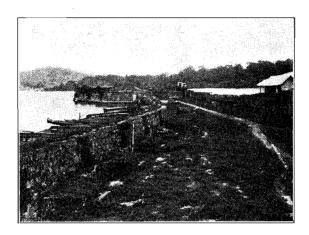
1810, according to Restrepo, it was well fortified and garrisoned. Since the wars of independence, however, it has had little strength although a small garrison was kept there up to 1860.



CASTLE SAN JEROME-PORTO BELLO.

There is no stopping place in the story of Porto Bello, as in that of Old Panama, and although this chapter has to do chiefly with the old, the story may as Porto Bello well be finished here. It is in Panaman ter-Today. ritory, 18 miles northeast of Colon, is the seat of a local municipality of the same name, and the center of a small coasting trade. On the south side of the bay is the native town, to which reference has already been made, and on the north side the American settlement at the rock quarries.

The rock in the hills here is hard and easily enough crushed to make it a desirable rock for concrete; the water haul to Gatun makes the carrying of the rock easy. Porto Bello Therefore it was decided early in the canal Quarries. history, as soon as the lock type had been agreed upon, to use rock from Porto Bello for the locks at Gatun. Preliminary work was carried on in 1907 and 1908, and the first rock was crushed on March 2, 1909. Since then the plant has worked practically continuously. It must crush 2,250,000 cubic yards of rock for

the concrete at Gatun Locks and Spillway, and in addition there will be supplied from the quarry, 4,500,000 cubic yards of large rock for the armoring of the breakwater at the Atlantic entrance to the canal.

The quarries are on the side of a hill that rises almost sheer from the water, on the north shore of the bay, well inside of the harbor. After it is quarried, the rock is conveyed in dump cars direct to the crusher plant, which consists of two No. 9, four No. 6 McCully gyratory crushers, and one large crusher which takes rock any size the steamshovels can handle. Pan conveyors take the crushed rock from the crushers to a hopper beneath the shipping bin, located on the water line. This hopper empties into a double distributing bucket-conveyor which elevates the crushed stone and delivers it by means of a tripper at the points desired in the bin. The storage bin has a capacity of 2,500 cubic yards, and from this bin the stone is loaded into barges by gravity; each barge has a capacity of 600 cubic yards. These barges are towed to Cristobal and thence through the old French canal to Gatun.

The new village of Porto Bello is a typical canal-workers' settlement, with employes' quarters, a clubhouse, dispensary and hospital, sewer, water system, and electric lights. By agreement with the Republic of Panama the Canal Zone police keep order in the American settlement, although all persons arrested are turned over to the Panaman courts. The United States Navy maintains a wireless telegraph station here.

Fort San Lorenzo.

There are two ways to get to Fort San

There.

Lorenzo, at the mouth of the Chagres River—
one by sea from Colon, and motor boats are
available to take the tourist; and the other by way of the
river from Gatun.

The latter is the more interesting trip, because it involves a ride of ten miles by way of the Chagres. This is one of the few bits of the tropics in Panama that comes up to the ideas the wood-prints in the old geographies gave us. Here one sails through a tidal estuary between banks thick with jungle, giant bamboo bends over the water, and the trees are heavy with great vines and orchids. Here and there, in the dry season, one sees a lonely lignum vitae, discovered by its brilliant yellow top, the espeve towering above all others, and

the cottonwood apparently as strong as a concrete column, but really one mass of pulp. Of less height but as picturesque are the various palms that reach their many-fingered leaves above the jungle mass, the most common being the corozo, from a species of which is obtained the palm oil of commerce.

On the other hand, the sea route affords the best view of the old fort or castle, standing above the river mouth in apparently impregnable position.

It is nearly a hundred years since the Spaniards evacuated San Lorenzo, in common with other isthmian posts, and the fort has not been used for a garrison since then. The little village of Chagres, at the foot of the castled hill, is the seat of an alcaldia, the capital of the district around about. It has neither industries nor commerce, except for local purposes.

The fort that one sees today is not that which the pirates under Morgan successfully stormed, but a castle of later period, resembling much the old forts at the The Old Fort. entrance to New York harbor. It represents the architecture of a period just prior to the introduction of rifled ordnance. No other ruin in Panama is more complete than this, because one may see every line of the old castle. There are two lines of defense, an outer wall, and the castle proper, the latter to be entered by a drawbridge, and the place for the bridge is still seen in the old tower. In the courtyard is the water reservoir, and at various places in the walls are found especially strong rooms where it is believed ammunition for the gun service was stored.

In a cave-like gallery under a cover of heavy masonry, with no pavement but the mud, and very few holes to let in light or air, is the place where the soldiers Prison. of the garrison used to sleep. Two short galleries running off from this larger one were used as prisons. There remain here some of the old manacles, and one may see the instruments and means by which prisoners were made secure in the old fort a century or more ago. They are similar to the instruments used in English madhouses about the time that Dickens wrote. The favorite form seemed to be to seat a man against the wall and place his neck in an iron collar built in two sections, one fastened to the wall and the other hinged upon this. About the only exercise one could take while in this position

would be thinking, and the prisoners had many hours for this pursuit. There are also manacles for the ankles and arms, ball and chain, and other refined methods of holding one secure. Each of these cells has a little window at the daylight end, through which nothing larger than a dachshund could possibly escape. The only other chance then of getting away was through the barracks where the garrison sleeps. The tourist is strongly advised to visit Fort San Lorenzo, because it will make him so much more contented with the time in which he lives.

The Chagres River was explored in 1527, and within a few years it was used by boats making for the royal port at Nombre de Dios, about 50 miles eastward of the river mouth. Its use became more general when Porto Bello was made the royal port, because this place is only 30 miles from the river mouth, and also because the river and sea route were free from the attacks made continually along the trails by the cimarrones. Yet Chagres was only an outpost. Here some canoes broke cargo to load upon the armed sailing vessels that plied between Porto Bello and San Juan de Nicaragua, but more frequently they rounded the point and made for the royal port under their own sail. The north coast waters can be safely navigated by canoes eight months of the year.

The depredations of Drake and his followers along the north coast of the isthmus, and the ease with which he landed his troops at the mouth of the Chagres led to the building of Fort San Lorenzo as a guard to this back door of Panama. Juan Bautista Antonelli, a Roman engineer, made the plans both for this fort and for the defenses of Porto Bello. It is believed his plans were not carried out fully, because the fort built was not substantial, and but for its position on a steep hill would have afforded little protection. The work was completed about 1601, and yet only one generation later (1637) Thomas Gage reports the place as crumbling to ruin. He did not stop there, however, and may have been deceived as to its real condition by seeing portions of the walls, which were made of mud filled between rows of stakes, falling away. It is probable, too, that it had been strengthened after the taking of Porto Bello in 1668, because at that time Morgan warned the Governor of Panama that he intended to take that city.

On January 6, 1671, Morgan sent ahead of his regular fleet of 37 ships and 2,000 men, one of his officers, Capt.

Joseph Brodley with four hundred men charged with capturing San Lorenzo, which was garrisoned by 300 men. Esquemeling describes the fort as follows:

This castle is built upon a high mountain, at the entry of the river, and surrounded on all sides with strong palisades or wooden walls, being very well terrepleined, and filled with earth, which renders them as secure as the best walls made of stone or brick. The top of this mountain is in a manner divided into two parts, between which lies a ditch, of the depth of thirty foot. The castle itself has but one entry, and that by a drawbridge which passes over the ditch aforementioned. On the land side it has four bastions, that on the sea containing only two more. That part thereof that looks towards the south is totally inaccessible and impossible to be climbed, through the infinite asperity of the mountain. The north side is surrounded by the river, which hereabouts runs very broad. At the foot of the said castle, or rather mountain, is seated a strong fort, with eight great guns, which commands and impedes the entry of the river. Not much lower are to be seen two other batteries, whereof each hath six pieces of cannon, to defend likewise the mouth of the said river. At one side of the castle are built two great storehouses, in which are deposited all sorts of warlike ammunition, and merchandize, which are brought thither from the inner parts of the country. Near these houses is a high pair of stairs, hewn out of the rock, which serves to mount to the top of the castle. On the west side of the said fortress lies a small port, which is not above seven or eight fathoms deep, being very fit for small vessels and of very good anchorage. Besides this, there lies before the castle, at the entry of the river, a great rock, scarce to be perceived above water, unless at low tide.

The assault of the pirates was made from behind—that is, from the land side, and was being repelled successfully, until one of the pirates shot a burning arrow into the group of thatched buildings in the center of the enclosure, and set them afire. The Spaniards were unable to hold out against both foes, and finally after the death of their commander what was left of the three hundred (only 30 men, 20 of whom were wounded) surrendered. Morgan came up a few days later and made San Lorenzo the base for his expedition up the Chagres against Panama. Upon his return from Panama he dismantled the guns of the fort and had them carried aboard his ships, demolished as much of the masonry as he conveniently could, and in general tried to destroy San Lorenzo.

The fort was restored after the taking by the pirates and made stronger. Yet it was forced to yield to the overwhelming force of Admiral Vernon on March 24, 1740, when he silenced its guns in order to establish there one of his bases for the contemplated expedition against Panama.

Under Colombian rule forts of the isthmus would be well kept up and garrisoned at times, and again they would be practically abandoned. San Lorenzo went through the common experience, but usually there was a garrison at the mouth of the Chagres. Restrepo says that in 1810 the 3,800 regular troops of the viceroy of Santa Fe de Bogota were distributed among the fortifications of Guayaquil, Panama, castle of Chagres, and plaza of Porto Bello. These stations so securely held helped to delay the revolution in Panama ten years.

When Panama ceased to be the great trade route in the middle of the 18th century, the Chagres naturally became of little consequence. It enjoyed a revival, however, in 1844 when the Chagres mouth became one of the ports of call for the Royal Mail steamships plying between Southampton



STREET IN NATIVE VILLAGE—SAN JUAN ON THE PEQUINI RIVER.

and Latin America. All the emigration from the United States and Europe that flowed towards the newly opened lands of Oregon and California passed this way, and San Lorenzo looked down upon the largest settlement that had ever clustered at the base of its hill, for the village of Chagres often sheltered as many as 2,000 people in one night. In November, 1851, the first steamship discharged its passengers at Colon and since then the Chagres mouth and San Lorenzo have been interesting only historically, not important at all.

Other Historic Places.

The founding of Nombre de Dios in 1519, upon the abandonment of the Darien crossing, is referred to on page 108.

It remained the royal port, the place whence Nombre de the galleons took their gold and silver to Spain, until 1597, when in obedience to a decree of 1584, and after the sack by Drake, the whole population removed to Porto Bello. There were four good reasons for this—the harbor is not so safe as that at Porto Bello, the place is not so easily defended, it is farther from Panama, and it had become so unhealthful that is was commonly called "the sepulchre of Spaniards."

During the years when it was the royal port some defenses were built along the water's edge, made of rows of sticks, probably bamboo, with earth filled between the rows. The time had not yet come when English and French pirates were bold enough to attack well defended cities, and therefore not much attention was paid to the fortifications. In fact. Drake was one of the earliest of the privateers who attacked fortified places. In 1572, he disembarked near Nombre de Dios and, approaching the city by some small boats which he had carried with him from England, got safely past the cannon at the water's edge, merely by answering the sentry's challenge in Spanish, and after a brisk fight in the plaza, in which he was wounded, took the town. The wounding of the leader, however, caused a panic and the English made for their ships, carrying Drake with them. A large store of treasure within their reach was untouched. A few months later Drake landed again near Nombre de Dios, and made his way through the jungle to a place nearby, where he lay in wait for the treasure train from Panama. The pack-train was apprised of the nearness of the marauders by the defection of a cimarrone, and again Drake had to leave without booty. In March, 1573, however, he made another attack on a pack-train near Nombre de Dios, and carried away a large quantity of gold and silver.

After this the place was strengthened so as to resist the attack it was expected Drake would make in 1585, during an expedition to the West Indies. He did not go near the place, but in 1595 he set sail from England with 27 ships and 2,500 men for the avowed purpose of taking Panama. The Spaniards prepared for the advance. The plan was to take Nombre de Dios, and hold the mouth of the Chagres, then to send two expeditions inland, one by trail and the other by

the water. One of these expeditions set out on the trail, but is was so harassed along the route that it retired. Everywhere were evidences of preparedness, and Drake gave up the attempt. On January 15, he burned the village of Nombre de Dios, and sailed down the coast to Porto Bello where he died February 7.

A few years ago a dredge was sent to Nombre de Dios to dig sand for the concrete of the locks at Gatun. After digging for some time into the sandy beach it unearthed a quantity of old bullets, some silver, and ship's iron. It was said by the dredgemen that they encountered a large obstacle that resembled the hull of a ship. These objects dug up from the sand are all that remain to remind one of the days when Nombre de Dios was the royal port. Today it is the site of a native village, and a coconut grove is being set out there by a Colon merchant. Over a million cubic yards of sand have been taken from the beach and used in Gatun Locks, and its value is many times greater than all the booty the English took away.

On the map which was published with Esquemeling's narrative in 1683 two large crosses appear at the point of the Chagres River where the boats unloaded Cruces. their freight for carriage overland to Panama. These crosses are probably the origin of the name Las Cruces, which means "the crosses." The village was important, but never in its own right. It was the embarkation point for freight from Panama down the river and the point at which freight upbound was transferred to mule back. There were few storehouses at this point, and in fact it was only a village where boatmen, mule drivers, and cargomen lived. One may see there today two old bells, apparently left there on the way to Panama, and two old anchors with 14-foot shanks, likewise left there in transit. In 1911 it was proposed to remove the anchors to West Point but the untimely publication of the project led to a protest at Washington, and the anchors were allowed to remain where they have been for at least three centuries. Cruces of the present is a hamlet of Spanish and English negroes which smells bad in dry weather and is very muddy in the rainy season.

New At the point on the San Blas coast of Calidonia. Panama marked on the map on page 59, "Calidonia Bay," a band of Scotchmen struggled for 18 months in 1698-1700 to establish a free trading

colony right in the heart of the Spanish Main. One more failure was the result.

At Puerto Escosces (Scotch Harbor) today there is a settlement of Panamans; and the teacher of the village school, when asked about the Scotch colony recently, answered—"It was long ago; no one here remembers when." In a chapter of his book on Panama, Albert Edwards tells charmingly the story of the attempt, and the reasons why it failed. The scheme was originated by that William Paterson who made the plan for the Bank of England, and was fostered by the Scotch parliament in an effort to divert to Scotland some of the world-trade which the East India Company had centered in London. The determined opposition of the East India Company forced the new project to raise funds only in Scotland; just as the railroad companies of today were able to smother the project for an independent line of American ships to use the Panama Canal. Therefore from the start the colony was short of funds.

The first expedition sailed from Leith on July 26, 1698, and on November 1 landed at the harbor where Pedrarais had built the village of Acla. Internal dissensions, sickness, and opposition from England discouraged the colonists, who lacked a real leader, and they left their village of "New Edinburgh" and its half-built "Fort of St. Andrew," in June, 1699. On August 13 of that same year, a reinforcing party arrived at New Edinburgh, but finding the place deserted they sailed away, only 12 of the 300 who set out from Scotland remaining.

On November 30, 1699, another expedition, this time four ships and 1,200 colonists, arrived and joined the dauntless twelve. Albert Edwards follows Sir John Dalrymple in alleging that the colonists were divided among themselves by selfish ministers of the Scotch church. But without the internal differences, they were bound to fail. For four months they fought sickness, starvation, Spaniards, and one another. Finally a strong Spanish fleet began a blockade, while a land force invested the town. The colony surrendered "with honors of war," and on April 11, 1700, sailed away, most of them to become indentured servants in Jamaica and Barbados. Says Albert Edwards:

"The Company of Scotland, trading to Africa and the Indies was bankrupt. They had squandered 2,000 lives and over £200,000 on Paterson's dream. But the dreamer recovering from the fever in New York, returned to Scotland

and became again the practical man of affairs. Paterson spent the remainder of his life in a successful effort to pay back twenty shillings to the pound on this immense debt."

The section of Panama between the Tuyra and Chucunaque Rivers and the border of Colombia is known by the term "The Darien." It is a region rather Old Darién. than a definitely bounded territory. Through this land, over its high mountains and through its primeval forests and dense jungles, Balboa made his way with his little band of 76 Spaniards and a few score friendly Indians in the year 1513. From the top of one of its hills he first saw the Pacific, or that part of it which he called the Gulf of St. Michael (Gulf of San Miguel). Here he made friends with the Indians, heard stories about the islands rich in pearls, and the gold-heavy land southward, later called Peru. He stood on the shore of the Pacific in Darien and looked across to the islands, which he called the Pearl Islands, as they are called today. He named the largest one Isla Rica (Rich Island), which is now known as Rey Island, the king of the group. Through the Darien. Morales and Pizarro later made their bloody way to visit the Pearl Islands, and brought back to Acla the traditional basket of pearls.

From the time of Pizarro to this the Darien has been closed to all white men, except those who forced a way. The old route was abandoned when Panama was founded, in 1517. In the section near the Tuyra River, however, the Spaniards maintained posts, and it was here that they worked many mines by slave labor. But it was always at the cost of continual war, for the Indians were hostile and relentless.

In 1786, a systematic attempt to colonize this rich region was begun. Three strong posts were established on the Atlantic side, on the Gulf of Uraba, Calidonia Bay, and an inland post, Carolina del Darien. On the Pacific side the fort of Principe was built, and posts on the Tuyra, Sabanas, and Chucunaque were established. Meanwhile a new viceroy came into power at Bogota, and in 1789 the posts were abandoned and destroyed by the Spaniards. They had already made a treaty of peace with the Indians, whose caciques had sworn allegiance to the King of Spain, and work had been begun on a highway that was to connect the Gulf of San Miguel with Calidonia Bay. This was the last attempt to colonize the Darien.

Today the country is virgin land, except along the principal rivers near the Gulf of San Miguel, where there are some plantations, and at Cana, where gold is mined. More about "the Darien" will be found in the section on The Republic of Panama.



Miscellaneous Information.

Things Not True.

It is difficult to get an absolutely uncolored statement of fact from anyone, and especially difficult from an American in Panama. Most of us came to the Isthmus from very narrow lives in the States, and, thrown at one fling into an absolutely new life, our imaginations became at once unbalanced. In many cases, they have remained so. It is, therefore, not too much to say that many of the tales told tourists are untrue. Among the more common are the following:

"Balboa Hill" at Gorgona is really Cerro Gigante (the great hill). Balboa never saw it. He crossed the Isthmus from the San Blas coast to the Bay of San Miguel, fully 120 miles east of the so-called "Balboa Hill." It is 1,149 feet high.

The Death Rate during the construction of the Panama Railroad was not so high that the road cost a life for every tie. Gen. Geo. W. Davis, first Governor of the Canal Zone, has figured it out that this would have been 140,000 deaths in a labor force that never numbered over 7,000, and was engaged only five years. The death rate in the days of the French Canal Companies is also greatly exaggerated.

The Sloth pointed out to the tourist as a black thing hanging from a tree is really an ants' nest. The sloth does hang from a tree, but not alongisde the railroad tracks or highways.

Free Quarters, lights, and fuel are not furnished canal employes. These form part of the contract the employe makes with the Government and are just as much a part of his pay as his monthly salary.

The United States Gave Panama nothing. It paid \$10,000,000 for a permanent lease of the Canal Zone and the right to exercise sovereignty therein. After 1913, it will pay a rental of \$250,000 a year. It laid pavements, put in water systems, and sewers, and the Panamans are paying for this work, with interest. The United States has been liberal in its deal-

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ing with Panama, but it made in the beginning and has made ever since very good bargains. It got it's money's worth.

Locomotives were not dumped into the Black Swamp, but a few od French dump-car bodies were, in an effort to make a broad-bottomed mass that would float upon the soft mud of the swamp.

Panama currency is not on a silver basis. The standard is the gold balboa equal to the United States dollar. Only pesos have been coined, however. The "dollar silver" does not pretend to be a dollar, but, as its legend indicates, is "fifty hundreths of a balboa."

Polite Americans are not disliked by Panamans, but the kind of hoodlum that enters the churches with his hat on, pries into the homes of the people as he passes along the street, speaks of the people in their hearing as "spiggoties" or "niggers," is looked upon as a "pig," although pigs are usually not so ill-behaved.

Trees and Plants.

The part of Panama that the traveler sees, the Isthmus proper, has little vegetation indicative of that which characterizes the less settled portions of the country. The route along which the tourist travels has been cleared and burned over for four hundred years, and hardwood trees get little chance in a region so subjected to change. Here and there, however, one sees a lignum vitae standing alone in the jungle, and in the dry season when its top is covered with yellow blossoms it makes a brilliant sight.

A writer in a recent number of Harper's Weekly told in enthusiastic terms of the wonderful future for furniture-making along the banks of the Canal, picturing the region as thick with cabinet woods. As a matter of fact there is scarcely enough hardwood in any one mile along the Canal, to build furniture for one home. The more common trees along the route are the mango, characterized by its leaves of green, yellow, and brown; the espeve which the natives hew out for canoes; the cocobolo, which is so hard as to make good knife handles; orange and lime; coconut, and other palms of various kinds, the corozo being the most common. The royal palms seen here and there were brought to Panama from Cuba in 1883.

There is a wild profusion of ferns and grasses, the most beautiful being the bamboo, which grows in clumps along

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Piza, Piza & Co. Avenida Central and 8th Street, Panama the streams; the most profuse, the wire grass that grows abundantly in damp places; the kind that attracts most attention from the tourist, the papyrus. Wild cane grows in abundance in various sections along the river bottoms.

The most noticeable decorative plants are the bougainvilla, croton, and ferns of great luxuriance of growth and scores of varieties. A great favorite among the Americans on the Isthmus as a decorative plant is the orchid in one or more of its scores of forms. There are two varieties especially affected because they are considered very rare— Spiritus Sanctus, and Lady of the Night. The Spiritus Sanctus is a white bell enclosing a stamen formed like a dove, and the resemblance is remarkable. The Lady of the Night is so called because it is said to be fragrant only at night. The best collections of orchids on the Isthmus are said to belong to Dr. J. C. Perry, of Ancon, and Mrs. H. H. Rousseau and Mrs. D. D. Gaillard of Culebra. The tourists can see thousands of orchids on the way from Colon to Panama by merely looking from the car window at the older trees, many of which are literally covered with these plants.

Part of the contract of the old French Canal Company with the firm that did the preliminary work of building on the Isthmus was the construction of a Ancon Hoshospital at Ancon. The side of the hill where pital Gardens, the hospital now stands was terraced for the buildings, and in 1882 a number of Sisters of St. Vincent were brought to Panama to act as nurses. Their superior was Sister Marie Rouleau, and it happened

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that she was a lover of plants. The garden that now adorns the hospital reservation was begun by her, and has been maintained with more or less care since then. Under the administration of Lieut. Col. C. F. Mason, himself a lover of growing things, the various trees and plants in the gardens have been catalogued. This garden is a microcosm of the plant life of the Isthmus, and anyone who is interested in this phase of Panama should arrange to spend much of his time here. Among the trees and plants classified are the following:

Palms—Wine palm (Acromia sclerocarpo vinifera); palm (Actinorhytis calloparia); Cogolillo palm (Astro caryem polystachium); Sugar palm (Arenga saccharifera); Sago palm (Cycas revoluta); Sago palm (2) Cycas circinalis); Fern palm (Caryotaurens); Panama hat palm (Caruldovica palmata); Porto Rican Royal palm (Oreodoxa Borinquena); Date palm (Phoenix dacty lifera); Fan palm (Prichardii pacifica); Palm Honolulu (Pritchardia gaudichaudi); Curly palm (Kentia belmoreana); Travelers' Tree (Ravenola Madagascariensis); Oil palm (Elaesis melancocca) Corogo Colvolo; Royal palm (Oredoxa regia) Cuba; Royal palm sp. (Oredoxa oleracea); Thatch palm (Thrinax parviflora); Thorny palm (Guiliema utilis) (Pison); Fan palm (Latania Borbonica); Palma real.

Fruits and Nuts-Mainey Bapote (Achras mamosa); Sapodilla (Achras sapota); - (Allamanda cathartica); Madrono de Comer (Alibertia edullis); Cashew (Anacardium occidentale); Anacardium rhinocarpus, espave (Anacardicease); Sour sop (Anona muricata); Sugar apple, custard apple (Anona squamosa); Aristotelia macqui) Chili; Custard apple (Anona reticulata Anonaceae); Cocoanut (Cocos nucifera); Jock fruit (Artocarpus integrifolia); Achote, Anatto (Bixa crelana); Coffee (Caffea Zanzabarensis); Palo Maria (Calophyllum calaba); Papaya (Carica papaya); Linue (citrus acida); Sweet orange (Citrus aurantium dulcis); Tangerine (Citrus dancy nobilis); Grapefruit (Citrus decumeana); Lemon (Citrus limonum); Edible fig(Ficus carica); Cluster fig (Ficus sp.); Mangosteen (Garcimia; mangostana); Plantain (Musa Paradiaca); Banana (Musa Sapientium); Avocado (Persea Gratissima); Guava (Paidium guava); Pomgranate (Punica granateum, Myrtaceae); Plum (Spondias edulis); Yellow plum, Hag plum (Spondias Iutea) Red plum (Spondias purpurea, Circuelo); Bofug nut (Sterculia foetida, Philippines); Soap berry (Sapindas saponaira); Tamarind (Tamarindus Indica); Chocolate (Theobroma cacao); Vanilla chica (Seleni pedium); ——— (Anona palustris) not

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edible; Marking nut (Semecarpus anacardium); Kafir orange (Strychnos spinosa, Africa); Manuey (Mamea Americana, Gultiferae); Guava real (Inga spectabilis) Macaws (Guadopalin, Diphisa robinioidies); Yam (Dioscorea alata); Kafir plum (Harpephyllum caffrum); Mango (Mangifera Indica, Anacardiaccae); Klat, Arabia (Catha deulis); Medicine nut (Jatropha curas, Euphorbiceae).

Miscellaneous Trees, Plants and Roots-Rubber tree (Ficus clasticus); Indian rubber tree (Ficus Indica); Para rubber (Hevea, sp.); ——— (Eucalyptus botryoides); Silk oak, --- (Grevillea robusta); Guacimo (Guazuma ulmifolia); Cola (Cola acumuiata); Japanese bamboo (Bambusa argentea); ---- (Bambus arundinacea); Bastard teak (Butea frondosa); Ornamental ash (Phoeni xreclinata); Rain tree (Pitheccolobeum saman); Umbrella tree, Japanese varnish (Steraulia platonifolia); —— (Yucca elephantipes); Mahogany (Swietonia mahogani) Teak wood (Tectona grandos); ----- (Pamdanus veitchii); Cassava (Manihot aipi, Euphorbiceae); Calabash (Cresentia cujete); Arrow root (Maranta arundinacea); Crow tree (Hermesias grandicips); Sandbox (Huracrepitans Euphorbiceae); Native rubber (Castilla panamensis); Camphora; Snake wood (Cecropia palmata); Job's tears (Coix lacrymo Jobi); Jamaican Elder (Cedrela odorata); Soap berry (Sapindus saponaria); Ciruelo chino (Spondias dulcis, Anacardioceae); Dragon tree (Dracaena lindeni); Grape tree (Coccoloba, uvifera); ——— (Ficus altissima, urticaeae); Bread fruit (Artocarpus incisa, urticaeae); Snake wood (Cocropis palmata, urticaeae); Marango (Moringa oleifera); Algaroba (Hymenea courbaril).

Flowering Bushes and Plants-Sapote (Lucuma Mammosa, Sapotaceae); India Kale, Calocesias atrovikus (Xanthosoma); Spanish lily (Crinum evubesceur); Kirkie (Cavanillesis platanifolia, Stereubiaceae); ——— (Corozo galleraze, Attalia gomphoese); Australian pine (Casurarina, squisedifolia); ——— (Achras Ingesto, Pittier); ---- (Xanthosoma violaceum); Tree fern (Polypodium); Screw pine (Pandamus utilis); ----- (Chlorphora tinctoria, Madusa Fustie); ----Mosiaca, Euphordicaeae); Poroporo (Cochlospermum hibiscodes); Fustie (Chlorophora tinctoria, Machura tinctoria); Sterculiaeae (Chlorophora tinctoria, Machura tinctoria); Sterculiaeae (Cavanillesia plantanifolia); ——— (Calophyllum kunsterli longifolium); Bala (Gliricidia maculata); Bougainvillea (Glabra Sanderiana) - (Garcinia Xanthochyma); Gamboge (Garcinia morella); Cape jessamine (Gardenia Florida); "Jagua" (Genipa carute); Cacho de venado (Gilibertia - (Gynandropsis pentandra); Membrilla (Gustavia augustifolia); Corteza (Arabia guilfoylei); ---- (Aralia); Cerizo (Bunchosia glauea); Nance (Byreonima crassifolia); Cana fistala (Cassia leiantha); Mazano-Salamo (Calycophyllum candidissium); Otaheita gooseberry (Cicca disticha); (Pito Erythrina corallodendron); Pavilla (Didymopanax morototoni); Ameryllis lily (Hippeastrum — (Hibiscus rosa); Ginger lily (Hedychium coronarium); Yellow morning glory (Ipomoea tuba rosa); ——— (Ixora sp.); ——— (Jasminum gracilli-

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ca); — (Myroxylon); Dragon's eye, China (Nephelium longana); —
(Piper cordoncilla); ——— (Phyllanthus acuminatus); ——— (Pentoclethra);
—— (Paico); —— (Pachira macrocarpa); —— (Pachira fendleri); ——
(Ordinancia); ——— (Ocotea); ——— (Rheo bicolor); (Rhinacanthus nasutus);
Biniba (Rollimis orthopotala, Brazil); ——— (Schizolobium excelsium); ———
(sapium Moritzium); ——— (Strychnos nux vomica); ——— (Thevetia nitida);
(Thrichilia); (Vismia panamensis); (Vinca rosea);
(Vernonia); Red Croton (Xanthoseoma sp.); Malagueto grande (Xylopia grandi-
flora); Star apple (Phrysophillum Cainito); Grendilla (Passiflore quadrangularis);
Fabaceae, East Indies (Agati grandiflora); Four winged bean, Saguidillas (Botor
tetragonoloba, Fabaceae); Calladium colocasia, Taro (Colocasis esculentum,
Araceae); (Didymopanax morototoni); Pito (Erythrina colallodendron); Rubi-
aceae, native (Hamelia patens); ——— (Lantana camara, Verbenaceae); ———
(Philodendron, Aroideae); Tube rose (Polianthes pancratium tuberosa, Lilliaceae);
(Thevetia nerifolia, Apocyneae); Indian kale (Xanthosoma atrovirens, Araceae);
Zepher lily (Zephyranthes, amaryllis rosea, Lilliaceae): Psidium quave, myrthaceae

The Weather and Related Meteorological Subjects.

Panama weather may be described as very warm during day and cool at night. It is never "hot" here in the sense that it is in New York, Montreal, and Dawson City, in the middle of summer. On the other hand, it is never "cold" in any sense. At night one must frequently resort to a light cotton blanket to keep him from awakening in the morning with his head filled up with a cold; and in the early morning while the fog yet hangs over Culebra Cut it is often so chilly as to make a woolen coat quite comfortable. In the hours between 9 a. m. and 5 p. m. it is so warm

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as to make any coat uncomfortable in the sun. Women wear summer clothing all the year around in Panama, but few of the men do, largely because they are so conservative that they will not change from the "States" clothing for fear of being suspected of dandyism. Men haven't much sense anyhow.

A heavy wind springs up about the middle of each December, blowing across the Isthmus from north to south.

It is called the trade wind. It continues Dry Season. to blow until about May 1. While this wind is blowing, the clouds that otherwise would have formed over the Isthmus are carried away, and therefore there is no rain. Now and again the wind will cease long enough for a rain to form. The average rainfall for the months of January to May, for forty years of record at Cristobal, is 11.47 inches; at Ancon for 13 years, 5.24 inches; at Culebra for 20 years, 7.01 inches. This is the season that corresponds to winter in the United States, for it is then that such plants as die each year are withered up, and the trees drop their leaves. It is like the northern summer in that the fruits and flowers are most profuse at this time.

The rainy season occupies the eight months of the year not taken up by the dry season. The average rainfall in the wet-season months, May to December Rainy Season, inclusive, at Ancon during a period of 13 years, has been 66.43 inches; Culebra, 20 years of record, 83.94 inches; Cristobal, 40 years, 118.56 inches; Porto Bello, 3 years, 149.20 inches. This is a large quantity of rain. There are few days in those eight months when there is not at least one shower, and this usually occurs between 12 o'clock noon and 2 p. m. Sometimes it rains all day, at other times there are short showers lasting only a few minutes. It has rained three-fourths of an inch in five minutes, 5.86 inches in one hour, 10.86 inches in 24 hours, since the American occupation, and these maximum records are typical of many other heavy storms. The sudden downpours flood the streams; the Chagres River, a placid little stream before the lake was formed, would fill to its banks, often overrunning the surrounding fields; and sometimes railroad traffic was interfered with when the old main line through the river bottom was in use. The rains are not accompanied by heavy winds, and, therefore, no damage to crops is done, and, except in cases of very severe storms

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the Canal workers do not stop because of the showers.	The
average annual rainfall for years of record at typical stati	ions
is shown in the following table:	

	Years	Inches.	Location.
Ancon. Culebra. Gamboa Alhajuela Gatun. Cristobal. Porto Bello.	13 20 28 11 6 40	90.95 93.79 107.14 140.55 130.03	Pacific coast. Summit cordillera. Middle Chagres Valley Upper Chagres Valley Lower Chagres Valley Atlantic Coast. Atlantic Coast

Temperature. The temperature is fairly even, and the humidity is always high. The maximum and minimum of recent years in three sections are shown in the following statement:

Station	Maximum. Date. Degrees F.	Minimum. Date. Degrees F.
Ancon	April 7, 1912. 97 April 17, 191296 June 3, 190992	January 27, 191063 March 21, 191061 December 3, 190966

The termperature of sea water on the surface on the Atlantic side of the isthmus is, average, 81 degrees F.; lowest, 75 degrees F.; Pacific side, average, 80 degrees F.; lowest, 60 degrees F.

The evaporation was highest in 1908, when the record Evaporation.

for the year was, Ancon, 46.969 inches; Bas Obispo, 50.061 inches; Cristobal, 52.488 inches.

The fogs come about 2 o'clock in the morning and are dissipated by the sun before 8 o'clock. There is no sight on the canal more impressive than Culebra Fogs. Cut during a heavy fog. While it is still dark one may hear the puffing of the work locomotives down in the trench, the clang of iron on iron, the chug-chug of the drills, and catch a gleam occasionally of the light of a locomotive piercing the veil of mist. Work is in full swing at one minute after seven every week-day morning, and from the banks the watcher may see the mist roll

away, gradually revealing the broad cut, each minute giving

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some new cynosure of industry. A typical year for fogs was 1910, when there were 197 foggy nights at Culebra. the average duration being 5 hours 37 minutes; 8 fogs at Ancon, average duration, 2 hours 38 minutes; 6 at Cristobal, average, 4 hours 12 minutes; 217 at Bohio, average, 5 hours 35 minutes.

The maximum range of the tide at Balboa, the Pacific entrance to the Canal, is 20.8 feet; that is, the difference between extreme low and extreme high tide

Tides. in one oscillation, is 20.8 feet. The minimum is 5.1 feet. At Cristobal the maximum is 2.17 feet, and often there is no difference between the low and the mean so that no minimum can be given.

Several times in its history the Isthmus has been shaken by earthquakes, the most serious being that of 1882, referred to on page 126. None of these disturbances Earthquakes. has been so serious as to affect the working of the machinery in the locks of the present canal or the tidal locks of a sea-level canal. Each year the Isthmian Canal Commission publishes its record of seismic disturbances; and correct reports may thus be obtained.

Winds. The maximum velocity of the wind at Ancon in 1910, a typical year, was 31 miles an hour, average, 7.3 miles; Culebra, 39 miles, average, 6.9; Cristobal, maximum, 38, average, 9.8.

Latitude and Longitude.

The latitude and longitude of three main points on the isthmus are as follows:

Point.	Latitude N.	Longitude W, Greenwich.
Colon Lighthouse	9 d. 21 m. 55.314 s.	79 d. 54 m. 38.811 s
gona)	9 d. 4 m. 57.637 s.	79 d. 43 m. 50.313 s.
Panama Cathedral S. E. Spire	8 d. 57 m. 13.676 s.	79 d. 32 m. 16.516 s.

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Second Class—Newspapers and periodicals, 1 cent for each four ounces or fraction thereof.

Third Class—Miscellaneous printed matter, 1 cent for each two unces or fraction thereof.

Fourth Class—All matter not included in first three classes, 1 cent

for each ounce or fraction thereof.

Domestic rates apply to all mail for Panama, the United States, Canada, Cuba, Guam, Hawaii, Mexico, Philippines, Porto Rico, Tutuila.

Foreign.

Letters and Sealed Matter—5 cents for the first ounce and 3 cents for each additional ounce or fraction thereof.

Post Cards—2 cents each.

Commercial Papers—1 cent for each two ounces or fraction, but not less than 5 cents on each packet.

Printed Matter—1 cent for each two ounces or fraction.

Samples of Merchandise—1 cent for each two ounces or fraction, but not less than 2 cents for each packet.

Parcels Post—12 cents per pound. Thanks to the union between the express companies and the country stores, this rate is not available on matter sent to the United States.

Customs Regulations.

A summary of the principal customs regulations applying to Americans returning to the United States, paragraph 709, appearing in the free list of the present tariff act governing passengers' baggage, reads as follows:

Wearing apparel, articles of personal adornment, toilet articles, similar personal effects of persons arriving in the United States free; but this exemption shall only include such articles as actually accompany, and are in the use of, and as are necessary and appropriate for the wear and use of such persons, for the immediate purposes of the journey and present comfort and convenience, and shall not be held to apply to merchandise or articles intended for other persons or for sale: Provided, That in case of residents of the United States returning from abroad, all wearing apparel and other personal effects taken by them out of the United States to foreign countries, shall be admitted free of duty, without regard to their value, upon their identity being established, under appropriate rules and regulations to be prescribed by the Secretary of the Treasury, but not more than one hundred dollars in value of articles purchased abroad by such residents of the United States shall be admitted free of duty upon their return.

Residents of the United States must declare all articles which have been obtained abroad by purchase or otherwise, whether used or unused, and whether on their persons, in their clothing, or in their baggage. The foreign value of each article, stated in United States money, must also be declared.

Articles taken from the United States and remodeled, repaired, or improved abroad must be declared, and the cost of such remodeling, repairing, or improving, must be separately stated

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The following articles are dutiable: Household effects, including books, pictures, furniture, tableware, table-linen, bed-linen, and other similar articles, unless used abroad by the owner for a period of a year or more. Goods in the piece. Articles of any nature intended for sale, or for other persons.

The following articles are fice if under \$100 in value, and if necessary for comfort and convenience for the purposes of the journey, and not for sale nor for other persons: Clothing; toilet articles, such as combs, brushes, soaps, cosmetics, shaving and manicure sets, etc.; personal adornments, jewelry, etc.; similar personal effects, which may include cameras, canes, fishing tackle, glasses (field, opera, marine), golf sticks, guns, musical instruments, parasols, photographs, smoker's articles, steamer rugs and shawls, toys, trunks valises, etc.; clothing and other personal effects taken out of the United States by the passenger if not increased in value or improved in condition while abroad. If increased in value or improved in condition, they are dutiable on the cost of the repairs.

The above list of articles, which are dutiable and nondutiable, are stated for the assistance of passengers, and are not exhaustive. All articles are dutiable unless specifically exempted by law.

Pack in one trunk if practicable, all dutiable articles.

Receipted bills for foreign purchases should be presented whenever possible.

Use does not exempt from duty wearing apparel or other articles obtained abroad; but such articles will be appraised at their value in the condition as imported, due allowance being made for depreciation through wear and use.

Nonresidents of the United States are entitled to bring in free of duty without regard to the one hundred-dollar exemption, such articles as are in the nature of wearing apparel, articles of personal adornment, toilet articles, and similar personal effects, necessary and appropriate for their wear and use for the purposes of the journey and present comfort and convenience, and which are not intended for other persons or for sale.

Citizens of the United States, or persons who have at any time resided in this country, shall be deemed to be residents of the United States, unless they shall have abandoned their residence in this country and acquired an actual *bona-fide* residence in a foreign country.

Such citizens or former residents who desire the privileges granted by law to nonresidents must show to the satisfaction of the collector's representative on the pier, subject to the collector's approval, that they have given up their residence in the United States and that they have become *bona fide* residents of a foreign country.

The residence of a wife follows that of the husband; and the residence of a minor child follows that of its parents.

Household effects of persons or families from foreign countries wil be admitted free of duty only if actually used abroad by them not less than one year, and if not intended for any other person, nor for sale. Such effects should be declared whether the passenger be a resident or a nonresident of the United States.

Articles intended for use in business, or for other persons, theatrical apparel, properties, and sceneries, must be declared by passengers, whether residents or nonresidents.

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All cigars and cigarettes must be declared. Each passenger over eighteen years of age may bring in free of duty 50 cigars or 300 cigarettes if for the bona fide use of such passenger. Such cigars and cigarettes will be in addition to the articles included within the \$100 exemption.

The law provides that every person entering the United States shall make a declaration and entry of his or her personal baggage, The law further requires that the values of articles shall be determined by customs officers, irrespective of the statements of passen gers relative thereto.

It will thus be seen that there is no discourtesy in the requirement that both a declaration and an independent appraisal shall be made. Taken together, these requirements place the passenger in the same position as any other importer of merchandise.

Passengers should observe that on the sheet given them there are two forms of declarations (the one printed in black is for residents of the United States) the one in red, for nonresidents.

The exact number of pieces of baggage, including all trunks, valises, boxes, packages, and hand bags of any description accompanying the passenger, must be stated in the declaration.

The senior member of a family present as a passenger, may make

declaration for the entire family.

Ladies traveling alone should state that fact in their declarations, in order that an expeditious examination of their baggage may be made.

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The Stars.

It is presumed that only those who know the principal stars and constellations visible in the north temperate zone will take a definite interest in the stars of the tropics, although anyone who looks upward at night must be impressed by the great brilliancy of all the stars, standing out as they do as sharply as on the clearest winter nights north of the tropic of cancer. The star scope in Panama reaches from Polaris in ursa minor, which is low on the northern horizon, to Argo Navis (the ship of the argonauts) which stretches across the southern sky.

In the book by Garrett P. Serviss, "Astronomy with the Naked Eye" (Harpers, New York, 1908) there is a delightfully written chapter on the Southern Constellations, and the facts here cited are on the authority of that chapter, as the star chart herewith is an abridgenemt of the chart in Serviss' book.

As in the north, the stars in Panama are at their best in winter time, when there is least moisture in the air. Then appear the bright constellations Orion, Casseopeia, Ursa Major, Canis Major, Auriga, Taurus, Argo Navis, Crux, and Centauri. Only the last three are peculiar to the tropics. They are visible from January to September, but are best seen from March to September when all are visible at some time between sunset and ten o'clock. When Orion is about 45 degrees

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above the western horizon, March 1 to 20, the Southern Cross is just rising above the eastern horizon, and an hour later the bright stars of the Centaur appear.

Stars between the inner circles can be seen from Panama, but not from States of the United States, north of latitude 35°. No stars are shown within the inner circle because they are not visible from Panama. Stars observable from north of 35° N. are shown in order that one may locate the southern stars. (1) is Orion with its bright star "Rigel"; (2) Canis Major with Sirius; (3) Argo Navis with Canopus and its second bright star "Eta"; (4) Crux or Southern Cross; (5) Centaurus with its bright stars "Alpha" and "Beta"; (6) Hydra, or Sea Serpent; (7) Corvus, the Crow; (8) Virgo with its bright star "Spica"; (9) Ara, the Altar; (10) Libra; (11) Scorpio with its bright star "Antares"; (12) Capri-

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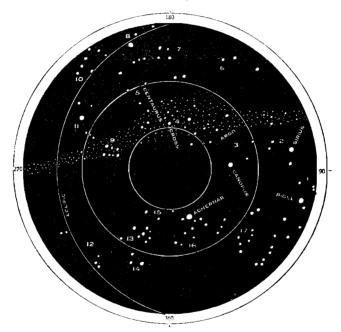
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cornus; (13) Grus, the Crane; (14) Pisces Aus, Southern Fish; (15) Toucan; (16) Phoenix; (17) Eridanus with the bright star "Achernar." Dotted lines show direction of Milky Way.

Argo Navis, the ship of the Argonauts, in which Jason and his followers set out to search for the golden fleece, stretches clear across the southern sky, its Argo Navis. northernmost stars mingling with those of Canopus. Canis Major, while on the east it almost touches Centaurus and the Southern Cross. Its bright stars outline well the hull of a ship, remarkably like a modern



racing yacht with deep, heavy keel. The bow is lacking, due to an accident that occurred while the fleece hunters were crossing the Bosporus. In the keel is Canopus, the most lucid of the southern stars, and second only to Sirius, in brilliancy. Canopus can be seen low on the southern horizon from States of the United States south of North Carolina, but to most of the visitors to the Canal it is an entirely new star. It is one of the most distant of the stars, is said to be ten thousand times as bright as the sun, and 250 times as

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bright as Sirius; in fact it is the brightest of all the stars, but its great distance from us makes it seem less lucid than Sirius. It was an object of worship in Egypt, China, and Chaldea. The second brightest star in Argo Navis is that designated Eta, but it is remarkable less for its brightness than for its variableness, sometimes being as bright as Canopus, and again being invisible.

Immediately east of Argo Navis, visible during the eight months from January to September, at hours varying from 2

a. m. in January to 8 p. m. in September, is
Southern
Crux, the Southern Cross. This constellation is
Cross. greatly overrated in one sense, because it is
nothinglike so conspicuous as Orion, Cassiopeia.

the Great Dipper, Scorpio, nor to my mind as the great square of Pegasus; but it is justly famed as the pointer to the south pole, as the most clearly defined of the southern constelations, and because of its romantic influence on the men who discovered and colonized Latin-America. It was not commonly known to Europeans before the time of Columbus: and the effect upon the old navigators can be well imagined, as they saw the familiar stars by which they were accustomed to steer change position in the sky, and this new and brilliant constellation gradually rise. It was a time of even greater superstition than this in which we live, a day of mysticism, and there was varying significance, to the men who murdered in the name of Christ, in the spectacle of this cross seeming to beckon them toward the south. The constellation is about 30 degrees north of the south pole, towards which it points by means of a line drawn through its brightest star (alpha) from the star immediately above it (gamma). Alpha shows itself a binary under the telescope. To the astrologers of Asia Minor the cross was known as a part of Cen-

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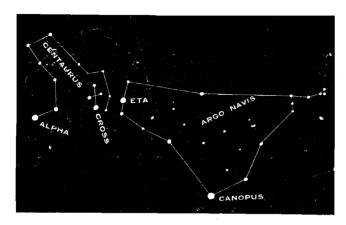
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taurus, to which it really belongs, since it is surrounded on three sides by the stars of this constellation.



Centaurus follows Argo Navis and The Cross in the procession from east to west, completing the brilliant pageant of the southern skies. Its brightest stars, Centaurus. Alpha and Beta, point directly to the cross, Alpha and they are among the most lucid stars. Centauri. Alpha ranks next to Canopus in brilliancy, and is distinguished as being the nearest of all the stars. It is a binary, and its brilliancy is reckoned as four times that of the sun. It was known to the Egyptians, among whom it was an object of worship.

When Argo Navis, Crux, and Centaurus have run their course, the southern sky shows few stars of remarkable brilliancy, and no constellations of great import-Achernar. ance. At the southern end of the northern constellation Eridanus is the bright star Achernar, not visible from latitudes north of 32 north. It is about 32 degrees north of the south pole, and is equal in brilliancy to Arcturus, Vega, and Capella. It likewise was an object of worship by the ancients.

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The Canal Medal.

In his farewell speech on the dock at Colon on November 17, 1906, just as he was about to leave the Isthmus, President Roosevelt said, "I shall see if it is not possible to pro-



vide for some little memorial, some mark, some badge, which will always distinguish the man who for a certain space of time has done his work well on the Isthmus, just as the button of the Grand Army distinguishes the man who did his work well in the CivilWar."

The outcome of this speech was the Canal Service Medal pictured on this page. It

is of bronze made from brass, copper, and tin taken from old French equipment. It is 11/2 inches in diameter, about the size of a peso. On the face is a three-quarter bust portrait of Theodore Roosevelt, underneath it a space for the service record, and around the rim the words, "For two years continuous service on the Panama Canal." On the obverse is a



picture of Culebra Cut with ships passing through, the seal of the Canal Zone, a name plate and the inscriptions shown in the illustration. A medal is awarded to every American employe who serves two years continuously on the isthmus, and a service bar is awarded for each two years additional service.

MR 22928----16

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Treaties Affecting The Canal.

Clayton-Bulwer Treaty, July 5, 1850.

The United States of America and Her Britannic Majesty, being desirous of consolidating the relations of amity which so happily subsist between them, by setting forth and fixing in a Convention their views and intentions with reference to any means of communication by ship canal, which may be constructed between the Atlantic and Pacific Oceans by the way of the River San Juan de Nicaragua and either or both of the Lakes of Nicaragua or Managua, to any port or place on the Pacific Ocean,-The President of the United States has conferred full powers on John M. Clayton, Secretary of State of the United States; and Her Britannic Majesty on the Right Honorable Sir Henry Lytton Bulwer, a member of Her Majesty's Most Honorable Privy Council, Knight Commander of the Most Honorable Order of the Bath, and Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty to the United States, for the aforesaid purpose; and the said Plenipotentiaries having exchanged their full powers which were found to be in proper form, have agreed to the following articles:

ARTICLE I.

The Governments of the United States and Great Britain hereby declare, that neither the one nor the other will ever obtain or maintain for itself any exclusive control over the said Ship Canal; agreeing that neither will ever erect or maintain any fortifications commanding the same, or in the vicinity thereof, or occupy, or fortify, or colonize, or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America; nor will either make use of any protection which either affords or may afford, or any alliance which either has or may have, to or with any State or People for the purpose of erecting or maintaining any such fortifications, or of occupying, fortifying, or colonizing Nicaragua, Costa Rica, the Mosquito Coast or any part of Central America, or of assuming or exercising dominion over the same; nor will the United States or Great Britain take advantage of any intimacy or use any alliance, connec-

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tion or influence that either may possess with any State or Government through whose territory the said Canal may pass for the purpose of acquiring or holding, directly of indirectly, for the citizens or subjects of the one, any rights or advantages in regard to commerce or navigation through the said canal which shall not be offered on the same terms to the citizens or subjects of the other.

ARTICLE II.

Vessels of the United States or Great Britain, traversing the said Canal shall, in case of war between the contracting parties, be exempted from blockade, detention or capture, by either of the belligerents; and this provision shall extend to such a distance from the two ends of the said Canal as may hereafter be found expedient to establish.

ARTICLE III.

In order to secure the construction of the said Canal, the contracting parties engage that, if any such Canal shall be undertaken upon fair and equitable terms by any parties having the authority of the local Government or Governments through whose territory the same may pass, then the persons employed in making the said Canal and their property used, or to be used, for that object, shall be protected, from the commencement of the said Canal to its completion, by the Governments of the United States and Great Britain, from unjust detention, confiscation, seizure or any violence whatsoever.

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ARTICLE IV.

The contracting parties will use whatever influence they respectively exercise, with any State, States or Governments possessing, or claiming to possess, any jurisdiction or right over the territory which the said Canal shall traverse, or which shall be near the waters applicable thereto; in order to induce such States, or Governments, to facilitate the construction of the said Canal by every means in their power: and furthermore, the United States and Great Britian agree to use their good offices, wherever or however it may be most expedient, in order to procure the establishment of two free Ports,—one at each end of the said Canal.

ARTICLE V.

The contracting parties further engage that, when the said Canal shall have been completed they will protect it from interruption, seizure or unjust confiscation, and that they will guarantee the neutrality thereof, so that the said Canal mayforever be open and free, and the capital invested therein, secure. Nevertheless, the Governments of the United States and Great Britain, in according their protection to the construction of the said Canal, and guaranteeing its neutrality and security when completed, always understand that, this protection and guarantee are granted conditionally, and may be withdrawn by both Governments, or either Government, if both Governments or either Government, should deem that the persons or company undertaking or managing the same, adopt or establish such regulations concerning the traffic thereupon, as are contrary to the spirit and intention of this Convention,—either by making unfair discriminations in favor of the commerce of one of the contracting parties over the commerce of the other, or by imposing oppressive exactions or unreasonable tolls upon passengers, vessels, goods, wears, merchandise, or other articles. Neither party, however, shall withdraw the aforesaid protection and guarantee without first giving six months notice to the other.

ARTICLE VI.

The contracting parties in this Convention engage to invite every State with which both or either have friendly intercourse, to enter into stipulations with them similar to those which they have entered into with each other; to the end that all other States may share in the honor and advantage of having contributed to a work of such general interest and importance as the Canal herein contemplated.

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And the contracting parties likewise agree that, each shall enter into Treaty stipulations with such of the Central American States, as they may deem advisable, for the purpose of more effectually carrying out the great design of this Convention, namely,—that of constructing and maintaining the said Canal as a ship-communication between the two Oceans, for the benefit of mankind, on equal terms to all, and of protecting the same; and they, also, agree that, the good offices of either shall be employed, when requested by the other, in aiding and assisting the negotiations of such treaty stipulations; and should any differences arise as to right or property over the territory through which the said Canal shall pass,—between the States or Governments of Central America,—and such differences should, in any way, impede or obstruct the execution of the said Canal, the Governments of the United States and Great Britain will use their good offices to settle such differences in the manner best suited to promote the interests of the said Canal, and to strengthen the bonds of friendship and alliance which exist between the contracting parties.

ARTICLE VII.

It being desirable that no time should be unnecessarily lost in commencing and constructing the said Canal, the Governments of the United States and Great Britain determine to give their support and encouragement to such persons, or company, as may first offer to commence the same, with the necessary capital, the consent of the local authorities, and on such principles as accord with the spirit and intention of this Convention; and if any persons, or company, should already have, with any State through which the proposed Ship-Canal may pass, a contract for the construction of such a canal as that specified in this Convention,—to the stipulations of which contract neither of the contracting parties in this Convention have any just cause to object,—and the said persons, or company, shall moreover, have made preparations and expended time, money, and trouble on the faith of such contract, it is hereby agreed that such persons, or company shall have a priority of claim over every other person, persons, or company to the protection of the Governments of the United States and Great Britain, and be allowed a year, from the date of the exchange of the ratifications of this Convention for concluding their arrangements and presenting evidence of sufficient capital subscribed to acIsthmian Phone No. 36 PANAMA

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complish the contemplated undertaking; it being understood that if, at the expiration of the aforesaid period, such persons, or company be not able to commence and carry out the proposed enterprise, then the Governments of the United States and Great Britain shall be free to afford their protection to any other persons, or company, that shall be prepared to commence and proceed with the construction of the Canal in question.

ARTICLE VIII.

The Governments of the United States and Great Britain having not only desired in entering into this Convention, to accomplish a particular object, but, also, to establish a general principle, they hereby agree to extend their protection, by Treaty stipulations, to any other practicable communications, whether by Canal or railway, across the Isthmus which connects North and South America; and especially to the inter-oceanic communications,-should the same prove to be practicable, whether by canal or railwaywhich are now proposed to be established by the way of Tehuantenec, or Panama. In granting, however, their joint protection to any such Canals or railways, as are by this Article specified, it is always understood by the United States and Great Britain, that the parties constructing or owning the same, shall impose no other charges or conditions of traffic thereupon, than the aforesaid Governments shall approve of as just and equitable; and, that the same Canals or railways being open to the citizens and subjects of the United States, and Great Britain on equal terms, shall also, be open on like terms to the citizens and subjects of every other State which is willing to grant thereto, such protection as the United States and Great Britain engage to afford.

ARTICLE IX.

The ratifications of this Convention shall be exchanged at Washington, within six months from this day, or sooner, if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this Convention, and have hereunto affixed our Seals.

Done, at Washington, the nineteenth day of April, Anno Domini one thousand eight hundred and fifty.

JOHN M. CLAYTON. [SEAL.]

HENRY LYTTON BULWER. [SEAL,]

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Hay-Pauncefote Treaty, Feb. 22, 1902.

Whereas a Convention between the United States of America and the United Kingdom of Great Britain and Ireland, to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans, by whatever route may be considered expedient, and to that end to remove any objection which may arise out of the Convention of the 19th of April, 1850, commonly called the Clayton-Bulwer treaty, to the construction of such canal under the auspices of the Government of the United States, without impairing the "general principle" of neutralization established in Article VIII of that Convention, was concluded and signed by their respective plenipotentiaries at the city of Washington on the 18th day of November, 1901, the original of which Convention is word for word as follows:

The United States of America and His Majesty Edward the Seventh, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, and Emperor of India, being desirous to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans, by whatever route may be considered expedient, and to that end to remove any objection which may arise out of the Convention of the 19th of April, 1850, commonly called the Clayton-Bulwer Treaty, to the construction of such canal under the auspices of the Government of the United States, without impairing the "general principle" of neutralization established in Article VIII of that Convention, have for that purpose appointed as their Plenipotentiaries:

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

And His Majesty Edward the Seventh, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, and Emperor of India, the Right Honorable Lord Pauncefote, G. C. B., G. C. M. G., His Majesty's Ambassador Extraordinary and Plenipotentiary to the United States;

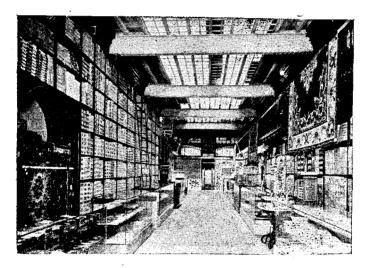
Who having communicated to each other their full powers which were found to be in due and proper form, have agreed upon the following Articles:—

ARTICLE 1.

The high Contracting Parties agree that the present Treaty shall supersede the afore-mentioned Convention of the 19th April, 1850.

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:::BAZAAR FRANCES:::

ARTICLE II.

It is agreed that the Canal may be constructed under the auspices of the Government of the United States, either directly at its own cost, or by gift or loan of money to individuals or Corporations, or though subscription to or purchase of stock or shares, and that, subject to the provisions of the present Treaty, the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

ARTICLE III.

The United States adopts, as the basis of the neutralization of such ship canal, the following Rules, substantially as embodied in the Convention of Constantinople, signed the 28th October, 1888, for the free navigation of the Suez Canal, that is to say:

- 1. The Canal shall be free and open to the vessels of commerce and of war of all nations observing these Rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable.
- 2. The Canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it. The United States, however, shall be at liberty to maintain such military police along the Canal as may be necessary to protect it against lawlessness and disorder.
- 3. Vessels of war of a belligerent shall not revictual nor take any stores in the Canal except so far as may be strictly necessary; and the transit of such vessels through the Canal shall be effected with the least possible delay in accordance with the Regulations in force, and with only such intermission as may result from the necessities of the service.

Prizes shall be in all respects subject to the same Rules as vessels of war of the belligerents.

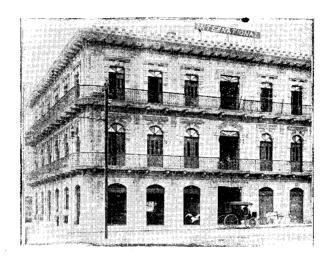
- 4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the Canal, except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible dispatch.
- 5. The provisions of this Article shall apply to waters adjacent to the Canal, within three marine miles of either

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- end. Vessels of war of a belligerent shall not remain in such waters longer than twenty-four hours at any one time, except in case of distress, and in such case, shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within twenty-four hours from the departure of a vessel of war of the other belligerent.
- 6. The plant, establishments, buildings, and all works necessary to the construction, maintenance, and operation of the Canal shall be deemed to be part thereof, for the purposes of this Treaty, and in time of war, as in time of peace, shall enjoy complete immunity from attack or injury by belligerents, and from Acts calculated to impair their usefulness as part of the Canal.

ARTICLE 1V.

It is agreed that no change of territorial sovereignty or of the international relations of the country or countries traversed by the before-mentioned Canal shall affect the general principle of neutralization or the obligation of the High Contracting Parties under the present Treaty.

ARTICLE V.

The present Treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty; and the ratifications shall be exchanged at Washington or at London at the earliest possible time within six months from the date hereof.

In faith whereof the respective Plenipotentiaries have signed this Treaty, and thereunto affixed their Seals.

Done in duplicate at Washington, the 18th day of November, in the year of Our Lord one thousand nine hundred and one.

JOHN HAY. [SEAL.] PAUNCEFOTE. [SEAL.]

And Whereas the said Convention has been duly ratified on both parts, and the ratification of the two Governments were exchanged in the city of Washington on the twenty-first day of February, one thousand nine hundred and two;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same, and every Article and Clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

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~~ALBERT LINDO~~

In witness whereof I have hereunto set my hand and caused the Seal of the United States to be affixed.

Done at the city of Washington, this twenty-second day of February, in the year of Our Lord one thousand nine hundred and two, and of the Independence of the United States the one hundred and twenty-sixth.

[SEAL.]

By the President:

THEODORE ROOSEVELT.

John Hay,

Secretary of State.

Treaty between the United States and the Republic of Panama, Feb. 26, 1904.

Whereas, a Convention between the United States of America and the Republic of Panama to insure the construction of a ship canal across the Isthmus of Panama to connect the Atlantic and Pacific Oceans, was concluded and signed by their respective Plenipotentiaries at Washington, on the eighteenth day of November, one thousand nine hundred and three, the original of which Convention, being in the English language, is word for word as follows:

ISTHMIAN CANAL CONVENTION.

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

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

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

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AUTOMOBILES

ARTICLE L.

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

ARTICLE II.

The Republic of Panama grants to the United States in perpetuity the use, occupation and control of a zone of land and land under water for the construction, maintenance, operation, sanitation and protection of said canal of the width of ten miles extending to the distance of five miles on each side of the center line of the route of the canal to be constructed: the said zone beginning in the Caribbean Sea three marine miles from mean low water mark and extending to and across the Isthmus of Panama into the Pacific Ocean to a distance of three marine miles from mean low water mark with the proviso that the cities of Panama and Colon and the harbors adjacent to said cities. which are included within the boundaries of the zone above described, shall not be included within this grant. The Republic of Panama further grants to the United States in perpetuity the use, occupation and control of any other lands and waters outside of the zone above described which may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said Canal or of any auxiliary canals or other works necessary and convenient for the construction, maintenance, operation, sanitation and protection of said enterprise.

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

ARTICLE III.

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

ARTICLE IV.

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

ARTICLE V.

The Republic of Panama grants to the United States in perpetuity a monopoly for the construction, maintenance and operation of any system of communication by means of canal or railroad across its territory between the Caribbean Sea and the Pacific Ocean.

ARTICLE VI.

The grants herein contained shall in no manner invalidate the titles or rights of private land holders or owners

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A. ATCHISON, Gen. Agent

Ancon, C. Z.

of private property in said zone or in or to any of the lands or waters granted to the United States by the provisions of any Article of this treaty, nor shall they interfere with the rights of way over the public roads passing through the said zone or over any of the said lands or waters unless said rights of way or private rights shall conflict with the rights herein granted to the United States in which case the rights of the United States shall be superior. All damages caused to the owners of private lands or private property of any kind by reason of the grants contained in this treaty or by reasons of the operations of the United States, its agents or employees, or by reason of the construction, maintenance, operation, sanitation, and protection of the said Canal or of the works of sanitation and protection herein provided for, shall be appraised and settled by a joint Conmission appointed by the Governments of the United States and the Republic of Panama, whose decisions as to such damages shall be final and whose awards as to such damages shall be paid solely by the United States. No part of the work on said Canal or the Panama Railroad or on any auxiliary works relating thereto and authorized by the terms of this treaty shall be prevented, delayed or impeded by or pending such proceedings to ascertain such damages. The appraisal of said private lands and private property and the assessment of damages to them shall be based upon their value before the date of this convention.

ARTICLE VII.

The Republic of Panama grants to the United States within the limits of the cities of Panama and Colon and their adjacent harbors and within the territory adjacent thereto the right to acquire by purchase or by the exercise of the

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8 SATISFACTION GUARANTEED

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

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

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Panama grants to the United States the right and authority to enforce the same.

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

ARTICLE VIII.

The Republic of Panama grants to the United States all rights which it now has or hereafter may acquire to the property of the New Panama Canal Company and the Panama Railroad Company as a result of the transfer of sovereignty from the Republic of Colombia to the Republic of Panama over the Isthmus of Panama and authorizes the New Panama Canal Company to sell and transfer to the United States its rights, privileges, properties, and concessions as well as the Panama Railroad and all the shares or part of the shares of that company; but the public lands situated outside of the Zone described in Article II of this treaty now included in the concessions to both said enterprises and not required

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in the construction and operation of the Canal shall revert to the Republic of Panama except any property now owned by or in the possession of said companies within Panama or Colon or the ports or terminals thereof.

ARTICLE IX.

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

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the ports of Colon and Panama and which do not cross the Canal.

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

ARTICLE X.

The Republic of Panama agrees that there shall not be imposed any taxes, national, municipal, departmental, or of any other class, upon the Canal, the railways and auxiliary works, tugs, and other vessels employed in the service of the Canal, store houses, work shops, offices, quarters for laborers, factories of all kinds, warehouses, wharves, machinery, and other works, property, and effects appertaining to the Canal or railroad and auxiliary works, or their officers or employees, situated within the cities of Panama and Colon and that there shall not be imposed contributions or charges of a personal character of any kind upon officers, employees, laborers, and other individuals in the service of the Canal and railroad and auxiliary works.

ARTICLE XI.

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

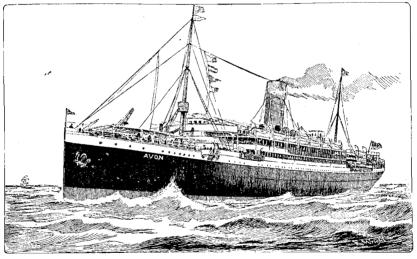
ARTICLE XII.

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



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ARTICLE XIII.

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

ARTICLE XIV.

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

The provisions of this Article shall be in addition to all other benefits assured to the Republic of Panama under this convention.

But no delay or difference of opinion under this Article or any other provisions of this treaty shall effect or interrupt the full operation and effect of this convention in all other respects.

ARTICLE XV.

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

The President of the United States shall nominate two persons and the President of the Republic of Panama shall nominate two persons and they shall proceed to a decision; but in case of disagreement of the Commission (by reason of their being equally divided in conclusion) an Umpire shall

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Or to M. FIDANQUE & SONS 6th ST., PANAMA be appointed by the two Governments who shall render the decision. In the event of the death, absence, or incapacity of a Commissioner or Umpire, or of his omitting, declining or ceasing to act, his place shall be filled by the appointment of another person in the manner above indicated All decisions by a majority of the Commission or by the Umpire shall be final.

ARTICLE XVI.

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

ARTICLE XVII.

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

ARTICLE XVIII.

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

ARTICLE XIX.

The Government of the Republic of Panama shall have the right to transport over the Canal its vessels and its troops and munitions of war in such vessels at all times without paying charges of any kind. The exemption is to be extended to the auxiliary railway for the transportation of persons in the service of the Republic of Panama or of the police

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force charged with the preservation of public order outside of said zone, as well as to their baggage, munitions of war and supplies.

ARTICLE XX.

If by virtue of any existing treaty in relation to the territory of the Isthmus of Panama, whereof the obligations shall descend or be assumed by the Republic of Panama. there may be any privilege or concession in favor of the Government or the citizens or subjects of a third power relative to an interoceanic means of communication which in any of of its terms may be incompatible with the terms of the present convention, the Republic of Panama agrees to cancel or modiify such treaty in due form, for which purpose it shall give to the said third power the requisite notification within the term of four months from the date of the present convention. and in case the existing treaty contains no clause permitting its modifications or annulment, the Republic of Panama agrees to procure its modifications or annulment in such form that there shall not exist any conflict with the stipulations of the present convention.

ARTICLE XXI.

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

ARTICLE XXII.

The Republic of Panama renounces and grants to the United States the participation to which it might be entitled in the future earnings of the Canal under Article XV of the concessionary contract with Lucien N. B. Wyse now owned by the New Panama Canal Company and any and all other rights or claims of a pecuniary nature arising under or relating to said concession, or arising under or relating to the concessions to the Panama Railroad Company or any extension or modification thereof; and it likewise renounces, confirms and grants to the United States, now and hereafter, all the rights and property reserved in the said consessions

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GEO. SCHANG, Agent, Colon

and Agents of the Company at any of the above men tioned points.

which otherwise would belong to Panama at or before the expiration of the terms of ninty-nine years of the concessions granted to or held by the above-mentioned party and companies, and all right, title and interest which it now has or may hereafter have, in and to the lands, canal, works, property and rights held by the said companies under said concessions or otherwise, and acquired or to be acquired by the United States from or through the New Panama Canal Company, including any property and rights which might or may in the future either by lapse of time, forfeiture or otherwise, revert to the Republic of Panama under any contracts or concessions, with said Wyse, the Universal Panama Canal Company, the Panama Railroad Company and the New Panama Canal Company.

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

ARTICLE XXIII.

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

ARTICLE XXIV.

No change either in the Government or in the laws and treaties of the Republic of Panama shall, without the consent of the United States, affect any right of the United States under the present convention, or under any treaty stipulation between the two countries that now exists or may hereafter exist touching the subject matter of this convention.

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

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ARTICLE XXV.

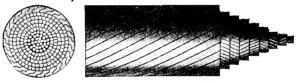
For the better performance of the engagements of this convention and to the end of the efficient protection of the Canal and the preservation of its neutrality, the Government of the Republic of Panama will sell or lease to the United States lands adequate and necessary for naval or coaling stations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

ARTICLE XXVI.

This convention when signed by the Plenipotentiaries of the Contracting Parties shall be ratified by the respective Governments and the ratifications shall be exchanged at Washington at the earliest date possible.

If faith whereof the respective Plenipotentiaries have signed the present convention in duplicate and have hereunto affixed their respective seals.

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W. H. Brill, Asst. Gen. Pass. Agt., I. C. R. R., New Orleans, La.

Illinois Central Office, 141 St. Charles St., New Orleans, La.

Done at the City of Washington the 18th day of November in the year of our Lord nineteen hundred and three.

JOHN HAY [SEAL]
P. BUNAU-VARILLA [SEAL]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the twentysixth day of February, one thousand nine hundred and four;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

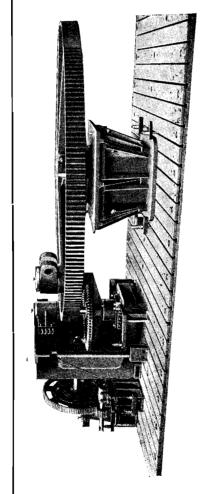
Done at the City of Washington, this twenty-sixth day of February, in the year of our Lord one thousand nine hundred and four, and of the Independence of the United States the one hundred and twenty-eighth.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

JOHN HAY
Secretary of State.



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New York Office: SINGER TOWER In addition to Mitre Gate Moving Machines, which we are building for the Canal as shown on opposite page, we are furnishing 114 STONEY GATE VALVE MACHINES for controlling water

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One other contract calls for \$165,000 worth of copper conductor bar of our own design.

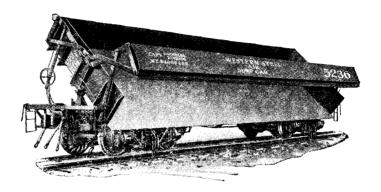
Other equipment which we are making consists of steel castings for the Gate Hinges—the Steel Reaction Castings for Gate Hinge weigh 5,500 tons alone—upper and lower Pintle castings, Heel and Yoke Castings for the Gates. The upper Pintle and Yokes are of vanadium steel-Manhole Covers and Frames, Rolled Nickel Steel Bearing Plates.

Altogether we are furnishing about 19,000 tons of machinery for the Panama Canal; 14,000 tons of which is cast steel made in our own works.

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Acts of Congress Affecting the Canal

Spooner Act.

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to acquire, for and on behalf of the United States, at a cost not exceeding forty millions of dollars, the rights, privileges, concessions, grants of land, right of way, unfinished work, plants, and other property, real, personal, and mixed, of every name and nature, owned by the New Panama Canal Company, of France, on on the Isthmus of Panama, and all its maps, plans, drawings, records on the Isthmus of Panama and in Paris, including all the capital stock, not less, however, than sixty-eight thousand eight hundred and sixty-three shares of the Pana-

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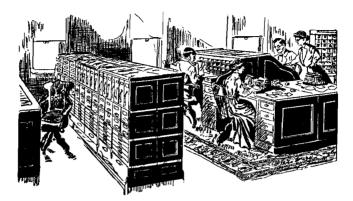
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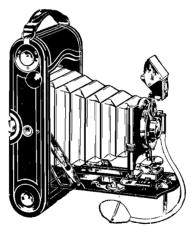
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ma Rail Road Company, owned by or held for the use of said Canal Company, provided a satisfactory title to all of said property can be obtained.

Sec. 2. That the President is hereby authorized to acquire from the Republic of Colombia, for and on behalf of the United States, upon such terms as he may deem reasonable, perpetual control of a strip of land, the territory of the Republic of Colombia, not less than six miles in width, extending from the Caribbean Sea to the Pacific Ocean, and the right to use and dispose of the waters thereon, and to excavate, construct and to perpetually maintain, operate, and protect thereon a Canal, of such depth and capacity as will afford convenient passage of ships of the greatest tonnage and draft now in use, from the Caribbean Sea to the Pacific Ocean, which control shall include the right to perpetually maintain and operate the Panama Railroad, if the ownership thereof, or a controlling interest therein, shall have been acquired by the United States, and also jurisdiction over said strip and the ports at the ends thereof to make

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such police and sanitary rules and regulations as shall be necessary to preserve order and preserve the public helath thereon, and to establish such judicial tribunals as may be agreed upon thereon as may be necessary to enforce such rules and regulations.

The President may acquire such additional territory and rights from Colombia as in his judgment will facilitate the general purpose hereof.

Sec. 3. That when the President shall have arranged to secure a satisfactory title to the property of the New Panama Canal Company, as provided in section one hereof, and shall have obtained by treaty control of the necessary territory from the Republic of Colombia, as provided in section two hereof, he is authorized to pay for the property of the New Panama Canal Company forty millions of dollars and to the Republic of Colombia such sum as shall have been agreed upon, and a sum sufficient for both said purposes is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.

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The President shall then through the Isthmian Canal Commission hereinafter authorized cause to be excavated, constructed, and completed, utilizing to that end as far as practicable the work heretofore done by the New Panama Canal Company, of France, and its predecessor company, a ship canal from the Caribbean Sea to the Pacific Ocean. Such canal shall be of sufficient capacity and depth as shall afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from ocean to ocean; and he shall also cause to be constructed such safe and commodious harbors at the termini of said Canal, and make such provisions for defense as may be necessary for the safety and protection of said canal and harbors. That the President is authorized for the purposes aforesaid to employ such persons as he may deem necessary, and to fix their compensation.

Sec. 4. That should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia and the rights mentioned in sections one and two of this Act, within a reasonable time and upon reasonable terms, then the President, having first obtained for the United States perpetual control by the treaty of the necessary territory from Costa Rica and Nicaragua, upon terms which he may consider reasonable, for the construction, perpetual maintenance, operation, and protection of a canal connecting the Caribbean Sea with the Pacific Ocean by what is commonly known as the Nicaragua route, shall through the said Isthmian Canal Commission cause to be excavated and constructed a ship canal and waterway from a point on a shore of the Caribbean Sea near Greytown, by way of Lake Nicaragua, to a point near Brito on the Pacific Ocean. Said canal shall be of sufficient capacity and depth to afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from ocean to ocean; and he shall also construct such safe and commodious harbors at the termini of said canal as shall be necessary for the safe and convenient use thereof; and shall make such pro-

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visions for defense as may be necessary for the safety and protection of said harbors and canal and such sum or sums of money as may be agreed upon by such treaty as compensation to be paid to Nicaragua and Costa Rica for the concessions and rights hereunder provided to be acquired by the United States, are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.

The President shall cause the said Isthmian Canal Commission to make such surveys as may be necessary for said canal and harbors to be made, and in making such surveys and in the construction of said canal may employ such persons as he may deem necessary, and may fix their compensation.

In the excavation and construction of said canal the San Juan River and Lake Nicaragua, or such parts of each as may be made available, shall be used.

Sec. 5. That the sum of ten million dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, toward the project herein contemplated by either route so selected.

And the President is hereby authorized to cause to be entered into such contract or contracts as may be deemed necessary for the proper excavation, construction, completion, and defense of such canal, harbors, and defenses, by the route finally determined upon under the provisions of this Act. Appropriations therefor shall from time to time be hereafter made, not to exceed in the aggregate the additional sum of one hundred and thirty-five millions of dollars should the Panama route be adopted, or one hundred and eighty millions of dollars should the Nicaragua route be adopted.

Sec. 6. That in any agreement with the Republic of Colombia, or with the States of Nicaragua and Costa Rica, The President is authorized to guarantee to said Republic or to said States the use of said canal and harbors, upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

Sec. 7. That to enable the President to construct the canal and works appurtenant thereto as provided in this Act, there is hereby created the Isthmian Canal Commission, the same to be composed of seven members, who shall be nominated and appointed by the President, by and with the advice and consent of the Senate, and who shall serve



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until the completion of said canal unless sooner removed by the President, and one of whom shall be named as the chairman of said Commission. Of the seven members of said Commission at least four of them shall be persons. learned and skilled in the science of engineering, and of the four at least one shall be an officer of the United States Army, and at least one other shall be an officer of the United States Navy, the said officers respectively being either upon the active or the retired list of the Army or of the Navy. Said commissioners shall each receive such compensation as the President shall prescribe until the same shall have been otherwise fixed by the Congress. In addition to the members of said Isthmian Canal Commission, the President is hereby authorized through said Commission to employ in said service any of the engineers of the United States Army at his discretion, and likewise to employ any engineers in civil life, at his discretion, and any other persons necessary for the proper and expeditious prosecution of said work. The compensation of all such engineers and other persons employed under this Act shall be fixed by said Commission, subject to the approval of the President. The official salary of any officer appointed or employed under this Act shall be deducted from the amount of salary or compensation provided by or which shall be fixed under the terms of this Act. Said Commission shall in all matters be subject to the direction and control of the President, and shall make to the President annually and at such other periods as may be required, either by law or by the order of the President, full and complete reports of all their actings and doings and of all moneys received and expended in the construction of said work and in the performance of their duties in connection therewith, which said reports shall be by the President transmitted to Congress. And the said Commission shall furthermore give to Congress, or either House of Congress, such information as may at any time be required either by Act of Congress or by the order of either House of Congress. The President shall cause to be provided and assigned for the use of the Commission such offices as may, with the suitable equipment of the same, be necessary and proper, in his discretion, for the proper discharge of the duties thereof.

Sec. 8. That the Secretary of the Treasury is hereby authorized to borrow on the credit of the United States from time to time, as the proceeds may be required to defray expenditures authorized by this Act (such proceeds

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when received to be used only for the purpose of meeting such expenditures,) the sum of one hundred and thirty million dollars, or so much thereof as may be necessary, and to prepare and issue therefor coupon or registered bonds of the United States in such form as he may prescribe, and in denominations of twenty dollars or some multiple of that sum, redeemable in gold coin at the pleasure of the United States after ten years from the date of their isssue, and payable thirty years from such date, and bearing interest payable quarterly in gold coin at the rate of two per centum per annum; and the bonds herein authorized shall be exempt from all taxes or duties of the United States, as well as from such taxation in any form by or under State, municipal, or local authority: Provided, That said bonds may be disposed of by the Secretary of the Treasury at not less than par, under such regulations as he may prescribe, giving to all citizens of the United States an equal opportunity to subscribe therefor, but no commissions shall be allowed or paid thereon; and a sum not exceeding one-tenth of one per centum of the amount of the bonds herein authorized is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the expense of preparing advertising, and issuing the same.

Approved, June 28, 1902. [32 U. S. Stats., 481.]

Temporary Government of the Canal Zone.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized, upon the acquisition of the property of the New Panama Canal Company and the payment to the Republic of Panama of the ten millions of dollars provided by article fourteen of the treaty between the United States and the Republic of Panama, the ratifications of which were exchanged on the twenty-sixth day of February, nineteen hundred and four, to be paid to the latter Government, to take possession of and occupy on behalf of the United States the zone of land and land under water of the width of ten miles, extending to the distance of five miles on each side of the center line of the route of the canal to be constructed thereon, which said zone begins in the Caribbean Sea three marine miles from mean low-water mark and extends to and across the Isthmus of Panama into the Pacific Ocean to the distance of three marine miles from niean low-water mark, and also of all islands within said zone, and in addition thereto

the group of islands in the Bay of Panama named Perico, Naos, Culebra, and Flamenco, and, from time to time, of any lands and waters outside of said zone which may be necessary and convenient for the construction, maintenance, operation, sanitation, and protection of the said canal, or of any auxiliary canals or other works necessary and convenient for the construction, maintenance, operation, sanitation, and protection of said enterprise, the use, occupation, and control whereof were granted to the United States by article two of said treaty. The said zone is hereinafter referred to as "the Canal Zone." The payment of the ten millions of dollars provided by article fourteen of said treaty shall be made in lieu of the indefinite appropriation made in the third section of the Act of June twenty-eighth, nineteen hundred and two, and is hereby appropriated for said purpose.

Sec. 2. That until the expiration of the Fifty-eighth Congress, unless provision for the temporary government of the Canal Zone be sconer made by Congress, all the military, civil, and judicial powers as well as the power to make all rules and regulations necessary for the government of the Canal Zone and all the rights, powers, and authority granted by the terms of said treaty to the United States shall be vested in such person or persons and shall be exercised in such manner as the President shall direct for the government of said Zone and maintaining and protecting the inhabitants thereof in the free enjoyment of their liberty, property, and religion.

Approved, April 28, 1904. [33 U. S. Stats., 429.]

Permanent Government for Panama Canal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled That the zone of land and land under water of the width of ten miles extending to the distance of five miles on each side of the center line of the route of the Canal now being constructed thereon, which zone begins in the Caribbean Sea three marine miles from mean low water mark and extends to and across the Isthmus of Panama into the Pacific Ocean to the distance of three marine miles from mean low water mark, excluding therefrom the cities of Panama and Colon and their adjacent harbors located within said zone, as excepted in the treaty with the Republic of Panama dated November eighteenth, nineteen

hundred and three, but including all islands within said described zone, and in addition thereto the group of islands in the Bay of Panama named Perico, Naos, Culebra, and Fla menco, and any lands and waters outside of said limits above described which are necessary or convenient or from time to time may become necessary or convenient for the construction maintenance, operation, sanitation, or protection of the said Canal, or of any auxiliary canals, lakes, or other works necessary or convenient for the construction, maintenance. operation, sanitation, or protection of said Canal, the use, occupancy, or control whereof were granted to the United States by the treaty between the United States and the Republic of Panama, the ratifications of which were exchanged on the twenty-sixth day of February, nineteen hundred and four, shall be known and designated as the Canal Zone, and the Canal now being constructed thereon shall hereafter be known and designated as the Panama Canal. The President is authorized by treaty with the Republic of Panama to acquire any additional land or land under water not already granted, or which was excepted from the grant, that he may deem necessary for the operation, maintenance, sanitation, or protection of the Panama Canal, and to exchange any land or land under water not deemed necessary for such purposes for other land or land under water which may be deemed necessary for such purposes, which additional land or land under water so acquired shall become part of the Canal Zone.

- Sec. 2. That all laws, orders, regulations, and ordinances adopted and promulgated in the Canal Zone by order of the President for the government and sanitation of the Canal Zone and the construction of the Panama Canal are hereby ratified and confirmed as valid and binding until Congress shall otherwise provide. The existing courts established in the Canal Zone by Executive Order are recognized and confirmed to continue in operation until the courts provided for in this Act shall be established.
- Sec. 3. That the President is authorized to declare by Executive Order that all land and land under water within the limits of the Canal Zone is necessary for the construction, maintenance, operation, sanitation, or protection of the Panama Canal and to extinguish, by agreement when advisable, all claims and titles of adverse claimants and occupants. Upon failure to secure by agreement title to any such parcel of land or land under water the adverse claim or occupancy

shall be disposed of and title thereto secured in the United States and compensation therefor fixed and paid in the manner provided in the aforesaid treaty with the Republic of Panama, or such modification of such treaty as may hereafter be made.

Sec. 4. That when in the judgment of the President the construction of the Panama Canal shall be sufficiently advanced toward completion to render the further services of the Isthmian Canal Commission unnecessary the President is authorized by Executive Order to discontinue the Isthmian Canal Commission, which, together with the present organization, shall then cease to exist; and the President is thereafter authorized to complete, govern, and operate the Panama Canal and govern the Canal Zone, or cause them to be completed, governed, and operated, through a governor of the Panama Canal and such other persons as he may deem competent to discharge the various duties connected with the completion, care, maintenance, sanitation, operation, government, and protection of the Canal and Canal Zone. If any of the persons appointed or employed as aforesaid shall be persons in the military or naval service of the United States, the amount of the official salary paid to any such perosn shall be deducted from the amount of salary or compensation provided by or which shall be fixed under the terms of this Act. The governor of the Panama Canal shall be appointed by the President, by and with the advice and consent of the Senate, commissioned for a term of four years, and until his successor shall be appointed and qualified. He shall receive a salary of ten thousand dollars a year. All other persons necessary for the completion, care, management, maintenance, sanitation, government, operation, and protection of the Panama Canal and Canal Zone shall be appointed by the President or by his authority, removable at his pleasure, and the compensation of such persons shall be fixed by the President, or by his authority, until such time as Congress may by law regulate the same, but salaries or compensation fixed hereunder by the President shall in no instance exceed by more than twentyfive per centum the salary or compensation paid for the same or similar services to persons employed by the Government in continental United States; that upon the completion of the Panama Canal the President shall cause the same to be officially and formally opened for use and operation.

Before the completion of the Canal the Commission of Arts may make report to the President of their recommendation regarding the artistic character of the structures of the Canal, such report to be transmitted to Congress.

Sec. 5. That the President is hereby authorized to prescribe and from time to time change the tolls that shall be levied by the Government of the United States for the use of the Panama Canal: Provided, That no tolls, when prescribed as above, shall be changed, unless six months' notice thereof shall have been given by the President by proclamation. No tolls shall be levied upon vessels engaged in the coastwise trade of the United States. That section forty-one hundred and thirty-two of the Revised Statutes is hereby amended to read, as follows:

"Sec. 4132. Vessels built within the United States and belonging wholly to citizens thereof, and vessels which may be captured in war by citizens of the United States and lawfully condemned as prize, or which may be adjudged to be forfeited for a breach of the laws of the United States, and seagoing vessels, whether steam or sail, which have been certified by the Steamboat Inspection Service as safe to carry dry and perishable cargo, not more than five years old at the time they apply for registry, wherever built, which are to engage only in trade with foreign countries or with the Philippine Islands and the islands of Guam and Tutuila, being wholly owned by citizens of the United States or corporations organized and chartered under the laws of the United States or of any State thereof, the president and managing directors of which shall be citizens of the United States or corporations organized and chartered under the laws of the United States or any state thereof, the president and managing directors of which shall be citizens of the United States, and no others, may be registered as directed in this title. Foreign built vessels registered pursuant to this Act shall not engage in the coastwise trade: Provided, That a foreign built yacht, pleasure boat, or vessel, not used or intended to be used for trade, admitted to American registry pursuant to this section, shall not be exempt from the collection of ad valorem duty provided in section thirty-seven of the Act approved August fifth, nineteen hundred and nine, entitled 'An Act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.' That all materials of foreign production which may be necessary for the construction or repair of vessels built in the United States and all such materials

necessary for the building or repair of their machinery, and all articles necessary for their outfit and equipment may be imported into the United States free of duty under such regulations as the Secretary of the Treasury may prescribe: Provided further. That such vessels so admitted under the provisions of this section may contract with the Postmaster General, under the Act of March third, eighteen hundred and ninetyone, entitled 'An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce,' so long as such vessels shall in all respects comply with the provisions and requirements of said Act." Tells may be based upon gross or net registered tonnage, displacement tonnage, or otherwise, and may be based on one form of tonnage for warships and another for ships of commerce. The rate of tolls may be lower upon vessels in ballast than upon vessels carrying passengers or cargo. When based upon net registered tonnage for ships of commerce, the tolls shall not exceed one dollar and twenty-five cents per net registered ton, nor be less, other than for vessels of the United States and its citizens, than the estimated proportionate cost of the actual maintenance and operation of the Canal, subject, however, to the provisions of article nineteen of the convention between the United States and the Republic of Panama, entered into November eighteenth, nineteen hundred and three. tolls shall not be based upon net registered tonnage, they shall not exceed the equivalent of one dollar and twentyfive cents per net registered ton as nearly as the same may be determined, nor be less than the equivalent of seventy-five cents per net registered ton. The toll for each passenger shall not be more than one dollar and fifty cents. The President is authorized to make, and from time to time amend, regulations governing the operation of the Panama Canal, and the passage and control of vessels through the same or any part thereof, including the locks and approaches thereto, and all rules and regulations affecting pilots and pilotage in the Canal or the approaches thereto through the adjacent waters

Such regulations shall provide for prompt adjustment by agreement and immediate payment of claims for damages which may arise from injury to vessels, cargo, or passengers from the passing of vessels through the locks under the control of those operating them under such rules and regulations. In case of disagreement, suit may be brought in the district court of the Canal Zone against the governor of the Panama Canal. The hearing and disposition of such cases shall be

expedited, and the judgment shall be immediately paid out of any moneys appropriated or allotted for Canal operation.

The President shall provide a method for the determination and adjustment of all claims arising out of personal injuries to employees thereafter occurring while directly engaged in actual work in connection with the construction. maintenance, operation, or sanitation of the Canal or of the Panama railroad, or of any auxiliary canals, locks, or other works necessary and convenient for the construction, maintenance, operation or sanitation of the Canal. whether such injuries result in death or not, and prescribe a schedule of compensation therefor, and may revise and modify such method and schedule at any time; and such claims to the extent they shall be allowed on such adjustment if allowed at all, shall be paid out of the moneys hereafter appropriated for that purpose or out of the funds of the Panama Rail Road Company, if said company was responsible for said injury, as the case may require. And after such method and schedule shall be provided by the President the provisions of the Act entitled 'An Act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment,' approved May thirtieth, nineteen hundred and eight, and of the Act entitled 'An Act relating to injured employees on the Isthmian Canal,' approved February twenty-fourth, nineteen hundred and nine, shall not apply to personal injuries thereafter received and claims for which are subject to determination and adjustment as provided in this section."

Sec. 6. That the President is authorized to cause to be erected, maintained, and operated, subject to the international convention and the Act of Congress to regulate radio communication, at suitable places along the Panama Canal and the coast adjacent to its two terminals, in connection with the operation of said Canal, such wireless telegraphic installations as he may deem necessary for the operation, maintenance, sanitation, and protection of said Canal, and for other purposes. If it is found necessary to locate such installations upon territory of the Republic of Panama, the President is authorized to make such agreement with said Government as may be necessary, and also to provide for the acceptance and transmission, by said system, of all private and commercial messages, and those of the Government of Panama, on such terms and for such tolls as the President

may prescribe: Provided, That the messages of the Government of the United States and the departments thereof, and the management of the Panama Canal, shall always be given precedence over all other messages. The President is also authorized, in his discretion, to enter into such operating agreements or leases with any private wireless company or companies as may best insure freedom from interference with the wireless telegraphic installations established by the United States. The President is also authorized to establish, maintain, and operate, through the Panama Rail Road Company or otherwise, drydocks, repair shops, yards, docks, wharves, warehouses, storehouses, and other necessary facilities and appurtenances for the purpose of providing coal and other materials, labor, repairs, and supplies for vessels of the Government of the United States and incidentally, for supplying such at reasonable prices to passing vessels, in accordance with appropriations hereby authorized to be made from time to time by Congress as a part of the maintenance and operation of the said Canal. Moneys received from the conduct of said business may be expended and reinvested for such purposes without being covered into the Treasury of the United States; and such moneys are hereby appropriated for such purposes, but all deposits of such funds shall be subject to the provisions of existing law relating to the deposit of other public funds of the United States, and any net profits accruing from such business shall annually be covered into the Treasury of the United States. Monthly reports of such receipts and expenditures shall be made to the President by the persons in charge, and annual reports shall be made to the Congress.

Sec. 7. That the governor of the Panama Canal shall, in connection with the operation of such Canal, have official control and jurisdiction over the Canal Zone and shall perform all duties in connection with the civil government of the Canal Zone, which is to be held, treated, and governed as an adjunct of such Panama Canal. Unless in this Act otherwise provided all existing laws of the Canal Zone referring to the civil governor or the civil administration of the Canal Zone shall be applicable to the governor of the Panama Canal, who shall perform all such executive and administrative duties required by existing law. The President is authorized to determine or cause to be determined what towns shall exist in the Canal Zone and subdivide and from time to time resubdivide said Canal Zone into subdivisions, to be designated by

name or number, so that there shall be situated one town in each subdivision, and the boundaries of each subdivision shall be clearly defined. In each town there shall be a magistrate's court with exclusive original jurisdiction coextensive with the subdivision in which it is situated of all cases in which the principal sum claimed does not exceed three hundred dollars, and all criminal cases wherein the punishment that may be imposed shall not exceed a fine of one hundred dollars or imprisonment not exceeding thirty days or both, and all violations of police regulations and ordinances and all actions involving possession or title to personal property or the forcible entry and detainer of real estate. Such magistrates shall also hold preliminary investigations in charges of felony and offenses under section ten of this Act, and commit or bail in bailable cases to the district court. A sufficient number of magistrates and constables. who must be citizens of the United States, to conduct the business of such courts shall be appointed by the governor of the Panama Canal for terms of four years and until their successors are appointed and qualified, and the compensation of such persons shall be fixed by the President, or by his authority, until such time as Congress may by law regulate the same. The rules governing said courts and prescribing the duties of said magistrates and constables, oaths, and bonds, the times and places of holding such courts, the disposition of fines, costs, forfeitures, enforcements of judgments, providing for appeals therefrom to the district court, and the disposition, treatment, and pardon of convicts shall be established by order of the President. The governor of the Panama Canal shall appoint all notaries public, prescribe their powers and duties, their official seal, and the fees to be charged and collected by them.

Sec. 8. That there shall be in the Canal Zone one district court with two divisions, one including Balboa and the other including Cristobal; and one district judge of the said district, who shall held his court in both divisions at such time as he may designate by order, at least once a month in each division. The rules of practice in such district court shall be prescribed or amended by order of the President. The said district court shall have original jurisdiction of all felony cases, of effenses arising under section ten of this Act, all causes in equity, admiralty, and all cases at law involving principal sums exceeding three hundred dollars and all appeals from judgments rendered in magistrates' courts. The

jurisdiction in admiralty herein conferred upon the district judge and the district court shall be the same that is exercised by the United States district judges and the United States district courts, and the procedure and practice shall also be the same. The district court or the judge thereof shall also have jurisdiction of all other matters and proceedings not herein provided for which are now within the jurisdiction of the Supreme Court of the Canal Zone, of the Circuit Court of the Canal Zone, the District Court of the Canal Zone, or the judges thereof. Said judge shall provide for the selection, summoning, serving and compensation of jurors from among the citizens of the United States, to be subject to jury duly in either division of such district, and a jury shall be had in any criminal case or civil case at law originating in said court on the demand of either party. There shall be a district attorney and a marshal for said district. It shall be the duty of the district attorney to conduct all business, civil and criminal, for the Government, and to advise the governor of the Panama Canal on all legal questions touching the operation of the Canal and the administration of civil affairs. It shall be the duty of the marshal to execute all process of the court, preserve order therein and do all things incident to the office of marshal. The district judge, the district attorney, and the marshal shall be appointed by the President, by and with the advice and consent of the Senate, for terms of four years each, and until their successors are appointed and qualified, and during their terms of office shall reside within the Canal Zone, and shall hold no other office, nor serve on any official board or commission, not receive any emoluments except their salaries. The district judge shall receive the same salary paid the district judges of the United States, and shall appoint the clerk of said court, and may appoint one assistant when necessary, who shall receive salaries to be fixed by the President. The district judge shall be entitled to six weeks' leave of absence each year with pay. During his absence, or during any period of disability or disqualification from sickness or otherwise to discharge his duties, the same shall be temporarily performed by any circuit or district judge of the United States who may be designated by the President, and who, during such service, shall receive the additional mileage and per diem allowed by law to district judges of the United States when holding court away from their homes. The district attorney and the marshal shall be paid each a salary or five thousand dollars per annum.

Sec. 9. That the records of the existing courts and all causes, proceedings, and criminal prosecutions pending therein as shown by the dockets thereof, except as herein otherwise provided, shall immediately upon the organization of the courts created by this Act be transferred to such new courts having jurisdiction of like cases, be entered upon the dockets thereof, and proceed as if they had originally been brought therein, whereupon all the existing courts, except the Supreme Court of the Canal Zone, shall cease to exist. The President may continue the Supreme Court of the Canal Zone and retain the judges thereof in office for such time as to him may seem necessary to determine finally any causes and proceedings which may be pending therein. All laws of the Canal Zone imposing duties upon the clerks or ministerial officers of existing courts shall apply and impose such duties upon the clerks and ministerial officers of the new courts created by this Act having jurisdiction of like cases, matters, and duties.

All existing laws in the Canal Zone governing practice and procedure in existing courts shall be applicable and adapted to the practice and procedure in the new courts.

The Circuit Court of Appeals of the Fifth Circuit of the United States shall have jurisdiction to review, revise, modify reverse, or affirm the final judgments and decrees of the District Court of the Canal Zone and to render such judgments as in the opinion of the said appellate court should have been rendered by the trial court in all actions and proceedings in which the Constitution, or any statute, treaty, title, right, or privilege of the United States, is involved and a right thereunder denied, and in cases in which the value in controversy exceeds one thousand dollars, to be ascertained by the oath of either party, or by other competent evidence, and also in criminal causes wherein the offense charge is punishable as a felony. And such appellate jurisdiction, subject to the right of review by or appeal to the Supreme Court of the United States as in other cases authorized by law, may be exercised by said circuit court of appeals in the same manner, under the same regulations, and by the same procedure as nearly as practicable as is done in reviewing the final judgments and decrees of the district courts of the United States.

Sec. 10. That after the Panama Canal shall have been completed and opened for operation the governor of the Panama Canal shall have the right to make such rules and regulations, subject to the approval of the President, touching the

right of any person to remain upon or pass over any part of the Canal Zone as may be necessary. Any person violating any of such rules or regulations shall be guilty of a misdemeanor, and on conviction in the District Court of the Canal Zone shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding a year, or both, in the discretion of the court. It shall be unlawful for any person, by any means or in any way, to injure or obstruct, or attempt to injure or obstruct, any part of the Panama Canal or the locks thereof or the approaches thereto. Any person violating this provision shall be guilty of a felony, and on conviction in the District Court of the Canal Zone shall be punished by a fine not exceeding ten thousand dollars or by imprisonment not exceeding twenty years, or both, in the discretion of the court. If the act shall cause the death of any person within a year and a day thereafter, the person so convicted shall be guilty of murder and shall be punished accordingly.

Sec. 11. That section five of the Act to regulate commerce, approved February fourth, eighteen hundred and eighty-seven, as heretofore amended, is hereby amended by adding thereto a new paragraph at the end thereof, as follows:

"From and after the first day of July, nineteen hundred and fourteen, it shall be unlawful for any railroad company or other common carrier subject to the Act to regulate commerce to own, lease, operate, control, or have any interest whatsoever (by stock ownership or otherwise, either directly, indirectly, through any holding company, or by stockholders or directors in common, or in any other manner) in any common carrier by water operated through the Panama Canal or elsewhere with which said railroad or other carrier aforesaid does or may compete for traffic, or any vessel carrying freight or passengers upon said water route or elsewhere with which said railroad or other carrier aforesaid does or may compete for traffic; and in case of the violation of this provision each day in which such violation continues shall be deemed a separate offense."

Jurisdiction is hereby conferred on the Interstate Commerce Commission to determine questions of fact as to the competition or possibility of competition, after full hearing, on the application of any railroad company or other carrier. Such application may be filed for the purpose of determining whether any existing service is in violation of this section and pray for an order permitting the continuance of any ves-

sel or vessels already in operation, or for the purpose of asking an order to install new service not in conflict with the provisions of this paragraph. The commission may on its own motion or the application of any shipper institute proceedings to inquire into the operation of any veesel in use by any railroad or other carrier which has not applied to the commission and had the question of competition or the possibility of competition determined as herein provided. In all such cases the order of said commission shall be final. If the Interstate Commerce Commission shall be of the opinion that any such existing specified service by water other than through the Panama Canal is being operated in the interest of the public and is of advantage to the convenience and commerce of the people and that such extension will neither exclude, prevent, nor reduce competition on the route by water under consideration, the Interstate Commerce Commission may, by order, extend the time during which such service by water may continue to be operated beyond July first, nineteen hundred and fourteen. In every case of such extension the rates, schedules, and practices of such water carrier shall be filed with the Interstate Commerce Commission and shall be subject to the Act to regulate commerce and all amendments thereto in the same manner and to the same extent as is the railroad or other common carrier controlling such water carrier or interested in any manner in its operation: Provided, Any application for extension under the terms of this provision filed with the Interstate Commerce Commission prior to July first, nineteen hundred and fourteen, but for any reason not heard and disposed of before said date may be considered and granted thereafter.

No vessel permitted to engage in the coastwise or foreign trade of the United States shall be permitted to enter or pass through said Canal if such ship is owned, chartered, operated, or controlled by any person or company which is doing business in violation of the provisions of the Act of Congress approved July second, eighteen hundred and ninety, entitled, "An Act to protect trade and commerce against unlawful restraints and monopolies," or the provisions of sections seventy-three to seventy-seven, both inclusive, of an Act approved August twenty-seventh, eighteen hundred and ninety-four entitled, "An Act to reduce taxation, to provide revenue for the Government, and for other purposes," or the provisions of any other Act of Congress amending or supplementing the said Act of July second, eighteen hundred and

ninety, commonly known as the Sherman Antitrust Act, and amendments thereto, or said sections, of the Act of August twenty-seventh, eighteen hundred and ninety-four. The question of fact may be determined by the judgment of any court of the United States of competent jurisdiction in any cause pending before it to which the owners or operators of such ship are parties. Suit may be brought by any shipper or by the Attorney General of the United States.

That section six of said Act to regulate commerce, as heretofore amended, is hereby amended by adding a new paragraph at the end thereof, as follows:

"When property may be or is transported from point to point in the United States by rail and water through the Panama Canal or otherwise, the transportation being by a common carrier or carriers, and not entirely within the limits of a single State, the Interstate Commerce Commission shall have jurisdiction of such transportation and of the carriers, both by rail and by water, which may or do engage in the same, in the following particulars, in addition to the jurisdiction given by the Act to regulate commerce, as amended June eighteenth, nineteen hundred and ten:

"(a) To establish physical connection between the lines of the rail carrier and the dock of the water carrier by directing the rail carrier to make suitable connection between its line and a track or tracks which have been constructed from the dock to the limits of its right of way, or by directing either or both the rail and water carrier, individually or in connection with one another, to construct and connect with the lines of the rail carrier a spur track or tracks to the dock. This provision shall only apply where such connection is reasonably practicable, can be made with safety to the public, and where the amount of business to be handled is sufficient to justify the outlay.

"The commission shall have full authority to determine the terms and conditions upon which these connecting tracks, when constructed, shall be operated, and it may, either in the construction or the operation of such tracks, determine what sum shall be paid to or by either carrier. The provisions of this paragraph shall extend to cases where the dock is owned by other parties than the carrier involved.

"(b) To establish through routes and maximum joint rates between and over such rail and water lines, and to determine all the terms and conditions under which such lines shall be operated in the handling of the traffic embraced.

- "(c) To establish maximum proportional rates by rail to and from the ports to which the traffic is brought, or from which the traffic is brought, or from which it is taken by the water carrier, and to determine to what traffic and in connection with what vessels and upon what terms and conditions such rates shall apply. By proportional rates are meant those which differ from the corresponding local rates to and from the port and which apply only to traffic which has been brought to the port or is carried from the port by a common carrier by water.
- (d) If any rail carrier subject to the Act to regulate commerce enters into arrangements with any water carrier operating from a port in the United States to a foreign country, through the Panama Canal or otherwise, for the handling of through business between interior points of the United States and such foreign country, the Interstate Commerce Commission may require such railway to enter into similar arrangements with any or all other lines of steamships operating from said port to the same foreign country."

The orders of the Interstate Commerce Commission relating to this section shall only be made upon formal complaint or in proceedings instituted by the commission of its own motion and after full hearing. The orders provided for in the two amendments to the Act to regulate commerce enacted in this section shall be served in the same manner and enforced by the same penalties and proceedings as are the orders of the commission made under the provisions of section fifteen of the Act to regulate commerce, as amended June eighteenth, nineteen hundred and ten, and they may be conditioned for the payment of any sum or the giving of security for the payment of any sum or the discharge of any obligation which may be required by the terms of said order.

Sec. 12. That all laws and treaties relating to the extradition of persons accused of crime in force in the United States to the extent thay they may not be in conflict with or superseded by any special treaty entered into between the United States and the Republic of Panama with respect to the Canal Zone, and all laws relating to the rendition of fugitives from justice as between the several States and Territories of the United States, shall extend to and be considered in force in the Canal Zone, and for such purposes and such purposes only the Canal Zone shall be considered and treated as an organized Territory of the United States.

Sec. 13. That in time of war in which the United States shall be engaged, or when, in the opinion of the President, war is imminent, such officer of the Army as the President may designate shall, upon the order of the President, assume and have exclusive authority and jurisdiction over the operation of the Panama Canal and all of its adjuncts, appendants, and appurtenances, including the entire control and government of the Canal Zone, and during a continuance of such condition the governor of the Panama Canal shall, in all respects and particulars as to the operation of such Panama Canal, and all duties, matters, and transactions affecting the Canal Zone, be subject to the order and direction of such officer of the Army.

Sec. 14. That this Act shall be known as, and referred to as, the Panama Canal Act, and the right to alter, amend, or repeal any or all of its provisions or to extend, modify, or annul any rule or regulation made under its authority is expressly reserved.



TOWER OF CHURCH OF ST. ANASTATIUS-Old Panama.

PANA!	MA MÜ	LLER	COLON Dept. Store	
P	Art Store	Central Aver Cathed Diamonds, Pearls elry, Art Object Souvenirs	lral , Gems, Jew-	
A N	La Mascota	' Central P Men's Wear, Sho		
A M	Depart= ment Store	Central Aver 11th St Dry Goods, Ro Clothing, Silks, F Notions	reet eady-to-wear	
A	Shoe Store	Central Avenue, near 11th Street Regal Shoes for Men and Women. Largest Shoe Stock in Central America		
	Departr Front St., oppo Dry Goods, S	LON ment Store site P. R. R. Statio ilks, Fancy Goods, ly-to-wear Cloth-	on	
PANA 4 Stor	MA MÜ	LLER	COLON Dept. Store	

CENSUS OF THE CANAL ZONE, FEBRUARY 1, 1912.

Table I.—Residents of Canal Zone and Employes of Canal and Panama Territory.	anal Zo	ne and I	Employes Pa	yes of Canal and Panama Territory	ial and erritory.	Рапа т а	Railroc	nd with	Panama Railroad with their Families Living	milies L	iving in
	Total		White.			Black.			Mixed.		
Towns.	inhabi- tants.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Others.
Ancon	1,674	533	362	895	538	186	724	41	7	48	7
Balboa.	1,146	361	111	472	497	34	531	008	27	127	16
Bas Obispo	472	174	. 16	265	136	44	180	15	ဂ္ဂ	23	01
Bohio	279	3	7	10	187	64	251	۲. د.	80 -	œυ	10
Camp Elliott	445	418	15	433	130	3 ∞	2	1		2 23	I
Camp Otis.	880	818	9	878	-	- 5	- 5	c			
Corozal	1.035	206	106	702	108	20	218	· &	∞ <u>∝</u>	107	- 9
Cow Pens	497		3	-	261	143	404	37	14	787	∞
Cristobal	3,584	1,063	419	1,482	1,506	443	1,949	92	56	148	14
Cruces.	169			-	65	29	132	19	17	36	S
Cucaracha	358	23	N,	28	160	08	240	42	77	98	
Culebra Diablo	2,032	622	317	939	682	200	891	101	96	170	4,5
East Balboa.	658	306	104	470	82	1¢	92	47	15.	79	32
Empire.	7,152	1,163	654	1,757	2,469	1,232	3,761	839	730	1,569	34
Enterprise	242	$\bar{0}6$	67	157	26	13	69	12	4	16	125
Folks Kiver.	170	7	7 4	0.5	76	26	105		C1 -	7:	
Gatun	8.887	2.512	383	2.895	4.196	1.203	5.399	346	184	5.30	6
Golden Green.	1,570	,	7	7	841	481	1,322	108	116	224	1.69
Gorgona	3,444	1,030	419	1,449	950	419	1,369	300	285	585	17
Haut Obispo.	389	168	18	186	128	46	174	20	7	27	41
Las Cascadas	1,190	396	190	586	342	193	535	30	25	55	7
Las Sabanas.	303	78	32	99	883	40,	147	51	4.2	93	14
Matachin	220	4.2	39	81	181	129	210	0 9	4 5	136	. 3
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Table I.—Residents of Canal Zone and Employes of Canal and Panama Railroad, etc.—Continued.

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16 35 585 395 980 49 42 91 1 0 33 187 29 172 34 91 91 1 1 6 38 21 172 34 91 91 1 1 6 38 21 145 316 319 100 350 3 155 878 826 249 1145 316 100 350 3 15 356 185 100 17 19 18 360 3 16 183 363 15 37 4 14	
3 10 63 137 35 172 34 95 44 38 28 280 1.145 313 13 46 50 30 <	
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4,175 18,562 22,427 8,521 30,948 6,006 4,219 10,225	
	3

TABLE I.—Residents of Canal Zone and Employes of Canal and Panama Railroad, etc.—Continued.

	Total		WHITE.			BLACK.		i i	MIXED.		
Towns.	inhabi- tants.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Others.
Rural—											
Colon Beach	7.39	335	230	565	86	36	122	38	14	52	
Nombre de Dios Porto Bello Taboga	713	219 18	46	265 21	405	1	406	36		37	w
Total, including Canal Zone proper	62,810	14,959	4,454	19,413	22,946	8,579	31,525	6,088	4,235	10,323	1,549
Colon Panama	3.789*	163 482	5	163 487	3,076 3,628	97	3,173	410 838	35	445 868	×
Grand total	71,682	15,604	4,459	20,063	29,650	8.775	38,425	7,336	4,300	11,636	1,558

*Employes of the Istlumian Canal Commission and Panana Rail Road Company, working in the Canal Zone and residing in the cities of Panama and Colon, including 21 employes of the McClintic-Marshall Construction Company.

**This column includes 648 Indians (aborigines), 527 Mongols, 381 Hindoos, and 2 Filipinos,

TABLE II.—Total Population of the Canal Zone Classified by Country of which Citizen or Subject, and Sex.

	4	Aggregate.	
Country.	Male.	Female.	Total.
Argentina	7		
Austria-Hungary	36	2	38
Belgium	4	T :	4
Bolivia	ĝ	5	14
	í		î
Bulgaria	27	5	32
Chile	47 I	45	516
China	967	554	1,521
Colombia	53	24	1,521
Costa Rica.	51	21	72
Quba	35	21	56
Denmark	39	4	43
Ecuador			
France	2,263	497	2,760
Germany	61	14	75
Great Britain	22,396	8,466	30,859
Grecce	1,285	6	1,291
Guatemala	3	4	
Haiti	68	6	74
Holland	35	4	39
Honduras	5	1	6
Italy	800	12	812
Tapan	4	1	' 5
Liberia	1		i 1
Mexico.	67	5	7.2
Nicaragua	53	20	7.3
	23	2	1 25
Norway.	2,903	3,733	7,636
Panama	2	1	',"
Paraguay	208	15	. 22.
Peiu	113	6	11
Portugal	1 1		11
Rouniania	48	6	54
Russia	9	2	11
Salvador	2		1
Santo Domingo		496	4.305
Spain	3,809		
Sweden	20	4	24
Switzerland	13	1	14
Turkey	36	6	4:
United States	8,199	3,651	11,850
Venezuela	39	5	4
Total	45,163	17,647	62,810

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