hospitable gentlemen it has ever been my good fortune to come in contact with.

## CHAPTER X

### DAVID AND THE INTERIOR

DAVID is an old town. There was a settlement where it stands at least two centuries back. The country thereabouts contained several fine estates, occupying large tracts of land, that had been granted to members of distinguished Spanish families by the Crown. In the Obaldia town house is a portrait of Don Lorenzo's great-grandfather, a stately old gentleman in the stiff and formal costume of the day, which the gentlemen of that time wore, to their great discomfort, in the most remote foreign countries. This first of the Obaldias in Chiriqui built, after the manner of his people, a substantial mansion and great stone gateways, remains of which are to be seen about the place at the present time. He was one of the pioneers of the Chiriqui cattle business. His good lady planted wild fig trees on the large expanse of llano before the house, and many



**DON LORENZO OBALDIA AND THE AUTHOR ON THE BALCONY OF THE OBALDIA HOUSE, DAVID.**



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travellers before us have found grateful rest in the shade of their giant branches. Don Lorenzo's mother was a Jovenet, a member of another old family of Chiriqui which owns tens of thousands of hectares of the richest land.

Some day these Chiriqui properties will represent great wealth. At present they yield only a few thousand dollars a year from the sale of the cattle raised upon them. The land-owners of Chiriqui, like the old-time planters of our South, have long since fallen into confirmed habits of ease, which they could not shake off, if they would. It must be left to another generation to apply enterprising methods to the development of their lands.

Another deterrent to improvement has been the constantly disturbed condition of the land since the wars of independence began, early in the last century. Revolutions have been frequent in the past hundred years, and each was the occasion for destruction and confiscation of property. In one of these uprisings, which occurred shortly before our occupation of the Canal Zone, the late President Obaldia was forced to flee for his life from his Chiriqui estate. The insurrectos seized his youngest

son and, in the belief that the father had hidden a large sum of money somewhere on the ranch, subjected the boy to the most inhuman treatment, in the attempt to make him reveal the supposed hiding place.

There is a half-sunken boat in the river at Pedragal, immediately opposite the wharf. At the time of the revolution in question it was afloat. On this the insurgents kept young Obaldia prisoner for weeks. He was scantily fed, and only half clothed. The mosquitoes and sand flies drove him to the verge of insanity. His captors constantly threatened him with death and kept him for long periods without water. But they failed to break down the youngster's fortitude and, if there was any truth in the story of hidden money, he maintained his determination not to reveal its whereabouts.

David is a picturesque city of from four to five thousand inhabitants. Of these, perhaps, five per cent are well-to-do, the majority being poor, but having all their actual needs supplied, which, after all, is a condition approximating wealth. Most of the dwellings are one-storied structures of frame or mud, with thatched roofs and small courtyards, or patios. The





STREET SCENE IN DAVID, SHOWING THE LOMBARDI HOTEL ON THE LEFT.



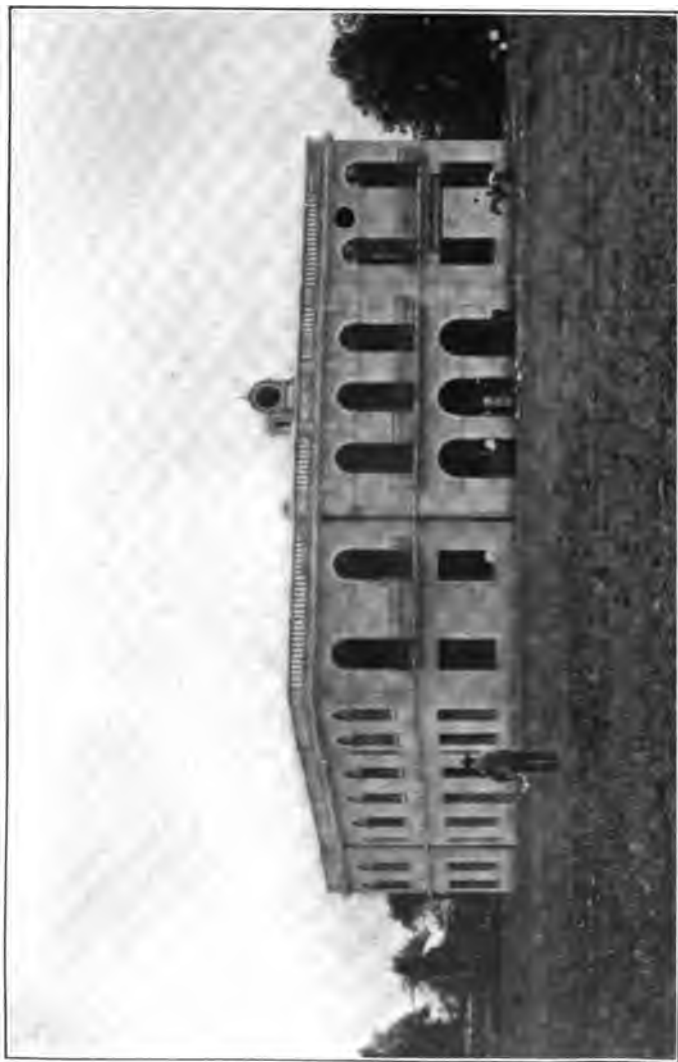
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streets are in excellent condition and the town is remarkably clean and orderly.

There are two or three hotels, the principal being that which has been conducted for years by Señor Lombardi, a descendant of one of several Italians who came to this country many years ago. Lombardi runs a general store, and does considerable banking business. I was present one day when a band of Indians, who had come many days' journey to sell a few dollars' worth of their products,—chiefly straw hats,—carried on the negotiation with the proprietor. Several hours were consumed in disposing of goods, for which the Indians were glad to get about ten dollars. They insisted on putting up one article at a time. The price of this would be haggled over for half an hour. At short intervals, Lombardi produced a bottle of aguardiente and poured out a glass, which was passed round among the vendors. After four or five treats, the selling proceeded a little more briskly. When they had received their money, the Indians proceeded to spend the greater part of it in the cantinas about town, and ultimately started on their long tramp home with about two dollars' worth of salt and other necessities.

The rooms for guests are ranged along a low wing to the main building. Each room has large double doors opening on the street, for the admission of bulky goods. In other words it is constructed to serve as a warehouse, as well as a bedroom. It is open at the top up to the peak of the roof and a partition terminating half way to the ceiling divides it from the next compartment. The floor is of stone and the walls whitewashed. All things considered, this arrangement is well adapted to cleanliness and coolness. With the mosquito bars which we had brought, the nights were passed comfortably enough on camp cots.

There is not much to detain the traveller in David, but the town is a convenient headquarters from which to make excursions to various parts of the Province, and it should yield historical material of interest, but the carelessness displayed all over Panama toward records and archives has resulted in the loss and destruction of many valuable documents. I could not find anything of the sort at David, either in the church or the municipal building. At Alanje, when we went there, the cura showed us a miraculous painting in the interesting old church, and some yellow, leather bound docu-



MUNICIPAL BUILDING, DAVID.



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CALIFORNIA

ments which, judging from the scraps that could be read, would have been extremely entertaining, but they were more than half eaten away by worms and badly-damaged by damp.

I arrived in Chiriqui suffering from an intestinal trouble, which is about the worst thing one can take into the interior. It had not been contracted in the country, but on shipboard. It speaks volumes for the climate of Chiriqui and the water, that I was able to hold up for two weeks, riding from twenty-five to fifty miles a day, and living on milk and eggs.

The day after our arrival at David, we rode out about twenty-two miles and returned to the town in the evening. I was barely able to get back and felt so ill that I decided to go down to Panama on the boat that had brought us up. Early the next morning our baggage was piled on a bullock cart in front of the door and a hack stood ready to take us to Pedragal. At the last moment, I could not bring myself to the point of abandoning our project on which more than mere pleasure depended. I had the things put back in our room and rested for the remainder of that day.

The next day we went out to Divala, a village

toward the Costa Rican border. The settlement consists of the homes of the laborers employed on the cattle ranch of Mr. Leslie Wilson, an American, whose experience affords a good illustration of what may be done with energy and calculation in this country. Mr. Wilson and three or four other Americans started coffee planting in the vicinity of Divala about twelve years ago. They discovered, after a while, that they had chosen a poor location. The coffee *fincas* were abandoned and the others went up to Boquete, where they prospered. Wilson decided to turn his land into a cattle ranch. He had but a few hundred dollars, which would have gone but a short way toward employing the labor necessary to clear the land and make *potreros*, not to mention the matter of stocking them. As luck would have it, a revolution broke out at about that time and Wilson shrewdly conceived the plan of offering the protection that would attach to employes of an American citizen to as many men as cared to give him their labor in consideration of it. In this way he contrived to get a great deal of work done for practically nothing. The Divala ranch is now one of the finest and best cared for in the Province. It is well worth





HOME OF MR. LESLIE WILSON, AT DIVALA.



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OF THE  
UNIVERSITY  
OF  
CALIFORNIA

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the price that the owner puts upon it, which is \$50,000.

As cattle raising is the principal and the most promising industry of the Province, it may be well to give some details of the Divala ranch, which is representative of well-kept property of the kind. There are fewer than half a dozen cattle ranches of similar proportions in the entire territory of the Republic and their aggregate stock is less than ten thousand head. If the figures were ten times as great they would not represent a quantity sufficient to supply the existing demand.

A number of factors combine to make the prospect for the cattle raiser in Chiriqui particularly bright. Epidemic diseases are unknown. Pleuro-pneumonia and anthrax have never been heard of. Black-leg once made its appearance but was readily combatted by vaccination.

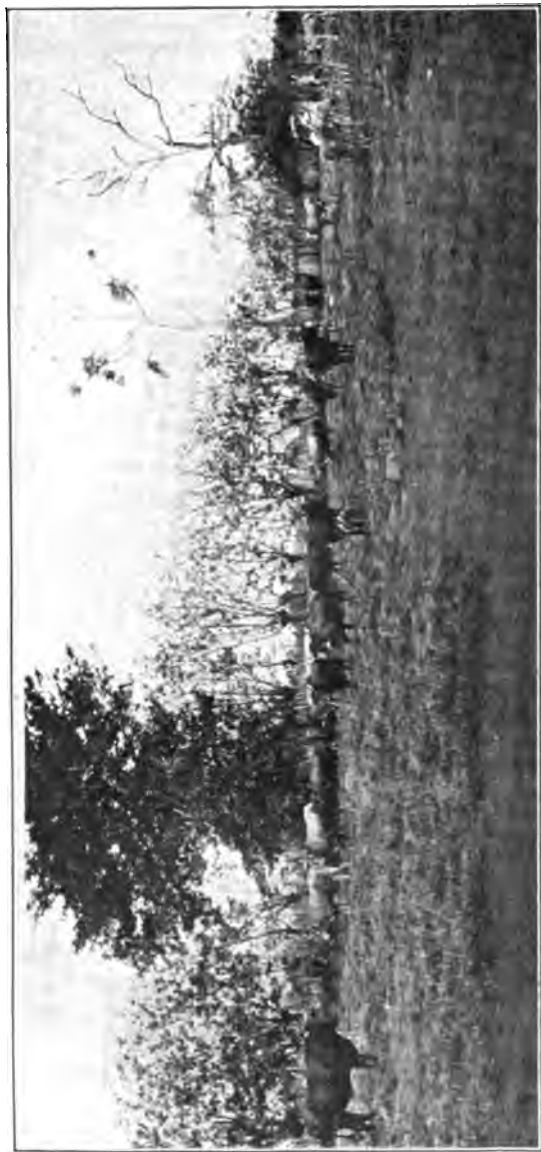
The number of lean cattle is much greater than that of the *potrero* fed animals. Many natives keep small herds on the commons, which will support them during the rainy months. These cattle can be bought at eighteen and twenty dollars a head, gold, on the range, and after six or eight months' fattening in the

*potrero* they sell at from thirty to thirty-five dollars in David.

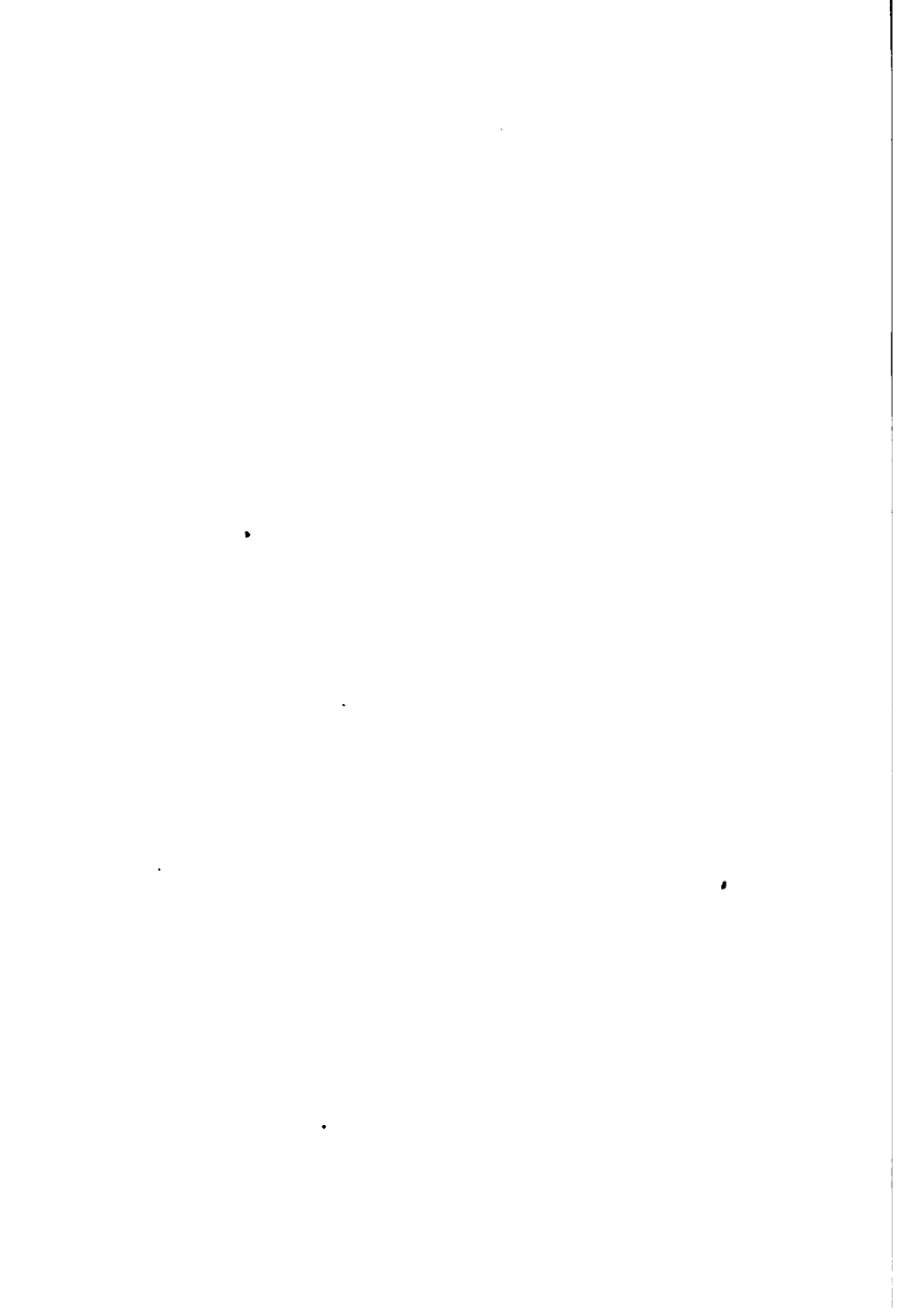
At Divala, about fifteen hundred acres are in fattening pastures. In the States, three acres, at least, are considered necessary to support a steer; here one acre per head is sufficient for fattening. Mr. Wilson stated: "As to the cost of feeding cattle, I can tell from a careful record kept by me, that it is nine cents per head per month, including cattle large and small, as well as horses and oxen. The amount includes the yearly cleaning of pastures, repairing fences, salt, tar, and acid, wages of cowboy and helper."

The natural increase of cattle in Chiriqui is thirty per cent per year. The cost of making *potreros*, including planting, fencing, etc., is less than six dollars per acre and this might be considerably reduced by the employment of machinery in the work. From these and the foregoing facts it is easy to calculate that cattle raising in Chiriqui is an extremely profitable business.

At Boquete, situated in a mountain gap, at an altitude of about eleven hundred meters above sea level, is a colony of Americans, Britishers, French, and Germans. They are chiefly



CHIRIQUI CATTLE AND MULES IN A CORRAL.



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engaged in the production of coffee, and ship a very high grade berry to Panama, where it fetches fifteen cents gold per pound. A good quality of sugar cane and superior tobacco are also raised in the valley. The new railway, which will pass close to Boquete, will be of great benefit to the section.

The settlers here have achieved prosperity in the face of great difficulties. In the past ten years they have made great advances. Heavy machinery is employed and the most approved methods of culture are followed. In fact, the valley is far ahead of any other portion of the country in agricultural development. The climate being so near temperate that the fruits and vegetables of the temperate zone are grown, makes work possible to a much greater degree than it is on the plains.

There is little difficulty in passing from one point to another in Chiriqui. Pukka roads are not numerous, nor are they necessary. The long stretches of level llano would be passable for a baby carriage. When the *monte*, or forest growth, occurs, a fairly good trail is always open through it. Crossing the rivers, where no bridges exist, is sometimes a little difficult, but buggies and ox-carts manage to make their way

over all the principal roads. The Government is carrying out improvements in the matter of better roads, more bridges, and extensions of the telephone line.

The interior of Panama is very sparsely inhabited. In Chiriqui, miles intervene between the little hamlets, and the larger settlements are far apart. Despite this fact, travel is not attended by any danger. One hears tales of banditti, but it is doubtful whether such gentry are at all numerous. It is customary to go armed upon the plains and it is possible that by omitting this precaution one would incur a risk of being robbed. It is my impression that the Chiricanos are exceptionally peaceable and law-abiding. Nor are they given to thieving as are the natives of most Latin-American countries. In fact, the only complaint that I could justly make against the people of the interior is on account of their stupidity. It is almost impossible to get an intelligent answer from one of them to a question bearing upon his everyday life. One day we asked the way of a man, who had, doubtless, lived in the district all his life, and following his direction, lost the road and our mozo, and went ten miles astray.

We returned to David one evening, our trav-

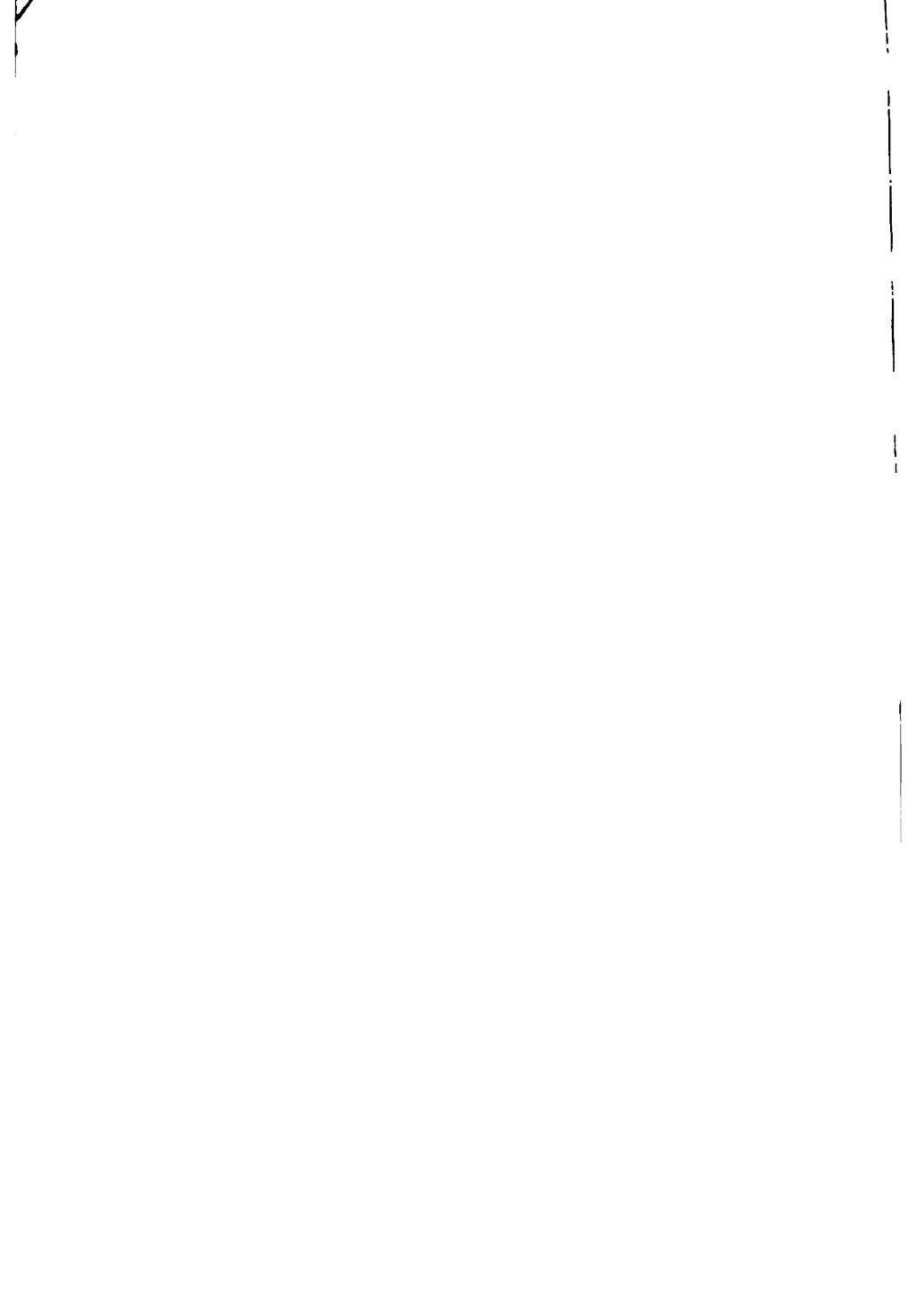




TYPICAL NATIVE HUTS.



MR. WILSON'S PET TAPIR.



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els ended, with the prospect of going back to Panama on the Pacific Mail boat the following night. After dinner at the hotel, a young doctor who had just arrived from the Zone, came into my room and confided the startling intelligence that he had been sent up in response to an alarming telegram from the municipal physician, stating that a number of cases of small-pox had occurred at Bugaba and in the vicinity.

I did not credit this statement, because if anything of the kind had happened, we should surely have heard of it. But the circumstance was disturbing in any case, for it promised quarantine at the other end of our journey, rather than submit to which I would have remained another week in Chiriqui, although I was anxious for rest and medical attention. We decided to go in to Bugaba the next day and ascertain the truth of the report.

Bugaba is the outpost of Chiriqui, near the border of Costa Rica and about thirty miles from David. It has the reputation of being a settlement of outlaws, who have fled from justice in Panama and Costa Rica. But, like many another place, its reputation is worse than it deserves. As we approached the vil-

lage we began to inquire of scattered countrymen whether they had heard anything of small-pox thereabouts. None of them ever seemed to have had acquaintance with the disease, and I may say, that I do not recollect to have seen a pock marked person in Chiriqui.

The Alcalde of Bugaba enjoys the reputation of being the worst cut-throat in the community. He is said to have killed seventeen men in private quarrels. However, he treated us very decently and we enjoyed a good breakfast at his house. The crowd that surrounded us at the Alcalde's office was rather a rough looking lot, but probably just as harmless as other Chiricanos.

As we started to ride up to the Alcalde's residence, a German, named Christian Wahl, joined us. He, I learned, filled the self-constituted position of local physician.

“ Any small-pox about here? ” I asked.

“ Oh! yes, lots,” was the alarming reply.

“ Where? ” I cried. “ Show me some? ”

“ Oh, dem small pots. We have to dig for dem.”

It transpired that Mr. Wahl was referring to the Chiriqui pottery, of which a great deal has been found in the neighborhood of Bugaba.

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When I made him understand the true import of my inquiry he laughed at the idea of small-pox anywhere thereabouts.

He said that he sometimes had to treat natives for an eruption which was caused by drinking too much of a beverage produced from corn. This was the nearest approach to small-pox in Chiriqui that he had ever heard of.

During the brief rest before starting back Christian Wahl gave us an interesting account of his history. It appears that his father, a German physician of Cincinnati, had migrated to Chiriqui at the outbreak of our Civil War, to escape conscription. Wahl's father married the daughter of one of his fellow settlers and Christian was born at Bugaba and had never been farther away from the place than Panama. He had inherited his father's medical library and seemed to be a pretty fair self-made doctor. His children were growing up in the wilds, without education of any sort and bid fair to become, in all but complexion, ordinary Chiricano peasants.

The companions of the elder Wahl married native women and probably sank to the social level of their wives. Reminders of them are to be seen about Bugaba in the shape of tow-



# APPENDICES

## I

### THE PANAMA CANAL CONVENTION

THE United States of America and the Republic of Panama being desirous to insure the construction of a ship-canal across the Isthmus of Panama to connect the Atlantic and Pacific oceans, and the Congress of the United States of America having passed an act approved June 28, 1902, in furtherance of that object, by which the President of the United States is authorized to acquire within a reasonable time the control of the necessary territory of the Republic of Colombia, and the sovereignty of such territory being actually vested in the Republic of Panama, the high contracting parties have resolved for that purpose to conclude a convention and have accordingly appointed as their plenipotentiaries, —

The President of the United States of America, John Hay, Secretary of State, and the

Government of the Republic of Panama, Philippe Bunau Varilla, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Panama, thereunto specially empowered by said government, who after communicating with each other their respective full powers found to be in good and due form, have agreed upon and concluded the following articles:

**ARTICLE I**

The United States guarantees and will maintain the independence of the Republic of Panama.

**ARTICLE II**

The Republic of Panama grants to the United States in perpetuity the use, occupation and control of a zone of land and land under water for the construction, maintenance, operation, sanitation and protection of said Canal of the width of ten miles extending to the distance of five miles on each side of the centre line of the route of the Canal to be constructed; the said Zone beginning in the Caribbean Sea three marine miles from mean low water mark and extending to and across the Isthmus of Panama into the Pacific Ocean to a distance of



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three marine miles from mean low water mark with the proviso that the cities of Panama and Colon and the harbors adjacent to said cities, which are included within the boundaries of the Zone above described, shall not be included within this grant. The Republic of Panama further grants to the United States in perpetuity the use, occupation and control of any other lands and waters outside of the Zone above described which may be necessary and convenient for the protection of the said Canal or of any auxiliary canal or other works necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said enterprise.

The Republic of Panama further grants in like manner to the United States in perpetuity all islands within the limits of the Zone above described and in addition thereto the group of small islands in the Bay of Panama, named Perico, Naos, Culebra and Flamenco.

### **ARTICLE III**

The Republic of Panama grants to the United States all the rights, power and authority within the Zone mentioned and described in

Article II of this agreement and within the limits of all auxiliary lands and waters mentioned and described in said Article II which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority.

#### ARTICLE IV

As rights subsidiary to the above grants the Republic of Panama grants in perpetuity to the United States the rights to use the rivers, streams, lakes and other bodies of water within its limits for navigation, the supply of water, or water-power, or other purposes, so far as the use of said rivers, streams, lakes and bodies of water and the waters thereof may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said Canal.

#### ARTICLE V

The Republic of Panama grants to the United States in perpetuity a monopoly for the construction, maintenance and operation of any system of communication by means of canal or

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railroad across its territory between the Caribbean Sea and the Pacific Ocean.

**ARTICLE VI**

The grants herein contained shall in no manner invalidate the titles or rights of private land-holders or owners of private property in the said Zone or in or to any of the lands or waters granted to the United States by the provisions of any Article of this treaty, nor shall they interfere with the rights of way over the public roads passing through the said Zone or over any of the said lands or waters unless said rights of way or private rights shall conflict with rights herein granted to the United States, in which case the rights of the United States shall be superior. All damages caused to the owners of private lands or private property of any kind by the operations of the United States, its agents or employees, or by reason of the construction, maintenance, operation, sanitation and protection of the said Canal or of the works of sanitation and protection herein provided for, shall be appraised and settled by a joint commission appointed by the Government of the United States and the Republic of Panama, whose decisions as to such damages shall

be final and whose awards as to such damages shall be paid solely to the United States. No part of the work on said Canal or the Panama railroad or on any auxiliary works relating thereto and authorized by the terms of this treaty shall be prevented, delayed or impeded by or pending such proceedings to ascertain such damages. The appraisal of the said private lands and private property and the assessment of damages to them shall be based upon their value before the date of this convention.

#### ARTICLE VII

The Republic of Panama grants to the United States with the limits of the cities of Panama and Colon and their adjacent harbors and within the territory adjacent thereto the right to acquire by purchase or by the exercise of the right of eminent domain, any lands, buildings, water rights or other properties necessary and convenient for the construction, maintenance, operation and protection of the Canal and of any works of sanitation, such as the collection and disposition of sewage and the distribution of water in the said cities of Panama and Colon, which in the discretion of the United States may be necessary and convenient for

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the construction, maintenance, operation, sanitation and protection of the said Canal and railroad. All such works of sanitation, collection and disposition of sewage and distribution of water in the cities of Panama and Colon shall be made at the expense of the United States, and the Government of the United States, its agents or nominees shall be authorized to impose and collect water rates and sewage rates which shall be sufficient to provide for the payment of interest and the amortisation of the principal of the cost of said works within a period of fifty years, and upon the expiration of said term of fifty years the system of sewers and water works shall revert to and become the properties of the cities of Panama and Colon respectively; and the use of the water shall be free to the inhabitants of Panama and Colon, except to the extent that water rates may be necessary for the operation and maintenance of sewers and water.

The Republic of Panama agrees that the cities of Panama and Colon shall comply in perpetuity with the sanitary ordinances whether of a preventive or curative character prescribed by the United States, and in case the Government of Panama is unable or fails in its duty

to enforce this compliance by the cities of Panama and Colon with the sanitary ordinances of the United States the Republic of Panama grants to the United States the right and authority to enforce the same.

The same right and authority are granted to the United States for the maintenance of public order in the cities of Panama and Colon and the territories and harbors adjacent thereto in case the Republic of Panama should not be, in the judgment of the United States, able to maintain such order.

#### ARTICLE VIII

The Republic of Panama grants to the United States all rights which it now has or hereafter may acquire to the property of the New Panama Canal Company and the Panama Railroad Company as a result of the transfer of sovereignty from the Republic of Colombia to the Republic of Panama over the Isthmus of Panama, and authorizes the New Panama Canal Company to sell and transfer to the United States its rights, privileges, properties and concessions as well as the Panama Railroad and all the shares or part of the shares of that company; but the public land situated

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outside of the zone described in Article II of this treaty now included in the concessions to both said enterprises and not required in the construction or operation of the Canal shall revert to the Republic of Panama except any property now owned by or in the possession of said companies within Panama or Colon or the ports or terminals thereof.

**ARTICLE IX**

The United States agrees that the ports at either entrance of the Canal and the waters thereof, and the Republic of Panama agrees that the towns of Panama and Colon, shall be free for all time, so that there shall not be imposed or collected customhouse tolls, tonnage, anchorage, lighthouse, wharf, pilot, or quarantine dues or any other charges or taxes of any kind upon any vessel using or passing through the Canal or belonging to or employed by the United States, directly or indirectly, in connection with the construction, maintenance, operation, sanitation and protection of the main Canal, or auxiliary works, or upon the cargo, officers, crew, or passengers of any such vessels, except such tolls and charges as may be imposed by the United States for the use of the

Canal and other works, and except tolls and charges imposed by the Republic of Panama upon merchandise destined to be introduced for the consumption of the rest of the Republic of Panama, and upon vessels touching at the ports of Colon and Panama and which do not cross the Canal.

The Government of the Republic of Panama shall have the right to establish in such ports and in the towns of Panama and Colon such houses and guards as it may deem necessary to collect duties on importation destined to other portions of Panama and to prevent contraband trade. The United States shall have the right to make use of the towns and harbors of Panama and Colon as places of anchorage, and for making repairs, for loading, unloading, depositing, or transshipping cargoes either in transit or destined for the service of the Canal and for other works pertaining to the Canal.

#### ARTICLE X

The Republic of Panama agrees that there shall not be imposed any taxes, national, municipal, departmental, or of any other class, upon the Canal, the railways and auxiliary works,



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tugs and other vessels employed in the service of the Canal, storehouses, workshops, offices, quarters for laborers, factories of all kinds, warehouses, wharves, machinery and other works, property, and effects appertaining to the Canal or railroad and auxiliary works, or their officers or employees, situated within the cities of Panama and Colon, and that there shall not be imposed contributions or charges of a personal character of any kind upon officers, employees, laborers, and other individuals in the service of the Canal and railroad and auxiliary works.

**ARTICLE XI**

• The United States agrees that the official despatches of the Government of the Republic of Panama shall be transmitted over any telegraph or telephone lines established for canal purposes and used for public and private business at rates not higher than those required from officials in the service of the United States.

**ARTICLE XII**

The Government of the Republic of Panama shall permit the immigration and free access to the lands and workshops of the Canal and

its auxiliary works of all employees and workmen of whatever nationality under contract to work upon or seeking employment upon or in any wise connected with the said Canal and its auxiliary works, with their respective families, and all such persons shall be free and exempt from the military service of the Republic of Panama.

### ARTICLE XIII

The United States may import at any time into the said zone and auxiliary lands, free of custom duties, imposts, taxes, or other charges, and without any restrictions, any and all vessels, dredges, engines, cars, machinery, tolls, explosives, materials, supplies, and other articles necessary and convenient in the construction, maintenance, operation, sanitation and protection of the Canal and auxiliary works, and all provisions, medicines, clothing, supplies and other things necessary and convenient for the officers, employees, workmen and laborers in the service and employ of the United States and for their families. If any such articles are disposed of for use outside of the zone and auxiliary lands granted to the United States and within the territory of the Republic, they shall

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be subject to the same import or other duties as like articles under the laws of the Republic of Panama.

**ARTICLE XIV**

As the price of compensation for the rights, powers and privileges granted in this convention by the Republic of Panama to the United States, the Government of the United States agrees to pay to the Republic of Panama the sum of ten million dollars (\$10,000,000) in gold coin of the United States on the exchange of the ratification of this convention and also an annual payment during the life of this convention of two hundred and fifty thousand dollars (\$250,000) in like gold coin, beginning nine years after the date aforesaid.

The provisions of this article shall be in addition to all other benefits assured to the Republic of Panama under this convention. But no delay or difference of opinion under this article or any other provisions of this treaty shall affect or interrupt the full operation and effect of this convention in all other respects.

**ARTICLE XV**

The joint commission referred to in Article VI shall be established as follows:

The President of the United States shall nominate two persons and the President of the Republic of Panama shall nominate two persons and they shall proceed to a decision; but in case of disagreement of the Commission (by reason of their being equally divided in conclusion) an umpire shall be appointed by the two Governments who shall render the decision. In the event of the death, absence, or incapacity of a commissioner or umpire, or of his omitting, declining or ceasing to act, his place shall be filled by the appointment of another person in the manner above indicated. All decisions by a majority of the Commission or by the umpire shall be final.

#### ARTICLE XVI

The two Governments shall make adequate provisions by mutual agreement for the pursuit, capture, imprisonment, detention and delivery within the said zone and auxiliary lands to the authorities of the Republic of Panama of persons charged with the commitment of crimes, felonies or misdemeanors without said zone and for the pursuit, capture, imprisonment, detention and delivery without said zone to the authorities of the United States of persons

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charged with the commitment of crimes, felonies and misdemeanors within said zone and auxiliary lands.

**ARTICLE XVII**

The Republic of Panama grants to the United States the use of all the ports of the Republic open to commerce as places of refuge for any vessels employed in the Canal enterprise, and for all vessels passing or bound to pass through the Canal which may be in distress and be driven to seek refuge in said ports. Such vessels shall be exempt from anchorage and tonnage dues on the part of the Republic of Panama.

**ARTICLE XVIII**

The Canal, when constructed, and the entrances thereto shall be neutral in perpetuity, and shall be opened upon the terms provided for by Section I of Article Three of, and in conformity with all the stipulations of, the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901.

**ARTICLE XIX**

The Government of the Republic of Panama shall have the right to transport over the Canal

its vessels and its troops and munitions of war in such vessels at all times without paying charges of any kind. The exemption is to be extended to the auxiliary railway for the transportation of persons in the service of the Republic of Panama, or of the police force charged with the preservation of public order outside of said zone, as well as to their baggage munitions of war and supplies.

#### ARTICLE XX

If by virtue of any existing treaty in relation to the territory of the Isthmus of Panama, whereof the obligations shall descend or be assumed by the Republic of Panama, there may be any privilege or concession in favor of the Government or the citizens and subjects of a third power relative to an interoceanic means of communication which in any of its terms may be incompatible with the terms of the present convention, the Republic of Panama agrees to cancel or modify such treaty in due form, for which purpose it shall give to the said third power the requisite notification within the term of four months from the date of the present convention, and in case the existing treaty contains no clause permitting its

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modification or annulment, the Republic of Panama agrees to procure its modification or annulment in such form that there shall not exist any conflict with the stipulations of the present convention.

**ARTICLE XXI**

The rights and privileges granted by the Republic of Panama to the United States in the preceding Articles are understood to be free of all anterior debts, liens, trusts, or liabilities, or concessions or privileges to other Governments, corporations, syndicates or individuals; and consequently, if there should arise any claims on account of the present concessions and privileges or otherwise, the claimant shall resort to the Government of the Republic of Panama and not the United States for any indemnity or compromise which may be required.

**ARTICLE XXII**

The Republic of Panama renounces and grants to the United States the participation to which it might be entitled in the future earning of the Canal under Article XV of the con-

cessionary contract with Lucein N. B. Wyse now owned by the New Panama Canal Company and any and all other rights or claims of a pecuniary nature arising under or relating to said concession, or arising under or relating to the concessions to the Panama Railroad Company or any extension or modification thereof, and it likewise renounces, confirms and grants to the United States, now and hereafter, all the rights and property reserved in the said concessions which otherwise would belong to Panama, at or before the expiration of the terms of ninety-nine years of the concessions granted to or held by the above mentioned party and companies, and all right, title and interest which it now has or may hereafter have, in and to the lands, canal, works, property and rights held by the said companies under said concessions or otherwise, and acquired or to be acquired by the United States from or through the New Panama Canal Company, including property and rights which might or may in the future either by lapse of time, forfeiture or otherwise, revert to the Republic of Panama under any contracts or concessions, with said Wyse, the Universal Panama Canal Company, the Panama Railroad



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Company and the New Panama Canal Company.

The aforesaid rights and property shall be and are free and released from any present or reversionary interest in or claims of Panama, and the title of the United States thereto upon consummation of the contemplated purchase by the United States from the New Panama Canal Company shall be absolute, so far as concerns the Republic of Panama, excepting always the rights of the Republic specifically secured under this treaty.

#### **ARTICLE XXIII**

If it should become necessary at any time to employ armed forces for the safety or protection of the Canal, or of the ships that make use of the same, or the railroads and auxiliary works, the United States shall have the right, at all times and in its discretion, to use its police and its land and naval forces or to establish fortifications for these purposes.

#### **ARTICLE XXIV**

No change in the Government or in the laws and treaties of the Republic of Panama, with-

out the consent of the United States, affect any right of the United States under the present convention, or under any treaty stipulation between the two countries that now exists or may hereafter exist touching the subject matter of this convention.

If the Republic of Panama shall hereafter enter as a constituent into any other Government or into any union or confederation of states, so as to merge her sovereignty or independence in such Government, union or confederation, the rights of the United States under this convention shall not be in any respect lessened or impaired.

#### ARTICLE XXV

For the better performance of the engagements of this convention and to the end of the efficient protection of the Canal and the preservation of its neutrality, the Government of the Republic of Panama will sell or lease to the United States lands adequate and necessary for naval or coaling stations on the Pacific coast and on the western Caribbean coast of the Republic at certain points to be agreed upon with the President of the United States.



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