CHAPTER XI

AMERICAN POLICY IN PANAMA

THE policy of the American Government toward the Panama revolution was severely criticised in two quarters: to wit, by Colombians, and by a certain class of partisan opponents of the administration in the United States. By the world at large it was generally approved. That such approval was deserved should be evident to all who regard the matter impartially, logically, and with a proper historical perspective. The major part of criticism has been directed against the orders to our naval forces, which have been said to have prevented, and to have been intended to prevent, the Colombian Government from suppressing rebellion. (The charge that the revolution was conceived and planned in this country, "in the shadow of the Capitol at Washington," with the connivance of our Government, is too absurdly false to require attention. The indisputable facts of the record completely disprove it, and show it to have had its origin in nothing better than either ignorance or malignance.) The orders in question were, however, based upon long-established treaty rights and duties, and were consistent with the policy and practice of our Government for more than a half century before. I have already indicated that the sending of the *Nashville* to Colon on November 2 was a mere repetition of what had been done before several times, whenever there seemed to be need of protection to American interests there. It was perfectly well known, not only to the Government but to the general public, that a revolution was imminent on the Isthmus, and that Colombian troops were on their way thither to suppress it. In such a case, the lives and property of Americans were sure to be

endangered, and free transit on the railroad to be interrupted. Certainly it was incumbent upon the Government to take prompt steps to prevent such wrongs, rather than to wait until they were committed and then vainly try to undo or savagely to avenge them. What was the order to the commander of the *Nashville?* It was identical with that sent on the same day, November 2, to the commanders of the *Boston* and the *Dixie,* and ran as follows:

"Maintain free and uninterrupted transit. If interruption threatened by armed force, occupy line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other point."

That amounted simply to an order to maintain our treaty rights and to fulfil our treaty obligations, concerning transit on the Isthmus, and it was directed against the Panaman revolutionists as much as against the Colombians. Neither party was to be permitted to interfere with the free working of the railroad. Neither was to be permitted to land armed forces with hostile intent at the terminals of the railroad, where they would certainly convert the road into a theatre of hostilities, or at any other point—such as Porto Bello—from which their sole purpose would be to march against the railroad and interrupt traffic. On the same day this order was sent to Rear-Admiral Glass at Acapulco, directing him to proceed at once to Panama with all available forces.

"Maintain free and uninterrupted transit. If interruption threatened by armed force, occupy line. Prevent landing of any armed force either government or insurgent, at any point within fifty miles of Panama. If doubtful as to the intent of any armed force, occupy Ancon Hill strongly with artillery. Government force reported approaching the isthmus in vessels. Prevent their landing, if in your judgment landing would precipitate a conflict."

As before, the object was to maintain our treaty rights and fulfil our treaty obligations. It is true, the order was

calculated to prevent Colombia from sending troops to suppress the insurrection. But if Colombia had exercised reasonable prudence, she would have sent an army thither many weeks before, when the revolution was first openly threatened. Then she would have had it on the ground, for ready use. But since she did not do so, but deliberately elected to wait until the revolution was an accomplished fact, the United States was not required to let her violate our treaty rights for the vindication of her own neglected and practically abandoned authority. Again, on November 4, the commander of the *Nashville* was ordered to send a battery across to Panama, to compel the Colombian gunboat to stop bombarding that city—an order which was perfectly proper, since such bombardment would have interrupted free transit of the Isthmus, but which it was not necessary to execute, since the *Bogotá* did not resume the bombardment after the firing of three shells the evening before. I have already mentioned the order not to permit the railroad to be used for military purposes. Nothing could have been more proper than that, for it was obvious that if either party were permitted to make such use of the road, the other party would have a right to attack it, and the free use of the road for peaceful transit, guaranteed by the United States in the Treaty of 1846, would have been interrupted. On November 9 this order was sent to the commander of the *Boston* at Panama:

"Sufficient force must be sent to watch movements closely of the British steamers seized at Buenaventura, and to prevent the landing of men with hostile intent within limits of the State of Panama."

At that time the Panaman revolution had been fully accomplished. The Provisional Government was at work, efficiently performing its functions, and had been recognised by the United States. Colombia had become a foreign power. Under the Treaty of 1846 the United States was bound to guarantee the Isthmus against oppression by any foreign

Power. Therefore it ordered the protection of the Isthmus against Colombian invasion. It may be said—it has been said—that such construction of treaty obligations was strained and unreasonable, and that in forbidding Colombia to attempt the reconquest of Panama this country was acting without warrant in international law. That is not to be conceded. But even if, for sake of argument, it were to be conceded, what would it prove? Nations do not wait for warrants in international law when their own welfare is jeoparded. Self-preservation or self-defence is proverbially declared to be "nature's first law." It is that, for states as well as for individuals. There was no "warrant in international law" for our Declaration of Independence. There was none for the conduct of Jay, Adams, and Franklin in 1783, in making a treaty in direct violation of the instructions under which they were commissioned. There was none for Jefferson's dictum, that if France would not sell Louisiana to us, we must take it from her by force; or for Monroe's similar policy toward Spain in Florida. There was none for our long-maintained policy forbidding Spain to do as she pleased with Cuba. There was none for John Quincy Adams's warning to the Russian Government to relinquish its holdings upon this continent, or for the Monroe Doctrine which logically followed. There was no legal sanction for the conduct of the United States in warning Great Britain and France to quit Hawaii and in ordering France out of Mexico. It may be, of course, that the United States sinned in all these things. If so, then it kept on sinning in the same way in Panama. But if it did not sin in them, neither did it when it pursued the same policy in Panama.

The question of our Government's policy in Panama is, as the term implies, a question of policy. It is not a question of executive details, because there were no such details concerning which, *per se*, any material question could be raised. There was no waging of war. There was no slaughter. There were no torturings nor imprisonments. There was no

arbitrary overthrowing of an established government. All that was done was to exercise the moral influence of a definite and peaceful policy.

Our policy was justified, and indeed made necessary, by domestic obligations. Congress had directed the President to construct a canal at Panama, rather than at any other point. We need not stop to consider why Panama was chosen. That was a matter of congressional enactment, not of administrative policy. The question of route had been discussed, with a wealth of investigation and detail, for many years. Whether wisely or not, and whether for adequate or inadequate reasons, Congress finally declared, explicitly and unequivocally, in favour of Panama. The President had to obey that mandate. There was no alternative, save in case of his inability to make satisfactory terms within a reasonable time. The President promptly proceeded to do the work prescribed by Congress. He made terms, which the Senate accepted as satisfactory, for the construction and control of the canal. He was himself the sole judge of what was a "reasonable time" in which to make such terms. That time proved to be something less than a year and a half, and it was approved as "reasonable" by the Senate. Thus far, then, the President scrupulously obeyed the law.

But it is said that the law directed him to make his terms with the Colombian Government, and that, instead, he made them with Panama. It is true that Congress mentioned the Colombian Government as the one with which he was to negotiate. Obviously, that was because it was at that time the sovereign of Panama. But it is equally obvious that Congress meant not that government, *per se,* but whatever lawful government the President might find in possession of the Isthmus. That is because (a) the Congress of the United States could not guarantee that President Marroquin's or any special Colombian Government would remain in power at Panama, nor give the President any assurance of what government he would find there when he made the treaty;

and because (b) it did not say that if a change of government should occur upon the Isthmus before a treaty could be made, he should abandon Panama and go elsewhere. The prescription had reference to the place, rather than to the power. It was geographical rather than political. As the President himself wrote in his annual message of December 7, 1903:

"When the Congress directed that we should take the Panama route under treaty with Colombia, the essence of the condition, of course, referred not to the government which controlled that route, but to the route itself; to the territory across which the route lay, not to the name which for the moment the territory bore on the map. The purpose of the law was to authorise the President to make a treaty with the power in actual control of the Isthmus of Panama. This purpose has been fulfilled."

The President then made satisfactory terms, within a reasonable time, and he made them with the actual government of the Isthmus of Panama. He obeyed the law of Congress in letter and in spirit. So far as domestic obligations were concerned, his policy was just and equitable.

Our policy was also justified by our legal obligations to Colombia. Our Treaty of 1846 with New Granada guaranteed to New Granada (or Colombia) "the perfect neutrality" of the Isthmus of Panama, "with the view that the free transit from the one to the other sea may not be interrupted or embarrassed," and also guaranteed "the rights of sovereignty and property which New Granada has and possesses over the said territory." It was perfectly understood, and was specifically and repeatedly declared, that this guarantee was solely against alien aggression, and was not to be interpreted as promising protection against domestic revolution or as assuring the perpetuity of the same domestic system of government that then existed. "The purpose of the stipulation," wrote Mr. Secretary Seward on November 9, 1865, "was to guarantee the Isthmus against seizure or invasion by a foreign Power only. It could not have

been contemplated that we are to become a party to any civil war in that country by defending the Isthmus against another party." As a matter of fact, there were several revolutions in Colombia after the making of that treaty, to none of which was the United States a party, and none of which in any way affected the force of the treaty.

An impressive presentment of this phase of the case was made by President Roosevelt in his annual message of December 7, 1903. Writing of the Panama revolution and its incidents and the conduct of the United States, he said:

"When these events happened, fifty-seven years had elapsed since the United States had entered into its treaty with New Granada. During that time the governments of New Granada and of its successor, Colombia, have been in a constant state of flux. The following is a partial list of the disturbances on the Isthmus of Panama during the period in question as reported to us by our consuls. It is not possible to give a complete list, and some of the reports that speak of 'revolutions' must mean unsuccessful revolutions:

"May 22, 1850—Outbreak; two Americans killed; war vessel demanded to quell outbreak.

"October, 1850—Revolutionary plot to bring about independence of the isthmus.

"July 22, 1851—Revolution in four southern provinces.

"November 14, 1851—Outbreak at Chagres. Man-of-war requested for Chagres.

"June 27, 1853—Insurrection at Bogotá, and consequent disturbance on isthmus. War vessel demanded.

"May 23, 1854—Political disturbances; war vessel requested.

"June 28, 1854—Attempted revolution.

"October 24, 1854—Independence of isthmus demanded by provincial legislature.

"April, 1856—Riot, and massacre of Americans.

"May 4, 1856—Riot.

"May 18, 1856—Riot.

"October 2, 1856—Conflict between two native parties. United States forces landed.

"December 18, 1858—Attempted secession of Panama.

"April, 1859—Riots.

"September, 1860—Outbreak.
"October 4, 1860—Landing of United States forces in consequence.
"May 23, 1861—Intervention of the United States forces required by Intendente.
"October 2, 1861—Insurrection and civil war.
"April 4, 1862—Measures to prevent rebels crossing isthmus.
"June 13, 1862—Mosquera's troops refused admittance to Panama.
"March, 1865—Revolution and United States troops landed.
"August, 1865—Riots; unsuccessful attempt to invade Panama.
"March, 1866—Unsuccessful revolution.
"April, 1867—Attempt to overthrow the government.
"August, 1867—Attempt at revolution.
"July 5, 1868—Revolution; provisional government inaugurated.
"August 29, 1868—Revolution; provisional government overthrown.
"April, 1871—Revolution; followed apparently by counter-revolution.
"April, 1873—Revolution and civil war which lasted to October, 1875.
"August, 1876—Civil war which lasted until April, 1877.
"July, 1878—Rebellion.
"December, 1878—Revolt.
"April, 1879—Revolution.
"June, 1879—Revolution.
"March, 1883—Riot.
"May, 1883—Riot.
"June, 1884—Revolutionary attempt.
"December, 1884—Revolutionary attempt.
"January, 1885—Revolutionary disturbances.
"March, 1885—Revolution.
"April, 1887—Disturbances on Panama Railroad.
"November, 1887—Disturbance on line of canal.
"January, 1889—Riot.
"January, 1895—Revolution which lasted until April.
"March, 1895—Incendiary attempt.
"October, 1899.—Revolution.
"February, 1900, to July, 1900—Revolution.
"January, 1901—Revolution.

"July, 1901—Revolutionary disturbances.
"September, 1901—City of Colon taken by rebels.
"March, 1902—Revolutionary disturbances.
"July, 1902—Revolution.

"The above is only a partial list of the revolutions, rebellions, insurrections, riots, and other outbreaks that have occurred during the period in question; yet they number fifty-three for the fifty-seven years. It will be noted that one of them lasted for nearly three years before it was quelled; another for nearly a year. In short, the experience of over half a century has shown Colombia to be utterly incapable of keeping order on the isthmus. Only the active interference of the United States has enabled her to preserve so much as a semblance of sovereignty. Had it not been for the exercise by the United States of the police power in her interest, her connection with the isthmus would have been sundered long ago. In 1856, in 1860, in 1873, in 1885, in 1901, and again in 1902, sailors and marines from United States warships were forced to land in order to patrol the isthmus, to protect life and property and to see that the transit across the isthmus was kept open. In 1861, in 1862, in 1885, and in 1900 the Colombian government asked that the United States Government would land troops to protect its interests and maintain order on the isthmus."

The United States held strictly aloof from all of these proceedings, so far as politics were concerned. The Treaty of 1846, however, gave this country the right to preserve peace and freedom of transit across the Isthmus, and was consistently interpreted and understood as giving us that right, even to the extent of intervening in local Colombian affairs and preventing either party in a domestic war from making belligerent use of the line of transit. Thus, to quote Mr. Seward again, while the United States would take no interest in any internal revolution in the State of Panama, it would hold itself ready "to protect the transit trade across the Isthmus against either foreign or domestic disturbance of the peace of the State of Panama." Note that it was not the sovereignty of the Bogotá Government, but "the transit trade across the Isthmus," that the United

States was ready to protect against domestic disturbance; leaving it to the people of Colombia and Panama to determine whether Panama should be governed at Panama or at Bogotá.

Note also that the United States was to protect that transit trade "against domestic disturbance of the peace." How would it have been possible to do that if either of the domestic belligerents had been permitted to use the railroad as a base of military operations and thus to involve it in acts of war? The only effective fulfilment of the treaty was in protection of the road from attack, or even belligerent use, by either faction. Such protection was repeatedly given, to the extent of forbidding either the Colombian Government or the insurgents to use the railroad as an engine of war. That was what was done in November, 1903. The President protected the transit trade of the Isthmus against "domestic disturbance of the peace of the State of Panama," regardless of whether the menace of disturbance proceeded from Colon or from Bogotá.

It cannot justly be charged that the United States, while insisting upon free transit across the Isthmus for itself, prevented Colombia from enjoying it. The United States never but once—and that was not in November, 1903—forbade the Colombian Government to make non-belligerent use of the railroad, and it did so only through a subordinate functionary, who was promptly overruled by the Washington Government. All that it did prohibit was such conversion of the railroad into an engine of war as would interrupt free transit across the Isthmus and subject the road itself to destruction. That the intention of the Treaty of 1846 was to exempt the road from such belligerent use seems obvious and indisputable.

Mr. Secretary Hay set forth this phase of the case with epigrammatic force when he described the treaty as a covenant which "ran with the land." The application of the treaty was geographical rather than political. The United States had no right to say what government there should be

in Colombia, save that the domestic government should not be oppressed or overthrown by a foreign power. But it had the right to say that whatever government there was should fulfil its treaty obligations in the maintenance of free transit across the Isthmus. It had the right to say that such freedom of transit should not be interrupted by rebellion arising at Panama or Colon, and equally that it should not be interrupted by government coercion from Bogotá. It had, finally, the right to say, as it did say, that after she had practically relinquished Panama to the control of its own people and they had restored peace and established an orderly government of their own, Colombia should not reinvade that state for the purpose of waging war and interrupting commerce.

If it be said that this barred Colombia from using her sovereign power and resources for the performance of some of the supreme functions of government: to wit, the suppression of rebellion and the maintenance of national integrity, the answer is that she should have thought of that before she made the treaty. Unquestionably she did, in making that treaty, to a certain extent abrogate and relinquish her sovereignty over the Isthmus of Panama. She did so in return for a *quid pro quo*, which then seemed to her adequate, and which, in the event, proved for many years not only to be adequate, but to put the balance of advantage upon her side of the account. Having thus enjoyed the benefits of the treaty for half a century, it was not lawful for her to evade its obligations or to repudiate its penalties. The United States, having fulfilled its duties toward her, in protecting her from alien oppression, was amply justified, legally, in exacting from her its full privileges. That was what our Government did at the beginning of November, 1903.

The United States was right, of course, in rejecting the Colombian proposal, that it should, in return for a canal concession, suppress for Colombia the already successful revolution in Panama, and restore that state to Colombian

authority. The United States has never hired itself out as a mercenary, either for cash or for canal concessions. Equally right was it in recognising the *de facto* government at Panama. It is always lawful, and generally imperative, to recognise facts, and it was a fact that that was the only existing government on the Isthmus. The Colombian Government there had ceased to exist. It had been expelled. It had departed. The Colombian troops had not been driven out by us. They had gone because they found themselves alone and helpless amid a universally hostile population. They recognised the accomplished fact. The Panama Government was in entire and undisputed authority, and was ready to fulfil and was fulfilling the actual functions of government. The only possible procedure for the United States was to recognise that fact.

Nor is the rightfulness of our later recognition of the *de jure* independence of Panama to be impugned. It was done promptly a few days after the Panaman Declaration of Independence. There seems, however, to be no ground for the characterisation of "indecent haste" which has been applied to it. There is no more generally accepted principle in international law than that every nation is its own judge of the time when it is fitting to recognise the independence of another. In our own revolution, France recognised our independence years before it was actually established, while Russia refused to recognise it until years after it had been established and had been recognised by the very Power from which we had won it. Both acted well within their legal rights. The United States recognised the revolutionary Republic in Brazil, in 1889, more promptly than it did the Republic of Panama, although there was much less assurance of its stability. The long delay in recognising the independence of the South American republics in the early part of the last century has been cited as a precedent which should have been regarded in the case of Panama. There was little, if any, analogy between the cases. The contrast between South America then and Panama now is enormous.

Considering the difference in speed of communication, and in extent and completeness of our knowledge of the countries concerned, it is scarcely too much to say that a day gives as ample time for deliberation now as a year did three-quarters of a century ago.

In recognising the independence of Panama we were lawfully recognising an accomplished fact. If it be said it was a fact made possible only by our own conduct and attitude, the same may be said of other republics, which exist only because of our protection. Colombia herself would probably not have maintained her independence had it not been for the policy of the United States, especially as set forth and endowed with concrete force in the Treaty of 1846. In the act of recognition, then, as in that of intervention, the United States fully observed its legal obligations to the Republic of Colombia.

Our policy was justified, moreover, on the ground of equity to Colombia. We must remember, what is too often overlooked, that while law is positive, equity is relative. We must fulfil legal obligations strictly and impartially, even toward the least deserving and least worthy. But we are privileged to consider the character, the conduct, and the deserts of the applicant for equity. He who seeks equity must deal equitably. The very word itself implies that. It is an elementary justice, based not on legal prescription, but upon the mutual merits of the parties to the controversy. What, then, were Colombia's deserts? So far as Panama was concerned, they were slight indeed. She had treated Panama most inequitably. She had forcibly abrogated the Constitution of 1863, and had subverted Panama's undoubted rights thereunder without Panama's consent—just as though forty-four of our forty-five States should combine to deprive the forty-fifth of its equal representation in the Federal Senate without its consent. She had not only done that and persisted in it, but for many years she had systematically oppressed and plundered Panama, making the Isthmus the "milch cow of Colombia," as it used to be said

Cuba was of Spain. Upon dispassionate and impartial review of the record, it was impossible to withhold sympathy from Panama in her controversy with the Bogotá Government.

If, however, we were to go by on the other side, saying that such matters were none of our business, we could not ignore the fact that Colombia had treated the United States badly in more than one important respect. In 1880 this Government found it necessary to warn Colombia against making the concessions which she then proposed to make to France, as—to quote Mr. Secretary Evarts, on July 31, 1880—"introducing interests not compatible with the treaty relations which we maintain with Colombia." Colombia then proposed—I quote from President Arthur's message of 1881—"to the European powers to join in a guarantee which would be in direct contravention of our obligation as the sole guarantor of the integrity of Colombian territory." In other words, while enjoying, at her own request, our protection, Colombia was intriguing against our interests with the very Powers against which she had sought and was enjoying our protection.

We may justly complain also that she acted inequitably toward us in rejecting the canal treaty which her minister negotiated with us in 1902-3. Mark that she had a legal right to reject it. That is indisputable. Her legal right to reject it was as absolute as our right to reject other treaties which our Government has negotiated, but which have not met with the approval of the Senate. She had, let us say, the same right to reject it that we had to negotiate it, or that we had afterward to make another treaty with Panama. Her rejection was legal, but it was not equitable; or, at any rate, it was no more equitable than our subsequent recognition of, and negotiation with, Panama. If she stood upon her strict legal rights in rejecting the treaty, we had as good a title to stand upon our strict legal rights in recognising Panama.

But we may go beyond that, and say that her rejection

of the treaty was positively inequitous—if I may coin that useful word, to express a slightly different shade of meaning from "iniquitous," though indeed "iniquitous" might serve as well. Two facts of record are sufficient to prove the indictment. One is the explicit and repeated offer made by General Reyes in behalf of the Bogotá Government, of which he was the prospective next chief, to resurrect and ratify the dead canal treaty, by martial law or dictatorship, in return for our resubjugation of Panama to the Colombian yoke. The other is the confessed, deliberate plan of the Bogotá Government to repudiate the concession lawfully given to the French Panama Canal Company and to confiscate that company's property, which it would then sell to the United States for a round sum.

Now the bearing of all that upon the question of our policy is simply to show upon how little ground Colombia could plead for better treatment as a matter of equity. Colombia, wearing the brand of a would-be spoliator, could not well come into court with a complaint that she had been despoiled. Upon the ground of equity she had nothing more to claim. She had been treated as well as she deserved, and better. Her only valid claim must be for legal justice, and in the making of that claim it might be well for her to take heed lest the court of civilisation should declare to her: "Thou shalt have justice, more than thou desirest." It will not serve to say we would not have treated a great, strong nation thus. I am not sure of that. The record of our dealings with some of the greatest Powers of the world suggests that we have been no less independent in our bearing toward them than toward the lesser ones. On the other hand, we might equally well ask if Colombia would have acted thus toward a nation that was not rich, that was not urgently desirous of building the canal, or that was a little more in the habit of using the "mailed fist." We must, it is said, have one law alike for all nations, great and small. That is quite true.

What, then, would we have done had England recognised

the independence of the Confederacy in 1862? The cases are not analogous. The Confederacy was never, either physically or legally, in as strong a position as Panama. I say that advisedly. The United States never scuttled out of the Southern States and abandoned them to secession, as Colombia did out of Panama, but from the very beginning exerted its fullest possible power to suppress the rebellion and to restore and preserve the Union. The Confederate States had no such constitutional defence of secession as that which Panama had in the fact of former independence forcibly destroyed without her consent. The European Powers did promptly recognise the Confederate States as belligerents. In that they were simply recognising a fact, and, however distasteful it was to us, we had no cause for complaint.

There is another point which those who seek to raise this argument from analogy invariably overlook. It is this: that the United States had never, by treaty or otherwise, recognised international interests in the Southern States as Colombia had in Panama. In the Treaty of 1846, Colombia specifically recognised the fact that other nations, above all the United States, had natural and lawful interests in the Isthmus of Panama, which might in certain contingencies be paramount to Colombia's own interests there. Those interests were peculiar to the Isthmus, and did not extend to the rest of Colombia. For it is to be remembered that the provisions of that treaty, including our rights of intervention and our duty of protection and guarantee, did not apply to the whole of Colombia, but only to the State—that is, the Isthmus—of Panama. "The guarantee extends only to the Isthmus," wrote Mr. Bidlack, our Chargé d'Affaires who negotiated the treaty, to Mr. Secretary Buchanan in 1846. In that circumstance the separate status of Panama, as contrasted with the rest of Colombia, was recognised, and so were recognised the peculiar and even paramount interests of other countries in that territory. I quote from President Polk's message transmitting that treaty to the Senate for

with the French Canal Company. It patiently awaited and accepted the adjudication of the French courts in whatever legal controversies arose over the transfer of the company's property. It showed a scrupulous regard for the letter and spirit of international law, and for international equities. It moreover fulfilled the implied duties which rested upon it as a result of its traditional policy. Under the Monroe Doctrine this country would not let other nations meddle in American affairs. It thus incurred a moral responsibility for those affairs. Thus it would not let European Powers guarantee neutrality and peace upon the Isthmus, and freedom of transit over that important route. Therefore it was morally bound itself to make such a guarantee, and to make it effective. It did so. It would not permit any other nation to construct a canal across the Isthmus. Therefore it incurred itself the moral obligation to construct one. It is now proceeding to do so. The United States thus shows itself to be no dog-in-the-manger, but a Power that is as ready itself to do as to forbid others to do.

Nor was it a new thing for the United States to forbid, or to threaten to forbid, Colombia to play the part of the dog-in-the-manger. It did so long ago, in a formal declaration made by Lewis Cass, Secretary of State, in 1858:

"The progress of events has rendered the interoceanic route across the narrow portion of Central America vastly important to the commercial world and especially to the United States. . . . While the rights of sovereignty of the States occupying this region should always be respected, we shall expect that these rights be exercised in a spirit befitting the occasion and the wants and circumstances that have arisen. Sovereignty has its duties as well as its rights, and none of these local governments, even if administered with more regard to the just demands of other nations than they have been, would be permitted in a spirit of Eastern isolation to close the gates of intercourse to the great highways of the world and justify the act by the pretension that these avenues of trade and travel belong to them and that they choose to shut them, or, what is almost equivalent, to encum-

ber them with such unjust relations as would prevent their general use."

This principle of "international eminent domain" has been adverted to many times in discussions of the Panama case. It is perhaps not altogether pertinent, for the reason that the United States was not compelled to resort to the application of such a principle. It is not to be denied, however, that such a principle exists, and that it has more than once been practically applied in the history of the world. Every "concert of the Powers" for the coercion of one or more nations involves its application. It was under that principle that Bosnia and Herzegovina, and Crete and Samos, and The Lebanon, were removed from unbridled Turkish rule. It was upon the same principle that the joint control and the international tribunals were established in Egypt. It would scarcely be an exaggeration to say that the same principle was involved in the opening of The Sound to free navigation. There need be no hesitation in saying that if there had been no other way to secure the Panama Canal, the Powers of the world, or the United States alone, would have been amply justified in proceeding under that principle. But the principle is so delicate a one, and so easily liable to perversion and misuse, that there is cause for gratitude in the accomplishment of the world's desire at Panama without resort to it. If that principle, or the contemplation of it as a possibility, did to any degree enter into the case in confirming the United States in its policy or in affording justification for that policy, then instead of condemning our Government, the world must give it commendation for having to that extent made use of so delicate and even perilous a principle with so much discretion, and with results so invariably beneficent.

For what is, after all, most clear in the whole business is this, that the United States acted unselfishly and for the good of the world. It acted unselfishly, because it sought no self-aggrandisement, no conquests, no acquisition of terri-

tory, no extension of sovereignty. It sought, and secured, nothing but the privilege and power of constructing a canal which will be for the equal use and benefit of all nations. If it in doing so exacted a grant of perpetual control over a part of the territory of another state, it thus did only what was necessary for the safeguarding of the canal. It is inconceivable that any other nation on earth would have undertaken the construction of the canal and its protection and neutral maintenance on any basis of less authority. It also acted for the good of the world, because it assured fulfilment of the world's legitimate desire in the only way in which it could be satisfactorily fulfilled; because it assured the speedy opening of what will be one of the greatest highways of peaceful and beneficent commerce; and because it established a paramount influence for peace and justice in a land that for a century had known little of either peace or justice.

The sum of the matter was clearly and correctly set forth by President Roosevelt, in the message of December 7, 1903, from which I have already made several quotations. The simple recital of facts, he said, established beyond question:

"First—That the United States has for over half a century patiently and in good faith carried out its obligations under the Treaty of 1846.

"Second—That when for the first time it became possible for Colombia to do anything in requital of the services thus repeatedly rendered to it for fifty-seven years by the United States, the Colombian Government peremptorily and offensively refused to do its part, even though to do so would have been to its advantage and immeasurably to the advantage of the State of Panama, at that time under its jurisdiction.

"Third—That throughout this period revolutions, riots, and factional disturbances of every kind have occurred one after the other in almost uninterrupted succession, some of them lasting for months and even for years, while the central government was unable to put them down or to make peace with the rebels.

"Fourth—That these disturbances, instead of showing any

sign of abating, have tended to grow more numerous and more serious in the immediate past.

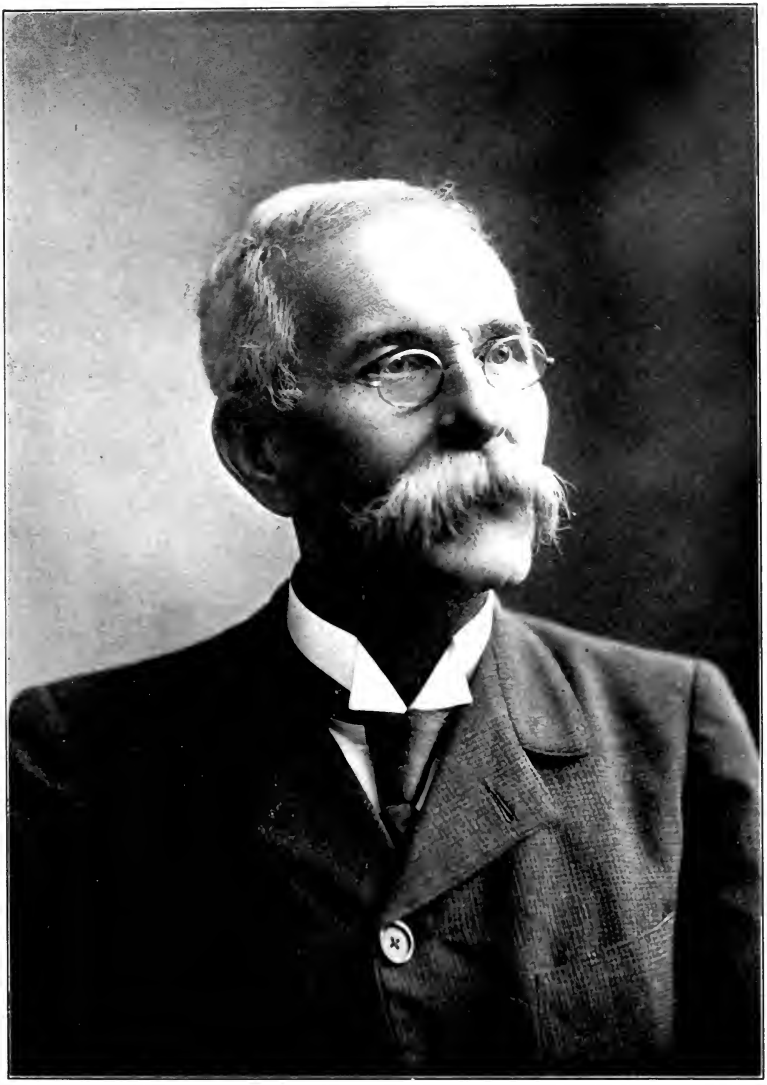
"Fifth—That the control of Colombia over the Isthmus of Panama could not be maintained without the armed intervention and assistance of the United States.

"In other words, the government of Colombia, though wholly unable to maintain order on the Isthmus, has nevertheless declined to ratify a treaty the conclusion of which opened the only chance to secure its own stability and to guarantee permanent peace on and the construction of a canal across the Isthmus.

"Under such circumstances the Government of the United States would have been guilty of folly and weakness amounting in their sum to a crime against the nation had it acted otherwise than it did when the revolution of November 3 last took place in Panama. This great enterprise of building the interoceanic canal cannot be held up to gratify the whims, or out of respect to the government impotence, or to the even more sinister and evil political peculiarities, of people, who, though they dwell afar off, yet, against the wish of the actual dwellers on the Isthmus, assert an unreal supremacy over the territory. The possession of a territory fraught with such peculiar capacities as the Isthmus in question carries with it obligations to mankind. The course of events has shown that this canal cannot be built by private enterprise, or by any other nation than our own, therefore it must be built by the United States.

"Every effort has been made by the Government of the United States to persuade Colombia to follow a course which was essentially not only to our interests and to the interests of the world, but to the interests of Colombia itself. These efforts have failed, and Colombia, by her persistence in repulsing the advances that have been made, has forced us, for the sake of our own honour, and of the interest and well-being, not merely of our own people, but of the people of the Isthmus of Panama and the people of the civilised countries of the world, to take decisive steps to bring to an end a condition of affairs which had become intolerable. The new Republic of Panama immediately offered to negotiate a treaty with us. By it our interests are better safeguarded than in the treaty with Colombia, which was ratified by the Senate at its last session. It is better in its terms than the treaties offered to us by the republics of Nicaragua and Costa Rica. At last the right to begin this great undertaking

is made available. Panama has done her part. All that remains is for the American Congress to do its part, and forthwith this Republic will enter upon the execution of a project colossal in its size and of well-nigh incalculable possibilities for the good of this country and the nations of mankind."



Scherer, Photo.

MANUEL AMADOR GUERRERO,
First President of Panama.

CHAPTER XII

THE REPUBLIC OF PANAMA

Panama promptly passed from the revolutionary stage into the status of a Constitutional Republic. Its Constitution was adopted by a National Constitutional Convention, which was elected on December 28, and met in the city of Panama on January 15, 1904, and practically completed its labours on February 13, following. Dr. Pablo Arosemena, formerly President or Governor of the State under the Colombian Government, and first First Designate of the Republic of Panama, was President of the Convention and a Deputy from the Province of Panama. Other deputies were Manuel Quintero V., Nicolas Victoria J., and Demetrio H. Brid. The completed instrument was signed by the thirty-two deputies; by the Secretary, Juan Brin; by the Provisional Board, J. A. Arango, Federico Boyd, and Tomas Arias; and by the Minister of Government, Eusebio A. Morales; the Minister of Foreign Relations, F. V. de la Espriella; the Minister of Justice, Carlos A. Mendoza; the Minister of the Treasury, Manuel E. Amador; the Minister of War and Marine, Nicanor A. de Obarrio; and the Minister of Public Instruction, Julio J. Fabrega; and it was published and enforced on February 15, 1904.

This Constitution is an elaborate instrument, generally accordant with that of the United States and other republican constitutions in its guarantee of personal and popular rights, and its general guarantee of a free democratic government. Some of its provisions are exceptional if not unique. Thus it is provided that (Art. 14) citizenship may be suspended for habitual intoxication; that (Art. 19) there shall be no slaves in Panama, but any slave who may step

upon the territory of the Republic shall in that act become free; that (Art. 23) there shall be no arrest or imprisonment for debt or other purely civil obligations; that (Art. 25) no one shall be compelled to testify in a criminal proceeding against any member of his or her family, "within the fourth grade of consanguinity or the second of affinity;" that (Art. 29) any person may practise any profession or trade without the necessity of belonging to an association; that (Art. 37) games of chance shall not be permitted in the territory of the Republic; that (Art. 68) the National Assembly shall not pass votes of censure or approval relating to official acts; that (Art. 83) the President cannot be elected to succeed himself, nor can any relation of his within the fourth grade of consanguinity or the second of affinity be elected to succeed him; that (Art. 117) there can be no obligatory circulation of paper money; and that (Art. 127) the government alone can import or manufacture arms or implements of war.

The government of Panama is purely democratic in form, and is divided into three parts, the Legislative, the Executive, and the Judicial. The Legislative power is exercised by the National Assembly, consisting of a single chamber, elected by popular vote for a term of four years, and meets on September 1, of every second year. The session lasts ninety days, but in any case of necessity it may be extended thirty days more. Special sessions for special purposes may be called by the President of the Republic. Deputies are elected from districts at a ratio of one to every 10,000 inhabitants, or residue of not less than 5,000. The Deputies must be citizens at least twenty-five years of age. The Executive and the Judicial officers are ineligible for election as Deputies during their terms of office, and for six months thereafter. The Assembly has the customary legislative functions, including the trial of charges against the President of the Republic, the Attorney-General, the Secretaries of State, and the Justices of the Supreme Court; the election of three Designates or Vice-Presidents of the Republic for a

term of two years; the election of the Judges of the Exchequer; and the granting of leave of absence to the President. There is also an equal number of Substitute Deputies, to take the place of the Deputies on the inability of any of the latter to serve.

The Executive power is exercised by the President of the Republic. He must be a Panaman by birth, and thirty-five years of age. He is elected by popular vote for a term of four years, beginning on the first of October following his election. He appoints the Secretaries of State or members of his Cabinet, the Governors of the Provinces, the Attorney-General, the Judges of the Supreme Court, and some other officers. Every act of the President must be countersigned by that Secretary of State to whose department it properly appertains. In temporary or permanent absence his place is filled by one of the three Designates or Vice-Presidents, whose qualifications are the same as those of the President. The Secretaries of State have the same qualifications as the Deputies; they are the only regular mediums of communication between the Executive and the Legislative body, and they are permitted to propose laws and to take part in debates in the National Assembly.

The Judicial power is exercised by a Supreme Court, inferior courts, and justices of the peace. The Supreme Court consists of five magistrates, appointed by the President for a term of four years. Five substitutes are also appointed to take the place of the Justices in case of absence or disability of the latter. The Justices or their substitutes must be thirty years of age, and must have been residents of Panama for fifteen years, and practising lawyers for ten years. The same qualifications are required of the justices of the inferior courts.

A law to be valid must be approved by the National Assembly by an absolute majority after three debates on three separate days, and must also be approved by the President of the Republic. The second debate on a law cannot be closed, nor can a final vote be taken at the end of the third

debate, without the attendance of an absolute majority of the Assembly. The President before signing a law may consider it for from six to fifteen days, according to the number of articles it contains. If he does not within this time either approve it or return it unsigned, with a statement of his objections, his approval of it then becomes compulsory. When he returns the measure with objections, it may be passed over his objections by a two-thirds vote of a quorum, whereupon he must sign it. If his objections are on the ground of alleged unconstitutionality, the measure may be sent by the Assembly to the Supreme Court for its decision, which must be rendered within six days, and if it is favourable to the measure, it is made compulsory upon the President to sign it.

The Republic is divided into seven provinces: namely, Boca del Toro, Coclé, Colon, Chiriqui, Los Santos, Panama, and Veraguas. Each province has a Governor, appointed by the President of the Republic and subject to removal by him. The provinces are divided into municipal districts, in each of which is a Municipal Council, elected by the people. There is also a Mayor appointed or elected according to law. Each municipality has almost unlimited powers of local self-government, but cannot contract any indebtedness without the consent of the National Assembly. The administration of justice is free in all parts of the Republic. Public instruction is free, and in primary grades is compulsory. There is freedom of religion, but the Roman Catholic Church is recognised as that of the majority of the people and therefore receives a state subsidy. All property used for religious purposes is exempt from taxation, and all ministers of all religious creeds are excluded from public office. The Constitution may be amended by the National Assembly by a two-thirds vote.

Upon the completion of its work in framing the Constitution, the Convention resolved itself into a National Assembly (the first regularly elected National Assembly was not to be chosen until July 1906, and was not to meet until

September, 1906), and it elected Dr. Manuel Amador Guerrero to be President of the Republic, and Pablo Arosemena, J. Domingo de Obaldia, and Carlos Mendoza to be respectively first, second, and third Designates. These gentlemen were chosen alternately from the two political parties, Dr. Amador and Señor Obaldia being Conservatives and Dr. Arosemena and Señor Mendoza being Liberals. The inauguration of President Amador occurred on February 20, 1904, and on that day a Cabinet was also appointed, consisting of Tomas Arias, Minister of Foreign Affairs and of War; F. V. de la Espriella, Minister of Finance; Julio Fabrega (soon succeeded by Nicolas Victoria), Minister of Justice and Public Instruction; and Manuel Quintero V., Minister of Public Works. These Cabinet Ministers were also equally divided between the two parties. The harmonious coöperation of the two political parties was further indicated in the design of the National Flag, which was made to consist of four equal fields—one blue, representing the Conservatives; one red, representing the Liberals; and two white, emblematic of peace, with a blue star in one white field, and a red star in the other.

Steps were promptly taken to rid Panama of the debased currency of Colombia. For a time it was necessary to use Colombian silver,—"tin," "monkey," or "spicketty" money, as it was contemptuously called by the Panamans,—though even then American coin and paper money was much preferred. As soon as possible several millions of Panaman gold and silver were coined, and thus a currency comparable with the best in the world was established. The monetary standard is the Balboa, a gold coin exactly equivalent to an American dollar. The silver coins are of 50, 25, 10, 5, and 2 1-2 cents' value, and, being exactly twice the size and weight of American silver coins of the same denominations, are worth their face value in gold. No paper money is used by the Republic.

In one important respect the Republic of Panama began its career in a unique fashion. Instead of having a national

debt, it had a national endowment. This latter was provided by the bonus of $10,000,000, which the United States paid to it for the right of way for the canal and for the lease of the Canal Zone. The Isthmian statesmen disposed of this sum with prudence. Nearly one-third was apportioned among the provinces for much-needed public works, as follows: to the Province of Panama, $1,000,000; to Chiriqui and Boca del Toro, $450,000 each; to Coclé, Los Santos, and Veraguas, $350,000 each; and to Colon, $300,000. The major part of the whole, $6,000,000, was judiciously and profitably invested in real estate mortgages and similar securities in New York City; and the balance, $750,000, was kept in hand as working capital.

Mention has already been made of the prompt negotiation of a canal treaty between the United States and the Republic of Panama. That instrument, known as the Hay-Bunau-Varilla Treaty, was tersely but comprehensively summarised by President Roosevelt in his message of December 7, 1903, as follows:

"The United States guarantees and will maintain the independence of the Republic of Panama. There is granted to the United States in perpetuity the use, occupation, and control of a strip ten miles wide and extending three nautical miles into the sea at either terminal, with all lands lying outside of the zone necessary for the construction of the canal or for its auxiliary works, and with the islands in the Bay of Panama. The cities of Panama and Colon are not embraced in the canal zone, but the United States assumes their sanitation and, in case of need, the maintenance of order therein; the United States enjoys within the granted limits all the rights, power, and authority which it would possess were it the sovereign of the territory to the exclusion of the exercise of sovereign rights by the Republic. All railway and canal property rights belonging to Panama and needed for the canal pass to the United States, including any property of the respective companies in the cities of Panama and Colon; the works, property, and personnel of the canal and railways are exempted from taxation as well in the cities of Panama and Colon as in the

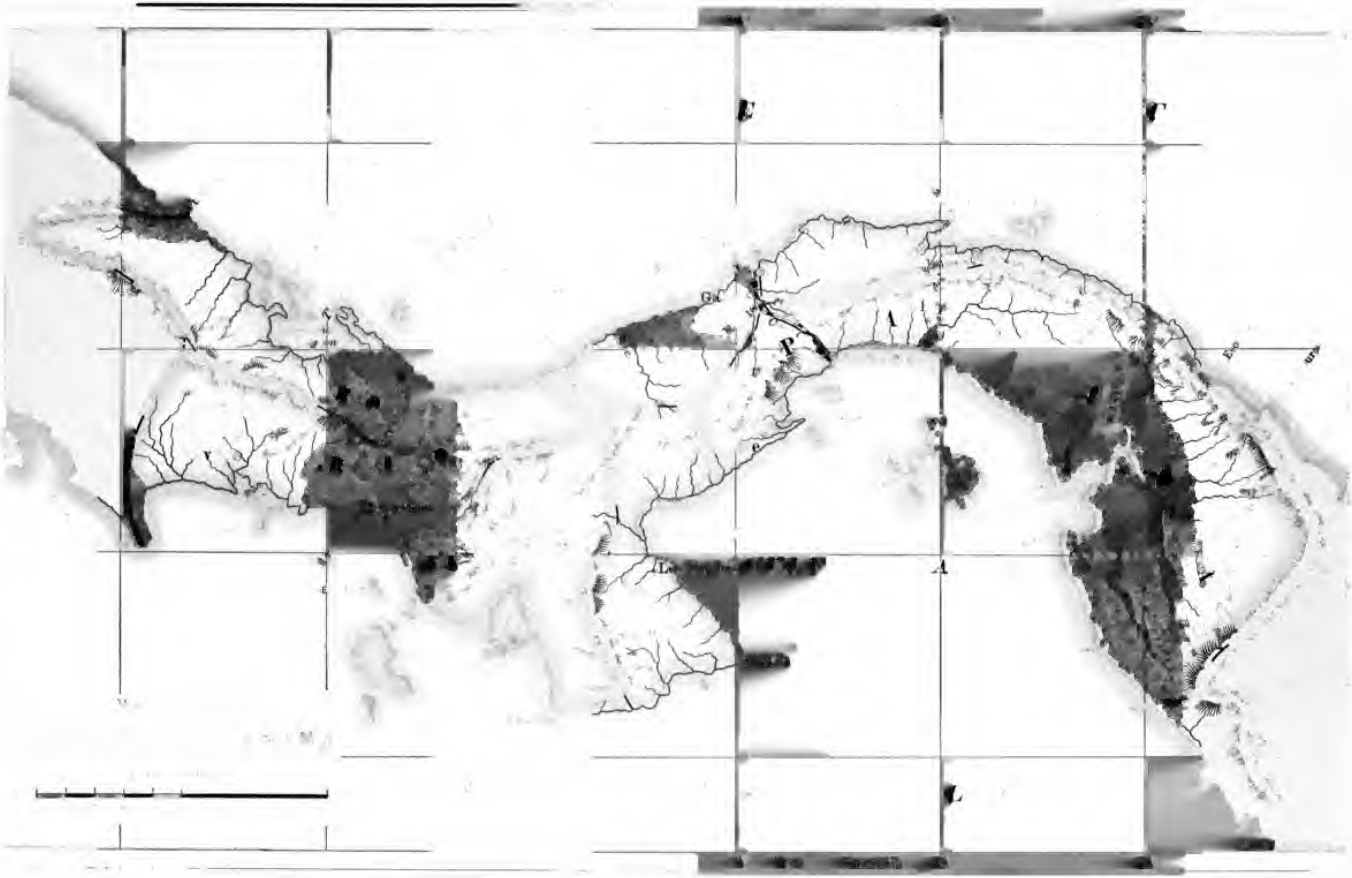
canal zone and its dependencies. Free immigration of the personnel and importation of supplies for the construction and operation of the canal are granted. Provision is made for the use of military force and the building of fortifications by the United States for the protection of the transit. In other details, particularly as to the acquisition of the interests of the new Panama Canal Company and the Panama Railway by the United States, and the condemnation of private property for the uses of the canal, the stipulations of the Hay-Herran treaty are closely followed, while the compensation to be given for these enlarged grants remains the same, being $10,000,000, payable on exchange of ratifications, and, beginning nine years from that date, an annual payment of $250,000 during the life of the convention."

Diplomatic relations between the United States and Panama were fully established by the appointment of a Minister from each to the other. The first Panaman Minister to the United States, as already noted, was the distinguished French engineer, Philippe Bunau-Varilla, who was sent hither by the Junta immediately after the revolution. Soon after negotiating the canal treaty he retired, and was succeeded by J. Domingo de Obaldia, who had been Governor of Panama, under the Colombian Government, at the time of the revolution, and who was the Second Designate and one of the most distinguished statesmen of the Isthmus. The United States on its part appointed William I. Buchanan as Minister to Panama, on December 12, 1903, and he was received at Panama on December 25. He was succeeded in March, 1904, by John Barrett, who served—as we shall see presently—during a peculiarly trying period and rendered some invaluable services to both the United States and Panama, and who was in turn succeeded, in April, 1905, by Charles E. Magoon, who served until September, 1906.

The territory of the Republic of Panama lies well within the area bounded by the seventh and tenth parallels of latitude north of the equator, and the seventy-seventh and eighty-fourth meridians of longitude west from Greenwich. It is thus in the longitude of Virginia and North Carolina,

and in the wholly tropical latitude of Sierra Leone, Ashantee, the Bahr-el-Ghazel, Somaliland, Ceylon, Lower Siam, and Mindanao. Its extreme length, from east to west, is 425 miles, and its width from north to south varies from 31 to 118 miles, the average being about 70 miles. Its area is between 32,000 and 33,000 square miles. At the east it abuts upon Colombia, and at the west upon Costa Rica, with a frontage in each case of about 175 miles, so that its total of land frontiers is only about 350 miles, against a sea frontage of 1,250 miles, of which 480 is on the Caribbean at the north, and 770 on the Pacific at the south. It is thus about the size of the State of Maine, smaller than Portugal, larger than Scotland or Ireland, nearly four times as large as Massachusetts, nearly three times the size of Belgium, and more than twice the size of Holland or Switzerland. It is sparsely settled, much of it being practically uninhabited, and the total population is less than 350,000.

While it belonged to Colombia, Panama was considered a part of South America. It really belongs, geographically, however, to Central America, and is now thus to be reckoned. The territory is traversed from end to end, with a pretty complete break between Panama and Colon, by the Cordillera de Bando, which forms a connecting link between the Rocky Mountains of North America and the Andes of South America. This range is nowhere—in Panama—Alpine in elevation, and is seldom truly mountainous. The highest peaks are at the extreme west, and comprise several extinct volcanoes. Among these are Cerro Picacho, 7,054 feet, the highest in the Republic; Pico Robaldo, 7,012 feet; Volcan de Chiriqui, 6,480 feet; Cerro Santiago, 6,234 feet; and Cerro Horqueta, 6,234 feet. The mountains of San Blas, at the east, nowhere exceed 3,250 feet in height, and average not more than 2,000. In the central regions the hills are only from 500 to 1,000 feet high, and on the route of the canal the extreme elevation above tidewater, at Culebra, was only 290 feet, before the engineers began cutting it down.



In this narrow territory there are no lakes worthy of the name, but along the coasts there are several extensive lagoons, or nearly landlocked sounds, of considerable extent. The rivers are necessarily short, but they are almost innumerable, traversing every part of the Republic. Most of them abound in rapids, and are not well adapted to navigation, the descent from the hills to the coast being sudden. Moreover, they are largely subject to great and rapid changes of volume, sometimes being transformed from brooks of a few inches in depth to torrents of several feet, in the course of a few hours, under the stress of tropical rains. The largest of the rivers is the Tuyra, in the southeastern part of the Republic. It is navigable by schooners and small steamers for about 100 miles, and has a large and also navigable tributary, called the Chucunaque. The famous and dreaded Chagres is in the north central part of the Republic, and flows into the Caribbean near Colon, after a course of 100 miles, more than half of which is navigable in the rainy season. Of all the considerable streams, it is subject to the most violent fluctuations, sometimes rising thirty feet in twenty hours. The Chepo, or Bayamo, is in the south central region, reaching the Pacific east of the city of Panama, and is 140 miles long and navigable by small craft for more than half its length. The Coclé, Calabebora, Tarire, and Los Indios rivers all flow into the Caribbean, are from 35 to 65 miles long, and are navigable for half their length. The San Pedro, Cambuta, Golfito, Chiriqui, Santiago, Fonseca, San Pablo, Santa Maria, Chiman, and Sambu, flow into the Pacific, and are navigable for some distance by small craft. The lack of good roads on land, and the great difficulty of constructing and maintaining them through the jungles, cause the rivers to be used as highways wherever possible. The Rio Grande, a comparatively small stream, flowing into the Pacific near Panama, is notable as the source of the excellent water supply of that city.

The great extent of the coasts of Panama, proportionately to the area of its territory, makes a survey of them perhaps

the most instructive and essential of all conspectuses of the material republic. If we begin at the northwestern corner, we find Carreta Point marking the boundary between Costa Rica and Panama. A little to the eastward is the Tarire River, and then comes the first great feature of the littoral, in Almirante Bay. This landlocked lagoon is about thirteen miles in east to west extent, and almost as long from north to south, but its shores are most irregular in contour, and it contains a number of extensive islands, dividing it into a groups of sounds and harbours rather than a single sheet of water. The water is deep enough for the largest ships, and in many places these can approach close to the shore, so abrupt are the submerged banks. Much of the southern and western or mainland shore is a table-land, from 500 to 700 feet in elevation, gradually sloping upward to a height of from 1,500 to 2,000 feet at a distance of a couple of miles from the bay. This elevation makes the adjacent country agreeable for residence. Unfortunately it also makes the rivers which flow into the bay too rapid for navigation. At the north and east the Bay is shut in from the Caribbean by two large islands, Columbus Island, formerly called Isla del Drago, and Provision Island, or Isla de Bastimentos. The former lies at the northwest, and is about seven miles by four in extent, low and flat, and densely wooded. At the west it is separated from Terraba Point, on the mainland, by a strait three-fourths of a mile wide, known as Boca del Drago, or the Dragon's Mouth, which forms the western-most entrance into Almirante Bay. This strait is nine fathoms deep, but tortuous and dangerous for navigation. Cauro Point and Lime Point are the principal headlands of the island on this strait, and at the latter there is a considerable settlement.

The chief settlement on Columbus Island, however, is Boca del Toro, at the southeastern extremity, fronting upon the strait of the same name (literally Bull's Mouth) which separates Columbus Island from Provision Island and which forms the central and chief entrance into Almirante Bay.

The town of Boca del Toro has about 6,000 inhabitants, and is the capital of the province of the same name. It is one of the chief fruit-shipping ports of the whole coast, from five to seven steamships and many sailing craft leaving it daily during the fruit season. The trade is chiefly with American ports. There are coal mines near at hand producing coal of good quality, and the possibilities of an extensive and profitable trade in lumber and fish as well as in fruit are enormous. The strait of Boca del Toro is about three-fourths of a mile wide, and is much preferable for navigation to Boca del Drago. At the east and south lies Provision Island, eight miles long but very irregular in shape. It consists chiefly of low land, well wooded, and enormously productive of tropical fruits, whence the name of the island. There are several small settlements on the island, but most of the commerce is conducted by way of Boca del Toro. At the south of Provision Island is Crawl Cay Channel, an eighth of a mile wide and dangerous for navigation, beyond which lies Popa Island, six miles long, rich in timber and containing some coal, and surmounted by Mount Popa, an isolated peak with a rounded summit rising 1,300 feet above the sea. At the southwest Popa Island is separated from the mainland by a narrow channel studded with islets, thus completing the chain which landlocks Almirante Bay.

Immediately south and east of Almirante Bay and separated from it by a long peninsula and by Popa Island, lies the great and well-known Chiriqui Lagoon. This body of water, its expanse quite unbroken by islands or reefs, is thirty-two miles long from east to west, and twelve miles in its greatest central width from north to south, and is almost everywhere deep and safe for navigation. It is well landlocked, mainland peninsulas embracing it at the northeast and northwest, and Popa Island and Water Cay filling much of the space between their extremities. Water Cay is several miles in extent, low, flat, and heavily wooded. Between it and Popa Island is a narrow, rock-studded channel, difficult and dangerous for navigation, but at the east of

it, between it and the mainland (Valiente Peninsula), is a broad, fine channel known as Boca de Chiriqui or Tiger Channel, forming the chief entrance into the lagoon. Numerous rivers and creeks flow into the lagoon, some of which are navigable by small vessels for a distance, and at their mouths are villages which do a considerable trade in fruit, lumber, turtles, fish, etc. Chief among these are Chirica Mola and Frenchman's Creek, on streams of the same names. From Frenchman's Creek a road runs overland to the city of David, near the Pacific coast, on which there is much travel, chiefly in connection with the trade in cattle and hides. At the northeast Chiriqui Lagoon is inclosed by the Valiente Peninsula, a crooked arm about twelve miles long and two miles wide, with Valiente Peak, 722 feet high, as a landmark near its extremity. The peninsula is largely rugged and hilly, and its outer shore is fringed with islets and rocks and coral reefs, making approach by sea dangerous. It has a beach of pure white sand, the only such beach between Colon and Greytown (Nicaragua), all the rest of the coast being lined with brown or reddish-black iron-bearing sand. Although the fluctuation of the tide here is only a foot, there is generally a furious surf breaking along this coast, under the stress of the trade winds and "northers." A few miles to the northeast of the peninsula lies the island of Escudo de Veraguas, which is about a mile wide and two and a half miles long, densely wooded. Its shores consist largely of cliffs forty or fifty feet high, cut by the waves into caves and archways of the most fantastic design.

The seaward coast of the Valiente Peninsula runs toward the southeast, and that general direction is continued for many miles by a coast devoid of striking features, though with many river mouths and a few scattered towns. From the Province of Boca del Toro we pass to that of Chiriqui, and thence, at the Cana River, to that of Veraguas. From the Cana River there are many miles of low, sandy shore, until Buppan Bluff is reached, a promontory bearing several peaks 700 or 800 feet high. A little beyond are the Pedro