

CHILE.

TREATY OF PEACE AND FRIENDSHIP BETWEEN CHILE AND BOLIVIA, AND CONVENTION FOR THE CONSTRUCTION AND OPERATION OF A RAILROAD FROM ARICA TO LA PAZ.

Chargé Ames to the Secretary of State.

No. 427.]

AMERICAN LEGATION,
Santiago, March 28, 1905.

SIR: I have the honor to inclose herewith a copy and translation of the Chile-Bolivia treaty. * * *

I have, etc.,

EDWARD WINSLOW AMES.

[Inclosure—Translation.]

(MINISTRY OF FOREIGN AFFAIRS, WORSHIP AND COLONIZATION.)

Herman Riesco, President of the Republic of Chile, inasmuch as a treaty of peace and friendship, with a supplementary protocol thereto, was negotiated, concluded, and signed on October 20, 1904, between the Republic of Chile and the Republic of Bolivia, through their duly authorized plenipotentiaries, the treaty reading as follows:

In pursuance of the purpose expressed in article 8 of the truce agreement of April 4, 1884, the Republic of Chile and the Republic of Bolivia have agreed to celebrate a treaty of peace and friendship, and to that end have named and constituted as their plenipotentiaries, respectively: His Excellency the President of the Republic of Chile, Don Emilio Bello Codecido, minister of foreign affairs, and His Excellency the President of the Republic of Bolivia, Don Alberto Gutierrez, envoy extraordinary and minister plenipotentiary of Bolivia in Chile, who, having exchanged their full powers and having found them in good and due form, have agreed on the following:

ARTICLE 1. The relations of peace and friendship between the Republic of Chile and the Republic of Bolivia are reestablished, the status established by the truce agreement being thereby terminated.

ART. 2. By the present treaty the territory occupied by Chile by virtue of article 2 of the truce agreement of April 4, 1884, is recognized as belonging absolutely and in perpetuo to Chile.

The north and south boundary between Chile and Bolivia shall be that here indicated:

From the highest point of Zapaleri Hill (1) in a straight line to the highest point of the ridge jutting out toward the south from Guayaques Hill, in latitude (approximate) 22° 54'; hence a straight line to the pass of the Cajon (3); next, the watershed of the ridge which runs north, including the summits of Juriques Hill (4), Licancabur Volcano (5), Sairecabur Hill (6), Curiquinca Hill (7), and Putana or Jorjencal Volcano (8). From this point it will follow one of the ridges to Pajonal Hill (9) and in a straight line to the south peak of the Tocopuri Hills (10), whence it will follow the watershed of the Panizo Ridge (11) and the Tatio Range (12). It will keep on toward the north by the watershed of the Linzor Ridge (13) and the Silaguala Hill (14); from their northern peak (Volcan Apagado) (15) it shall go by a ridge to the little hill called Silala (16) and thence in a straight line to Inacaliri or Cajon Hill (17).

From this point it shall go in a straight line to the peak which appears in the middle of the group of the Inca or Barrancane Hills (18), and, again taking the watershed, shall keep on northward by the ridge of Ascotan or Jardin Hill (19); from the summit of this hill it shall go in a straight line to the summit of Araral Hill (20) and by straight line again to the summit of Ollagüe Volcano (21).

Hence in a straight line to the highest peak of Chipapa Hill (22), descending toward the west by a line of small hills until it reaches the summit of Cosca Hill (23).

From this point it shall be the watershed of the ridge which joins it to Alconcha Hill (24), and thence it shall go to Olca Volcano (25) by the divide. From this volcano it shall continue by the range of the Mallunu Hill (26), the Laguna Hill (27), Irruputuncu Volcano (28), Bofedal Hill (29), Chela Hill (30), and, after a high knot of hills, shall reach the Milliri (31), and then the Hualicani (32).

Hence it shall go to Caiti Hill (33) and shall follow the divide to Napa Hill (34).

From the summit of this hill it shall go in a straight line to a point (35) situated ten kilometers to the south of the eastern peak of Huailla Hill (36), whence it shall go in a straight line to the hill named; doubling immediately toward the east, it shall keep on by the range of Laguna (37), Correjidor (38), and Huallaputuncu (39) hills to the easternmost peak of Sillilica (40), and thence by the ridge that runs northwest to the summit of Piga Hill (41).

From this hill it shall go in a straight line to the highest point of the Three Little Hills (42), and thence in a straight line to Challacollo Hill (43) and the narrow part of Sacaya Valley (44), fronting Villacollo.

From Sacaya the boundary shall run in straight lines to the summit of Cueva Colorada (45) and Santaile (46), and thence it will keep on to the northwest by Irruputuncu Hill (47) and Patalini Hill (48).

From this summit the boundary shall go in a straight line to Chiarcollo Hill (49), cutting the Cancosa River (50), and thence also in a straight line to the summit of Pintapintani Hill (51), and from this hill by the range of the Quiuri (52), Pumiri (53), and Panatalla (54) hills.

From the summit of Panatalla it shall go in a straight line to Tolapacheta (55), midway between Chapi and Rinconada, and from this point in a straight line to the pass of Huialla (56); thence it shall pass on by the summits of Lacataya (57) and Salitral (58) hills.

It shall turn toward the north, going in a straight line to Tapacollo Hill (59), in the Salar (salt plain?) of Coipasa, and in another straight line to the landmark of Quellaga (60), whence it shall continue by straight line to Prieto Hill (61) to the north of Pisiga plain, Toldo Hill (62), the Sicaya landmarks (small hills?) (63), and those of Chapillica (64), Cabarray (65), Tres Cruces (Three Crosses) (66), Jamachuma (67), Quimsachata (68), and Chinchillani (69), and, cutting the river Todos Santos (70), shall go to the Payacollo (71) and Carahuano (72) hills (mojones—landmark or mound), to Canasa Hill (73) and Captain Hill (74).

It shall then continue toward the north by the divide of the range of Lliscaya (75) and Quilhui (76) hills, and from the summit of the latter in a straight line to Puquintica Hill (77).

To the north of this last point Chile and Bolivia agree to establish between them the following frontier:

From Puquintica Hill (77) it shall go northward by the range that runs to Macaya; shall cut the river Lauca (78) at this point and then run in a straight line to Chiliri Hill (79). It shall keep on to the north by the divide of the Japu Pass (80), the Quimsachata Hills (81), the Tambo Quemado Pass (82), the Quisquisini Hills (83), the Huacollo Pass (84), the summits of the Payachata Hills (85, 86), and Larancahua Hill (87) to the Casiri Pass (88).

From this point it shall go to the Condoriri Hills (89), which divide the waters of the Sajama and Achuta rivers from those of the Cauena River, and shall continue by the ridge which, branching off from those hills, goes to Carbiri Hill (91), passing by the Achuta Pass (90); from Carbiri Hill it shall run down its slope to the narrows of the river Cauquena or Cosapilla (92), above the inn of that name (Cosapilla).

Then it shall follow the bed of the river Cauquena or Cosapilla to the point (93) where it is joined by the apparent outlet of the meadows of the Cosapilla *estancia* (farm), and from this point it shall go in a straight line to Visviri Hill (mojon) (94).

From this hill it shall go in a straight line to the sanctuary (95) on the north side of the Maure, northwest of the junction of this river with another which comes into it from the north, two kilometers northwest of the Maure Inn. It shall keep on toward the northwest by the range which runs to the landmark of Chipe or Tolacollo Hill (96), the last point of the boundary.

Within the six months following the ratification of this treaty the high contracting parties shall name a commission of engineers to proceed to mark out the boundary line, the points of which, enumerated in this article, are indicated in the appended plan, which shall form an integral part of the present treaty, in conformity with the procedure and in the periods which shall be agreed upon by a special arrangement between the two foreign offices.

If there should arise among the engineers engaged in marking the boundary any disagreement which could not be arranged by the direct action of the two governments, it shall be submitted to the decision of His Majesty the Emperor of Germany, in conformity with the provisions of article 12 of this treaty.

The high contracting parties shall recognize the private rights of natives and foreigners, if legally acquired, in the territory which by virtue of this treaty may remain under the sovereignty of either of the countries.

ART. 3. With the object of strengthening the political and commercial relations between the two Republics the high contracting parties agree to unite the port of Arica with the plateau of La Paz by a railroad for the construction of which the Government of Chile shall contract at its own expense within the term of one year from the ratification of this treaty.

The ownership of the Bolivian section of this railroad shall revert to Bolivia at the expiration of the term of fifteen years from the day on which it is entirely completed.

With the same object Chile undertakes to pay the obligations which Bolivia may incur by guarantees up to 5 per cent on the capital which may be invested in the following railroads, the construction of which shall begin within the term of thirty years: Uyuni to Potosi; Oruro to La Paz; Oruro, via Cochabamba, to Santa Cruz; from La Paz to the Beni region, and from Potosi, via Sucre and Lagunillas, to Santa Cruz.

This obligation shall not occasion for Chile an expense greater than £100,000 sterling annually nor in excess of £1,700,000 sterling, which is fixed as a maximum of what Chile will devote to the construction of the Bolivian section of the railway from Arica to the La Paz plateau and for the guarantees referred to, and it shall be null and void at the conclusion of the thirty years above indicated.

The construction of the Bolivian section from Arica to the Bolivian plateau, as well as that of the other railroads which may be constructed with the Chilean Government's guaranty, shall be a matter of special arrangements between the two governments, and provision shall be made in them for affording facilities for commercial interchange between the two countries.

The value of the section mentioned shall be determined by the amount of the bid which shall be accepted for the contract for its construction.

ART. 4. The Government of Chile binds itself to deliver to the Government of Bolivia the sum of £300,000 sterling in cash, in two payments of £150,000, the first payment to be made six months after the exchange of ratifications of this treaty and the second one year after the first.

ART. 5. The Republic of Chile devotes to the final cancellation of the credits recognized by Bolivia, for indemnities in favor of the mining companies of Huanchaca, Oruro, and Corocoro, and for the balance of the loan raised in Chile in the year 1867 the sum of 4,500,000 pesos gold of 18 pence, payable, at the option of its government, in cash or in bonds of its foreign debt valued at their price in London on the day on which the payment is made, and the sum of 2,000,000 pesos in gold of 18 pence, in the same form as the preceding, for the cancellation of the credits arising from the following obligations of Bolivia: The bonds issued, i. e., the loan raised for the construction of the railroad between Mejillones and Catacoles according to the contract of July 10, 1872; the debt recognized to Don Pedro Lopez Gama, represented by Messrs. Alsop & Co., surrogates of the former's rights; the credits recognized to Don John G. Meiggs, represented by Mr. Edward Squire, arising from the contract entered into March 20, 1876, for renting nitrate fields in Toco, and, lastly, the sum recognized to Don Juan Garday.

ART. 6. The Republic of Chile grants to that of Bolivia in perpetuity the amplest and freest right of commercial transit in its territory and its Pacific ports.

Both governments will agree in special acts upon the method suitable for securing, without prejudice to their respective fiscal interests, the object above indicated.

ART. 7. The Republic of Bolivia shall have the right to establish customs agencies in the ports which it may designate for its commerce.

For the present it indicates as such ports for its commerce those of Antofagasta and Arica.

The agencies shall take care that the goods in transit shall go directly from the pier to the railroad station and shall be loaded and transported to the Bolivian custom-houses in wagons closed and sealed and with freight schedules which shall indicate the number of packages, their weight and marks, numbers and contents, which shall be exchanged for receipts.

ART. 8. Until the high contracting parties shall agree to celebrate a special commercial treaty the commercial interchange between the two Republics shall be regulated by rules of the strictest equality with those applied to other nations, and in no case shall any product of either of the two parties be placed under conditions inferior to those of a third party.

All the natural and manufactured products of Chile, therefore, as well as those of Bolivia, shall be subject, on their entry into and their consumption in the other country, to the payment of the imposts in force for those of other nations, and the favors, exemptions, and privileges which either of the two parties shall grant to a third may be demanded on equal conditions by the other.

The high contracting parties agree to accord reciprocally on all railroad lines which cross their respective territory the same rates to the native products of the other country that they accord to the most favored nation.

ART. 9. The natural and manufactured products of Chile and the nationalized goods, in order to be taken into Bolivia, shall be dispatched with the proper consular invoice and with the freight schedules spoken of in article 7. Cattle of all kinds and natural products of little value may be introduced without any formality and dispatched with the simple manifest written in the custom-houses.

ART. 10. The natural and manufactured products of Bolivia in transit to foreign countries shall be exported with schedules issued by the Bolivian custom-houses or by the officers charged with this duty; these schedules shall be delivered to the customs agents in the respective ports and the products embarked without other formality for foreign markets.

In the port of Arica importation shall be made with the same formalities as in that of Antofagasta, and the transit schedules in this port shall be passed with the same requirements as those indicated in the previous article.

ART. 11. Bolivia being unable to put this system into practice immediately, the present system established in Antofagasta shall continue to be followed for the term of one year. This system shall be extended to the port of Arica, a proper term being fixed for putting into effect the schedule of Bolivian appraisements until it shall be possible to regulate the trade in the manner before indicated.

ART. 12. All questions which may arise with reference to the interpretation or execution of the present treaty shall be submitted to the arbitration of His Majesty the Emperor of Germany.

The ratifications of this treaty shall be exchanged within the term of six months, and the exchange shall take place in the city of La Paz.

In witness whereof the minister of foreign relations of Chile and the envoy extraordinary and minister plenipotentiary of Bolivia have signed and sealed with their respective seals in duplicate the present treaty of peace and amity, in the city of Santiago, on the 20th of October of the year one thousand nine hundred and four.

EMILIO BELLO C.
A. GUTIERREZ.

In Santiago, on the 20th of October, 1904, met in the office of the ministry of foreign relations of Chile the minister of the department, Don Emilio Bello Codecido, and the envoy extraordinary and minister plenipotentiary of Bolivia, Don Alberto Gutierrez, duly authorized to that end by their respective governments; and having in view the fact that the Governments of Chile and Bolivia, in agreeing upon the stipulations contained in the treaty of peace and amity concluded and signed on this same date, agreed to substitute the customs exemptions solicited by Chile on behalf of Chilean natural products and products manufactured therefrom by other privileges which should not stand in the way of Bolivia's desire to preserve its absolute commercial liberty, and having in view the fact that an accord exists between the two governments for stipulating in a separate act the meaning and scope of paragraph 5 of article 3 of the said treaty, in which reference is made to the facilities which shall be granted in the agreements concerning railroads to the commercial intercourse between the two countries, have agreed:

The natural and manufactured products of Chile taken into Bolivia shall enjoy on the railroads which may be constructed in Bolivian territory under the Chilean Government's guarantee a rebate of not less than 10 per cent on the freight tariffs in operation on those railroads.

Bolivia shall take the steps necessary for accordng the same or a similar favor to Chilean products on the Bolivian section of the railroad from Antofagasta to Oruro.

Therefore, both in the conventions which the Governments of Chile and Bolivia may draw up for the construction of railroads in conformity with the provisions of article 3 of the treaty of peace and amity and in the contract for the construction and exploitation of the various lines there provided for there shall be stipulated the obligation of granting to Chilean products the rebate referred to.

In witness whereof the minister of foreign relations of Chile and the minister plenipotentiary of Bolivia signed this protocol in duplicate and sealed it with their respective seals.

EMILIO BELLO C.
A. GUTIERREZ.

And whereas the treaty and the protocol hereinabove written have been ratified by me, with the approval of the National Congress and the respective ratifications have been exchanged in the city of La Paz the 10th day of the month of March;

Therefore, in the exercise of the power vested in me by section 19 of article 73 of the political constitution I will and decree that they be fulfilled and put into effect in all particulars as law of the Republic.

Given in my office in the city of Santiago, March 31, 1905.

JERMAN RIESCO.
LUIS A. VERGARA.

Signed protocolized agreements of the 15th of November and December 24, 1904, respectively, between the minister of foreign relations and the envoy extraordinary and minister plenipotentiary of Bolivia.

In Santiago on November 15, 1904, met in the ministry of foreign relations of Chile the minister of the department, Don Luis A. Vergara, and the envoy extraordinary and minister plenipotentiary of Bolivia, Don Alberto Gutierrez, the minister of foreign relations stated:

That inasmuch as article 11 of the treaty of peace and amity signed October 20 last, refers to the territories occupied by Chile by virtue of article 2 of the truce agreement of April 4, 1884—that is, to those included between the river Loa on the north and parallel 23 on the south—and inasmuch as the attitude which Chile has always taken with reference to the territory between parallels 23 and 24 south latitude has been objected to by the Government of Bolivia on various occasions, he considers it expedient to have it clearly understood that the Government of Bolivia recognizes the absolute and perpetual sovereignty of Chile in these last-named territories from the sea to the present boundary with the Argentine Republic. He added that, notwithstanding the fact that it is to be understood from the spirit of said treaty, in view of the circumstances which gave rise to it, that the Government of Chile reserves full liberty to examine into, pass judgment upon, and liquidate the credits enumerated in Article V, as likewise that outside of these obligations the Government of Chile takes no responsibility for any other credit of the Government of Bolivia, whatever its nature and origin, he deemed it advisable to have it on record that this was the scope and meaning which the article referred to had.

The envoy extraordinary and minister plenipotentiary of Bolivia replied that, duly authorized by his government, he had no objection to making the declaration asked for by the minister of foreign relations, viz., that the Government of Bolivia recognizes the absolute and perpetual sovereignty of Chile in the territory situated between parallels 23 and 24 south latitude from the sea to the present boundary of the Argentine Republic. He also accepts the interpretation which the minister of foreign relations gives to Article V, and declares, therefore, that the Government of Chile shall have complete liberty to examine into, pass judgment upon, and liquidate said credits; that beyond these obligations it takes the responsibility of no other credit of the Government of Bolivia, whatever its nature and origin, and that this last-named government will furnish to the Government of Chile all the data at its disposal with reference to said credits. Finally Señor Gutierrez stated that for his part he would like to have it put on record in this conference that the minimum rebate of 10 per cent granted the national and manufactured products of Chile referred to in the protocol signed in this city October 20 last, should be maintained as an obligation only for the time during which the counter guarantee to be given by Chile in conformity with Article III of the treaty of peace and amity remains in force.

The minister of foreign relations stated that this limitation exists in the preliminaries of the treaty of peace and that he had no objections to accepting it in the terms indicated by the minister of Bolivia.

For the purposes of record they agreed to protocolize this conference, signing and sealing this minute in duplicate.

LUIS A. VERGARA.
A. GUTIERREZ.
CESAR DE LA LASTRA.

In Santiago the 24th of December, 1904, met in the ministry of foreign relations the minister of the department, Señor Luis A. Vergara, and the envoy extraordinary and minister plenipotentiary of Bolivia, Señor Alberto Gutierrez, the minister of foreign relations, stated: That during the discussion of the treaty of peace and amity on the 20th of October, last, which took place in the senate chamber one of the senators pointed out the desirability of determining exactly the scope which might be given to the final paragraph of Article II of said treaty in order to have it perfectly well established that the recognition of private rights to which said paragraph refers can in no case oblige the high contracting parties to give any indemnities whatever.

The minister of foreign relations added that for his part he deemed this declaration consistent with the spirit and meaning of said clause, and that he hoped that the Bolivian representative would be pleased to state that his government gave it the same interpretation.

The envoy extraordinary and minister plenipotentiary of Bolivia stated that, duly authorized by his government, he accepted the declaration asked for by the minister of foreign relations and declared, therefore, that the recognition of private rights in the territories which, by the treaty of peace and amity concluded by the two governments on the 20th of October last, change their sovereignty, as occurs at Chilcaya, Ascotan, and to the south of the Loa River, and which are to be defined by the ordinary tribunals of justice, shall entail on the high contracting parties no indemnities whatever.

For the purposes of record they agreed to protocolize this conference, signing and sealing this minute in duplicate.

LUIS A. VERGARA.
A. GUTIERREZ.
CESAR DE LA LASTRA.

Chargé Ames to the Secretary of State.

No. 441.]

AMERICAN LEGATION,
Santiago, July 28, 1905.

SIR: I have the honor to inclose herewith copy and translation of a convention recently signed by representatives of Chile and Bolivia in pursuance of the terms of article 3 of the treaty of peace and amity concluded October 20 of 1904, and governing the construction and operation of the railroad from Arica to La Paz, provided for by that treaty.

* * * * *

I have, etc.,

EDWARD WINSLOW AMES.

[Inclosure.—Translation.]

MINISTRY OF FOREIGN RELATIONS, WORSHIP, AND COLONIZATION,
Santiago, July 22, 1905.

Whereas:

1. In conformity with the stipulations of article 3 of the treaty of peace and amity between Chile and Bolivia of October 20, 1904, promulgated March 21, 1905, there was signed in La Paz on June 27 last, between the envoy extraordinary and minister plenipotentiary of Chile and the minister of foreign relations of Bolivia, a convention concerning the construction and exploitation of the railroad from Arica to the plateau of La Paz; and whereas

2. According to announcement made by the envoy extraordinary and minister plenipotentiary of Chile in Bolivia, the government of that country has given its approval to that convention under date of July 20,

I therefore decree that the convention referred to be published in the *Diario Oficial* and inserted in the *Bulletin of Laws and Decrees of Congress*.

RIESCO.
LUIS A. VERGARA.

The Governments of the Republic of Chile and the Republic of Bolivia, equally interested in promoting the development of the commercial relations between the two countries, and by virtue of the authority given them by article 3 of the treaty of peace and amity entered into by both governments October 20, 1904, have agreed to regulate the concession, construction, and operation of the railroad from Arica to the plateau of La Paz in conformity with the principles hereinafter indicated, without prejudice to others, which may hereafter be agreed upon, and for this purpose have named their respective plenipotentiaries, viz:

His Excellency the President of the Republic of Chile, Mr. Beltran Mathieu, envoy extraordinary and minister plenipotentiary in Bolivia;

His Excellency the President of the Republic of Bolivia, Mr. Claudio Pinilla, minister of foreign relations;

Who, duly authorized ad hoc, have agreed upon the stipulations contained in the following clauses:

ARTICLE 1. For the purpose of determining the pecuniary responsibility of the Government of Chile established in article 3 of said treaty, it is declared that the value of the construction of the Bolivian section of the railroad shall be that indicated in the bid accepted by the Government of Chile for its construction.

ART. 2. The railroad may be built by sections and the work shall begin simultaneously in Arica and in Viacha if there are no serious obstacles, and the sections thus constructed shall be delivered for traffic as soon as each is terminated; and the period of fifteen years, at the end of which the Bolivian section of this railroad is to go over to the ownership and proprietorship of Bolivia, shall be counted from the day on which the whole line is completed and delivered for service.

ART. 3. Both governments, through their functionaries, shall give all necessary facilities for the quickest and most perfect construction of the railroad.

ART. 4. The Governments of Chile and of Bolivia shall cede gratuitously such fiscal lands as may be necessary for the construction of the road and its dependencies and the use of such waters as do not belong to individuals or to which individuals have no right and which are necessary for the construction and operation of the railroad.

ART. 5. They bind themselves also to assist, in conformity with the laws of the respective countries, in the condemnation of municipal and private lands which may be necessary for the object above indicated.

They shall also equally grant facilities, and in the same manner, for the temporary occupation of land and for the formation of administrative services which may be necessary for the construction and operation of the railroad, such as fences along the abutting property throughout the extension of the railroad, the use of materials necessary for the railroad, the prohibition of the performance of certain operations at less than a certain distance from the road, etc.

ART. 6. No work on the railroad or its accessories shall be impeded, delayed, or interfered with because of or during the proceedings necessary for determining the amount of the condemnation or of the laboring force.

ART. 7. The materials necessary for the construction and operation of the railroad shall be exempt from all fiscal or municipal taxes, as shall the food stuffs which shall be introduced during the time of constructing the railroad for the maintenance of the laborers.

ART. 8. The railroad line, as well as all the movable and immovable property pertaining to it, shall be exempt from all ordinary or extraordinary taxes during all the time that it is in the power of the Government of Chile.

ART. 9. National and international correspondence shall be transported gratuitously by the railroad.

ART. 10. The railroad shall also be obliged to transport at cost all fixed material and all rolling stock which the Government of Bolivia may need for the construction of the railroads it may build in the interior of the country on its own account.

ART. 11. The laborers and employees of the railroad and its dependencies shall be exempt from military service in their respective countries, except in case of a national war.

ART. 12. In order to assure the perpetuity of free traffic on the railroad, the respective governments bind themselves to guarantee the neutrality of the railroad and its dependencies.

ART. 13. It is understood that the railroad in its various sections shall be subject to the authority and laws of each of the signatory countries in its respective territory; but, with the object of facilitating the operation and securing the safety of the line, the Governments of Chile and Bolivia shall by common accord adopt the operating rules which are generally in use on this kind of international railroads. In them shall be indicated the objects which, because of their great value or the danger which their carriage would entail, may not be transported except under certain conditions.

These operating agreements shall have the same value as the dispositions of this convention, of which they shall be considered an integral part.

In witness whereof the above-named plenipotentiaries have signed and sealed with their respective seals and in duplicate the present convention, in the city of La Paz, on the 27th day of June, 1905.

B. MATHIEU.
CLAUDIO PINILLA.
CESAR DE LA LASTRA.

MESSAGE OF THE PRESIDENT OF CHILE TO THE CHILEAN CONGRESS.

Chargé Ames to the Secretary of State.

No. 436.]

AMERICAN LEGATION,
Santiago, July 8, 1905.

SIR: I have the honor to inclose herewith a copy and translation of the message read by His Excellency the President of Chile at the opening of Congress on June 1.

I have, etc.,

EDWARD WINSLOW AMES.

[Inclosure.—Translation.]

Message read by His Excellency the President of the Republic of Chile at the opening of the regular sessions of the National Congress, June 1, 1905.

Fellow-citizens of the Senate and Chamber of Deputies: In giving you an account of the public administration during the past year it is gratifying to me to announce to you that our relations with other countries are friendly and cordial.

The demarcation of the limits of our territory with that of the Argentine Republic is almost completed. There remain to be put in position only a few pyramids at the sources of the Ñuble and Laja rivers, a task which will be completed in the coming summer. The slight difficulties still pending will be settled in a satisfactory manner. The cordiality of our relations with the neighboring Atlantic Republic encourages the hope that we may reach agreements which shall continually strengthen the bonds which happily unite these two countries.

The 21st of March the treaty of peace and amity with Bolivia was promulgated, following the exchange of ratifications. This compact, based on the bounds of the material interests of both countries, assures them, in a not distant future, all the benefits which commercial intercourse effects, not the least of which is the firm establishment, under inalterable conditions, of the friendly international relations of both countries. In the near future bids will be asked for the construction of the railroad from Arica to the plateau of La Paz, which, according to the terms of the treaty, Chile must construct, and the necessary steps have already been taken for fulfilling the promises which we thereby made.

The Government of Peru has thought fit to protest against some of the stipulations contained in this treaty. Chile's reply, in addition to establishing the right which supports us in maintaining them in their integrity, suggests the expediency of putting an end to the sterile discussions in which we have been involved and of exchanging them for agreements of a nature similar to that of those which have terminated definitely and satisfactorily our differences with Bolivia.

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LAW REGULATING THE REGISTRATION OF TRADE-MARKS.

Chargé Ames to the Secretary of State.

No. 453.]

AMERICAN LEGATION,
Santiago, September 28, 1905.

SIR: Referring to previous correspondence, concerning proposed legislation for regularizing the registration of trade-marks in Chile, I have the honor to inclose herewith copy and translation of a law promulgated on August 12 last, but only just published in the *Diario Oficial*, which insures the validity of trade-marks already or hereafter registered in this Republic.

I have, etc.,

EDWARD WINSLOW AMES.

[Inclosure.—Translation.]

Law No. 1749

Whereas the National Congress has given its approval to the following bill:

“ONLY ARTICLE. The registrations of trade and commercial marks made in accordance with the provisions of the law of November 12, 1874, are declared valid, even during the period since the law of December 22, 1891, went into force till the promulgation of the present law.

“Registrations of marks will in future be governed by the law referred to of November 12, 1874.

“Clause 7 of article 26 of the law of December 22, 1891, relative to trade and commercial marks, is repealed.”

And whereas, after having heard the council of state, I have considered it convenient to approve and sanction it, therefore let it be promulgated and carried out as law of the Republic.

Santiago, August 12, 1905.

JERMAN RIESCO.
E. VILLEAGAS.