The question at once arises how could Bunau-Varilla have given such an assurance? Events show that it was carried out as given. Who gave him the advance information? It is an established fact that he had it. He told us in his book that he had it. After giving an account of the movement of American warships, he observes:

Evidently the movements of Amador had been watched, and his departure for the Isthmus after his conference with me had raised suspicions of an early explosion of the revolution after the Colombian Congress had closed its session.

The sending of the Dixie to Guantanamo showed the preoccupation of the American Government. It did not disguise its preoccupation in its communications to the press. Does not this simple fact in itself give the lie to the absurd and prejudiced story of a revolution organized by the United States Government?

They had probably at Washington associated in their minds the departure of Amador and the prediction I had formulated in my interview with President Roosevelt on the 9th of October, and with Mr. Hay on the 16th as to the imminent peril of a revolution. The conclusion which must have been reached was that the departure of Amador after his interviews with me was the beginning of revolutionary operations.

To think of the Government at Washington watching the movements of Amador! Moving men-of-war as Amador moved! What hypocrisy! Soldiers and munitions of war were needed for a real revolution. Therefore, watching, if
any, would have been on the Isthmus. There was no watching. Facts controvert the supposition. There is no evidence of it. Instead of watching there was a dispatch from the Isthmus calling for an American man-of-war at Colon, and making compliance a condition of secession. Evidence shows that the Roosevelt Administration came to an understanding with the separatists through Bunau-Varilla as intermediary and that it was not engaged in watching the movements of anybody.

Dr. Amador encountered difficulty in persuading the separatists to proceed with secession. He had only oral assurances of protection. They expected documentary evidence. They insisted that tangible evidence of protection by the forces of the United States should precede action. We will let Bunau-Varilla state the situation:

One of them [separatists] must have arisen and said: "If Bunau-Varilla is so powerful, let him prove it. He says we shall be protected forty-eight hours after establishing the new Republic. Well? We will believe him, if he is capable of sending an American man-of-war to Colon at our request." . . . The whole question of the life and death of the canal was condensed in the following words: An American man-of-war must be sent to Colon.

If I succeeded in this task the canal was saved. If I failed, it was lost. . . .
I could just as well think it over in the train [to Washington] as in my own room.

On October 29, Bunau-Varilla actually received a telegram from Dr. Amador to the effect that an American man-of-war must be sent to Colon. The *Nashville* was ordered to Colon on October 30th. It arrived there on November 2. On October 31, Bunau-Varilla telegraphed Dr. Amador from Baltimore that a man-of-war would arrive at Colon in two-and-a-half days. It arrived at Colon as promised. This is no mere coincidence. It taxes credulity to believe it, but let Bunau-Varilla continue his observations:

The revolution was made because the connection between the request of a boat to me and the arrival of the boat materialized in the eyes of the confederates the reality of the influence which Amador had asserted to them I possessed over the American Government.

Evidently they imagined the situation to be quite different from what it really was. They believed this influence to be of a direct and material order. They could not understand matters as they really were. They could not imagine that there was no material influence exerted and that I was merely correctly and mathematically calculating [correctly and mathematically calculating—what audacity!] the forces at play, among which the main ones were the duty and the interest of the American Government.

The arrival of the *Nashville* corroborated the information communicated to the separatists by
Dr. Amador. They were skeptical until the Nashville appeared. When it appeared as promised they were convinced—in short, they knew. The Colombians also knew. Now it is ineffaceable history, with a meaning other than that which Bunau-Varilla would have us believe. He says in his book:

Every one interpreted the Nashville's arrival as a determined intervention of the United States, and the Colombians were just as much persuaded of this as were the people of Panama. This carried to such a pitch the enthusiasm of the latter, and the discouragement of the former, that the Colombians decided to withdraw peacefully.

Is the so-called Republic of Panama the outcome of mathematically calculating the forces at play? Does a sane man counsel others in such a grave case as glibly as Bunau-Varilla alleges he did? We do not believe his own indictment of himself. If true, it would make him a degenerate. There is no evidence of degeneracy in his story. We find in it only evidence of calculated duplicity.

Is it believable that Bunau-Varilla advised the separatists in Panama to proceed with secession with no other assurance of protection by the United States than his inference? There was at stake for the separatists: their lives, their prop-
erty and the welfare of their families; for Bunau-Varilla, his large holdings of stock in the New Panama Canal Company. His story has none of the earmarks of truthfulness. It is a crude invention. It is, however, necessary to conclude that he had the advance information that he communicated to the separatists, but that he did not come by it as he would have us believe.

Swift says:

As universal a practice as lying is, and as easy a one as it seems, it is astonishing that it has been brought to so little perfection, even by those who are most celebrated in that faculty.

This is another way of saying that the mind cannot create a substitute for reality. Facts are inexorable. Reason will, in due course, puncture the inconsistency in a pseudo-explanation, and truth will stand revealed because it matches.

Secession was to be effected on November 4. The United States was to have men-of-war at Colon and at Panama to protect secession within forty-eight hours. But a hitch occurred. It became known on October 29 that Colombian forces not expected until November 10 would arrive in about five days. Panama, although "seething with revolution," as Roosevelt would have us believe, was not prepared to deal with an unex-
expected force of some two hundred soldiers. Hence, Dr. Amador telegraphed Bunau-Varilla for aid on October 29:

We have news of the arrival of Colombian forces on the Atlantic side within five days; they are more than two hundred strong; urge warships Colon.

Upon receipt of this telegram, Bunau-Varilla hurried to Washington. The Nashville arrived at Colon one day before the Colombian troops. Panama called for help seven days before secession, and on the sixth day help was already speeding to Colon. But why did Bunau-Varilla hasten to Washington upon receipt of the above telegram? It would seem that his advance information was not based on inference after all, that is, upon nice mathematical calculation. Such calculations are best worked out in a quiet room and not in a noisy train to Washington. It would, therefore, seem that our then Administration was the source of his knowledge.

In the Independent of November 26, 1903, Dr. Amador states that the separatists of Panama believed that the United States would not allow Colombia to suppress secession. He states guardedly:

Of course, we expected that the United States would not let the Colombian troops attack us, because of the
effect that war would have in the way of blocking the traffic across the Isthmus, but we had no understanding with the Government here, nor are the people of the United States at all responsible for the revolution. It was our own act.

This statement is indicative of foreknowledge. It could not have been inferred from previous attempts at secession. Therefore, there must have been an understanding with our Administration. Will the latter make good? That was the final unknown quantity in the anxious days preceding secession. Secession was held in abeyance until tangible evidence appeared. It appeared on November 2—*the Nashville*. Thereupon Shaler, superintendent of the Panama Railroad, gets into communication with Prescott. What transpired is recorded in the following:

Have just wired you that the *Nashville* had been sighted. This I presume settles the question.

It did settle the question. It was to be secession. It also settles another question. It shows that our then Administration was the foster-father of secession—gave it form and substance, and became its controlling spirit just before and immediately after the Declaration of Independence.

From and after November 2, 1903, the follow-
ing warships appeared in Isthmian waters: The Dixie, Nashville, Atlanta, Maine, and Mayflower, at Colon; the Boston, Marblehead, Concord, and Wyoming, at Panama. This is a larger number than were sent on previous occasions when there was actual revolt. Therefore, their object was different. On all previous occasions our warships were ordered to Isthmian waters to protect the lives and property of Americans and to assist the sovereign in maintaining uninterrupted transit. In the fall of 1903, they were sent to protect secession. This is clearly reflected in the telegrams to the Nashville, Dixie and Boston on November 2, 1903.

These dispatches were not sent for the purpose of protecting Isthmian transit, but for the purpose of assuring the peaceful birth of the so-called Republic of Panama, and maintaining it after birth. In short, before the birth of the so-called Republic of Panama, and at a time when Colombia was in undisputed possession of the Isthmus and exercised undisputed sovereignty over it, dispatches were sent to armed vessels of the United States in the Atlantic and Pacific instructing them to prevent the Government of Colombia from landing troops on her Isthmian territory.
We have given complete the telegram to the commander of the Nashville, dated November 2, 1903. The vessel named was the first warship to arrive in Isthmian waters on the Atlantic side. The telegram to Rear Admiral Glass of the Boston, dated November 2, 1903, is interesting from the fact that the vessel named was the first man-of-war to arrive in Isthmian waters on the Pacific side. It is here reproduced in full:

Proceed with all possible dispatch to Panama. Telegraph in cipher your departure. Maintain free and uninterrupted transit. If interruption is threatened by armed force occupy the line of railroad. Prevent landing of any armed force, either Government or insurgent, with hostile intent at any point within 50 miles of Panama. If doubtful as to the intention of any armed force, occupy Ancon Hill strongly with artillery. If the Wyoming would delay Concord and Marblehead, her disposition must be left to your discretion. Government force reported approaching the Isthmus in vessels. Prevent their landing if in your judgment landing would precipitate a conflict.

Collaboration in the secession of the Province of Panama is no worse than the foregoing telegram. Collaboration is merely the forerunner of such a telegram. The policy embodied therein is a departure from our traditional Isthmian policy. Collaboration matches with this and other telegrams of the same date. An Administration ca-
The Vaudeville Revolution on Isthmus

pable of sending them is capable of collaboration because the two are clearly complementary and stand on the same ethical plane. The collaboration planned the dismemberment of a friendly state; the telegrams directed the carrying out of dismemberment. Why balk at the planning, collaboration, and not balk at the act, which is merely a part of an indivisible whole? The one is a corollary of the other. We know that our then Administration is guilty of the act of dismemberment. We believe that the known facts warrant the conclusion that it collaborated with Bunau-Varilla in making arrangements for protecting secession.

Collaboration to effect the dismemberment of Colombia adds no sting to that of dismemberment which is conceded. In November, 1902, three provinces in revolt for some three years laid down their arms. In November, 1903, we are asked to believe that one of them actually projected a serious uprising. It staggers belief. Facts show that there was no intent of a serious uprising on the part of the inhabitants as a whole. They also show that if advance assurance of the cooperation of the United States could not have been secured, there would have been no secession. As projected, planned and executed, the ma-
chinery of the so-called revolution was to be and actually was on our gunboats. A microscope does not disclose any other preparation. The so-called Republic of Panama is a fact. It is mute evidence of collaboration.

Colombia hesitated about curtailment of her sovereignty in the Canal Zone. She felt that if curtailment were to be acquiesced in, then the compensation offered was not adequate and so she was seeking a formula along the line of abridged sovereignty, and of enlarged compensation through long period re-valuation of the grant. This was repugnant to our Administration. Panama would grant all that it wanted and ask no questions. Here is an impelling motive for collaboration, and one that was in harmony with the desire to make good the threats made when the Hay-Herran treaty was under consideration.

We have examined several telegrams dated November 2, 1903. We have seen that they were not designed to protect transit between Colon and Panama, but to protect secession. Plans do not, however, unfold with clockwork precision. The telegram to the Commander of the Nashville was delayed in delivery, and so the landing of the new contingent of Colombian troops already men-
tioned was not prevented. It is shown in the following telegram received by Secretary Hay from Colon, dated November 3, 1903:

Troops from vessel Cartagena have disembarked; are encamping on Pacific dock awaiting orders to proceed to Panama from commander-in-chief, who went there this morning. No message for Nashville received.

On the same date (November 3) Commander Hubbard of the Nashville replied to the telegram sent him November 2, as follows:

Receipt of your telegram of November 2 is acknowledged. Prior to receipt this morning about 400 men were landed here by the Government of Colombia from Cartagena. No revolution has been declared on the Isthmus and no disturbances. Railway company have declined to transport these troops except by request of the governor of Panama. Request has not been made. It is possible that movement may be made to-night at Panama to declare independence, in which event I will . . . (message mutilated here) here. Situation is most critical if revolutionary leaders act.

Message mutilated! The most vital part of the message mutilated so that its contents are to remain forever unknown! And the original message to the Commander of the Nashville ordering him to proceed with all possible speed to Colon missing! We will not indulge in inference. The reader will know that it is not a coincidence—that it has a sinister look. In his of-
ficial report, Commander Hubbard tells us why he did not prevent the landing of the Colombian troops which arrived on the *Cartagena* on November 3:

Inasmuch as the Independent party had not acted and the Government of Colombia was at that time in undisputed control of the Province of Panama, I did not feel, in the absence of instructions, that I was justified in preventing the landing of those troops.

If Commander Hubbard of the *Nashville* had had the telegram sent him on November 2, the troops and administrative officers on the *Cartagena* would not have been allowed to land. In short, Colombia would have been prevented from landing troops on a part of her territory when there was no disturbance whatsoever. *And that is called protecting the transit and maintaining order! It is the only interruption of the transit and of the peace that there was.*

As already stated, there was no revolution, there was no uprising. Certain interested persons merely volunteered to organize a civil government in the Province of Panama, independent of that of Colombia, if assured of protection by the United States. The protection was assured and was given. The purpose was to enable the one to grant and the other to receive title to the
Canal Zone. Colombia was to be barred from interfering by the display of overwhelming force. That is what was planned, and that is what eventuated.

The military forces of Colombia arrived at Colon in fulfillment of her obligations under the Treaty of 1846 and in the performance of the most elementary duty of a sovereign state. Those of the United States were there to interrupt in its most sacred use. It was the sovereign right of Colombia to secure transit from Colon to Panama for her troops, and the duty of the Railroad, under its charter, to supply it. The United States did interfere without a scintilla of right and in violation of the Treaty of 1846. Note the following telegram to the Commander of the Nashville at Colon, dated November 3, 1903:

In the interests of peace make every effort to prevent Government troops at Colon from proceeding to Panama. The transit of the Isthmus must be kept open and order maintained.

Peace prevailed in the Province of Panama on the date of this telegram. There were no insurgents. There was no preparation whatsoever for an uprising. We adopt the following from the pen of Leander T. Chamberlain as our own:

Yet the President issued an order preventing Colom-
bia from moving her own troops, via her own railway, from her own Colon to her own Panama! So far as concerned their freedom, to go to the scene of danger, Colombia's troops were reconcentradoed and manacled! Let it still be borne in mind that there was no interruption of transit by either loyalist or insurgent. Let it be taken into account that the President, himself, under the pretense of maintaining peace and order when peace and order perfectly prevailed, violently interrupted free transit, absolutely closing it to the forces of sovereign Colombia, a treaty-bound ally of the United States!

There is no direct evidence known to the writer that the Roosevelt Administration collaborated in the ante-secession arrangements to wrest the Province of Panama from Colombia. The known facts, however, point overwhelmingly to collaboration. The evidence is circumstantial, but not a link is missing. The evidence is reinforced by motive on the part of the Administration at Washington. Colombia had not yielded to solemn warnings.

We read on page 564 of Roosevelt's autobiography:

No one connected with the American Government had any part in preparing, inciting, or encouraging the revolution, and except for the reports of our military and naval officers, which I forwarded to Congress, no one connected with the Government had any previous knowledge concerning the proposed revolution, except such as was accessible to any person who read the newspapers and kept abreast of current questions and current affairs.
Small provinces, planning a revolution, keep such matters secret so as to enable them to make adequate preparation without interference. The foregoing seems to indicate that there was preparation on the Isthmus, which is contrary to the facts. If it were true, Colombia must have known. Why then did she not have an adequate force on the Isthmus?

The separatists of Panama knew what the Roosevelt Administration would do after independence had been declared. All statements as to how they found out crumble before the searchlight of historical method. The sifting process leaves certain established facts from which we can draw our conclusion. The separatists knew what our Government would do and the line of action pursued by our Administration was in accord with what they knew and with what they expected. Tradition forbids inference to be the source of their enlightenment. The Commander-in-chief of the Army and Navy was the sole and only person who could have communicated to Bunau-Varilla information of so formidable a character as he conveyed to the separatists of Panama.

The Roosevelt Administration gave form and substance to the arrangements for the secession
of Panama, in short, gave the movement the vitality that it possessed. Without collaboration there would have been no secession. An inner circle in Panama were the Alpha and our Administration was the Omega of this vaudeville, with Bunau-Varilla acting as Master of Ceremonies, that is, acting as the coördinating genius who effected the coöperation of those interested in the performance. Had not the vessel Cartagena, with its new contingent of Colombian soldiers, introduced a discordant note by arriving seven days earlier than originally expected, the performance would have become history exactly as prearranged.

The aim of the United States in the negotiation of the Hay-Herran treaty was to secure de facto sovereignty over the Canal Zone, and its equivalent over the canal littoral. Colombia desired that the United States should become, as far as concerned the canal, a corporation sole for the purpose of constructing and operating it under her own sovereignty. There was a vital conflict of interests. It could only be adjusted by compromise. Colombia asked for the reopening of negotiations with the view of finding a workable formula. The Roosevelt Administration cut the Gordian knot by guaranteeing the success of the
secession of the Province of Panama from Colombia.

The quotations given in this chapter from Bunau-Varilla's book on Panama and those from otherwise trustworthy sources point unmistakably to the conclusion drawn by us from them. These have been stated as the narrative progressed. We will now assemble them and give them a setting in arguments not heretofore fully presented. In doing this we aim to show more fully than we have done so far that there was collusion between our Administration in 1903 and a few separatists on the Isthmus, and that this conclusion is not only warranted but inescapable.

Roosevelt seeks in a variety of forms to convey the impression that conflict was imminent on the Isthmus and that American intervention prevented it. The fact is just the opposite. There was no preparation on the Isthmus for physical combat. We hear of a so-called fire department of some four hundred men having a military purpose. But what are four hundred undisciplined men against Colombia’s more or less trained army of some ten thousand!

The unavoidable conclusion is that the Roosevelt Administration collaborated with the sepa-
ratists of Panama through Bunau-Varilla as intermediary, gave form and substance to secession, and was its controlling spirit just prior to and immediately after the Declaration of Independence by the council of the City of Panama on November 4, 1903. Our then Administration and the separatists in the City of Panama—the rest of the province was not consulted—understood each other before the Rubicon was crossed.

Bunau-Varilla positively asserts that he was in possession of the information that the Roosevelt Administration would protect secession and that the act of secession was based on that assurance and shaped to conform to it. We have shown that the data on which Bunau-Varilla alleged he inferred it are false. With it crumbles inference as a source of his information. *He, however, had the information.* He said so in his book. Events show that he had it. That proves his statement. He could have gotten it in but one way and that was by collaboration with our Administration. He has shown the opportunity—conferences with members of our Administration including the President. It is now the province of the student of history to do some inferring and that inference is that our Administration conveyed to Bunau-Varilla the information that he
The statements of Bunau-Varilla do not ring true. When viewed as a whole, they sound like an attempt to explain events connected with the dismemberment of Colombia so as to disprove actual connection of the Roosevelt Administration with it as far as concerns its planning. In this he has not only failed, but has actually furnished the corroboration needed to establish it.

When statements—it matters not with what function they are uttered—conflict with established facts, it is the statements which suffer, the facts are mute evidence that the statements are false. It is impossible for the assurances given by Bunau-Varilla to the separatists of Panama, and subsequent events on the Isthmus, to have been the result of inference. They were the result of information communicated. It is immaterial whether it was conveyed to him in whole or in part, direct or by proxy. Secession and the organization of the so-called Republic of Panama were based on it.

We may well ask where a man would go who was basing everything on inferences derived from facts. Presumably to a large library where he would have access to the facts on which to rest
the inferences derived by refined mathematical calculations. Possessed of the facts, he would perhaps seek the quiet of a dark room and meditate undisturbed by distracting noises present on a train. But Bunau-Varilla went to Washington. Why? There was domiciled the person who could order a warship to Colon. The Nashville was ordered to Colon!

Isthmian events show such a perfect coördination that they preclude any other conclusion than that of collaboration between the Roosevelt Administration and the separatists of Panama. The coördination was too perfect to permit of any other conclusion. The discord caused by the arrival of 474 Colombian soldiers earlier than originally expected must be eliminated to see the plan as pre-arranged, and this additional item must then be fitted in to give us the true story.

The original plan provided for the prompt recognition of the *de facto* government of the new republic by the United States after the Declaration of Independence. The telegrams which pertain to the elimination of the new Colombian forces which arrived on November 3 are supplementary thereto. The formidable character of these telegrams and the sayings and conduct of the Isthmians during the three stirring
days in which they were eliminated are now mute evidence of pre-arrangement—that a workable understanding existed between Bunau-Varilla and our Administration.

Every vital statement made by Bunau-Varilla on which he claims to have based his inference is false. This disposes of the nice mathematical calculations whereby he claims to have arrived at the conclusions on which the separatists acted. There remains, however, the fact that the separatists acted in the confident belief that the United States would protect secession and see the movement through. She did as they believed. The assurance was given to them by Bunau-Varilla. He did not come by the knowledge as he alleges. How did he come by it? How could he have come by it? As it involved a departure from traditional American policy, the knowledge could have been received from but one person—the President. No subordinate could have set in motion the machinery actually set in motion whereby the success of secession was effected.

All the details of this discreditable and regrettable affair cannot yet be filled in. The salient points alone are known. It is unlikely that the missing details will alter the general conclusion as to how the rape of Colombia was arranged and
effected. It may alter somewhat the connection between Washington and Panama, but it will not sever it at a vital point.

Tracy Robinson, prominent among the separatists and author of a book on Panama, ventures this statement concerning secession: "The details would afford material for a wonder story." Clearly, according to this, all is not recorded, all has not been told. If the course that our then Administration pursued was honorable, there is nothing to conceal. A wonder story would be a good seller. The separatists would figure in it as heroes. They smote the oppressor, threw off the yoke of oppression and founded a Republic dedicated to liberty and justice. But the wonder story is not yet written. The fact that it is not written—that those who know the facts have not recorded them—is mute evidence that there are facts connected with the secession of Panama that would not look well in print. We have assembled the known facts and matched them so as to reveal the essentials of the story.

As already indicated, Roosevelt and Bunau-Varilla have attempted to construct a substitute for actual history in their accounts of the secession of Panama. They have attempted the impossible. Their invented facts do not fit into
their assigned places. They do not match with the actual facts and with one another. This is the weakness of their explanation. It is the rock on which their explanations founder.

If we take the known facts and arrange them so that they match, the mind automatically supplies any missing link. The missing link in the history of the secession of the Province of Panama from Colombia is the fact that an understanding existed with our then Administration. With that supplied, the story is complete, the record becomes rational and the events stand in a causal relation. Roosevelt’s assertion, "I took the Canal Zone," is virtually the missing link, that is, it is another way of stating that an understanding existed between our Administration and the separatists on the Isthmus.

The writer vacillated between suspicion and conviction until he had read Bunau-Varilla’s book on Panama. This convinced him that there had been an informal exchange of views between the Roosevelt Administration and Bunau-Varilla, and that the latter was informed that the American navy would be used to prevent the landing of Colombian soldiers on the Isthmus if the separatists in Panama would take over the civil government of the province.
That those who sought the secession of the Province of Panama from Colombia made overtures to our Administration is acknowledged. Secession was for the sole purpose of creating a state capable of granting to the United States the coveted title to the Canal Zone. Naturally, such overtures would be made. It was not necessary to record the understanding arrived at. The Declaration of Independence on November 4, 1903, recognition of Panama as a sovereign state on November 6, 1903, and the signing of the Hay-Bunau-Varilla treaty on November 18, 1903—all in two weeks—tell us that there was an antecedent understanding, regardless of pretensions to the contrary.

The separatists of Panama spent their time designing political machinery instead of preparing to overthrow Colombian sovereignty by force. They acted differently in 1899–1902 when there was a real revolution. Why this departure from the normal course? Because coercion of Colombia by the United States had failed, and our Administration had entered into the calculations of the separatists, either direct or by proxy. At first the separatists had apparently looked for money and military preparedness. That was abandoned in the twinkling of an eye. Why!
Because a substitute had been found. The American marines would be there. They would be sufficient. Indeed the known facts connected with the secession of Panama connect our Administration with the ante-secession arrangements as unmistakably as though there were official documents to prove it. More so because documents can be tampered with, but events cannot. A Persian poet has well said:

The moving finger writes, and having writ
Moves on; nor all your piety nor wit,
Shall lure it back to cancel half a line,
Nor all your tears wash out one word of it.

The action of General Huertas of the Colombian forces at Panama and of the officials of the Panama railroad in the stirring days prior to the Declaration of Independence show that they had foreknowledge (convincing proof) of what the United States had agreed to do. General Huertas committed treason. The railroad officials jeopardized the interests of the stockholders of the property in their care. Are steps with such grave consequences lightly taken? To ask the question is to answer. Pre-arrangement with the United States is writ large over the portal to Isthmian events which resulted in the establishment of the so-called Republic of Panama. In-
sert pre-arrangement into the ensemble of Isthmian events and they match. Without it they are bizarre—discordant facts.

History is not bizarre. Human beings act according to law. Tradition is their guide unless it is positively and efficaciously set aside by an antecedent assurance. Such antecedent assurance Bunau-Varilla gave to those directing the secession movement in Panama. They acted on it. They were not deceived. Bunau-Varilla did not become informed as he states he did. His only source of information could have been the Commander-in-Chief of the Army and Navy of the United States, either direct or by proxy, and he is believed to have been too shrewd a politician to employ a proxy.

Bunau-Varilla gave assurance to the separatists that the United States would protect secession. It is reported that when the time for action arrived, Dr. Amador cabled to him in New York to verify this assurance of protection. Dr. Amador is reported to have said as he wrote the telegram:

If this man Varilla can bring an American warship to each side of the Isthmus, then we may proceed.

The answer to the telegram came:
Go ahead. American warships will be on either side of the Isthmus in forty-eight hours.

The first arrived on November 2, and the others a little later. They did not arrive as the result of accident. It was not coincidence. The Bunau-Varilla telegram was not based on inference. This is confirmed in a newspaper article of the time. Teague writes in the Washington *Post* for December 7, 1903:

It is an indisputable fact that the conspirators for independence at Panama believed implicitly, before they made a single open move for independence, that advance assurances of support had been given by the Government at Washington. This belief is so fixed that those in the conspiracy do not hesitate to say that the first move would never have been made had it not been believed that Washington had given a promise of support.

These statements of Teague are abundantly corroborated by other journals. We read in the New York *Evening Post* of December 8, 1903:

The *Cartagena* outfit, civil and military, was landed at Colon. Leaving command to Colonel Torres, the generals (Amaya and Tovar) boarded a train for Panama. This city was in a ferment. The revolutionists thought the jig was up. What should be done? Now, General Huertas, in command of the garrison, had fought under General Herbert O. Jeffries. . . . He said to Jeffries:

"Will you stand by if I deliver the garrison to the revolutionists?"

"Sure," answered Jeffries.

Then Jeffries went to the nonplussed revolutionists and declared, "You have arrived at the time described in
an old Spanish proverb saying—You have got to give birth now, or burst.” . . . A dispatch came from Colon. . . . It said that the Panama Railroad had refused to transport the Colombian troops across to Panama. Hearing this, the revolutionists took heart. They would go on. At five o’clock they would serenade the Colombian generals. Then after dinner the generals would be seized, and the same band which had welcomed them would sound the tocsin of the revolution.

On the evening of October 31, 1903, there was a final meeting of the secessionists at the home of Doctor Amador—eight in number.

They heard that Doctor Amador had telegraphed Varilla that everything was now ready for the overturning. They adjourned with the remark that “If Varilla could move some American men-of-war to the Isthmus, he is somebody, and we can go ahead.” In the morning [November 1] arrived a reply from Varilla, dated October 31, saying that American men-of-war would be at the Isthmus immediately to keep transit open. . . .

November 4 was fixed on as the date for “the movement.” The work of enlisting the aid of Government officers had progressed. Admiral Varon of the Colombian gunboat Twenty-first of November was won over with all his forces. General Huertas, commandant of the garrison, was found easy to approach. . . . To rid himself of officers and men he was not sure would enter the plot to revolt, he pretended to have had a dispatch saying that revolutionists were landing at Coclé, down the coast. Then he sent off all the distrusted officers and men to put down Coclé’s imaginary insurrection.

Señor Melendez, of Colon, was called to Panama, and asked to be ready to take the governorship of Colon on the 4th. About noon on the 2d the Nashville arrived at Colon. Everything was favorable, except that no American warship had yet appeared at Panama. Suddenly that evening, to the consternation of the plotters, the Colombian warship Cartagena steamed into Colon,
bearing some 500 soldiers, 50 clerks and a new governor.

Further confirmation of the foregoing is furnished by Teague in the Baltimore American for December 12, 1903:

The promoters of the revolution are compelled by experience to distrust a large proportion of those men upon whom they are now forced to rely. They know that the army and police force were purchased to support the revolution, and knowing that these factors are susceptible to corruption, they do not know to-day whether the military and police officials are true or untrue to the republic. . . .

All they [the real revolutionists] hope for is that they can keep things going as they now are until after the Canal treaty is signed by the members of the junta. That act of ratification accomplished, the revolutionists will have little interest in the Republic. . . . The revolutionists have a bland and childlike faith in the great American Republic.

It matters not what statements may be made at Washington or what stories may be current in the States, all Panama believes that the revolution was made possible by Washington's foreknowledge of what was proposed, and an expressed determination by the Government at Washington to give moral and physical support to the revolutionists. There is a reason for this belief, for it was not actually decided to attempt the coup which resulted in the creation of the Republic until advices were received from the State to the effect that if it should be attempted the United States would back it up.

These advices were not official, so far as the Administration was concerned, but they were of such a character . . . as to convince the revolutionists that all they had to do was to take the initiative and then rely on the United States to insure the success of the project.
These excerpts give support to the assertions already made that the Roosevelt Administration expected warships to reach Isthmian waters in time to prevent the landing of any new contingent of Colombian troops, and that the separatists knew that all they needed to do was to persuade ($, $) the Colombian forces then on the Isthmus to acquiesce in secession. They were persuaded. This was the part that the separatists were to play in the rape of Colombia. Our marines were there to do the rest. In short, Isthmian cash and the American navy were to coöperate to effect the success of secession.

Obviously, the inner circle in Panama could not have proceeded with the extreme measures that it did unless it had made adequate local preparation or had an understanding with our Administration. The absence of local preparation will be discussed in Chapter VI. We hear of nothing but the non-resistence of Colombia’s troops in the City of Panama, and their yielding to persuasion of a pecuniary kind. Therefore, it is a probability amounting to a certainty that there was an understanding between the separatists and the Big Brother of the north. The Big Brother acted with such clockwork precision in the scheme that doubt is transformed into con-
The conviction. No reasoning along the ordinary inferences of human life can arrive at any other conclusion.

It was plainly the understanding that the Province of Panama should declare her independence of Colombia and simultaneously assume all the functions of civil government. The United States was to recognize the independence of the new republic immediately. Thereafter the Treaty of 1846 was to be construed as in force with the new republic and Colombia would, *ipso facto*, be like any other foreign country in this respect. American warships were to be there to prevent the landing of any new contingent of Colombian troops on the Isthmus. This was to be done under the pretense of complying with the Treaty of 1846. No additional Colombian troops were expected until the entire coup was completed. Thus, there was an attempt to give to an unlawful act the appearance of regularity and legality.

Malmros, American Consul at Colon, in his telegram to Secretary Hay, dated November 3, 1903, states:

Revolution imminent. Government force on the Isthmus about 500 men. Their official promised support revolution. Fire department Panama, 441, are well or-
ganized and favor revolution. Government vessel, Cartagena, with about 400 men, arrived early to-day with now commander-in-chief, Tovar. Was not expected until November 10.

And this is the extent of the preparation for military operations in a province that is "seething with revolution"! A political fire department of some 400 men and some other patriots whose adhesion was secured by the cash-nexus. Revolution! Robbing a sister republic of a province under a cloak of respectability.

The seizure of the Canal Zone, as originally planned, provided for the persuasion ($, $) of the Colombian garrison and officials domiciled on the Isthmus to act with the separatists and for the United States to have an adequate naval force near enough so that it could reach Isthmian waters in time to prevent Colombia from landing troops to reëstablish her sovereignty. This plan was frustrated by the earlier arrival of a new contingent of Colombian troops. Had these troops not arrived before the plan was ready for execution, Dr. Amador would not have had to make the representations to the Colombian generals that he did make. These representations match with established facts and are, therefore, conclusive as evidence. They point unmistakably to collusion.
The events connected with the elimination of these Colombian troops tell the story as convincingly as though it were a matter of official record—signed, sealed and delivered. They prove that there was no revolution projected. They prove that none eventuated. They prove that the so-called Republic of Panama is the product of intrigue between Washington and Panama through the good offices of Bunau-Varilla.
CHAPTER V

Violation of the Treaty of 1846

In this chapter, we will show that President Roosevelt, in the part that his Administration took in the vaudeville revolution on the Isthmus in the fall of 1903, violated the Treaty of 1846, then in force with Colombia, as well as a universally recognized principle of international law. We will give the provisions of the treaty violated and point out wherein they were violated. We will conclude with an appeal for a more sacred keeping of our solemn engagements than we have done in the case of our Isthmian Canal treaties.

The foregoing statement of faithlessness on the part of an American Administration is so grave that no self-respecting person would make it lightly. It must be immediately followed by something tangible that will indicate the possibility of its being sustained by evidence. Various utterances of Roosevelt serve the purpose. We will begin with the associated press report of a talk by Colonel Goethals before the University
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Club of Chicago on January 3, 1915. President Roosevelt is reported to have said to Colonel Goethals:

Colonel, I think I'll abolish that commission and concentrate all authority in you. An Executive order will do it.

Colonel Goethals mentioned the foregoing to Secretary of War Taft, who responded:

Yes, that's the way it ought to be done, but it isn't in accordance with the law.

Colonel Goethals stated that he reported the observation of Secretary Taft to President Roosevelt, who remarked characteristically:

I DON'T CARE A HANG FOR THE LAW, I WANT THE CANAL BUILT.

A public official who does not care a hang for statute law probably does not care a hang for a treaty, although it is now generally considered to be a solemn engagement. Roosevelt has practically told us so. Speaking of the peace treaties negotiated by the Wilson Administration, he says:

There is no likelihood that they will do us any great material harm, because it is absolutely certain that we would not pay the smallest attention to them in the event of their being invoked in any matter where our interests were seriously involved.
He, however, observes that the breaking of a treaty would do us harm in other than our material interests. We, of course, would unerringly pursue our material interests and disregard the moral. He says:

But it would do us moral harm to break them even though this were the least evil of two evil alternatives.

The foregoing observations by Roosevelt are vital in this discussion. The Treaty of 1846 and international law stood in the way of our material interests. So he did not "pay the smallest attention to them" as the following shows: "I took the Canal Zone." His philosophy permitted him to disregard treaties and the law of nations and he did. It is seldom that a man boasts of faithlessness, and counts it a virtue. Roosevelt has committed himself to the doctrine that a treaty is not binding if our "interests are seriously involved." We, therefore, merely charge Roosevelt with having practiced in 1903 what he preached in 1914. Our offset to the foregoing is that our duty to civilization is paramount. This requires that we keep our solemn engagements even though our material interests are seriously involved.

Roosevelt has told us what the United States
would do if a situation arose where a treaty seriously conflicted with its material interests. In so doing, he has told us what he would do if he were President. In this book we are only telling what he did as President, and it is merely what he told us that he would do if he were President. We have also told how it was done—this is not confirmed by anything that he has said. We are merely applying his philosophy to the most important event of his Administration, and assert nothing except that he put his philosophy into practice in the fall of 1903.

Speaking of the labor-capital conflict in Colorado, Roosevelt is reported to have said at Uniontown, Pa., on October 28, 1914, according to the New York World:

It becomes the duty of the United States to remove the injustices that cause that disorder, just as I did in the anthracite coal strike. I finally got them to submit to the judgment of the commission which I appointed. There was a laboring man on that commission, incidentally.

But I then held myself ready if they had refused to have used the army. I would have taken possession of the mines. I would have put a complete stop to all lawlessness and would have seen that the mines were worked; but I would have had a Major-General of the United States run the mines as a receiver.

This is suggestive. "I would have taken pos-
session of the mines.” By what authority, human or divine? We are not told. “I don’t care a hang for the law.” Enough has been said. We now know that he would not hesitate to violate a treaty or to disregard fundamental provisions of international law. We will show that he practiced in 1903 what he defended in theory in 1914.

An official who does not care a hang for statute law probably does not care a hang for international law or a solemn engagement if they delay the beginning of an undertaking which he is determined shall appear in the galaxy of great deeds to his credit. Therefore it can not be repugnant to such an official to violate a treaty (say that of 1846) if, in so doing, he can expedite the getting of the title to the Canal Zone which is preliminary to entrance upon canal construction. We believe that the philosophy he has expressed in the abstract covers the events on the Isthmus in the fall of 1903 as history is recording them.

The provisions of the treaty whose violation we allege form our starting point. The spirit of the treaty is found in the preamble and in Article 1. It must not be overlooked that the treaty was not negotiated with Colombia, but with the Govern-
ment which exercised authority over the same territory, namely, New Granada. It was continued unimpaired with Colombia until the Roosevelt Administration. This treaty was signed December 12, 1846, ratified and proclaimed in June, 1848. The preamble and Article I follow:

The United States of North America and the Republic of New Granada in South America, desiring to make lasting and firm the friendship and good understanding which happily exist between both nations, have resolved to fix in a manner clear, distinct, and positive the rules which shall in the future be religiously observed between each other, by means of a treaty or general convention of peace and friendship, commerce and navigation.

**Article I**

There shall be a perfect, firm, and inviolable peace and sincere friendship between the United States of America and the Republic of New Granada in all the extent of their possessions and territories, and between their citizens respectively without distinction of person or places.

We claim that Article XXXV of that treaty was violated. We will give this article in full save the portion dealing with the supersession of an earlier treaty. The bracketed insert gives a condensed summary of articles IV, V and VI, referred to in article XXXV. This insert, the preamble and Article I, as already mentioned, give the spirit underlying Article XXXV. The latter reads:
The United States of America and the Republic of New Granada, desiring to make as durable as possible the relations which are to be established between the two parties by virtue of this treaty, have declared solemnly, and do agree to the following points:

1st. For the better understanding of the preceding articles, it is and has been stipulated between the high contracting parties, that the citizens, vessels and merchandise of the United States shall enjoy in the ports of New Granada, including those of the part of the Granadian territory generally denominated Isthmus of Panama, from its southernmost extremity until the boundary of Costa Rica, all the exemptions, privileges and immunities concerning commerce and navigation, which are now or may hereafter be enjoyed by Granadian citizens, their vessels and merchandise; and that this equality of favors shall be made to extend to the passengers, correspondence and merchandise of the United States, in their transit across the said territory, from one sea to the other. The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist, or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States, and for the transportation of any articles of produce, manufactures or merchandise, of lawful commerce, belonging to the citizens of the United States; that no other tolls or charges shall be levied or collected upon the citizens of the United States, or their said merchandise thus passing over any road or canal that may be made by the Government of New Granada, or by the authority of the same, than is, under like circumstances, levied upon and collected from the Granadian citizens; that any lawful produce, manufactures or merchandise, belonging to citizens of the United States, thus passing from one sea to the other, in either direction, for the purpose of exportation to any other foreign country, shall not be
liable to any import-duties whatever; or, having paid such duties, they shall be entitled to drawback upon their exportation; nor shall the citizens of the United States be liable to any duties, tolls or charges of any kind, to which native citizens are not subjected for thus passing the said Isthmus. And, in order to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages, and for the favors they have acquired by the 4th, 5th, and 6th [That is, extend to each other the most favored nation commercial advantages in addition to the mutual guarantees contained in this article, XXXV, concerning Isthmian transit] articles of this treaty, the United States guarantee, positively and efficaciously, to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and, in consequence, the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

2nd. The present treaty shall remain in full force and vigor for the term of twenty years from the day of the exchange of the ratifications. . . .

3rd. Notwithstanding the foregoing, if neither party notifies the other of its intention of reforming any of, or all, the articles of this treaty twelve months before the expiration of the twenty years stipulated above, the said treaty shall continue binding on both parties beyond the said twenty years, until twelve months from the time that one of the parties notifies its intention of proceeding to a reform.

4th. If any one or more of the citizens of either party shall infringe any of the articles of this treaty, such citizens shall be held personally responsible for the same, and the harmony and good correspondence between the nations shall not be interrupted thereby; each party en-
gaging in no way to protect the offender, or sanction such violation.

5th. If unfortunately any of the articles contained in this treaty should be violated or infringed in any way whatever, it is expressly stipulated that neither of the two contracting parties shall ordain or authorize any acts of reprisal, nor shall declare war against the other on complaints of injuries or damages, until the said party considering itself offended shall have laid before the other a statement of such injuries or damages, verified by competent proofs, demanding justice and satisfaction, and the same shall have been denied, in violation of the laws and of international right.

6th. Any special or remarkable advantage that one or the other power may enjoy from the foregoing stipulation, are and ought to be always understood in virtue and as in compensation of the obligations they have just contracted, and which have been specified in the first number of this article.

This treaty clearly imposed upon the sovereign the duty to keep the transit unobstructed. If the sovereign was unable to do so on account of local disturbances, the United States, its nationals, or both, were entitled to compensation for damages actually sustained. The article provided a method for securing reparation, and it was actually applied in 1857 when damages were collected that resulted from the interruption of transit. The treaty, however, from the preamble to the closing article, does not derogate from the rights of the sovereign and none of the rights that the United States acquired by it supervened those of
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the sovereign or any of the rights of sovereignty. This blends the violation of this treaty with that of the violation of international law, that is, the violation of the rights of sovereignty, under the law of nations.

What fundamental provision of international law was violated? In order to point it out clearly, we must define sovereignty. Sovereignty is the sum total of rights which attach to an independent state by virtue of being such. What then is a sovereign state? Stockton defines a sovereign state as follows:

A sovereign state may be defined in general terms to be a fully independent and civilized community of persons, permanently located within a fixed country, organized under common laws into a body politic for mutual advantage, exercising the rights of government over all persons and things within its territory, and capable of entering into relations and intercourse with other states of the world.

This is enlarged upon and somewhat amplified in the following:

All sovereign states within the purview of international law are equal, that is, equal in their rights and in their obligations, equal in their sovereignty, and in their independence.

From the foregoing it follows that sovereign states have two paramount rights:
1. The right of self-preservation.
2. The right of exclusive jurisdiction over their territory.

Sovereignty is a combination of all power, that is, power to do anything and everything in a state without legal accountability. It is the right of a nation to govern itself independent of any foreign power. This includes, of course, the right to suppress insurrection and to prevent dismemberment. Colombia had the right to suppress secession without interference from our Government.

Did New Granada impair or intend to impair in any way whatsoever, either of the foregoing rights when she entered into the Treaty of 1846 with the United States? If not, Colombia had the indisputable right to use force to preserve her sovereignty over the Province of Panama. Interference with that right was in violation of international law.

Whether impairment of the sovereignty of New Granada was intended can be best seen in official documents connected with the negotiation of the treaty, the most important of which is the following from a message of President Polk:

The general considerations which have induced me to transmit the treaty to the Senate for their advice may be summed up in the following particulars: