1. The treaty does not propose to guarantee a territory to a foreign nation in which the United States will have no common interest with that nation. On the contrary, we are more deeply and directly interested in the subject of this guaranty than New Granada herself, or any other country.

2. The guaranty does not extend to the territories of New Granada generally, but is confined to the single province of the Isthmus of Panama, where we shall acquire by the treaty a common and coextensive right of passage with herself.

3. It will constitute no alliance for any political object, but for a purely commercial purpose, in which all the navigating nations of the world have a common interest.

4. In entering into the mutual guarantees proposed by the thirty-fifth article of the treaty, neither the Government of New Granada nor that of the United States has any narrow or exclusive views. The ultimate object . . . is to secure to all nations the free and equal right of passage over the Isthmus. If the United States, as the chief of the American nations, should first become a party to this guaranty, it cannot be doubted — indeed, it is confidently expected by the Government of New Granada — that similar guarantees will be given to that Republic by Great Britain and France.

All that the United States secured by this treaty on the Isthmus was a common and coextensive right of transit with the sovereign. As similar rights were to be extended to the other nations, according to the excerpt of the message quoted, in return for the guarantees embodied in Article XXXV, it follows that no impairment of sovereignty was intended by the negotiators of the
treaty. The guaranteeing powers, according to the intent of the treaty, were to keep transit open against obstruction by foreign powers and to maintain the neutrality of the Province of Panama under the sovereignty of New Granada. New Granada remained the sole protector of Isthmian transit against domestic obstruction. Outside interference without her consent or request would be in violation of the treaty and of her rights as a sovereign state.

That the treaty was merely to grant to the United States a common coextensive right of transit with the sovereign on the Isthmus is further shown in the following excerpt from an official communication of Mallarino, at the time Minister of New Granada at Washington:

On account of these reasons, and for the convenience of not awakening international jealousies by extraordinary and special treaties, the guaranty of territorial possession, to be given by the United States, ought to be incidentally introduced in treaties of commerce, as a part of and subordinate to them.

This end is simply and naturally to be obtained by stipulating, in favor of the United States, the total repeal of the differential duties, as a compensation of the obligation they impose upon themselves of guaranteeing the legitimate and complete or integral possession of those portions of territory that the universal mercantile interests require to be free and open to all nations.

In the course of his argument, Mallarino
Violation of Treaty of 1846

points out that Great Britain would be at a commercial disadvantage—

Unless she invited New Granada to alter upon the same conditions, the British treaty, constituting herself thereby, also, as a guaranteeing power of New Granada sovereignty upon the Isthmus.

It is clear from this, as well as from the treaty itself, that New Granada sought the guarantee of her sovereignty over the Province of Panama, and was offering as compensation a common and coextensive right of transit over the Isthmus, and the favored nation commercial provision in her entire territory. Under date of February 10, 1847, President Polk, in a special message to the Senate, said:

There does not appear any other effectual means of securing to all nations the advantages of this important passage but through the guarantee of great commercial powers that the Isthmus shall be neutral territory. . . .

The guarantee of the sovereignty of New Granada over the Isthmus is a natural consequence of this neutrality. . . . New Granada would not yield this province that it might become a neutral State; and if she should, it is not sufficiently populous or wealthy to establish or maintain an independant sovereignty. But a civil government must exist there to protect the works which shall be constructed. New Granada is not a power which will excite the jealousy of any nation.

The protection of the works to be constructed, canal and railroad, was to be under the exclusive
jurisdiction of the sovereign. There was not only no intent in this treaty to impair any of the then rights of sovereignty of New Granada over the Province of Panama, but there was, on the contrary, a clearly defined intent to safeguard for her that sovereignty in perpetuity.

The Isthmus has always had strategic value and therefore its possession has been coveted by other powers. The United States was one of them. This country guaranteed the sovereignty of Colombia over this territory in the Treaty of 1846. It gave no guarantee, however, against the success of a domestic insurrection. Therefore the United States was not obligated to keep transit open during a domestic uprising. The Treaty was entirely extra-domestic. The United States could intervene to keep transit open during a domestic conflict only at the request of the sovereign. Compensation for loss suffered during an interruption of transit was the only remedy open to the United States under the Treaty of 1846. She was clearly estopped from being the revolution herself under the cloak of a few separatists domiciled in the City of Panama.

One of the reasons advanced for the adoption of the Treaty of 1846 was that it would allay suspicion in Spanish-America. The argument ad-
advanced by the Minister of New Granada, Malaria-rino, clearly showed that the United States was believed to have territorial designs there. His argument clearly shows that one of the purposes of the Treaty was to secure territorial integrity for New Granada. The following, by the Minister named, is quoted from an official document on record in the State Department:

Other reasons are relative to the United States’ own fame and reputation, as assuredly nothing would so brilliantly vindicate them, nor acquire them greater augmentation of American affection than the fact that they, after having been branded as the oppressors and future conquerors of Spanish American republics should present themselves as the most jealous protectors of the territorial integrity of those very same republics in whose preservation they would appear taking an open and direct interest.

Did the sovereign surrender, or intend to surrender, the right of protection of isthmian transit to the United States, or did she contract, by implication, for the right to call on this country for assistance in the event that she was unable to afford protection? As already shown, the intent of the negotiators of the Treaty of 1846 was clearly not to derogate from the sovereign rights of New Granada, but to secure their inviolability.

In the light of the foregoing, read the telegrams
of November 2, 1903, to our naval forces in or soon to arrive in Isthmian waters. They are so vital that we reproduce vital excerpts from them. To the *Nashville* at Colon:

Maintain free and uninterrupted transit. If interruption threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello or other point. . . . Government force reported approaching the Isthmus in vessels. Prevent their landing if in your judgment this would precipitate a conflict.

To the *Boston* at Panama:

Maintain free and uninterrupted transit. If interruption is threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, at any point within 50 miles of Panama. . . . Government force reported approaching the Isthmus in vessels. Prevent their landing if, in your judgment, the landing would precipitate a conflict.

When these telegrams were sent to our naval commanders, our Government read into a solemn engagement a construction not warranted by its wording or the intent of its negotiators.

The Treaty of 1846 would, of course, not have been agreed to by New Granada nor would it have been continued by Colombia if it had been believed that the United States would use it as a pretext
Violation of Treaty of 1846 to wrest from its sovereignty the Province of Panama. The construction placed on this treaty by our Government in 1903 gave the United States power equivalent to that of de facto sovereignty over the line of transit and its littoral. As applied this power took precedence of the rights of the de jure sovereign. This construction of the treaty is without precedent in American diplomacy and without sanction in international law.

Contrast the foregoing telegrams with the policy pursued by our Government under the Treaty of 1846 previous to the Roosevelt Administration. Our earlier policy is well stated in a letter to his Government by Minister Concha, dated October 30, 1902. In this letter he protested against the new construction of the treaty, and clearly states our earlier interpretations. The portion that is to the point reads:

When for the first time the United States used the right of transit via the Isthmus, which is guaranteed them by the existing treaty, it was with the simple object of sending troops to Oregon and California; that was effected by disembarking them and sending them across the Isthmus without having given any previous notice to the authorities; for that our Secretary of Foreign Affairs presented a protest in Washington through the legation, and in a conference in September of 1858 between the
Granadian minister, General Herran, and the Secretary of State, General Casey, it was agreed that in future whenever it was necessary to send American forces through the territory of the Isthmus they would come unarmed and as groups of private individuals "without enjoying the exemptions which are customary when troops pass through foreign territory, but, on the contrary, being subject to the territorial jurisdiction exactly like all other strangers." This agreement was punctually fulfilled during the American war of secession on the occasion when forces of the Government of the United States were sent to the Pacific. To-day, so advanced is the interpretation, that American forces are disembarked in Panama to disarm those of the sovereign of the territory. Whatever more extensive comment might be made on this point would be redundant.

Comparison of the foregoing excerpts of telegrams to our naval forces with the previous policy of our Government shows that the Treaty of 1846 was scrapped by the Roosevelt Administration in 1903. This treaty was negotiated by New Granada and continued by Colombia for the purpose of safeguarding their sovereignty over the Isthmus. It was violated, and, at the same time, used as a pretext to conceal from the American people the rape of Colombia.

When the telegrams just quoted from were sent, there was peace on the Isthmus. Yet, the sovereign of the territory was forbidden to land troops there to protect her sovereignty and was barred from the use of the Panama railroad,
Violation of Treaty of 1846

which was obliged by its charter to transport Colombian troops from one side of the Isthmus to the other on demand.

On November 9, 1865, Secretary Seward sent a communication to our Minister at Bogotá which clearly defined the duty of the United States and that of the sovereign state in relation to the protection of Isthmian transit if obstruction was threatened as a result of domestic trouble. It reads:

The question which has recently arisen under the thirty-fifth article of the treaty with New Granada, as to the obligation of this Government to comply with a requisition of the President of the United States of Colombia for a force to protect the Isthmus of Panama from invasion by a body of insurgents of that country has been submitted to the consideration of the Attorney General. His opinion is that neither the text nor the spirit of the stipulation in that article, by which the United States engages to preserve the neutrality of the Isthmus of Panama, imposes an obligation on this Government to comply with a requisition like that referred to. The purpose of the stipulation was to guarantee the Isthmus against seizure or invasion by a foreign power only. It could not have been contemplated that we were to become a party to any civil war in that country by defending the Isthmus against another party. As it may be presumed, however, that our object in entering into such a stipulation was to secure the freedom of transit across the Isthmus, if that freedom should be endangered or obstructed, the employment of force on our part to prevent this would be a question of grave expediency to be determined by cir-
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cumstances. The department is not aware that there is yet occasion for a decision upon this point.

For the purpose of comparison with the foregoing telegrams, the following by Secretary Seward is even more to the point:

THE UNITED STATES DESIRES NOTHING ELSE, NOTHING BETTER, AND NOTHING MORE IN REGARD TO THE STATE OF COLOMBIA THAN THE ENJOYMENT, ON THEIR PART, OF COMPLETE AND ABSOLUTE SOVEREIGNTY AND INDEPENDENCE.

If those great interests shall ever be assailed by any power at home or abroad, the United States will be ready, cooperating with the government and their ally, to maintain and defend them.

We will now throw into relief, that is, contrast the Roosevelt policy as contained in the telegrams quoted above with the policy of other earlier administrations.

Secretary Hamilton Fish declared that it was the duty of the sovereign under the treaty to protect Isthmian transit from domestic interference, and that the United States would insist upon it.

It is contained in the following communication addressed to our Minister at Bogota:

This Government, by the Treaty with New Granada of 1846, has engaged a guaranty of neutrality of the Isthmus of Panama. This engagement, however, has never been acknowledged to embrace the duty of protecting the road across it from the violence of local factions.

Although such protection was of late efficiently given by I
the force under the command of Admiral Almy, it appears to have been granted with the consent and at the request of the local authorities. It is, however, regarded as the undoubted duty of the Colombian Government to protect the road against attacks from local insurgents. The discharge of this duty will be insisted upon.

Compliance with the treaty obligated the sovereign to keep an adequate force on the Isthmus to maintain order during ordinary times and to send additional forces when needed. As already stated, there is not the slightest suggestion of impairment of sovereignty, or of any right of the United States to prevent the sovereign from landing troops on any part of the Isthmus, to maintain order or shifting them on the Isthmus as emergency arose.

The telegrams to our naval officers just quoted were sent to obstruct transit in its most sacred use. The sovereign was to be barred from its legitimate use. These telegrams were sent to give assurance to the separatists on the Isthmus that secession would be protected. In a time of profound peace, the sovereign was to be barred from the use of a railroad in his own dominion. This would hearten the separatists—galvanize the movement—and give vitality to secession.

In an earlier chapter we gave the view of Grover Cleveland. We will now contrast the
telegrams under examination with the following from the pen of his Secretary of State, Bayard:

On several occasions the Government of the United States, at the instance, and always with the assent of Colombia, has, in times of civil tumult, sent its armed forces to the Isthmus of Panama to preserve American citizens and property along the transit from injuries which the Government of Colombia might at the time be unable to prevent. But, in taking such steps, this Government has always recognized the sovereignty and obligation of Colombia in the premises, and has never acknowledged, but, on the contrary, has expressly disclaimed the duty of protecting transit against domestic disturbances.

The policy pursued during the Roosevelt Administration is without a sustaining precedent. It is sui generis. It stands unique in its isolation. Its offspring is the so-called Republic of Panama. Its heritage is the ill-will of Colombia and of Spanish-America. Its by-product is national dishonor. Its aftermath is a stain on the Roosevelt Administration which all the waters of the canal can never wash away.

We have contrasted the action of the Roosevelt Administration in 1903 with that of earlier administrations. It is now proper to contrast it with that of the Roosevelt Administration in 1902, when, hat in hand, it was a suppliant at the feet of Colombia for a title to the Canal Zone.
Violation of Treaty of 1846

We will do so in detail in the next chapter. A bird’s-eye view serves our purpose here. The telegram dated October 16, 1902, sent by Secretary Hay to our Minister at Bogotá reads:

This Government regrets misunderstanding which has apparently arisen in Panama. No intention to infringe sovereignty or wound dignity of Colombia. American commander was instructed in that sense October 10.

This telegram concedes that Colombian sovereignty was not impaired by the Treaty of 1846. Is not that which is conceded in 1902 binding in 1903? Therefore, Colombia had the unquestioned right in 1903 to dispatch her forces to the Isthmus to maintain order and to protect her sovereignty over the Province of Panama. It was also her duty to do so under the Treaty of 1846. The United States prevented her from performing her duty by the display of overwhelming force. In so doing our Administration violated the Treaty of 1846 and the principle of sovereignty as defined in international law.

In a time of profound peace (November 2, 1903), the United States forbade the actual sovereign to land troops to keep open the Isthmian transit and obstructed transit herself in its most sacred use, that of preserving territorial integrity. In a time of unsettled conditions (Novem-
ber 6, 1903), the United States ordered the de facto sovereign (Panama) to keep open Isthmian transit. On the latter date Secretary Hay telegraphed our Consul at Panama:

When you are satisfied that a de facto government, republican in form, and without substantial opposition from its own people, has been established in the State of Panama, you will enter into relations with it as the responsible government of the territory and look to it for all due action to protect the persons and property of citizens of the United States and to keep open the Isthmian transit in accordance with the obligations of existing treaties governing the relation of the United States to that territory.

We will now give a summary of the changes (de convenance) in the interpretation of the Treaty of 1846, for which the Roosevelt Administration is responsible. In 1857, as already seen, the United States informed New Granada, now Colombia, that it was her duty to keep Isthmian transit unobstructed and because she failed to do so, a disinterested tribunal was constituted to assess damages. This construction of the treaty remained in full force until some time after Roosevelt became President. Thereafter its construction altered as did the exigencies surrounding the title to the Canal Zone.

In 1903, from November 2 to November 6, the United States for the first time held that it was its
duty to keep the line of transit open and so forbade Colombia to land soldiers anywhere on the Isthmus to protect her sovereignty over the Province of Panama. Again in 1903, from November 6 and after, as just seen, the United States required Panama to keep the line of transit open. And yet there is no more honorable chapter in American history than this pernicious somersaulting in the construction of the Treaty of 1846!

If the obligation to keep Isthmian transit open was imposed on the new-born Government of Panama because of its having succeeded to the rights and duties of Colombia under the Treaty of 1846, then in the name of all that is sacred how could our Government honestly deny to Colombia the right and duty, under the same treaty, to comply with the same obligation? How could she deny to the *de jure* and the *de facto* sovereign on November 2, 1903, when peace prevailed on the Isthmus, what she imposed on the *de facto* Government (not sovereign) on November 6, 1903? "Consistency, thou art a jewel!"

The Treaty of 1857 between the United States and New Granada throws an interesting sidelight on the construction placed on the Treaty of 1846,
when title to the Canal Zone was not a disturbing factor. Transit across the Isthmus was obstructed in 1856. This treaty was negotiated for the purpose of enabling citizens of the United States to collect damages from New Granada by reason of this obstruction. The damages were demanded by the United States because it held that it was the duty of New Granada and not that of the United States to keep transit open. New Granada admitted that this was the correct construction of the Treaty of 1846. Article I of the Treaty of 1857 reads:

All claims on the part of . . . citizens of the United States upon the Government of New Granada . . . and especially those for damages which were caused by the riot at Panama on the 15th of April, 1856, for which the said Government of New Granada acknowledges its liability arising out of its privileges and obligation to preserve peace and order along the transit route.

It thus clearly appears from this treaty that it was held to be the duty of the sovereign to preserve peace and order along the line of transit; and because in this instance the sovereign was unable to preserve it as it had guaranteed to do, United States citizens claimed and collected damages. Could there have been a more solemn recognition by one country of the duty of another to keep open the latter's own line of transit?
Section 5 of Article XXXV of the Treaty of 1846 is so important that we quote it again. It reads:

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 in 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.

It required the aggrieved party to notify the other party of its grievance before using force. On November 2, 1903, when the Roosevelt Administration entered upon the dismemberment of Colombia, the United States had not notified Colombia of any fault or delinquency on her part in observing her treaty obligations. This omission in itself would have been a violation of this solemn compact, even though there had existed a bona fide grievance. But, as already stated, none worthy of mention existed. Our intervention in the secession of the Province of Panama rests on some other ground than grievance under the Treaty of 1846.

The de jure and de facto sovereign of the Isth-
mus had maintained, with almost negligible exceptions, unobstructed transit across the Isthmus for fifty-five years, the then lifetime of the Treaty of 1846. International law does not permit the destruction of sovereignty in order to prevent temporary interruption of transit. The Treaty of 1846 provided a method for its adjustment in case of interruption. More important, however, is the fact that civilization will suffer more from the violation of a treaty than from an interruption of traffic only temporary in character. The controlling fact, however, is that in 1903 there was no intention anywhere to interfere with Isthmian transit save at the White House, and that interference was aimed at the sovereign, Colombia. This is the contra of what was expected under the treaty. Under it one would have expected that if the weaker nation was temporarily incapable of a perfect fulfillment of its guarantee, the stronger nation would, upon request, lend assistance.

By the law of nations and the terms of the Treaty of 1846, Colombia, as the lawful successor of New Granada, was the sovereign peer of the United States. This being so the following from the pen of Leander T. Chamberlain is apropos:
Save for the main purpose of protecting free transit and thus safeguarding her own interests in such transit, the United States might no more land her forces on Colombia's soil, or even threaten such landing, than she might land her forces, or threaten to land them, on the soil of Russia or Japan.

Nor is even this the full measure of the restraint which the Executive of the United States was bound to recognize and respect. It has been conceded that the guaranteed neutrality and sovereignty had reference to foreign powers. But it is to be borne in mind that in guaranteeing Colombia's neutrality and sovereignty as against foreign powers, the United States distinctly decreed and surpassingly emphasized her own exclusion from acts of invasion. She determinately erected an impassable barrier against her own interference with Colombia's independent authority. And this, in the simple fact that she herself was a "foreign nation"! The treaty inhibition affected her, first of all. She virtually named herself in the guarantee; and the guarantor, being thus included in the inhibition, was, beyond all others, forbidden to violate its terms.

Hannis Taylor, an authority on international law and the history of diplomacy, makes the following observations concerning the Treaty of 1846 and its violation in 1903:

Thus by the most solemn guarantee known to the family of nations the United States pledged itself, by express contract, to respect and uphold the sovereignty of New Granada over the Isthmus of Panama, a plain duty already due to New Granada under the general principles of international law. In emergencies other than the disturbance of interoceanic transit or peril to the persons and possessions of American citizens, there might be no
intervention in the affairs of New Granada, reëstablished as the United States of Colombia in 1863. By the terms of the treaty, and by the principles of international law, Colombia, as the successor of New Granada, was the sovereign peer of the United States, which, save for the purpose of protecting free transit, might no more land forces on Colombian soil, or even threaten such landing, than she might land such forces on the shores of France or England. After a careful examination of the subject a competent expert has said that, during the 40 years that intervened between the establishment of Colombia in 1863 and the Panama imbroglio of 1903, United States forces were employed in only seven instances and for a total period of 164 days, and in each instance with Colombia’s approval. In no case was there fighting, the mere precautionary measures being sufficient.

In continuation of the foregoing we may appropriately observe that Colombia’s inherent sovereignty, whether guaranteed or not, would have given her a right paramount to the right of even her ally, the United States. In fine, in the emergency of self-preservation, the control of Isthmian transit was completely Colombia’s. In that case, the President of the United States was authorized to do no more than see to it that Colombia’s interruption of transit was neither wantonly imposed nor unreasonably prolonged. Only on proof of such wantonness or unreasonableness would there be just cause for offense. To hold otherwise would be to hold that, in our own Civil
War, foreign nations might have justly complained because our blockade of an insurgent coast rendered nugatory, for the time being, their long-standing right to navigate our ports and rivers.

The neutrality of the Isthmus guaranteed to New Granada by the Treaty of 1846 referred to foreign nations, as already stated. It was against interference by an outside government, interference which might, among other evil results, interrupt the transit from the one to the other sea. Similarly the guarantee of New Granada’s rights of sovereignty and property was with reference to an invasion by a foreign power, which might imperil the Isthmian transit. Since the paramount issue in the case of both the neutrality and sovereignty which the United States guaranteed was the safeguarding of the transit, there was a valid implication that the United States, on due occasion, would give aid to prevent interruption of transit from any source whatever, whether foreign or domestic. This had been the unbroken policy of the United States until Roosevelt became President, when the precedent was scrapped.

Worst of all is the fact that there was no revolution planned or projected on the Isthmus at the time. There was a movement to effect the seces-
sion of the Province of Panama provided the United States would agree to protect it. Without this assurance it was not to be attempted. It is thus clear that there was no need whatsoever of American marines on the Isthmus at that time. They were the revolution by the grace of our then President.

For the orders sent in the telegrams of November 2, 1903, and in those sent immediately thereafter, designed to prevent Colombia from landing troops within fifty miles of Panama on the west coast of the Isthmus, from landing troops anywhere on the east coast, and from moving the new contingent of troops already at Colon across the Isthmus, American history offers no counterpart and international law no sanction. There is nothing in American history resembling the *opera bouffe* revolution on the Isthmus in November, 1903, and it is to be doubted if there is anything in modern history resembling it. It was a *make-believe* revolution for the purpose of giving the appearance of respectability to the method employed to secure the Canal Zone. The United States prevented Colombia from doing what she was obligated to do under the Treaty of 1846 and what it had insisted on her doing theretofore. Moorfield Story well says:
Violation of Treaty of 1846

New Granada agreed to protect travelers across the Isthmus against interference, and to pay damages in case she failed. It was clearly her duty, and therefore her right, to use all force necessary for the purpose. In consideration of this, the United States agreed to help New Granada and not to act against her. It is impossible to torture language so as to find in the treaty any right on our part to prevent her keeping order and protecting travel on her own territory.

The rule laid down for the construction of treaties is that unless the treaty is so clearly drawn that no other conclusion is warranted it shall not be held that any government intended to surrender any control, or cede to another power any right of sovereignty within its jurisdiction. In this connection, the following excerpt from a speech of the late Senator Carmack is apropos:

We have protected the transit again and again, but never before was the claim made that we had a right to exclude Colombia from her own dominions. Never before was the claim made that we had the right under the Treaty of 1846 to support an insurrection against the authority of Colombia. You do not have to read the Treaty of 1846 to know that it contains no such preposterous provision. No nation on earth ever surrendered the right to protect its own soil and the integrity of its own domain with its own troops or surrendered to another government the right to prevent or to suppress an insurrection against its authority. No such thing can be found in the Treaty of 1846.

The language of the treaty speaks for itself.
On its very face it imports an engagement by the sovereign to protect the freedom of transit. It has been so construed by Presidents Polk and Cleveland; also, by Secretaries Seward, Fish, Bayard and Hay (1902). It has been twice construed by treaties—the Treaty of 1857 and the treaty which grew out of it because of unfinished work. The telegrams of November 2, 1903, and those of like import later reduced the Treaty of 1846 to a scrap of paper as ruthlessly as did the conduct of Germany reduce the Treaty of 1839.

It is clear that the right and duty of the United States were supplementary to those of the sovereign and did not supersede them. Our country's duty commenced only after the sovereign had failed to maintain transit uninterrupted. Then we could act only in cooperation with and at the request of the sovereign. It is clear that in the Treaty of 1846 the sovereign did not abate any of her rights and duties or subordinate any of them to those of the United States.

The only thing that there was wrong on the Isthmus at the time was the presence of our marines and their exercising military control over it for the purpose of excluding the representatives of the sovereign. That was nothing more and
nothing less than the conquest of the Isthmus in violation of the Treaty of 1846.

And yet we are told by the self-appointed apostle of righteousness:

We did harm to no one, save as harm is done to a bandit by a policeman who deprives him of his chance for blackmail.

What will be the verdict of history? It is our mature judgment that the following from the pen of an author unknown to the writer accurately forecasts it:

The policeman himself under the guise of friendship, he smote the innocent and plundered the defenseless!

What do other nations say of our rape of Colombia? The London *Graphic* stated at the time:

We regret exceedingly that President Roosevelt has allowed the fair name of his Administration to be smirched by a transaction so utterly at variance with the most elementary principles of public law and international morality. We cannot conceive a more lamentable outrage on the public conscience of the civilized world.

General von Bernhardi defends the rape of Belgium by pointing to our seizure of the Canal Zone by the display of overwhelming force. He is quoted by the New York *World* as saying:

Your seizure of Panama was only justifiable on the ground that the future interests of the American people
are higher and greater than the abstract principles of international law.

In its editorial on the above, this metropolitan journal appropriately observes:

Mr. Roosevelt did seize Panama, and by so doing we reduced our treaty with Colombia to a scrap of paper, but there has not been a day since that time when millions of Americans were not in protest, and there is pending at Washington a treaty calculated to right the wrong. . . .

With General von Bernhardi throwing our wanton aggression at the Isthmus in our faces, how many more sessions of the United States Senate must there be before that body will make the honorable amends that a great power owes to a weak and injured neighbor?

Baron von Hengelmüller, Austrian Ambassador to the United States in 1903, defends the rape of Belgium by pointing to the seizure of the Canal Zone by the United States. The New York World deals with it in an editorial as follows:

Nothing that has developed in the European war has stirred Colonel Roosevelt to such indignation as the violation by Germany of the neutral territory of Belgium. He has written and spoken frequently on this subject, always blaming the Administration at Washington for not instantly entering a protest, and sometimes even suggesting that the remonstrance should have been accompanied by shot and shell.

Let us grieve, therefore, that Baron von Hengelmüller, once Austrian Ambassador to the United States, now publishing the recollections of his American experience,
finds in all the annals of nations no such glorious justification of what Germany has done to Belgium as is to be had in the brief and simple record of what President Roosevelt did to Panama in 1903. He "took" it because he wanted it, and there was no nonsense about treaties or anything else. "The good of the state meant more to him than the letter of the law."

... The hair shirt thus presented to Colonel Roosevelt seems to us to be a snug fit, and we trust that he is having "a bully time" wearing it.

South American opinion, which we give in another chapter, is even more pronounced than the foregoing from the old world. Colombia rightly feels toward the United States as Belgium feels toward Germany.

Any violation of a treaty is a blot upon the character of the nation that is guilty. Its extent thereof is measured by the importance of the event. It always lowers a nation's plighted word. Ours is below par in Spanish-America because of this incident and will remain at a discount until we disown the act and recompense Colombia for loss of vested interests.

It is with nations as with men. Let a man go back on his word, and henceforth all men will sidestep when he makes overtures. We can only restore our promises to par by making reparation for past dereliction and by jealously keeping our
solemn engagements in the future. There are some prices which nations as well as individuals cannot afford to pay for success—our violation of the Treaty of 1846 is one of them.

James Bryce, who, among foreigners, stands foremost in the affection and esteem of the American people, wrote to President Thwing:

The awful calamity of a world-wide war, in which more than half of the human race are involved, compels us to study more earnestly than ever before the means by which war may be averted. Chief among these means are two. One is the maintenance of the faith of treaties as the guarantee of safety to small nations.

The other means is the setting up of arbitration as the proper method for settling international disputes. Your nation has led the world in this worthy cause; and both America and England have by their resort to this method set many examples and given many proofs of their belief in its value.

Let there be a revival in the keeping of the plighted word, in the observing of solemn engagements. America should lead the way by making reparation to Colombia for the violation of the Treaty of 1846 and for wresting from her her choicest province by the use of force.

American honor cannot be fully restored until such reparation is made to Colombia as an impartial tribunal would impose. Until reparation sat-
isfactory to Colombia is made we may invoke the solace of the poet who taught us:

Yea, and though we sinned and our rulers went from righteousness;
Deep in all dishonor though we stained our garment's hem;
Oh, be ye not dismayed,
Though we stumbled and we strayed;
We were led by evil counselors—the Lord shall deal with them.

The excerpts from the treaty itself, the construction placed on this treaty by all Administrations called upon to construe it, from Polk to Roosevelt, and the story of the opera bouffe revolution on the Isthmus as told in the previous chapter, conclusively show that the Treaty of 1846 and international law were ruthlessly violated in the fall of 1903 when our Administration "took" the Canal Zone so that construction of the canal might go on simultaneously with the debate in the Congress.

Treaties are the contracts of nations. Increase in the number of points of contact due to advancing civilization increases dependence of one nation on another. This increase in solidarity is embodied in treaties not enforcible by a sovereign. Maintenance of these treaties depends on the states which enter into them keeping the
plighted word. Collective well-being is advanced by keeping these solemn engagements and is retarded by their violation. We know that domestic well-being is enhanced by the maintenance of private contracts. Treaties are as important in international relations as contracts are in domestic. Therefore, they should be maintained inviolate. The United States should make reparation to Colombia for violation of the Treaty of 1846.

We have shown conclusively that our Administration in 1903 deliberately and willfully violated the Treaty of 1846 and the law of nations when it "took" the Canal Zone. In the next chapter we will show in detail that the Canal Zone was taken by force—stolen. The payment of $10,000,000 to the partner in crime and an annuity of $250,000 in perpetuity to the said partner does not clear the title of its stain.
Chapter VI

President Roosevelt "Took" the Canal Zone

The data of Chapter IV, which show that there was no real revolution on the Isthmus in the fall of 1903, also show that the Roosevelt Administration "took" the Canal Zone by force. The present chapter must, therefore, be viewed as merely supplementary to the earlier chapter. It views the event from a different standpoint.

In this chapter we undertake to point out in additional detail that Roosevelt "took" the Canal Zone by force. "Force" carries with it the idea of war. Did Roosevelt wage war against Colombia in the fall of 1903? If his own conception as to what constitutes war is correct, he did wage war against Colombia. His idea as to what constitutes war is found in an article published in the New York Times in the fall of 1914. The portion which is apropos reads:

An astonishing proof of the readiness of many persons to pay heed exclusively to words and not at all to deeds is supplied by the statement of the defenders of this Ad-
ministration that President Wilson has "kept us out of war with Mexico" and has "avoided interference in Mexico." These are the words.

The deeds have been: first, an unbroken course of more or less furtive meddling in the internal affairs of Mexico carried to a pitch which imposes on this nation a grave responsibility for the wrongdoing of the victorious factions; and, second, the plunging of this country into what was really a futile and inglorious little war with Mexico, a war entered into with no adequate object, and abandoned without the achievement of any object whatever, adequate or inadequate.

To say that we did not go to war with Mexico is a mere play upon words. A quarter of the wars of history have been entered into and carried through without any preliminary declaration of war and often without any declaration of war at all.

The seizure of the leading seaport city of another country, the engagement and defeat of the troops of that country, and the retention of the territory thus occupied for a number of months, constitute war; and denial that it is war can only serve to amuse the type of intellect which would assert that Germany has not been at war with Belgium because Germany never declared war on Belgium. President Wilson's war only resulted in the sacrifice of a score of American lives and a hundred or two of the lives of Mexicans; it was entirely purposeless, has served no good object, has achieved nothing, and has been abandoned by President Wilson without obtaining the object because of which it was nominally entered into; it can therefore rightly be stigmatized as a peculiarly unwise, ignoble and inefficient war; but it is war nevertheless.

The writer is not in sympathy with the contents of this quotation. It is given merely to justify the statement that the Canal Zone was taken by
force. The foregoing excerpt from the pen of Roosevelt warrants the conclusion that in ordering five men-of-war to Colon and four to Panama in the fall of 1903 to protect the secession of the Province of Panama he made war on Colombia. He has told us that it was done for the purpose of protecting transit by rail between Colon and Panama. But, as already indicated, he here merely uses words. There were no Isthmians under arms or prepared to bear arms. There was no interruption of transit impending excepting on the part of our marines.

Senator Newlands introduced a resolution in the Senate at the time which states the views of the writer. The portions of the resolution which are apropos read:

1. The instructions of the United States to its naval forces not to permit the landing of the Colombian troops on the Isthmus, and the intervention of the armed forces of the United States to prevent such landing and the use of the Panama Railroad, and the display of power and force which overawed Colombia and prevented her from defending her sovereignty over the Isthmus, and thus secured the secession of Panama and the dismemberment of Colombia and the creation of a new sovereignty in Colombia's territory, sustained and supported only by the armed forces of the United States, constituted a declaration and prosecution of a successful war upon the part of the United States against Colombia.

2. That such action constituted a breach of the Treaty
of 1846 in this, that it denied Colombia's sovereignty over the Isthmus of Panama, expressly acknowledged by the Treaty of 1846.

3. That it also violated the provision of the Treaty of 1846, which declared that neither of the two contracting parties should ordain or authorize any act of reprisal nor declare war against the other on complaint of injuries or damages until the party considering itself offended should have laid before the other a statement of such injuries or damages verified by competent proofs, demanding justice and satisfaction, and the same should have been denied in violation of the laws and of international right.

5. That the armed intervention of the United States, as aforesaid, was making war against Colombia upon the part of the President of the United States without the sanction of the Congress of the United States, and was in violation of the provisions of the Constitution which gives to Congress alone the power to declare war.

The section of the Constitution referred to by the Senator reads:

Congress shall have power: To declare war . . . and make rules concerning captures on land and water.

It will be recalled that we stated in Chapter IV that on November 2, 1903, there were no Isthmians under arms. A new contingent of Colombian soldiers was about to arrive in order to assist in repelling a mythical invasion to oppose which General Huertas had dispatched the loyal Colombian troops on the Isthmus. The prospective arrival of additional troops created consterna-
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tion among the separatists. They wired Bunau-Varilla in New York for help. He hastened to Washington. Our Administration sent the help immediately.

Our statement that there was no uprising contemplated on the Isthmus is contradicted by an official document. It is claimed certain army officers reported to Lieutenant-General Young what they saw as tourists on the Isthmus. The report is dated October 16, 1903. We are moved to ask if it is mere coincidence that this is the same date on which Bunau-Varilla gave Dr. Amador the assurance that the United States would protect secession within forty-eight hours after the Declaration of Independence? We will give the report of these officers as summarized by Roosevelt in his message to Congress dated January 4, 1904:

That while on the Isthmus they became satisfied beyond question that, owing largely to the dissatisfaction because of the failure of Colombia to ratify the Hay-Herran treaty, a revolutionary party was in course of organization having for its object the separation of the State of Panama from Colombia, the leader being Dr. Richard Arango, a former governor of Panama; that when they were on the Isthmus arms and ammunition were being smuggled into the city of Colon in piano boxes, merchandise crates, etc., the small arms received being principally the Gras French rifle, the Remington, and the Mauser; that nearly every citizen in Panama had some sort of rifle or gun in his possession, with am-
munition therefor; that in the city of Panama there had been organized a fire brigade which was really intended for a revolutionary military organization; that there were representatives of the revolutionary organization at all important points on the Isthmus; that in Panama, Colon, and the other principal places of the Isthmus police forces had been organized which were in reality revolutionary forces; that the people on the Isthmus seemed to be unanimous in their sentiment against the Bogotá Government, and their disgust over the failure of that Government to ratify the treaty providing for the construction of the canal, and that a revolution might be expected immediately upon the adjournment of the Colombian Congress without ratification of the treaty.

This report is intended to prove that the Isthmus was "seething with revolution." Does it prove it? Or, is the report an invention? Let us see! A report reaches the Isthmus that some two hundred Colombian soldiers will arrive about November 3. It had been planned to declare independence the following day. Do they prepare to deal with the unwelcome troops on arrival? No! The request goes to Washington for help. Help arrives on November 2. The telegram calling for help is of record. It shows that there was not sufficient preparation on the Isthmus to deal with the expected two hundred fresh Colombian troops. Does this confirm the report of the officers just quoted? "Seething with revolution,"
yet shrieking for help to deal with a few fresh Colombian soldiers!

The scheme required that the impression prevail throughout the United States that the Isthmus was "seething with revolution." A so-called report of the two army officers is placed on file for the purpose of showing it. Later events show that these officers could not possibly have seen on the Isthmus what they stated in the report. This at once arouses suspicion as to the source of the report and the purpose of it. It was clearly designed for the purpose of justifying the disposition of the fleet. Numerous men-of-war were in striking distance of the Isthmus. Why this disposition of the fleet? To prevent Colombia from interfering with the secession movement.

It is stated in Roosevelt's message of January 4, 1904, that these army officers were on the Isthmus as tourists. The files of the war department show that they were on the Isthmus for the purpose of taking a military inventory for the use of our army should the taking of the Canal Zone lead to war. As the occasion for their being on the Isthmus is not correctly stated in the message in question, one is warranted in scrutinizing the foregoing excerpt from it.
If the excerpt correctly stated Isthmian preparations, why did not a motley array of insurgents rush to the assistance of alleged imperilled Americans at Colon on November 4, 1903? Why did not the revolutionary police force of Colon come forward? Was it only a paper organization? Why was not the trained and equipped fire department (441 revolutionists in disguise!) of Panama rushed to Colon to fight for freedom's cause? Why did not insurgents pour in from the country around as in the days of Bunker Hill? None of these things happened. It was not on the tapis that they should happen. It was, however, the day on which the Isthmus became free from Bogotá rule. It was the day on which they are alleged to have declared themselves independent. Yet no one rushed forward to protect the American men, women and children when threatened with being killed as described by Roosevelt, though they were innocent of any intent to wrong Colombia. Not one rushed to the side of the forty-two gallant American marines.

The American marines were on hand for the purpose of protecting secession. The entire revolution as planned and executed was on our gunboats. Had not the White House "seethed with revolution," the ripple on the Isthmus, created by
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a handful of financial and political adventurers, would have sunk into a state of innocuous desuetude without even the sword being drawn in freedom's cause. The report, summarized in the excerpt, appears to be a frame-up. It does not ring true. It was conceived by amateurs. It is predicated on a degree of intelligence on the Isthmus that does not obtain anywhere in the world in a rural community or any other community. It is another striking evidence that history cannot be manufactured. It can only be recorded.

As already indicated, three provinces did not succeed in the three years' revolution of 1899-1902. Now we are asked to believe that one of them planned a serious uprising less than twelve months thereafter. It carries with it its own refutation.

Who paid for the munitions of war that were smuggled into Colon, according to the excerpt, for distribution on the Isthmus? Read Bunau-Varrilla's account. There were none worthy of mention received or distributed. We have already shown that no such preparations for an uprising on the Isthmus were made or could have been made.

We have direct knowledge as to the extent and
character of Isthmian preparedness. It is found in part in the following excerpts from the testimony of Mr. Hall before the Committee of Foreign Affairs of the House of Representatives:

In the cable codes you will find a provision for the sending of 50 revolvers of small caliber which the members of the fire department were to use in their early morning arrests of any citizens loyal to Colombia. . . .

The secret cable code between Amador and Bunau-Varilla and Joshua Lindo . . . tends strongly to corroborate the testimony of various Panamans that, so far as they knew, no arms, except 50 revolvers, were bought by Amador or his agent, Bunau-Varilla.

It is to be noted that the Colombian garrison at Panama under General Huertas transferred its allegiance in a body to the new government, those loyal to Colombia having been dispatched to repel a mythical invasion from the north. This carried with it the transfer of the military supplies in the barracks. Rear Admiral Glass speaks of the preparedness of this garrison and of Isthmian preparedness in his report, dated November 16, 1903, as follows:

They are well armed with the Gras 45-caliber rifle, and are believed to have plenty of ammunition. As to the number of troops the Government of Panama could place in the field in the event of hostilities, the information received varies greatly, but it is probable that while between 2,000 and 3,000 men are available, only 600 could at present be furnished with good arms. In this connec-
tion, however, it is understood that a plentiful supply of arms and ammunition has been purchased and is expected to arrive shortly.

The information contained in the excerpts from official reports already mentioned corroborates and is corroborated by the following:

The witnesses called to testify in Panama swore that no money was supplied before the revolution, and that the arms on which they depended in the event of being compelled to fight for their independence were none other than those in the barracks belonging to the Colombian Government, and that none were imported.

It is only necessary to quote in addition to the foregoing excerpts from official reports, a paragraph from an able article by Henry C. Granger which appeared in the Independent on August 17, 1911, in order to dispose of the rubbish contained in the report of the officers. It reads:

*In view of the official telegrams quoted, it is not necessary to say either when, or in presence of whom, or what United States naval officer at the Isthmus during the “secession” told me that “the Panamanians were a set of sheep; our boys had to do it all.”*

The condition of affairs reported to have existed on the Isthmus as of October 16, 1903, by the army officers as described in the quotation from Roosevelt are also contradicted by later events. When words and later events conflict it
is the words and not the events which suffer. The cautious investigator goes back of this report, and ascertains from other sources its truth or falsity. It has earmarks which show that it was invented. The desire for such a report must have been the inspiration and the guide of its authors.

The report was necessary for home consumption. It has been given such extensive publicity that it has created a domestic atmosphere at variance with truth. As has been shown, from the Isthmus came divers creditable newspaper and other reports which are of different import. The utterances of the inner circle of separatists (and they knew the facts) are also of a different tenor. The report is not only not corroborated but is buried under an avalanche of adverse observations. The adverse observations match with established facts while the report does not.

The writer rejects the report of the army officers quoted by Roosevelt. When it is compared with the creditable newspaper reports already quoted in this volume and other reliable data, it looks like a crude invention. Roosevelt uses it to defend his Isthmian policy in his article entitled, "The Panama Blackmail Treaty," from which we take the following:

After my interview with the army officers named, on
October 16 I directed the Navy Department to issue instructions to send ships to the Isthmus so as to protect American interests and the lives of American citizens if a revolutionary outbreak should occur. Most fortunately the United States steamer Nashville, under Commander Hubbard, in consequence of these orders, reached the Isthmus just in time to prevent a bloody massacre of American men, women and children. Troops from Bogotá had already been landed in Colon on November 3, when the revolution broke out on the same day. On November 4, as Commander Hubbard officially reported, his marines were landed, in view of the fact that the American Consul had been notified by the officer commanding the Colombian troops that he intended to open fire on the town of Colon at 2 p.m. and kill every United States citizen in the place. Accordingly various men, women and children took refuge first in the shed of the Panama Railway Company, and then on a German steamer and a Panama Railway steamer which were at the dock. Commander Hubbard showed himself loyal to the best traditions of the American Navy. He brought the Nashville close up to the waterfront, landed some of his men to garrison the shed of the Panama Railway Company, and although the Colombians outnumbered him ten to one, succeeded in protecting the lives of the American citizens who were menaced. Thanks to the firmness of himself and his men, he so impressed the Colombian commander that next day the latter reëmbarked and withdrew with his troops to Colombia. So far from there having been too much foresight about the treaty on the part of the American Government, this plain official account by a naval officer of what occurred on November 4 showed that the American Government had, if anything, delayed too long its orders for the movement of American warships to Panama, and that it was only the coolness and gallantry of forty-two marines and sailors in the face of ten times their number of armed foes that prevented the carrying
out of the atrocious threat of the Colombian commander. In accordance with our settled principles of conduct we refused to allow the transportation of troops across the Isthmus by either the Colombians or the Panamanians, so as to prevent bloodshed and interference with traffic.

There are ill-defined rumors of things that Dewey threatened to do in Manila Bay under less trying circumstances and under less provocation than those to which Colonel Torres of the Colombian expeditionary force was subjected on the occasion described in the quotation just given. Colonel Torres was bluntly informed that the Province of Panama had seceded from Colombia, and that the United States had guaranteed to protect secession. He was urged to reëmbark his troops, on the ground that he was confronting overwhelming force. If he did actually threaten Americans in Colon, it was under the greatest of provocations. He was requested to submit to, and acquiesce in, Colombia's dismemberment.

The information of the threat on the part of Colonel Torres was conveyed to the American consul at Colon by the provisional governor of the province in which Colon is located and was not sent, or intended to be sent, to the consul by the officer commanding the Colombian troops, as Roosevelt asserts in the foregoing quotation.
Teague, a newspaper man, wrote about it at the time:

It was at this juncture that Governor Melendez executed a little coup of his own to which American intervention is directly traceable. Melendez invited Colonel Torres, the Colombian commander, to meet him in conference at the Hotel Washington.

Employing all his persuasive abilities, Melendez urged Colonel Torres to reembark his troops and sail away, leaving the Isthmus to pursue its own course. This line of argument only increased Torres' bitterness. He became more defiant, even bombastic, and at 12:30 made a vehement threat that if Generals Tovar and Amaya were not given their liberty by 2 o'clock he would turn his battalion loose and slaughter every American in Colon.

The threat against Americans domiciled in Colon was only a conditional bluff, and warranted under the circumstances. Roosevelt does not correctly state the situation. He seemingly forgets, in season or out of season, that half-truths are more misleading than falsehoods. Colonel Torres only demanded the release of the Colombians unlawfully imprisoned at Panama by the local authorities with the moral support of the American Government. What more natural than that he should have moved heaven and earth to free his colleagues? Who would not have resorted to a bluff—even such a one as Colonel Torres is charged with? It was an honorable bluff. No
harm was done. The harm that is done consists in the deception of the American people. Scott, in his book entitled "The Americans in Panama" has properly said:

The Colombian troops on November 4th might have wiped out the American defense in Colon, swept over to Panama and crushed the Junta and street mob there, and so have summarily preserved sovereignty over the territory. And had it done all this, it would have been squarely within its rights as a sovereign nation. But they knew that such a triumph would be transient. They realized it would bring down upon Colombia the whole devastating force of the mighty United States which the Spanish-American War so recently had shown was something truly to be feared. Hence, their withdrawal was prudent, though humiliating.

As already stated, the presence of the Nashville determined the separatists to proceed with secession. Its presence was for the purpose of giving tangible evidence that the United States had promised to protect secession. Therefore, had the Nashville not been at Colon, there would have been no provisional government or provisional governor at Colon. Its presence could not have been used as evidence that the United States was back of secession and so there would have been no occasion for the threat made by Colonel Torres. The Nashville did not prevent the murder of American men, women, and children, as Roose-
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velt alleges, but provoked the discord that occurred on the Isthmus. The Nashville prevented nothing—it induced secession. It was intended to do so. It was at Colon for that purpose.

We will now sidestep the consideration of the report of the army officers to present a record of what occurred at conferences after the return of Dr. Amador to the Isthmus on October 27, 1903. This record is taken from the testimony of Henry N. Hall of the New York World before the Committee on Foreign Affairs of the House of Representatives. It shows that the so-called revolution was to be on our gunboats and that the Roosevelt Administration had determined to take the Canal Zone by force under the pretext of quelling an Isthmian uprising. The portions of the testimony that are apropos follow:

Amador, accompanied by Prescott, immediately went over to Panama. On the way over Amador told Prescott that everything was settled and that all the arrangements had been completed through Bunau-Varilla, who had promised to have American warships on hand to protect the revolutionists after they had declared their independence. Amador expressed to Prescott his most implicit confidence in the fulfillment of Bunau-Varilla's promise and did not seem to apprehend any doubts or hesitation on the part of his fellow conspirators. It had been decided that on Amador's arrival in Panama the revolutionary committee should meet the same evening
at Federico Boyd's house on the Cathedral Plaza and receive Amador's report.

The meeting of the conspirators was held at Federico Boyd's house at 7 o'clock on the evening of the 27th. At it there were present all the members of the revolutionary committee, with the exception of Espinosa and Obarrio. Mr. Prescott was the only American present. Doctor Amador had outlined to his fellow conspirators the plan agreed upon between Bunau-Varilla and the authorities in Washington, which was to declare independent only the Canal Zone and the cities of Panama and Colon, and the United States warships and marines would be both at Colon and Panama to prevent the Colombian forces from attacking the Panamans, and that as soon as the government could be formed the United States would recognize the independence of Panama, which was to take its place among the nations of the world as the "Republic of the Isthmus."

Amador then showed his fellow conspirators the flag of the new Republic. It was merely a silk American flag . . . with the jack cut out, and in its place, on a blue silk ground, two white stars joined by a narrow strip of white ribbon, symbolical of the canal. It had been designed by Madam Bunau-Varilla.

When Amador pulled out this flag the impatience and disappointment of his hearers, which had been growing steadily throughout the narration, found vent in disapproval of the proposed emblem, which was declared to be too much like the American flag.

These Panamans really thought that Doctor Amador was coming back to them with some secret treaty signed by Mr. Hay or President Roosevelt, and the discussion of the merits of the emblem was interrupted by Ricardo Arias. . . . He made a strong speech in which he ridiculed and denounced the plan to declare independent only
the narrow strip of land in the vicinity of the canal. He pointed out that he, in common with all the other substantial men of Panama, had large estates and cattle interests throughout the entire department, and that they would all be ruined if their property was not protected from the Colombians. His remarks met with unanimous approval, and it was then and there agreed that if the movement were to take place at all, it must extend to the whole State of Panama.

... 

It was then decided by the conspirators to send men into the interior to initiate the revolutionary propaganda, which until then had been confined solely to those few people in the City of Panama, and was not even known to the men who later led the movement in Colon, and to let the other towns know that a movement was in progress. Amador said that the proposal that he had laid before them was only what had been urged by Bunau-Varilla. He did not want to tell his fellow conspirators he had agreed to sacrificing their interests. Mr. Bunau-Varilla says that Amador had agreed they should only declare independent the 50-mile strip, but Doctor Amador told his fellow conspirators—and they are all agreed on this point—that pledges given by the American Government in Washington to Mr. Bunau-Varilla were such that no Colombian troops would be allowed to attack the Panamans anywhere after they had once declared their independence, and that the agreement with the American authorities was such as to cover whatever action they might take, if they declared a larger or smaller portion of the Isthmus independent. Thomas Arias and Federico Boyd, two of the Junta, however, voiced the uneasiness of the conspirators, who, with the exception of Prescott, had expected that Amador would bring back with him some secret treaty signed by the United States. They were, on the whole, much disappointed, and said so in unmistakable terms, because Amador had absolutely
nothing to show them in writing from either Mr. Roosevelt or Mr. Hay.

This quoted testimony further shows that our forces were to be the revolution. Our compensation was to be an untrammeled title to the Canal Zone. Yet we are told that the Isthmians longed to fight for freedom. Note the following from a message of Roosevelt, quoting a native:

We looked upon the building of the canal as a matter of life or death to us. We wanted that because it meant, with the United States in control of it, peace and prosperity for us. President Marroquin appointed an Isthmian to be governor of Panama; and we looked upon that as of happy augury. Soon we heard that the canal treaty was not likely to be approved at Bogotá; next we heard that our Isthmian governor, Obaldia, who had scarcely assumed power, was to be superseded by a soldier from Bogotá. . . .

Notwithstanding all that Colombia has drained us of in the way of revenues, she did not bridge for us a single river, nor make a single roadway, nor erect a single college where our children could be educated, nor do anything at all to advance our industries. . . . Well, when the new generals came we seized them, arrested them, and the town of Panama was in joy. Not a protest was made, except the shots fired from the Colombian gunboat Bogotá, which killed one Chinese lying in his bed. We were willing to encounter the Colombian troops at Colon and fight it out; but the commander of the United States cruiser Nashville forbade Superintendent Shaler to allow the railroad to transport troops for either party. That is our story.

So an Isthmian tells us: "We were willing to
Roosevelt took the Canal Zone.

Encounter the Colombian troops at Colon and fight it out. Is this bemoaning of a cruel fate sincere?

Transportation of Colombian soldiers was prevented by the Commander of the Nashville! They could have met the Colombian troops at Colon if they had refrained from sending for help. This help was asked for on October 29, 1903, and dispatched to Colon on October 30. At the time help was asked, there was no Nashville at Colon to prevent the transit of troops from Panama to Colon. It arrived on November 2, 1903, and was asked for in order to do just what it did. The Isthmians were not prevented from fighting it out with the new contingent of Colombian soldiers. They asked for American gunboats to do it. The Nashville and eight others were sent there for the purpose. When the cry for help reached Bunau-Varilla on October 29, he hastened to Washington. Forthwith help was speeding to Colon. Prevented from fighting it out with the Colombian troops at Colon!

Of course we are not expected to see the staging of the play (vaudeville performance) that was acted far from home — on the Isthmus. It was intended to hoodwink the American people. Light is, however, dawning and we are seeing the episode as it really was.