

POLITICAL GEOGRAPHY OF THE TACNA-ARICA BOUNDARY DISPUTE

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PREFACE

The name of the Tacna - Arica Border Dispute is familiar to a great many people. The background, details of the settlement, and the results are not well known. This dispute kept the western coast of South America in a state of turmoil and uneasiness for almost 50 years. The land that was involved in the dispute was considered so worthless that no definite boundaries had been established after almost three hundred years of the white man's governmental control. The writer's interest in this subject was stimulated by many references to the region with no supporting facts.

This study endeavors to correlate the geographical, political, and economic factors before, during, and after the War of the Pacific which was not definitely settled until the border dispute was peacefully terminated. The political and economic benefits to Chile constitute the major portion of the material here presented, along with the geographical factors involved in the territory acquired from Bolivia and Peru by the aggressiveness of Chile.

Source materials included official documents of the United States Department of State and the British Foreign Office as well as other governmental publications. Other sources were: accounts of travelers; geographers; and technical papers relating to boundary settlements. Geography reference books were valuable in determining points of emphasis.

As this study is concerned with the relationships between Chile and her northern neighbors, Peru and Bolivia, the comments made will be

mostly about the northern one-third of Chile that is occupied by the Atacama Desert. This area has furnished a major share of the wealth of Chile for the past century and was the cause of the armed conflict between Peru and Bolivia on the one side against Chile. Most of the territory is that which was acquired by Chile as a result of that war.

The writer wishes to express his indebtedness to the Faculty of the Geogaphy Department for their enthusiastic assistance, especially to Dr. Edward E. Keso who guided the final preparation of the manuscript, and to Dr. Ralph E. Birchard for his advice and encouragement. The writer is also indebted to the Library Staff of the Oklahoma State University, especially to Mr. and Mrs. Alton P. Juhlin, Mrs. Marguerite S. Howland, and Mr. Richard E. King, without whose help much of the material could not have been found. Finally, to his family the writer gives a very special thanks for their marvelous attitude of understanding during the preparation period of this study.

J. E. M.

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CHAPTER I

BACKGROUND OF THE TACNA - ARICA BORDER DISPUTE

Boundaries were of little consequence in South America for many years after the conquest and settlement of the continent by the white man. The physical characteristics of the climate and terrain served, as long as no substantial outside pressure existed, to contain the various Indian groups in their own areas. The administrative divisions established by the Spanish followed in general the same dividing lines that had been in effect for many years. Spanish rule was in some of the sparsely populated areas a jumble of conflicting claims, overlapping grants, and loose control. In some cases, an edict from the ruler in Spain would be based on the word of some mis-informed travelers, thus causing the on-the-spot administrators difficulty in properly performing their tasks.

Boundaries

When various sections of South America proclaimed their independence from Spain and proceeded to establish new nations, the first governing bodies recognized, in general, the boundaries of the Spanish administrative divisions whose territory they were taking over. This doctrine, called "Uti Possidetis,"¹ was not included in any of the peace treaties but was proclaimed by the Congress of Lima in 1848. When Bolivar

¹Literally translated "as you possess."

established the new state of Bolivia in 1825, he utilized the ancient limits of the audiencia of Charcas as the boundaries. These limits were known to be vague and unsatisfactory due, in part, to inexact knowledge of the country at the time of their establishment. These limits were also unsettled because of overlapping grants from Spain.²

Colonial divisions had included both Peru and Bolivia in the same area and Spain had never bothered to establish a definite boundary between Peru and Chile. Copiapo was the farthest point to the north where the Chileans could claim effective control and the oasis of Tacna, with its port of Arica, was the southern extent of Peru's firm hold on the country. The bleak Atacama Desert provided an excellent dividing line of 600 miles in width between the two original political units.³ Except for the River Loa, there is not one stream that flows from the Andes to the sea between Arica and the mouth of the Copiapo River.⁴ Throughout this area oases are located along the western foot of the Andes. Their chief importance has been their service to land travelers. They served the Incas in their extension to Copiapo, the Spanish in their conquest of Central and Southern Chile, and they have long served as a link in the communications between the mountainous hinterland and the coast.⁵

After the Spanish had been driven out of the Pacific areas of South America, part of this almost vacant coastal area was claimed by Bolivia.

²Gordon Ireland, Boundaries, Possessions, and Conflicts in South America, (Cambridge, 1938) pp. 321-327.

³Hubert Herring, A History of Latin America, (New York 1956) p. 553.

⁴Isaiah Bowman, Desert Trails of the Atacama, (New York, 1924) p. 11.

⁵Ibid., pp. 64-65.

Chile made no contest of this at first and even agreed to some court decisions that served to establish these claims.⁶ Chile's northern border was very elastic, depending upon which royal decree or other claim was used as a basis for argument. Over a period of many years, from the original grants to Pizarro to the treaty of 1874 between Chile and Bolivia, this boundary was variously located between 22° south latitude and 27° south latitude.⁷

Nitrate Fields

Three countries were claiming the arid, inhospitable area known as the Atacama Desert. Peru's southern border extended to the River Loa, which included the province of Tarapaca. It was in this region that the first discovery of the sodium nitrate fields occurred in 1809.

At this time, commercial production was not attempted and the countries concerned did not have cause for concern over the value of the area. By 1840 the chemists of the world, led by Justis von Liebig of Germany, had demonstrated the value of these deposits for use as fertilizers. Commercial production of the sodium nitrate beds was exploited rapidly from that time. The chemical industry was also responsible for the further increase in the value of this forbidding desert when, in 1857, Du Pont was able to utilize the sodium nitrate in the making of gunpowder.⁸ This enabled Alfred Nobel to start his

⁶Ibid., p. 87.

⁷Ibid., pp. 84-86.

⁸Erich W. Zimmerman, World Resources and Industries, (New York, 1951, rev. ed.) p. 779.

production of nitro-glycerine in 1860 and the smokeless powder that was derived from it.⁹

As the exploitation of the nitrate deposits gained in intensity, Chile became the chief supplier of the labor forces and, along with British capital, assumed the chief role in managing the production activities. Neither Peru nor Bolivia were able to supply all the labor so they both allowed Chile to enter their respective areas and conduct their blasting and refining operations.¹⁰ The very obvious value of these lands intensified the desire of the three countries to establish their claims more firmly. Peru's claim to the province of Tarapaca was never actually questioned because it had been established over a period of centuries.

Bolivia and Chile had begun boundary negotiations in earnest in 1858 but no firm agreement was reached until 1866 when a treaty was signed establishing the common border along the parallel of 24° south latitude. This treaty provided (Article 2) that - in spite of the definite line drawn - each country was to divide equally the proceeds of the guano deposits and other mineral extraction from the area between the parallels of 23° and 25° south latitude. The provisions of this treaty were not finalized until a convention was drawn up and signed at La Paz in 1872. Further negotiations were conducted and in 1874 a treaty establishing the 24th parallel as the boundary, along with the common areas mentioned above, was signed. This latest treaty provided for the eastern boundary as the "divortia aquarum" of the Andes and

⁹Herring, p. 553.

¹⁰Ibid., pp. 514-516.

specified that the common zone would be free of increases in taxes for the next 25 years.¹¹

The treaty of 1874 was a diplomatic victory, and a distinct economic gain, for Chile. By the concessions made, Bolivia gave up all former claims to the lands south to the Rio Salado and presented Chile with a more firm basis for her claims to the rich lands of the forbidding desert. For the first time, since the colonial beginnings of the country, Chile now had a firm northern border and, at the same time, she was firmly entrenched economically in lands beyond her sovereign area with the express permission of the governments of her northern neighbors.

These arrangements were working very well but the two countries of Peru and Bolivia were not content and were fearful of the expansionist tendencies exhibited by Chile. In 1872, while the Bolivian boundary negotiations were being carried on, Peru and Bolivia formed a secret alliance for mutual defense against all foreign aggression. This treaty was to be kept a secret till both countries agreed it should be published.¹² Chile became aware of the existence of this treaty but did not make an issue of its provisions until the time of the trouble in February of 1879.¹³

As the economic desirability of having complete control of the nitrate fields became more apparent, the Chilean position of influence in the areas owned by the other countries was made increasingly more difficult. Peru seized the Chilean nitrate works in Tarapaca in 1875.

¹¹Ireland, pp. 53-57.

¹²Ibid., p. 57.

¹³Luis Galdames, A History of Chile, (Chapel Hill, 1941) pp. 323-325.

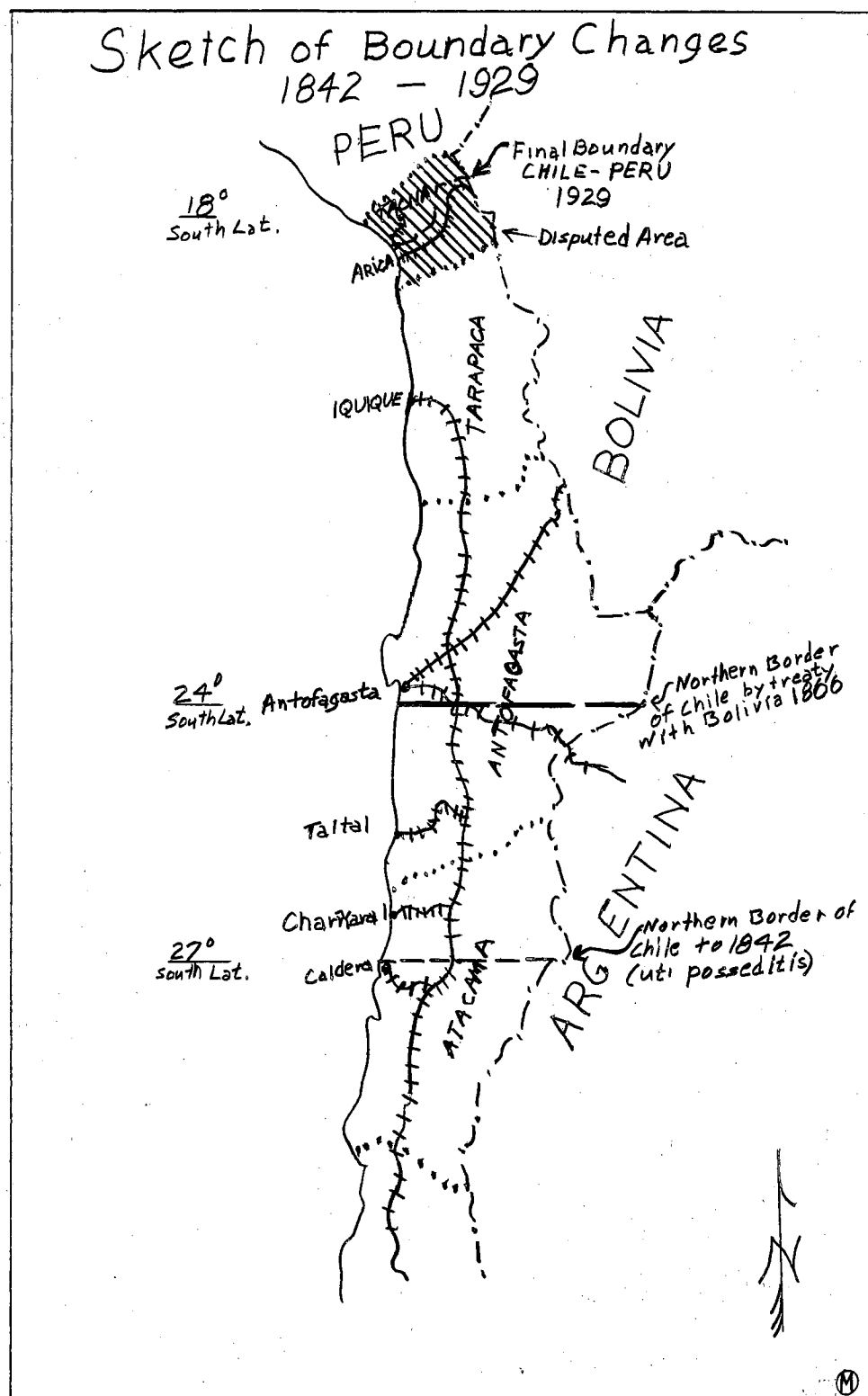


Figure 1

Sketch of Boundary Changes
1842 - 1929

In 1878, Bolivia imposed increased taxes in the common zone with Chile in violation of the treaty of 1874. The Bolivian Assembly, in February of 1878, passed a law that allowed the Antofagasta Company to transport their nitrates free, on their own railroad, for export through the port of Antofagasta for an annual tax of 40 Bolivianos. This part of the law was at the suggestion of the Company; however, the Assembly also decided to add a tax of ten cents per each hundred pounds of nitrate exported. The Company refused to pay and appealed to the Chilean government for aid. The Bolivian government suspended enforcement of the tax on November 8, 1878, but on December 17, 1878, President Daza ordered the collections to begin again. This move aroused the Chileans to drastic action on their own account. Chilean soldiers took possession of the Bolivian ports of Antofagasta, Mejillones, and Caracoles. Bolivia declared that a state of war existed on February 26, 1879, and expelled all Chileans after first confiscating their goods.¹⁴

War of the Pacific

After Bolivia declared that a state of war existed, Chile asked Peru for a statement of neutrality which was refused. On 5 April 1879, Chile declared war on Bolivia and Peru. On 6 April 1879, the Peruvian government proclaimed the secret treaty with Bolivia and declared that, because of its provisions, they were at war with Chile.¹⁵ Peru expelled all Chileans and confiscated their goods. This proved to be of actual benefit to Chile because most of these expelled persons entered the

¹⁴Ireland, p. 58.

¹⁵Ibid., p. 163.

Chilean Army and were able to render great aid during the invasion of Peru because of their knowledge of the country.¹⁶

By the end of 1879, Chile had won complete control of what is now the provinces of Antofagasta and Tarapaca and were, after an initial setback, in complete control of the sea as far north as the port of Callao.¹⁷ In the first half of 1880 Chilean forces invaded Peru and secured Tacna and Arica. The battle for Arica provided Peru with her greatest hero of the war and contributed much to the patriotic fervor which Peru later displayed in attempting to hold onto Arica during the long negotiations for a final settlement.¹⁸

At this point in the war, the United States attempted mediation to terminate the hostilities and reestablish peace. At the Conference of Arica in October, 1880, Chile demanded the absolute cession of the provinces of Antofagasta and Tarapaca but the allies refused to accede and the negotiations ended in failure.¹⁹ Chile again invaded Peru and captured Callao and Lima. The surrender of Lima in January of 1881 effectively ended the shooting war except for a few minor actions.²⁰ The war had been won by Chile and she considered all previous territorial agreements abrogated. Bolivia was without a seacoast; Peru lost the province of Tarapaca permanently, and Chile had temporary possession of Tacna and Arica provinces.²¹

¹⁶Galdames, p. 326.

¹⁷Ibid., pp. 330-331.

¹⁸Ibid., p. 332.

¹⁹Foreign Relations of the United States, 1881, (Washington, 1882) p. 78 and pp. 115-118. (All issues of this series hereafter referred to as "Foreign Relations, [year].")

²⁰Ibid., pp. 895-897.

²¹Ireland, p. 163.

Unsettled Peace

Separate peace arrangements were made by Chile with the two defeated countries. The Treaty of Ancon was signed with Peru on 20 October 1883 and ratifications were exchanged on 28 March 1884. This treaty gave to Chile unconditional and perpetual sovereignty over the province of Tarapaca and control of the provinces of Tacna and Arica for ten years from the date of ratification by the two governments. It also provided that a plebiscite was to be held after the ten-year period to determine which country would assume permanent control of these provinces.²²

Bolivia's share of the peace arrangements started with a truce agreement that was signed on 4 April 1884. Chile was given control over all of the littoral department of Atacama - now named the Province of Antofagasta - during the period of the truce regime. This included all Bolivian territory from the River Loa, south to the 23rd parallel.²³ This truce regime lasted until 20 October 1904 when a final treaty was signed which gave Chile perpetual dominion over the territories occupied, since the actual cessation of hostilities, and signed over by Bolivia under the original truce agreement of 1884.²⁴ Those 20 years were occupied with much haggling over details but the final settlement has been a permanent one.

While Chile and Bolivia were settling their boundary and territorial differences in a reasonably amicable manner, tempers were high and

²²British and Foreign State Papers, vol. 74, (London, 1890) pp. 349-352. (See APPENDIX A for complete text)

²³Ireland, pp. 59-62.

²⁴Foreign Relations, 1905, (Washington, 1906) pp. 104-111. (See APPENDIX B for complete text)

diplomatic relations were strained, and even broken, by the disagreements that confronted the final settlement of the problems over the boundary that Peru and Chile were to share.²⁵ The question of ultimate sovereignty of the provinces of Tacna and Arica was not settled until 1929.

The main source of disagreement was over the method of carrying out the provisions of Article 3 of the Treaty of Ancon. The article in question is quoted below:

III. The territory of the provinces of Tacna and Arica, bounded on the north by the River Sama from its rise in the Cordilleras bordering upon Bolivia to where it flows into the sea, on the south by the ravine and River Camarones, on the east by the Republic of Bolivia, and on the west by the Pacific Ocean, shall remain in the possession of Chile, and subject to Chilean laws and authorities, during the term of ten years, to be reckoned from the ratification of the present Treaty of Peace. At the expiration of that term a plebiscite shall, by means of a popular vote, decide whether the territory of the provinces referred to is to remain definitively under the dominion and sovereignty of Chile, or continue to form a part of the Peruvian territory. Whichever of the two countries in whose favour the provinces of Tacna and Arica are to be annexed shall pay to the other 10,000,000 dollars in Chilean silver currency, or Peruvian soles of the same standard and weight.

A special Protocol, which shall be considered an integral part of the present Treaty, will establish the form in which the plebiscite is to take place, and the conditions and periods of payment of the 10,000,000 dollars by the country which remains in possession of the provinces of Tacna and Arica.²⁶

Questions on the conduct of the plebiscite itself were the principal barriers to final settlement of the problem. Qualifications of voters, method and time of payment, and security for payment of the ten millions of dollars could not be agreed upon by both parties.²⁷ In all fairness

²⁵Ireland, p. 171.

²⁶British and Foreign State Papers, vol. 74, p. 350. (See APPENDIX A)

²⁷Ireland, p. 165.

to Peru, it should be noted here, that all available indications point to the fact that Chile was deliberately putting obstacles in the path of amicable negotiations. Chile had the two provinces in her power and it seemed that she was doing everything possible, short of war, to keep them.

CHAPTER II

GEOGRAPHICAL FACTORS

Chile is an elongated country that stretches for 2,600 miles from north to south and averages 110 miles in width.¹ Within this latitudinal extension are found the driest desert, the highest mountain, and some of the wettest regions of the entire South American continent. The eastern boundary of the country has a common border with Argentina for 3,265 miles and with Bolivia for 519 miles.² These boundaries run, for the most part, along the crest of the Andes with some of the actual markers set east of the highest point at the "divortia aquarum." Chile has a shape that is largely congruent with a natural physiographic region and has, through the years, displayed a persistency and stability of shape, less subject to changes than the compact outlines of some of the European countries.³

With such an extremely long coastline, Chile would normally be expected to be a nation of seafarers. Actually Chile has no significant interests on or across the sea. She does have a navy for defensive purposes and engages in fishing operations off the coast. Each coast has,

¹Gilbert J. Butland, Chile, An Outline of its Geography, Economics, and Politics, (London, 1951) p. 1.

²S. Whittemore Boggs, International Boundaries, (New York, 1940) pp. 216-217.

³Hans W. Weigert, ed., Principles of Political Geography, (New York, 1957) p. 73.

geometrically, an opposite shore but Chile has not been influenced, in her political thinking, by an awareness of her opposite shore. This lack of concern with affairs to the west is believed attributable to the vastness of the Pacific.⁴

The Atacama Desert

The Atacama Desert is generally considered to begin at Coquimbo. There is no region north of there, in Chile, that receives a measurable precipitation of more than five inches (127 mm) of moisture annually. Many areas of this bleak land go for many years at a time without recording even a trace of rainfall.⁵ The oasis of Calama, on the River Loa, has never recorded a trace of moisture from the sky.⁶ Table I does show one recording station with an average annual rainfall of 7.85 inches. This station of Oyahue is shown as being located high in the mountains on the Bolivian border but cannot be located on the maps available and is listed as being at the same spot where the town of Ollague is now shown. Table II shows Ollague to have an average annual rainfall of 2.34 inches which is more in agreement with the other figures for places of similar location.

Regardless of this difference, annual averages are not very meaningful when an area of such spotty rainfall is being considered. At Iquique the average annual rainfall was computed using a 20-year period. During this time a total precipitation of 28 mm - a little over one inch - was

⁴Ibid., p. 200.

⁵George M. McBride, Chile, Land and Society, (New York, 1936) p. 21.

⁶Preston E. James, Latin America, (rev. ed., New York, 1950) p. 199.

recorded. During these 20 years there were 14 years in which there occurred no measurable precipitation.⁷

In spite of the forbidding nature of this region, there are areas of permanent human habitation. With one-third of the land area of Chile, the desert north houses only six and one-half percent of the population. The permanent villages are located at the oases scattered along the spots where the few streams emerge from the western foot of the Andes to furnish a meager water supply for the irrigation of some crops and pasture lands. Other habitated areas, where the towns have been established as a result of the mining operations, are entirely artificial. The mining camps were not established with regard to the availability of water but with regard to the locations of the mineral deposits.

Life in the mining camps is completely and absolutely dependent upon the outside world for survival. Everything must be brought in; water, fuel, lumber, building materials, and food. The only place where anything grows in the entire desert is along the streams and in the oases. Throughout the rest of the barren wasteland there is not a blade of grass or even a cactus plant to be found.⁸

The extreme aridity carries up into the higher ranges of the Andes so there is little to sustain life away from the few flowing streams. The water supply at the headwaters of these streams is so limited that few of them have enough of that vital commodity to support irrigated farms.⁹ Between Arica and Copiapo, the River Loa is the only stream

⁷Mark Jefferson, The Rainfall of Chile, (New York, 1921) p. 27.

⁸Herring, p. 553.

⁹Bowman, Desert Trails of Atacama, p. 49, and McBride, p. 21.

with sufficient water supply at the headwaters to flow continuously from the mountains to the sea all the way across the dry desert.¹⁰

The very dryness of the desert has proven to be the saving feature in maintaining the source of the valuable minerals which have furnished Chile with her economic mainstay for many years. In 1925 the surface temperature of the waters off the Atacama increased by a few degrees because of an unexplained shift in the ocean currents, thereby changing the whole climatic situation for a short period of time. The warmer waters allowed warm moisture laden winds to blow on-shore and torrential rains deluged many parts of the desert as far as 200 miles inland. To the inhabitants the water was, at first, a miraculous blessing and was welcomed with outflung arms and up-turned faces. Soon, however, dry stream beds became raging torrents and what had been mere trickles of water turned into devastating floods doing irreparable damage to irrigation facilities and to the fields.

All of Chile's nitrate deposits and half of the copper deposits are soluble in water. These rains washed such large quantities of nitrates and copper into the sea that many millions of fish and seabirds were poisoned and died. The fact that the enormous deposits of these water-soluble minerals are present today is mute testimony that the desert region has maintained its aridity for many, many years.¹¹ Continued rainfall, of an amount suitable for farming, over a long period of time would cause great changes in the agricultural methods of the desert

¹⁰James, p. 200.

¹¹Earl P. Hanson, Chile, Land of Progress, (New York, 1941) pp. 10-11.

dwellers and would most likely be disastrous to the Chilean economy in general, as it is presently established.

Under standard rules of climatology, the coast of northern Chile would be expected to have an annual rainfall of about 10-20 inches because of the prevailing moist sea winds which blow steadily on-shore. This precipitation anomaly is best explained by an examination of the contrasting temperatures of the water and the land along the northern half of the Chilean coast. The Peruvian (Humboldt) Current sweeps in from the west as a very cold flow of water. This current turns and flows northerly, following the west coast of South America, until it turns away from the land and flows to the west and northwest in Northern Peru at between four and five degrees south latitude.

Along all of this coastal area, from 30° south latitude to four degrees south latitude, the water temperature is colder than that of the adjacent land mass. The farther north the water travels, the warmer the land mass becomes, thereby maintaining the negative temperature differential. As the winds sweep on-shore, they are warmed by the land, their capacity for holding moisture increases, and they become less and less saturated as the warming continues. The inland temperatures are still high enough that this condition exists even in the high Andes border region between Chile and Bolivia.¹²

The average rainfall figures given in Table I show very definitely the almost complete lack of precipitation in the Atacama. The stations shown are taken from a list of 177 reporting stations, throughout the

¹²W. W. Reed, Monthly Weather Review, Suppl. No. 32, July 1929, p. 4. (Quoting Julius Hann, Handbuch der Klimatologie, (3rd ed.) Vol. I, p. 175.)

TABLE I¹³

AVERAGE ANNUAL RAINFALL AT SELECTED STATIONS

No.	Name	Years	Lat.	Long.	Alt. in ft.	Inches
1	Tacna	1	18° 0'	70°18'	1,836	0.000
2	Arica	15	18°28'	70°20'	17	0.027
3	Iquique	19	20°12'	70°11'	29	0.023
4	Oyahue	3	21°13'	68°16'	12,118	7.85
5	Chuquicamata	1	22°18'	68°55'	8,885	?
6	Calama	2	22°27'	68°56'	7,409	0.000
7	Antofagasta	11	23°39'	70°25'	14	0.157
8	Cachinal	1	24°58'	69°34'	8,541	0.039
9	Refresco	5	25°15'	69°52'	6,066	0.196
10	Taltal	5	25°25'	70°34'	128	0.589
11	Caldera	28	27° 3'	70°53'	92	0.628
12	Copiapo	24	27°21'	70°21'	1,007	0.667

TABLE II¹⁴

CLIMATOLOGICAL DATA FOR SELECTED STATIONS

Name	Yrs.	El. in feet	Mean Annual Precip.	Mean Avg. Rel. Hum.	Maximum Precip. in 24 hrs.	Prev. Wind	Remarks
Tacna	7	1,837	1.25 in.	72	0.79 in.	SW	
Arica	17	16	0.02 in.	74	0.39 in.	SW	Rain on 3 days in 17 years.
Iquique	25	30	0.05 in.	80	0.59 in.	SW	Rain on 20 days in 25 years.
Ollague	5	12,123	2.34 in.	N/A	1.57 in.	S	
Antofagasta	16	16	0.16 in.	70	0.27 in.	SW	Rain on 26 days in 16 years.
Refresco	10	6,070	0.31 in.	53	0.75 in.	S	Rain on 14 days in 10 years.
Caldera	25	92	0.59 in.	N/A	1.02 in.	N/A	
Copiapo	14	1,214	0.65 in.	N/A	0.94 in.	N/A	

¹³Jefferson, pp. 27-28.¹⁴Reed, pp. 12-13.

length of Chile, as those of interest in this particular study. Although certain places in this area have had copious amounts of rainfall at times of unusual climatic occurrences, the averages shown present a truer picture of the dryness than would statements concerning the details of these rare events.

Comparative data are shown in Table II both to accentuate the aridity of the area and to show additional climatological data not available from the first source. A detailed comparison of the rainfall totals shown in the two tables reveals some slight differences but they are not large enough to be considered important. The one fact that is immediately evident from both tables is that the Atacama desert is a region of extreme aridity. The dryness of the desert is not alleviated to any appreciable extent by the rainfall reported from the stations located in the higher elevations of the mountains.

One thing that is emphasized by Reed in his study of the climatology of the area is shown by the one inland station for which humidity data were available. That is the high humidity of the coastal areas contrasted with the lower humidity characteristics of the reporting stations that are located between the coastal range and the higher elevations of the Andes. This is caused by the warming of the air as it goes over the land and it accounts for the absence of clouds behind the Coastal Range.¹⁵ This condition of clouds and higher coastal humidity has been given credit for furnishing sufficient moisture for some meager grazing on the coast at Paposo, about a hundred miles south of Antofagasta.¹⁶

¹⁵Ibid., p. 11.

¹⁶Bowman, Desert Trails of Atacama, p. 59.

Transportation and Communication

At the time of the War of the Pacific, transportation and communication between the Central Valley of Chile and the desert north was limited to trails and coastal shipping. Communications and commerce with the neighboring countries of Bolivia and Argentina had to rely on the mule trails and cattle drives that came across the mountains to supply food to the mining camps.

Today Chile and her neighbors, which now include Peru, are able to communicate by all modern means of transport. The Pan-American Highway has one branch that connects Peru and Chile from Tacna to Arica and then on south to Valparaíso and Santiago. This road is located, in some areas, nearer to the coast than is the longitudinal railway system which is mostly in the middle of Chile through the desert. Both the highway and the railroads touch the coast only at the ports. The Pan-American Highway also crosses the Andes, at Uspallata Pass, to Argentina.¹⁷

Railroads now connect Chile to all three of her neighbors. The contact with Peru, by rail, is limited to the short 39-mile-long railroad from Tacna to Arica.¹⁸ Two railroads provide communication and commerce with Bolivia. The line from Arica to La Paz was built as a result of the final treaty between Bolivia and Chile concerning the War of the Pacific, which was signed in 1904.¹⁹ This line was opened for business in 1913 under the control of the Chilean State Railways and that part in Chile is still a state-owned line. It covers the 279 miles from Arica to La Paz

¹⁷The Prentice-Hall World Atlas, (Englewood, New Jersey, 1959) pp. 52-53.

¹⁸Howell Davies, (ed.) The South American Handbook, 1957-58, (London, 1958) p. 375.

¹⁹Foreign Relations, 1905, (Washington, 1906) pp. 104-111.

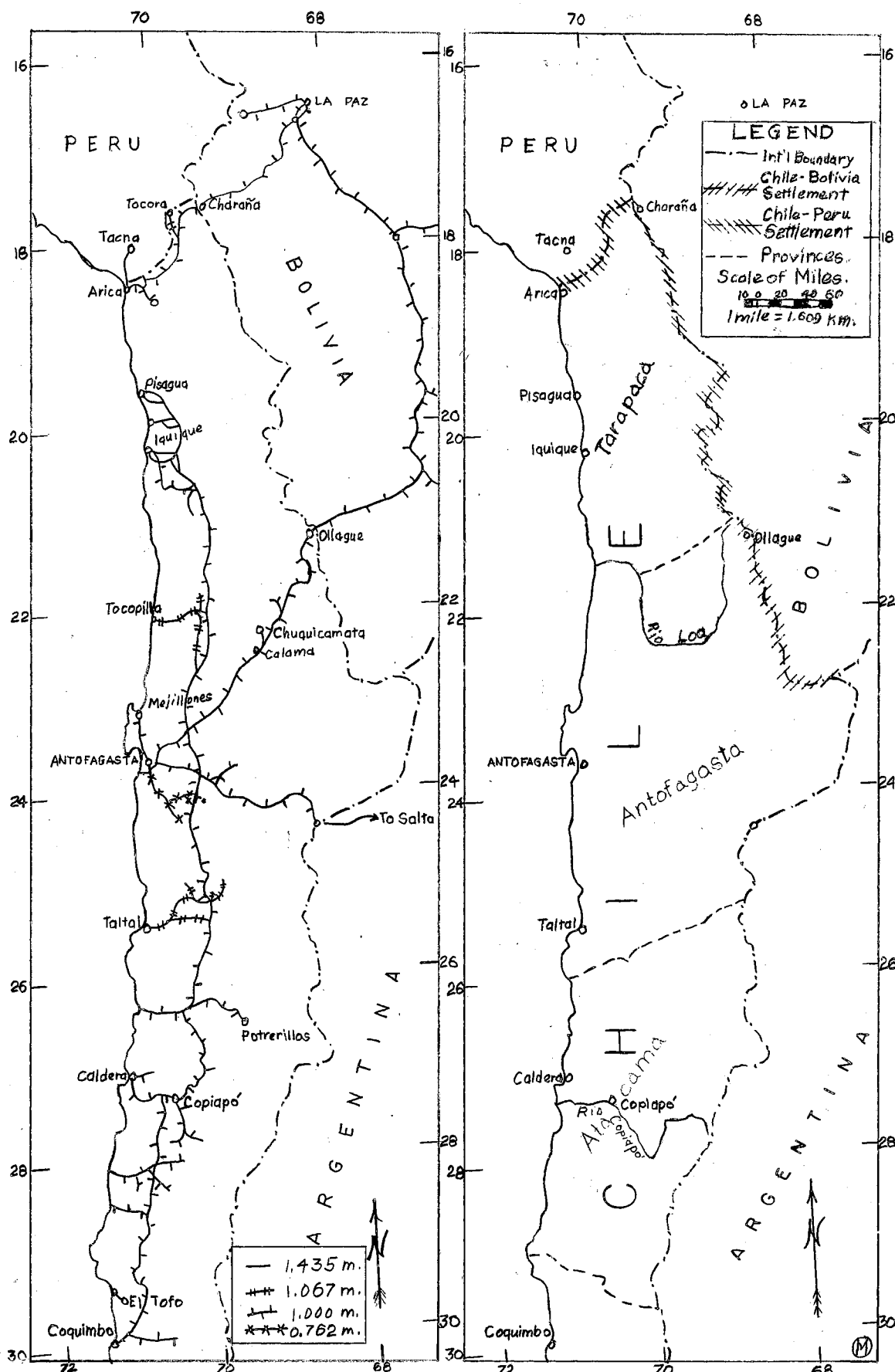


Figure 2
Railroads of North Chile

Figure 3
Political Divisions of North Chile

in 22 hours and carries both passengers and freight. There are no sleeper cars available and it is considered much more valuable as a freight line than as a means of passenger travel. Approximately one-half of the imports and exports for Bolivia are carried over this line.²⁰

Bolivia's need for an outlet to the sea becomes even more apparent when so much of her commerce is known to be handled over this one railroad that has to struggle up to 14,000 feet in elevation to cross the mountains. Along this same route, there is presently under construction a pipeline to connect Bolivia with the sea at Arica. This is one of the results of the Bolivian - Chilean Treaty for Economic Coordination signed in early 1955.²¹

Chile's other connection with Bolivia by rail is through the line from Antofagasta to La Paz. Construction was completed on the portion of this line from the coast to Uyuni in 1889 and was extended on north to Oruro in 1892 and on to La Paz in 1913.²² This line is more suited to passenger travel as it has sleepers and no rack-work sections are required to get over the steep parts as in the Arica to La Paz rail line. The trip to La Paz by this route covers about seven hundred miles and takes 32 hours but it carries many more passengers than does the Arica line.²³

The port and terminal city of Antofagasta is the most important port and the largest city in the desert region. It handles much of the

²⁰Davies, p. 375.

²¹G. Etzel Percy, ANNALS of the Association of American Geographers, Vol. 49, No. 1, (March, 1959) p. 21.

²²Frank G. Carpenter, Lands of the Andes and the Desert, (Garden City, 1926) pp. 254-256.

²³Davies, p. 377.

exports of the mineral wealth of the Atacama as well as handling commerce and passengers for Bolivia. Antofagasta is also the terminal for a railroad across the Andes to Salta, Argentina, with connections on to Buenos Aires.

The Longitudinal Railway System of Chile contains 5,434 miles of track extending from the far north to Puerto Montt in the south. Private interests, mostly in the desert north, own 1,575 miles of these railroads and the state owns the balance. Oddly enough, with the many miles of track in the desert area, there is no rail connection between the port of Arica and the rest of Chile. The railways stop at Pisagua, and the only connection on to Arica is by a bus that runs between Arica and Iquique twice weekly.²⁴

Strategically, this extensive railway system does not have as great a value as would seem apparent at first glance. The track layout would seem to indicate great ease of transport between most any section of the country but the rails are made up of several different guages. The majority of the track north of Calera is built of one meter guage but there are also three other guages in use in the desert.²⁵ This lack of uniformity throughout the entire system reduces the speed of transit in the shipment of men and materials from one end of the country to another because the same rolling stock and engines cannot be used on the entire trip.

Through the desert the northern portion of the State Railway System is a one-meter track but the connecting lines use a variety of guages.

²⁴Davies, pp. 371-375.

²⁵U. S. Department of Commerce, The Railways of Chile, (Washington, 1942) p. 13.

Chile is in the process of modernizing her rail system by introducing diesel engines and acquiring new rolling stock. Also they have instituted better maintenance and repair systems on the equipment and are practicing track maintenance patterned after the American system.²⁶

TABLE III²⁷

RAILROADS OF NORTH CHILE

Ownership	Guage (meters)	Total length in miles	Provinces		
			Antofagasta	Atacama	Tarapaca
Federal	1.000	1187	484	398	305
	0.762	110			110
Total		1297	484	398	415
Private	1.000	577	515	62	
(American,	1.435	424	32		392
British and	1.067	380	380		
Chilean)	0.762	261	158	25	78
Total		1642	1085	87	470
GRAND TOTAL		2939	1569	485	885

(Note: In addition to the guages of track used in the desert, Chile also has track of 1.676m and 0.600m.)

TRACK GAUGES

1 meter	--	39.37 inches	Common Narrow Gauge
1.676m	--	65.98 inches	Broad Gauge
1.435m	--	56.50 inches	Standard U. S. Gauge
1.067m	--	42.01 inches	
0.762m	--	30.00 inches	
0.600m	--	29.53 inches	

Air transportation in Chile is important and is expanding rapidly. North Chile has international airports at Arica and Antofagasta. Domestic service on both scheduled and non-scheduled passenger and freight lines

²⁶U. S. Bureau of Foreign Commerce, Basic Data on the Economy of Chile, (Washington, 1955) pp. 16-17.

²⁷U. S. Department of Commerce, The Railways of Chile, p. 13.

is available at these cities and at Iquique. Telegraph service is available between all principal cities through the state-owned system and private railroad telegraph systems are authorized to accept commercial messages in areas not served by the state system. An international telegraph and telephone service is also available. Telephone communication is possible throughout the country with world-wide radiotelephone service readily available.²⁸

Population

The population of the desert north is not large due to the climatic conditions and the requirement to bring in practically everything needed to live. Arica had a 1920 population of 9,015 in the town and only 15,348 in the whole province. By 1933 the town population had dwindled to about 4,000.²⁹ Since then there has been an increase in commerce with Bolivia which has brought more people in so that the city had grown to an estimated 30,000 in 1958.³⁰ Antofagasta, the largest city in the desert region, had an official population of 62,272 in 1952³¹ and an estimated population of over 100,000 in 1958.³²

The only inhabitants of the desert who can actually be considered as native to the area are the Indians of the oases scattered along the western edge of the Andes. They live in small villages and earn their livelihood from the soil. They were there before the white man came to

²⁸U. S. Department of Commerce, Basic Data on the Economy of Chile, (Washington, 1959) pp. 14-15.

²⁹Ireland, p. 175.

³⁰Davies, p. 372.

³¹U. S. Department of Commerce, Basic Data on the Economy of Chile, 1955, p. 3.

³²Davies, p. 374.

TABLE IV³³

POPULATION OF NORTH CHILE

Province	1940	1952	1955 (Est.)	1957 (Est.)
Antofagasta	145,147	184,779	213,559	222,634
Atacama	84,312	80,154	92,568	96,505
Tarapaca	104,097	102,789	118,770	123,818
Total	333,556	367,722	424,897	442,957
Chile - Total	5,023,539	5,930,809	6,900,000	7,146,769

the desert and will probably be there after the mining has exhausted the mineral wealth of the region.³⁴ The other people of the areas that were originally part of Bolivia and Peru are the miners and their families and the shopkeepers and laborers that are found in any busy port over the world. Before the minerals were discovered, the desert was practically uninhabited. Once the mining started on a large scale, the laborers and their families moved in. Chileans furnished most of the laboring force for the Bolivian province of Antofagasta and were also in the Peruvian province of Tarapaca.³⁵ The provinces of Tacna and Arica were peopled mostly with Peruvians but a goodly number of Chileans were there even before the War of the Pacific. After the war, when Chile took over the

³³U. S. Department of Commerce, Basic Data on the Economy of Chile, (Washington) Data for 1940 and 1952 from 1955 edition, p. 3; 1957 estimates from 1959 edition, p. 3; 1955 estimates from Davies, p. 374.

³⁴James, pp. 206-207.

³⁵Galdames, pp. 323-324.

administration of these two provinces, many Chilean laborers and civil workers came in and made their homes.

CHAPTER III

ECONOMIC FACTORS

The War of the Pacific was brought on by purely economic conditions. There were no fights or border incidents between settlers of the countries concerned; no issue was made of "lebensraum" that later became the battle-cry of Hitler; no patriotic fervor cried for new conquests for the glory of the nation. The issue in this war was the mineral wealth of the desert and the financial gain it would bring to the country in possession of those minerals. The sodium nitrate deposits of the Atacama were the only known deposits large enough for commercial exploitation. Today, Chile is still the only country in the world with commercial deposits of sodium nitrate.¹ The economic implications of this war are more strongly apparent when it is realized that this was one of the few wars in modern times that has proven financially profitable for the aggressor.²

In addition to the nitrate fields secured from Bolivia and Peru, Chile acquired the copper ores of Chuquibambilla where there are now over a billion tons of proven and probable ore reserves. These are reputed to be the largest reserves in the world.³ Also, the final settlement of the border between Chile and Peru, gave to Chile permanent possession of

¹United States Tariff Commission, Mining and Manufacturing Industries in Chile, (Washington, 1945) p. 2.

²Lewis M. Alexander, World Political Patterns, (Chicago, 1957) p. 95.

³United States Tariff Commission, p. 17.

valuable sulfur deposits in Arica province which had originally been part of Peru.

Possession of the nitrate fields gave Chile an original virtual monopoly on the world supply of nitrate for fertilizers and gun powder. The export of this commodity was a source of much financial revenue for Chile for many years. Nitrate exports constituted 75 percent of all of the Chilean exports during the period 1900 - 1913 while copper accounted for only five percent of the total during the same period.⁴ During World War I Germany developed the production of synthetic nitrogen and the value of the nitrate deposits in Chile declined rapidly after the war.⁵

During the period from 1851 to 1880, copper was the most important mineral in Chile and she was the world's leading producer. The high-grade ores were soon exhausted and, from the last part of the 19th century up to the beginning of World War I, copper was not important in the economy of Chile.⁶ The presence of vast low-grade ores, of one to two percent copper content, had been known for some time but their recovery had to await the economical processes that were put into operation by American interests after the first World War. Nitrate exports had exceeded the value of copper for the first time in 1881 and held first place until 1932. At that time, copper again became the leading export commodity and has continued to hold that position.⁷

Chile as a whole has a larger portion of her population engaged in

⁴Ibid., p. 2.

⁵Zimmerman, p. 780.

⁶United States Tariff Commission, p. 2.

⁷U. S. Department of Commerce, Basic Data on the Economy of Chile, 1955, pp. 8-9.

agriculture while the bulk of her exports are of the mineral variety. In 1938, minerals were over 78 percent of the total value of all exports. The Atacama Desert, which is, for the most part, the area acquired by the War of the Pacific, furnishes the major portion of the mineral exports. The nitrate deposits are still valuable and constitute an important part of the Chilean economy. Production has been aided by the use of newer and less expensive methods of preparing the nitrate for shipment. Nitrate is the second largest export commodity and furnishes 20 percent of the total value with copper accounting for 50 percent of the annual export value of the nation.⁸

Nitrate production by Chile has declined from two-thirds of the world supply of chemical nitrogen to six percent. This has been due to the synthetic production of chemical nitrogen by fixation and the by-product ammonium nitrates of the coke plants. Even with the percentage decrease as far as the world market is concerned, Chile still exports an average of one and one-half million metric tons annually for an average value of 60 to 67 million dollars. Iodine exports, a by-product of the nitrate plants, average about three million dollars annually.⁹

The sulfur mines of Chile are all in the north with an important producer at Tacora that figured in the final boundary settlement of 1929. Chile produces over one-half of the South American sulfur each year and ranks fifth in world output but furnishes only one percent of the total world production.¹⁰

⁸United States Tariff Commission, pp. 3-5.

⁹U. S. Department of Commerce, Basic Data on the Economy of Chile, 1955, pp. 10-11.

¹⁰U. S. Department of Commerce, Basic Data on the Economy of Chile, 1959, p. 10.

CHAPTER IV

THE FINAL BOUNDARY SETTLEMENT

The actual settlement of the international boundary between Chile and Peru was a very long, drawn-out procedure that occupied the time and interests of a great many diplomats other than those of the two countries directly involved. During the period between the signing of the Treaty of Ancon and the final settlement in 1929, the United States was directly or indirectly involved almost continuously. Most of the other countries of South America were either involved, or trying to become involved, in the negotiations. Several of the countries of Europe, especially France and Britain, were concerned with the attempts to settle the differences in an effort to protect their financial investments. During all of this time, a great amount of moral and diplomatic pressure was brought to bear on the two countries involved to finish the talking and make a definite settlement so the Western Hemisphere could relax from the threat of war.

In all boundary settlements, personal feelings will flare up in rebellion to any agreement reached between the governments concerned. Individuals will feel that they have been treated poorly or unjustly. The states will be perfectly satisfied with the final arrangements, both from a financial angle and from the standpoint of national pride, but there will be loud outcries from minority segments of the population. Less if the line agreed upon runs through sparsely settled territory and more if the region is one supporting a heavy population. Outside of the

feelings of the local populace, are the political mouthings of persons not personally or financially involved in the territory concerned but who are seeking an opportunity to make political or financial gain from the situation.

Political involvements caused a definite prolongment of the Tacna - Arica problem. The President of Peru was in a position to make an agreement with Chile for the definite acquisition of the two provinces by Chile but his government was not politically strong enough to finalize the arrangements and still retain control of the country. This situation occurred in 1909 and 1910 when Chile was actively proposing rules for conduct of the plebiscite in such a manner as to practically guarantee the award of the territory under dispute to Chile. The official Peruvian position was that they considered the two provinces to be a part of Peru and they would continue to work to the end that they be returned to the sovereignty of Peru.¹

Broken Diplomatic Relations

Diplomatic relations between Chile and Peru were on precarious ground most of the time. Relations were broken from 1901 to 1905 and were again suspended in March of 1910.² Peru made the first move in 1910 by calling her Minister home at a time when there was considerable activity in the diplomatic area concerning the establishment of a basis for settlement of the boundary. The Peruvian Minister was recalled as a result of a Chilean order closing certain churches in the Tacna province

¹Foreign Relations, 1913, (Washington, 1920) pp. 1172-1176.

²Ireland, p. 165.

that were manned by Peruvian priests. This was actually the culmination of a series of acts against Peruvian citizens in the occupied territories and the final edict for expulsion of the priests was the climax that brought about the actual closing of the Peruvian Legation in Santiago.³

Just before diplomatic relations were broken off, in an informal and confidential conversation with an American diplomatic official, Mr. Porras, Peruvian Foreign Minister, stated that he felt arrangements could be made for his country to accept either of two solutions for the boundary settlement. One was that Tacna and Arica be made into a buffer state and the other was a division of the two provinces between Chile and Peru.⁴ This idea of division of the territories was later proposed to Chile through the Brazilian Embassy but was rejected because Chile felt they needed both territories for military defense. At the same time, Chile offered to make an outright purchase of both Tacna and Arica for three million pounds sterling.⁵ Nothing came of either of these proposals until several years later.

For two and one-half years, both Chile and Peru continued to maintain their consular offices and various officials of Chile visited in Peru. In November of 1912, the two countries informed the United States that they had agreed to appoint Ministers Plenipotentiary and to reach a definite agreement on the settlement of the boundary problem. Neither government could get their Congress to approve the proposed bases for settlement. The Congress of Peru felt they were giving too much and the Chilean Congress refused to approve the agreement unless Peru did so at

³Foreign Relations, 1913, pp. 1176-1178.

⁴Ibid., pp. 1178-1179.

⁵Ibid., p. 1187.

the same time. The arrangement to reestablish diplomatic relations was allowed to lapse after a year of futile maneuvering.⁶

For the next six years, consular offices remained open in both of the countries and neither one did much about the problem. The United States was too involved in the European War to have much concern about this situation. However, trouble flared up again in November of 1918 when a consular official of Peru was roughly treated and ejected from Iquique by a group of patriots. Peru immediately, on 25 November 1918, ordered all consular officials to leave Chile and the Chilean government ordered her consular offices closed and her agents out of Peru on the same day.⁷ The United States was asked to take over the Chilean Consular offices in Peru but refused so they could maintain an impartial attitude and be in position to render service to both parties if needed.⁸

In January of 1919 the Bolivian Minister to the United States, Mr. I. Caldron, presented a confidential memorandum to Mr. Polk, the Acting Secretary of State, in which he outlined, briefly, the efforts by Bolivia to retain and regain a part of their own on the Pacific. He specifically referred to previous commitments by Chile to give Bolivia the provinces of Tacna and Arica if they were awarded to Chile by the plebiscite. The memorandum concluded by a statement that Bolivia would continue her efforts to secure a coastal area but that it would be a simple way to settle the problem if the three nations directly concerned were to agree to the transfer of the disputed area to Bolivia.⁹ This

⁶Ibid., pp. 1224-1239.

⁷Foreign Relations, 1919, (Washington, 1934) pp. 124-125.

⁸Ibid., p. 127.

⁹Ibid., pp. 147-148.

memorandum is a good example of the periodic efforts by Bolivia to secure a coastal area for herself. The United States position on this and other attempts by Bolivia to become part of the dispute was that any determination of Bolivia's claims would have to await settlement of the controversy between Chile and Peru.¹⁰

In 1920 Chile informally attempted to institute direct negotiations with Peru in spite of the fact that the countries had no diplomatic or consular relations. Peru rejected the attempt and informally asked if the United States would arbitrate the question.¹¹ The position of the State Department was essentially the same as it had been previously; that the United States could not interfere in any controversy unless they were asked jointly by the countries involved.¹²

Chile again took the lead, in 1921, by addressing a message directly to Peru requesting that a plebiscite be held as soon as possible. Peru's reply stated they did not feel that a plebiscite would benefit them at that time because of the long occupancy of the territory by Chile and the actions of Chile in driving out many of the Peruvian citizens. Arbitration was suggested as the only solution at that time and the United States was suggested as Arbitrator. Bolivia made another request for inclusion in the proceedings but was rebuffed by Peru.¹³

After a great deal of preliminary correspondence and informal conversations had paved the way, United States Secretary of State Charles

¹⁰Foreign Relations, 1920, (Washington, 1935) p. 329.

¹¹Ibid., pp. 346-350.

¹²Foreign Relations, 1921, Vol. I, p. 238.

¹³Ibid., pp. 249-257.

Evans Hughes, in the name of the President, invited Chile and Peru to send delegates to Washington for a conference to arrange for the settlement of the controversy by arbitration.¹⁴ Both countries accepted and the conference opened on 15 May 1922.¹⁵

Arbitration by the United States

After much delay and diplomatic haggling the agreements were made. The United States was selected as the arbitrator, and President Harding accepted the position. The prepared cases were submitted to President Harding on 13 November 1923.¹⁶

According to the agreement, the Arbitrator was to decide if a plebiscite could be held and, if so, to determine the conditions under which it would be held. Also included, for the arbitrator's decision, were the pending claims of the two countries relative to Tarata, to the northeast of Tacna, and Chilcaya, in the southeast part of Arica province.¹⁷ As it later turned out, the controversy regarding these two portions of the disputed territory had no bearing on the final settlement because of the division of the territory. In each instance, Chile was trying to extend the existing boundary farther to the north than Peru claimed they should be.

If Chile had been awarded both provinces, she would have acquired one main town, Tarata, along with some land that Peru claimed was never included in the original boundaries of Tacna province. The other claim

¹⁴Foreign Relations, 1922, Vol. I, (Washington, 1938) pp. 447-451.

¹⁵Ibid., p. 465.

¹⁶Foreign Relations, 1923, Vol. I, (Washington, 1938) pp. 368-370.

¹⁷Foreign Relations, 1922, pp. 505-507.

was based on which branch of the headwaters of the Rio Camarones was the main branch. Chile claimed the north branch of the river and Peru claimed the south branch. If Peru had been awarded both territories, Chile would have some land that Peru felt they had no legitimate claim to.

The two countries presented their counter-cases to the Arbitrator in April of 1924.¹⁸ Before any decision was possible, Bolivia made a request to the United States for the use of her good offices to obtain a modification of the 1904 treaty with Chile so she could have an outlet to the sea. The United States patiently gave Bolivia the same answer as before; there would be no attempt by the United States to interfere in Hemisphere affairs unless there was a joint request by the countries concerned. Bolivia insisted that Chile would be willing to entertain such talks but the State Department stated that they knew of no such inclination on the part of Chile.¹⁹

The Arbitral Award was rendered on 4 March 1925 by President Coolidge. The primary decision of the award was that a plebiscite should be held. Included in the award were definitions of who could vote along with rules for the actual registration and voting under the supervision of a Plebiscitary Commission.²⁰ The two boundary questions were decided as being the boundaries in effect on 20 October 1883 (the date of signature of the Treaty of Ancon) and a Special Boundary Commission was set up to draw the actual boundary lines.²¹

¹⁸Ireland, p. 168.

¹⁹Foreign Relations, 1924, Vol. I, (Washington, 1939) pp. 320-322.

²⁰Foreign Relations, 1925, Vol. I, (Washington, 1940) pp. 315-340.

²¹Ibid., pp. 340-347.

General John J. Pershing was appointed as the member from the United States and assumed the Presidency of the Plebiscitary Commission in accordance with the Award. The first meeting of the Commission was held in Arica on 5 August 1925.²² General Pershing was a man noted for his fairness and impartiality and, as such, the Department of State had high hopes that he would be able to conduct a fair plebiscite. The general tenor of the communications between the diplomats in Chile and Peru to the State Department and the correspondence from the State Department to the Legations and to General Pershing seem to indicate a somewhat "ivory tower" attitude on the part of the State Department and a general lack of understanding of the attitude of the South American people and the situation in the Tacna - Arica area in particular.

Pershing was worried about the ability of the Commission to conduct a plebiscite that would be fair to both sides. In a wire to the Secretary of State on 14 August 1925, he made the following statements:

General attitude of the Peruvian population is one of abject fear. . . . Under existing conditions a fair plebiscite is quite impossible and it will be difficult task to bring the parties together, so bitter is the animosity between them.²³

On 11 December 1925, he had the following comment to make in another wire to the Secretary:

There has been no improvement in conditions here in past four months. Law and order from plebiscitary point of view do not exist. Chile maintains grip on population and does not intend to release it.²⁴

During all this time, the attitude of the Department of State was to keep a strict appearance of impartiality and fairness to both sides so that

²²Ibid., p. 369.

²³Ibid., pp. 370-371.

²⁴Ibid., p. 427.

neither one of the parties could claim the United States had ruined the chances of success for the plebiscite. The President did not send any personal messages to General Pershing concerning the affairs at hand because he was the Arbitrator and could not have any dealing with something he might have to rule on at a later date.

In January of 1926, General Pershing was forced to resign as he had to return to the United States for reasons of health. Major General William Lassiter was appointed as the United States member of the Commission on 27 January 1927 and assumed the position of President.²⁵

The State Department had been trying for several months to determine whether Chile and Peru would accept an offer of good offices to settle the controversy by diplomatic means rather than rely solely on the, by now doubtful, plebiscite.²⁶ Finally, on 16 February 1926, Secretary of State Kellogg directed the ambassadors in Chile and Peru to deliver an offer of good offices by the United States to the two governments.²⁷ Chile accepted the offer on 19 February 1926.²⁸ Peru at first declined, with regret, on 26 February 1926,²⁹ but later accepted the offer on 24 March 1926.³⁰

The United States immediately initiated action to have the proceedings of the Plebiscitary Commission suspended during the negotiations. This

²⁵Foreign Relations, 1926, Vol. I, (Washington, 1941) pp. 276-282.

²⁶Foreign Relations, 1925, Vol. I, p. 404 and pp. 409-411.

²⁷Foreign Relations, 1926, Vol. I, p. 299.

²⁸Ibid., p. 305.

²⁹Ibid., p. 317.

³⁰Ibid., pp. 348-349.

met with some opposition from Chile but they accepted on 4 April 1926.³¹ The initial meeting of the plenipotentiaries of Chile and Peru with the Secretary of State took place in Washington on 6 April 1926. At this time Mr. Kellogg proposed negotiation on the basis of an equitable division of the territory and a suspension of the plebiscite until such time as it could be determined whether an agreement could be reached.³²

The exercise of good offices by the United States in an attempt to settle the territorial controversy by diplomatic negotiations was a slow and tedious process. No final agreement could be reached on the suspension of the plebiscite, pending the outcome of the negotiations in Washington, and the efforts of the Plebiscitary Commission to conduct a fair election had to continue under great difficulty. In the Washington meetings, the Secretary of State could not get Chile and Peru to agree on a starting point for discussion of a settlement.³³ Peru would agree only to a neutralization of the territory and Chile would agree only to a division of the territory as a basis for arriving at a settlement. The Secretary of State then advanced a proposal that the territory be divided by a corridor to be given to Bolivia with the north portion to Peru and the South portion to Chile.³⁴

The corridor situation is interesting because it displays Chile's intention to perform lip service to her promises to Bolivia. The corridor that Chile was willing to give to Bolivia was a strip of land, four kilometers wide, that would be north of and not any nearer than ten kilometers

³¹Ibid., pp. 350-372.

³²Ibid., p. 373.

³³Ibid., pp. 373-461.

³⁴Ibid., pp. 416-417.

to the Arica-La Paz railroad.³⁵ This of course would mean that Bolivia would have a strip of land from her border to the Pacific Ocean that would be absolutely useless.

Conditions under which the Plebiscitary Commission was forced to operate had become impossible so the United States member and the Peruvian member voted to terminate the proceedings on 14 June 1926. Chile abstained from the vote. Two days after the Plebiscitary Commission terminated its proceedings, the Chilean Ambassador delivered a note to the Secretary of State that also terminated the negotiations for diplomatic settlement of the problem.³⁶

A short time after the termination of the negotiations for a settlement, informal inquiries elicited a reply from Peru to the effect that she would never consider any proposal that would require the city of Arica to be given to another power.³⁷ Secretary Kellogg made one more effort to have the negotiations resumed. On 30 November 1926, he sent formal notes to the two governments proposing that Bolivia be given a corridor to the sea consisting of the whole area of the provinces of Tacna and Arica with the exception of the Morro of Arica which would be internationalized and placed under a commission as a memorial to the settlement. Further, the entire area would be demilitarized.³⁸ Chile promptly accepted the proposal in principle on 4 December 1926³⁹ but Peru rejected it, waiting

³⁵Ibid., p. 476.

³⁶Ibid., pp. 483-486.

³⁷Ibid., p. 502.

³⁸Ibid., pp. 505-509.

³⁹Ibid., p. 514.

until 12 January 1927 to do so. They took this occasion to formally state their refusal to give up the city of Arica to any other power.⁴⁰

Direct Negotiations by Chile and Peru

The State Department made no further attempts to assist the two countries in reaching a settlement of the boundary problem until July of 1928 when, after the usual informal inquiries had paved the way, Secretary Kellogg sent formal notes to the governments of Peru and Chile suggesting that they should each appoint diplomatic representatives to the other country.⁴¹ Both countries accepted without reservations and began the procedure of appointing ambassadors. On 3 October 1928, Ambassador Emiliano Figueroa Larraín presented his credentials to the President of Peru and on 5 October 1928, Ambassador Cesar A. Elguera presented his credentials to the President of Chile.⁴²

Direct negotiations between the two countries for the settlement of the Tacna - Arica dispute began almost at once and in a more friendly and cooperative spirit than had prevailed at any time before. At the suggestion of the Secretary of State, both countries agreed that the Special Boundary Commission should suspend their operations for four months in the hope that a settlement could be reached which would require no further work by the Commission.⁴³ This suspension was later extended.

Chile submitted the first concrete proposal on 1 December 1928 when they offered Peru all territory north of a line ten kilometers north of

⁴⁰Ibid., p. 530.

⁴¹Foreign Relations, 1928, Vol. I, (Washington, 1942) pp. 648-649.

⁴²Ibid., pp. 656-657.

⁴³Ibid., pp. 662-671.

the Arica-La Paz railroad along with free port privileges in Arica and the promise to complete all public improvements in Tacna at their own expense. Peru felt that they had to have a port of their own for Tacna, rather than relying on the port of Arica. Arrangements were made for an engineer to survey the possibility of a new port north of Arica.⁴⁴ This was the first time that Peru had ever indicated in any way that they would accept a settlement that left the town of Arica with Chile.

As a result of the report submitted by the engineers, Peru proposed a variable line north of the railroad and a new port one and one-half kilometers north of the existing piers in Arica. Chile was to pay for changing the Tacna-Arica rail terminal to the new port plus payment of \$3,500,000 for the construction of the new port.⁴⁵ Chile did not want Peru to have a port in the same area as the Arica port because of security reasons and the loss of their trade. Also they were fearful that Peru might undertake to extend the Tacna-Arica railroad on to Bolivia and try to take all of the Bolivian commerce from the Arica-La Paz line. By 17 March 1929, Chile had received assurances that Peru would not build any railroads to Bolivia, through the disputed area, and the only major point of disagreement remaining was the location of a port for Peru.⁴⁶

Secretary of State Kellogg had been vitally interested in the problem of Tacna and Arica for several years and his personal prestige with both the governments of Peru and Chile was quite high. When it seemed that

⁴⁴Foreign Relations, 1929, Vol. I, (Washington, 1943), pp. 720-724.

⁴⁵Ibid., pp. 730-731.

⁴⁶Ibid., pp. 733-748.

there was an excellent chance of an agreement being made, he was very frank about urging our ambassadors to try and hurry things to a final settlement before he left the post of Secretary of State and had to turn the problem over to Mr. Henry L. Stimson.⁴⁷

Final Settlement of the Disputed Claims

On the 16th of April, the President of Peru stated that he would accept the free port in Arica along with some other stipulations.⁴⁸ From that time until the final agreement was made, the negotiations were largely a matter of finalizing the small details. It was apparent through all of the discussions concerning the final agreement that each country was most sincere in desiring that these negotiations be completed and the problem settled.

With all of the usual preliminary arrangements and prior agreements, President Herbert Hoover, in the exercise of good offices, submitted to both Chile and Peru a proposal for settlement of the boundary question. The proposal was submitted on 14 May 1929 and was accepted by Chile on 15 May and by Peru on 16 May 1929.⁴⁹ The treaty between the two countries was signed on 3 June 1929 and was almost identical with the proposal as submitted. The main change was the inclusion of a restrictive clause, in the protocol to the treaty, which required that neither country could transfer any portion of the territories concerned to a third power without the consent of the other and that there would be no change in the existing

⁴⁷Ibid., p. 724 and p. 732.

⁴⁸Ibid., p. 769.

⁴⁹Ibid., pp. 799-802.

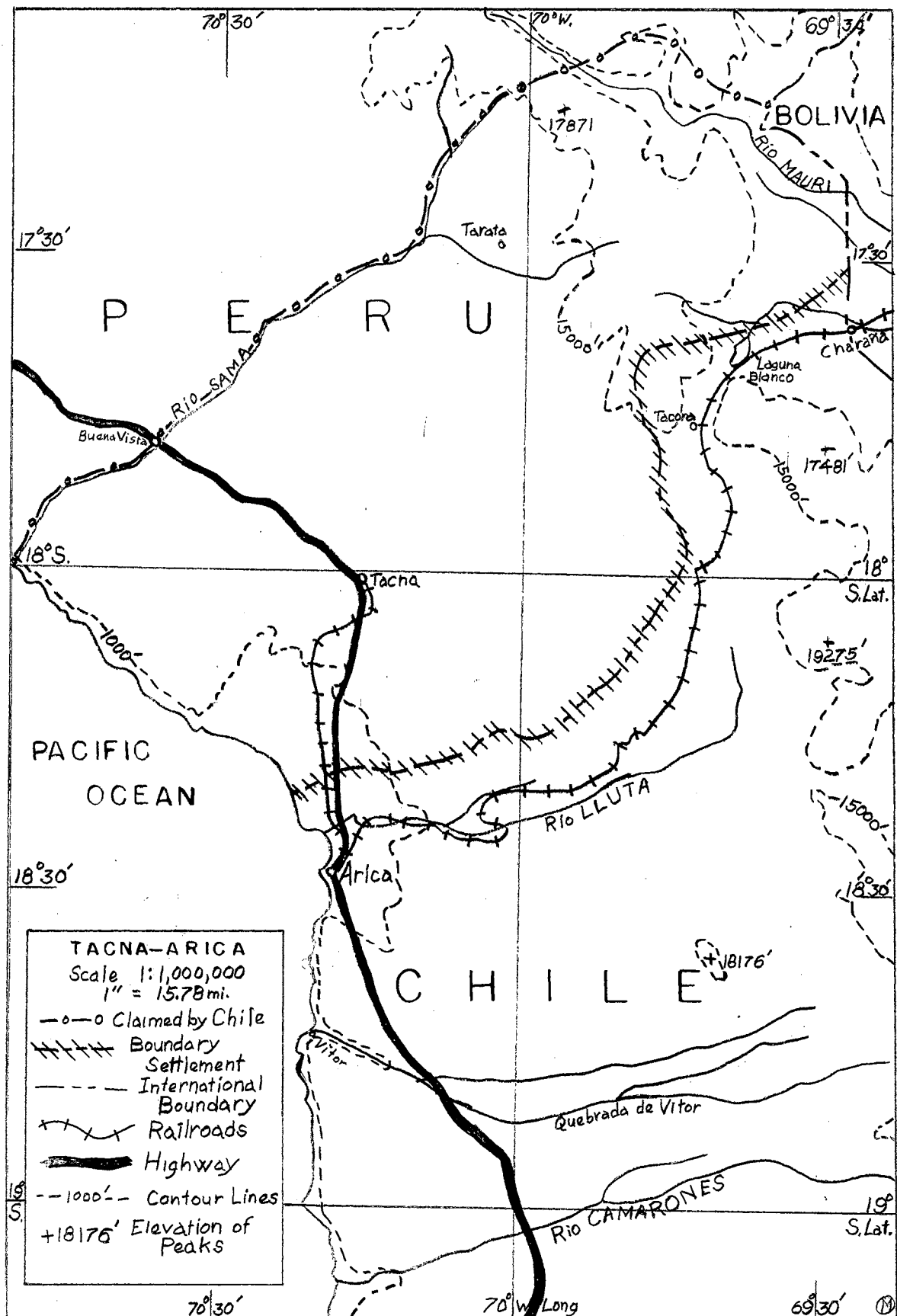


Figure 4
 Final Boundary Settlement

international railway system without a mutual agreement.⁵⁰ Ratifications were exchanged at Santiago on 28 July 1929⁵¹ and on 2 August the final decision of the Arbitrator dissolved the Plebiscitary Commission and Special Boundary Commission as being no longer required.⁵²

During all of the negotiations between Chile and Peru, Bolivia kept agitating for a position in the proceedings so she could come out with a sea coast of her own. Several protestations were made to the State Department that Chile and Peru were forming an alliance to cut Bolivia off from the sea coast forever and requesting that the United States intervene on her behalf. The State Department always gave Bolivia the same answer that she had been receiving for several years; the United States would not attempt to bring a third party into the discussions except upon the specific request of the two other parties concerned.⁵³

Bolivia did get some action on one of her protests to the United States. Her agents learned that the restrictive clause pertaining to the future transfer of the territories would be in the proposal submitted to the two countries by President Hoover. A meeting with the Secretary of State resulted in a request to Chile and Peru that this clause be removed which was agreed to by both countries.⁵⁴ This protest turned out to be useless because Chile and Peru added the protocol to the treaty which included the exact clause that had been removed from the preliminary agreement.

⁵⁰Ibid., pp. 807-811 (See Treaty, APPENDIX C).

⁵¹British and Foreign State Papers, Vol. 130, p. 463.

⁵²Foreign Relations, 1929, pp. 812-813.

⁵³Ibid., pp. 776-817.

⁵⁴Ibid., pp. 777-780.

Shortly after the treaty and protocol were made public, Bolivia sent a formal memorandum to the governments in the Western Hemisphere bitterly protesting the inclusion of the restrictive clause in the protocol as being aimed directly at her and stating that this action was completely unjust and that it did not constitute a peaceful settlement of the problem.⁵⁵

⁵⁵Ibid., pp. 813-816.

CHAPTER V

SUMMARY AND CONCLUSIONS

When the nations of South America revolted and declared their freedom from the sovereignty of Spain, there were few well-defined boundaries. In most cases the new nations accepted the vague boundaries in effect as of 1810, the time generally considered as the beginning of the revolts.

Chile became economically interested in the desolate area known as the Atacama Desert because of the guano and sodium nitrate deposits. Bolivia and Peru were in possession of most of the area but Chile was furnishing a major share of the labor and management - particularly in the Bolivian area - for the exploitation of the minerals. By treaty with Bolivia, the northern border of Chile was established at 24° south latitude. Chile received the right to extract minerals between 24° and 23° south latitude and gave Bolivia the same rights between 24° and 25° south latitude. This arrangement resulted in trouble when Bolivia tried to collect taxes over and above the original agreement.

Chile was then - 1879 to 1883 - embroiled in a war with both Bolivia and Peru. They lost and Chile emerged with territory formerly that of both the vanquished nations. Instead of a boundary at 24° south latitude, she had complete control north to the Rio Camarones, which runs diagonally across the parallel of 19° south latitude. In addition she had temporary jurisdiction of the Peruvian provinces of Tacna and Arica, which extended her control to approximately 18° south latitude at the coast.

When the final agreement was reached in 1929, the two provinces were divided and Chile's border with Peru now reaches the coast at Arica, or approximately $18\frac{1}{2}^{\circ}$ south latitude and is north of the parallel of 18° south latitude where the three countries of Peru, Bolivia, and Chile meet. Chile now has unconditional sovereignty over all of the sodium nitrate fields in the Atacama Desert. In addition to that valuable mineral, the land she acquired has since produced 80 percent of her annual output of copper as well as other minerals.

The settlement of the border dispute between Chile and Peru was the culmination of the War of the Pacific. The shooting ceased with the surrender of Lima and Callao to the conquering Chilean Army in January, 1881, but the final diplomatic maneuvering was not finished until June, 1929, when the final boundary agreement was reached. During the intervening years, Chile reaped a bountiful harvest from the lands wrested from Peru and Bolivia. The War of the Pacific changed the map of the west coast of South America but it made a much more significant change in the political and economic status of the three countries involved.

A nation must have effective control of a particular part of her total national territory to retain possession. Bolivia and Peru both had possession of a portion of the Atacama Desert but it was not part of the effective national territory of either of the two countries. Chile did not have possession of all of the desert but she did have the advantages of better communication and ease of control due to her economic interests within the area.

Bolivia was in a particularly bad situation regarding the effective control of the area claimed by her because Chile was furnishing practically all of the labor force and most of the management for the mineral industry.

Chileans were so numerous and so influential in Antofagasta, before the war, that Bolivia had given them voting privileges and the right to hold municipal offices. Antofagasta was the main Bolivian outlet to the sea and transportation to that city was complicated by both the great distance from her population center and the height and ruggedness of the Andes which were traversed only by mule trails.

The occupation of one or two cities and the major city of Antofagasta was sufficient for Chile to gain possession and effective control of the entire province. This was facilitated by the easier routes of transportation and communication available to Chile and the preponderance of Chileans in the mines and ports. Once the mineral wealth of the desert was recognized, economic penetration was the forerunner to eventual possession of the area. Bolivia could not furnish the manpower to work in the mines and was unable to finance the development of the mineral resources. Chile did both of these things and took advantage of the first opportunity to take physical possession of the area after the financial advantages had become obvious.

Peru had possession of about one-third of the Atacama desert in what is now Chile. This was not part of her effective national territory because of the distance from the center of population of the country and the difficulties of communication and transportation. As long as the area was not particularly desirable, there were no difficulties encountered in maintaining the loose control that was inevitable with the facilities available during that period in history. Once the mineral wealth of the desert became known, economic infiltration - to a lesser extent than that experienced by Bolivia - was the first evidence of the eventual loss of the territory. Peru did have the advantage of coastal shipping to assist

in the maintenance of communications with her outlying provinces but this was not sufficient for her to retain possession.

The War of the Pacific has been called by some historians the Nitrate War. Ironically, the Tacna-Arica dispute, which prolonged the final settlement of the war, concerned an area that is outside the nitrate producing portion of the desert. Chile's rail lines in the desert do not even connect with Arica and the port there is not concerned with the shipment of nitrates from the fields to the south.

The provinces of Tacna and Arica became important as a gateway to Bolivia and as a strategic point in the defense plans of Chile. Tacna does furnish a limited trade area for Arica and, in return, is able to provide Arica with some food stuffs grown in the irrigated portion of the province. Arica's prime importance now is as a rail and port terminal for over half of the imports and exports of Bolivia.

Tacna was never particularly valuable to Peru. The area became a part of Peruvian efforts to retain the entire territory due to the patriotic enthusiasm of the Peruvians over the heroics of the defenders of the Morro of Arica during the War of the Pacific. There is no railroad from Tacna to the rest of Peru. The one connection with the rest of the country is by a highway that also runs to Arica as does the railway. Her commercial trade with Arica is her only contribution to the total exports of Peru.

Chile has demonstrated effectively through the years that her people are aggressive to a greater extent than would be indicated from a casual perusal of the map. The countries to the East and North were larger in area and population but Chile was successful in expanding her land area and her economic activities. Even with the additional territory, Chile

is still smaller in area than her three neighbors and exceeds only Bolivia in population.

The War of the Pacific was one of the few ways in modern times which resulted in both territorial expansion and substantial financial gain to the victor. Chile demonstrated a national determination to gain a certain goal. Once that goal was attained, only slight compromises were granted to the vanquished countries in making the final settlements. Chile's methods in arriving at the final settlement were subject to criticism by Peru, Bolivia, and some other countries but she won the respect of all the countries of the Americas and is now considered one of the major powers of the South American continent.

Diplomatic relations were maintained at a high standard between the United States and the countries involved in these disputes to the definite credit of the State Department. There were many times when the patience of our diplomats was tried to the utmost by the maneuverings of the South American governments but the strict maintenance of an impartial attitude and the refusal to attempt to dictate terms contributed much to the final settlement.

Bolivia was probably the biggest loser in terms of wealth in addition to the loss of her seacoast. Bolivia lost nitrate deposits but she also lost what has since become the biggest single copper mine in the world. Peru also lost valuable nitrate deposits but it is doubtful if the nitrates of either country would have been as valuable to them as they were to Chile.

In addition to the decline in importance of the nitrate deposits, communication difficulties would have been greater and Chile had the advantage of having all the nitrates under her control instead of having three countries controlling the exploitation of this mineral.

Bolivia has tried continuously since the Treaty of 1904 to regain her position on the seacoast. With the economic relations she has with Chile and the agreements whereby she has free port privileges at both Arica and Antofagasta for her exports and imports, it is doubtful that a seaport of her own would actually be of benefit. National pride is affected and has been hurt, but the fact is that her people are primarily highlanders and live in an entirely different manner than do the people on the coast. The two groups of people would have nothing in common with each other and the coast dwellers would remain attached to Chile for most of their cultural and economic relations even if they were a part of the nation of Bolivia.

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APPENDICES

APPENDIX A

TREATY OF ANCON

TREATY of Peace and Friendship between Chile and Peru. - Signed at Lima, October 20, 1883. (Ratifications exchanged at Lima, March 28, 1884.)¹

(Translation.)

The Republic of Peru on the one part, and the Republic of Chile on the other, being desirous of re-establishing friendly relations between the two countries, have resolved to conclude a Treaty of Peace and Friendship, and for that purpose have named as their Plenipotentiaries, that is to say:-

His Excellency the President of the Republic of Peru, Don José Antonio de Lavalle, Minister of Foreign Affairs; and Don Mariano Castro Zaldivar;

And his Excellency the President of the Republic of Chile, Don Jovino Novoa;

Who, after having communicated to each other their full powers, and found them to be in good and due form, have agreed upon the following Articles:-

Art. I. Relations of peace and friendship are re-established between the Republics of Peru and Chile.

II. The Republic of Peru cedes to the Republic of Chile, in perpetuity and unconditionally, the territory of the littoral province of Tarapacá, the boundaries of which are: on the north, the ravine and River Camarones; on the south, the ravine and River Loa; on the east, the Republic of Bolivia; and on the west, the Pacific Ocean.

III. The territory of the provinces of Tacna and Arica, bounded on the north by the River Sama from its rise in the Cordilleras bordering upon Bolivia to where it flows into the sea, on the south by the ravine and River Camarones, on the east by the Republic of Bolivia, and on the west by the Pacific Ocean, shall remain in the possession of Chile, and subject to Chilean laws and authorities, during the term of ten years, to be reckoned from the ratification of the present Treaty of Peace. At the expiration of that term a plebiscite shall, by means of a popular vote, decide whether the territory of the provinces referred to is to remain definitively under the dominion and sovereignty of Chile, or continue to form a part of the Peruvian territory. Whichever of the two countries in whose favour the provinces of Tacna and Arica are to be annexed shall pay to the other 10,000,000 dollars in Chilean silver

¹British and Foreign State Papers, 1882-1883, Vol. 74, (London, 1890), pp. 349-352.

currency, or Peruvian soles of the same standard weight.

A special Protocol, which shall be considered an integral part of the present Treaty, will establish the form in which the plebiscite is to take place, and the conditions and periods of payment of the 10,000,000 dollars by the country which remains in possession of the provinces of Tacna and Arica.

IV. In conformity to the provisions of the Supreme Decree of the 9th February, 1882, by which the Government of Chile ordered the sale of 1,000,000 tons of guano, the net proceeds of that sale, after deducting the expenses and disbursements referred to in Article 13 of the said Decree, shall be equally divided between the Government of Chile and those creditors of Peru whose claims appear to be guaranteed by the guano.

On the sale of the 1,000,000 tons referred to in the preceding paragraph being completed, the Government of Chile shall, as provided for in Article 13, continue to hand over to the Peruvian creditors 50 per cent of the net proceeds of the guano until the debt be extinguished or the guano beds actually worked be exhausted.

The proceeds of the guano beds which may hereafter be discovered in the ceded territories shall belong exclusively to the Government of Chile.

V. Should any guano beds be discovered in the territories which remain under the dominion of Peru, it is agreed that in order to prevent a competition between the Governments of Chile and Peru for the sale of that article, both Governments shall previously agree in determining the proportion and conditions which each of them must observe in disposing of the guano.

VI. The Peruvian creditors, upon whom the benefit referred to in Article IV is conferred, shall submit themselves for the proofs of their securities and other formalities to the rules laid down in the Supreme Decree of the 9th February, 1882.

VII. The obligation which the Government of Chile accept, in accordance with Article IV, to hand over 50 per cent of the net proceeds of the guano beds actually worked, shall continue to bind them whether the guano be extracted in conformity with the existing contract for the sale of the 1,000,000 tons or take place by virtue of another contract, or on account of the Chilean Government itself.

VIII. Beyond the declarations made in the foregoing Articles, and the obligations the Government of Chile have voluntarily accepted by the Supreme Decree of the 28th March, 1882, which regulates the nitrate property in Tarapacá, the Government of Chile do not recognize any debts which may affect the new territories they acquire by the present Treaty, whatever may be their nature and origin.

IX. The Islands of Lobos shall continue to be administered by the Government of Chile until the extraction of 1,000,000 tons of guano from the existing beds has been completed in conformity with the stimulations in Articles IV and VII. They shall then be restored to Peru.

X. The Government of Chile declare that they will cede to Peru, from the day on which the ratifications of the present Treaty are constitutionally exchanged, their share of 50 per cent of the proceeds of the guano extracted from the Islands of Lobos.

XI. Until a special Treaty be concluded, commercial relations between the two countries shall be placed on the same footing as they were prior to the 5th April, 1879.

XII. The indemnities which Peru may owe to Chileans who have suffered injuries through the war shall be submitted either to a Tribunal of Arbitration or to a Mixed International Commission, appointed immediately after the ratification of the present Treaty, in the form established by the recent Conventions concluded between Chile and the Governments of England, France, and Italy.

XIII. The Contracting Governments recognize and accept the validity of all administrative and judicial acts done in obedience to the martial jurisdiction exercised by the Government of Chile during the occupation of Peru.

XIV. The present Treaty shall be ratified, and the ratifications exchanged as soon as possible within the maximum term of 160 days, to be reckoned from this date.

In faith of which the respective Plenipotentiaries have signed the same in duplicate, and affixed thereto their respective seals.

Done at Lima this 20th day of October, in the year of Our Lord 1883.

(L.S.) J. A. DE LAVALIE
(L.S.) MAR. CASTRO ZALDIVAR
(L.S.) JOVINO NOVOA

SUPPLEMENTARY PROTOCOL respecting the temporary Occupation of a portion of Peruvian Territory by Chilean Troops. - Lima, October 20, 1883.

In the city of Lima, on the 20th October, 1883, Señor Don José Antonio de Lavalle, Minister of Foreign Affairs of Peru, and Señor Don Mariano Castro Zaldivar, both Plenipotentiaries ad hoc of the Government of his Excellency General Miguel Yglesias, and Señor Don Jovino Novoa, Minister Plenipotentiary of the Republic of Chile, having met to conclude the Treaty of Peace between the Republics of Peru and Chile, and acting in virtue of the authority vested in them by their respective Governments, as it appears from their powers and special mandate which have been examined and held sufficient for the negotiation of the Treaty of Peace signed on this date, proceeded to conclude the following Supplementary Protocol to the Treaty of Peace between the Republics of Peru and Chile:

Art. I. Until the Treaty of Peace signed in Lima on this day be made binding by the ratification of it by the Peruvian Congress, the Republic

of Chile is authorized to maintain an army of occupation in that part of the Peruvian territory where the General-in-chief considers its presence necessary, provided always that the forces which are to compose that army shall not in any way disturb or embarrass the free and full exercise of the jurisdiction appertaining to the Government of Peru.

II. In order to contribute towards the expenses which may be incurred by the Republic of Chile in maintaining the army of occupation, the Government of Peru shall, from the date of this Protocol, pay to the General-in-chief of those forces the sum of 300,000 soles per month, which sum shall be deducted as the first charge from the national revenue of Peru.

III. The provisions and equipments of whatever kind which the Government of Chile may send to their army while the occupation lasts shall pass through the Custom-houses of Peru free of custom or municipal duties, and their clearance shall be effected without any formality other than the production of the manifest, with the permit of the General-in-chief affixed on it.

IV. The head-quarters of the army of Chile shall make use of all the telegraphic lines of the State without payment, provided the telegrams are countersigned in the Secretary's office of the General-in-chief, or signed by the Minister Plenipotentiary of Chile.

V. The head-quarters of the army of occupation shall also make use of the railway lines on the same conditions as those observed by the Government of Peru by virtue of the various contracts which it has entered into with the persons or Companies that work such lines.

VI. As long as the General-in-chief of the Army of Occupation considers it indispensable, the hospitals named "Dos de Mayo" and "Santa Sofia" in this city shall continue to be used by that army, it being permitted to place a military guard in those establishments for their protection and police.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Protocol, in duplicate, and sealed it with their respective seals.

(L.S.) J. A. DE LAVALIE.
 (L.S.) MAR. CASTRO ZALDIVAR.
 (L.S.) JOVINO NOVOA

APPENDIX B

TREATY OF PEACE AND FRIENDSHIP BETWEEN CHILE AND BOLIVIA, AND CONVENTION FOR THE CONSTRUCTION AND OPERATION OF A RAILROAD FROM ARICA TO LA PAZ.¹

(Translation.)

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 re-established, 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) $22^{\circ} 54'$; (The description of each of the 96 points of the boundary is given) 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 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

¹Foreign Relations, 1905, pp. 104-110.

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 Caracoles according to the contract of July 10, 1872; the debt recognized to Don Pedro Lopez Gama, represented by Messrs. Alsop & Co., surrogated 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.

SUPPLEMENTARY PROTOCOL

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 according 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 judgement 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 Senor 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 the 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, Senor Alberto Butierrez, 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 the exact 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 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 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.

CONVENTION FOR THE CONSTRUCTION AND OPERATION OF A RAILROAD FROM ARICA
TO LA PAZ

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 to 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.

Article 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.

APPENDIX C

TREATY Between Chile and Peru for the Settlement of the Tacna - Arica Territorial Dispute, with Supplementary Protocol.—Lima, June 3, 1929.¹

(Ratifications exchanged at Santiago, July 28, 1929.)

(Translation.)

The Governments of the Republics of Chile and Peru, desirous of removing all difficulties between the two countries and of thus ensuring their friendship and good relations, have decided to conclude a treaty in accordance with the principle which the President of the United States of America, in the exercise of the good offices requested by the parties, and guided by the agreements directly reached between them, has proposed as final bases for the solution of the problem of Tacna and Arica. To this effect they have appointed as their plenipotentiaries:

(Here follow the names)

Who, having communicated their full powers, found in good and due form, have agreed on the following articles:--

ART. 1. The dispute arising out of article 3 of the treaty of peace and friendship of the 20th October, 1883, which was the only difficulty outstanding between the signatory Governments, is finally settled.

2. The territory of Tacna and Arica shall be divided in two parts, Tacna going to Peru and Arica to Chile. The dividing line between the above two parts and, consequently, the frontier between the territories of Chile and Peru, shall start from a point on the coast, to be named "Concordia," 10 kilometres to the north of the bridge over the river Lluta, continuing eastwards parallel to the line of the Chilean section of the Arica - La Paz railway and distant 10 kilometres from the same, with such deflections as may be necessary to utilise, in demarcation, the local geographical features so as to leave in Chilean territory the Tacora sulphur mines and their appurtenances. The line shall then pass through the centre of the Laguna Blanca in such a manner as to leave one part in Chile and the other in Peru. Chile cedes to Peru in perpetuity all rights over the channels of Uchusuma and Mauri, also called Azucarero, without prejudice to the sovereignty which she will be entitled to exercise over that part of the above-mentioned aqueducts which shall remain in Chilean territory after the dividing line referred to in the present article has been traced. Chile grants to Peru in perpetuity the fullest rights of user over that portion of both channels which traverses her territory, including the right to widen the existing channels, to modify their course, and to utilise all the water supplies available in

¹British and Foreign State Papers, 1929, Vol. 130, pp. 463-466.

their passage through Chilean territory, with the exception of those which at present flow into the river Lluta and those which supply the Tacora sulphur mines.

3. The frontier line referred to in the first sentence of article 2 shall be determined and marked on the ground by means of posts by a mixed commission composed of one member appointed by each of the signatory Governments. The joint expenses incurred in this operation shall be borne in equal portions by the two Governments. In the event of any disagreement in the commission, the same shall be decided by the casting vote of a third member appointed by the President of the United States of America, whose decision shall be final.

4. Thirty days after the exchange of the ratifications of the present treaty, the Government of Chile shall surrender to the Government of Peru the territories which in accordance therewith are to be acquired by Peru. A deed of transfer shall be signed by the plenipotentiaries of the said parties, which shall set out in detail the positions and distinguishing marks of the frontier posts.

5. The Government of Chile shall construct on behalf of Peru, free of charge, within 1,575 metres of the Bay of Arica, a landing stage for draught steamers, a building for the Peruvian customs office, and a terminal station for the railway to Tacna. Within these establishments and areas the transit trade of Peru shall enjoy the independence that is customary in a free port under the most liberal conditions.

6. At the time of the exchange of ratifications the Government of Chile shall deliver to the Government of Peru 6 million dollars and shall further hand over free of charge to the latter Government the public works already executed or under construction and the immovable State property situated in the territories ceded to Peru under the terms of the present treaty.

7. The Governments of Chile and Peru shall respect private property rights legally acquired in the territories which come under their respective sovereignty, including the concession granted by the Peruvian Government to the Tacna-Arica railway in the year 1852, in accordance with which the above mentioned railway shall, on the termination of the contract, become the property of Peru. Without prejudice to the sovereignty she is entitled to exercise, Chile shall grant in perpetuity the fullest possible rights of user to Peru over that part of the line which traverses Chilean territory.

8. The Governments of Chile and Peru shall mutually cancel all financial obligations outstanding between them, whether arising from the Treaty of Ancon or otherwise.

9. The high contracting parties shall conclude an agreement respecting the policing of their frontier for the better security of the respective territories adjacent to the frontier line. This agreement shall enter into force as soon as the province of Tacna passes under Peruvian sovereignty.

10. The children of Peruvians born in Arica shall be deemed Peruvian until the age of 21 years, when they shall have the right to opt for their definitive nationality; the children of Chileans born in Tacna shall enjoy the same right.

11. The Governments of Chile and Peru, in order to commemorate the consolidation of their friendly relations, resolve to erect on the Morro of Arica a symbolic monument, the design of which shall be agreed upon between them.

12. In the event of any disagreement arising between the Governments of Chile and Peru as to the interpretation of any of the provisions of the present treaty, and if, in spite of their goodwill, no friendly agreement can be reached, the President of the United States of America shall settle the dispute.

13. The present treaty shall be ratified, and the ratifications shall be exchanged at Santiago as soon as possible.

In witness whereof the above-named plenipotentiaries have signed the present treaty and affixed their seals thereto, in duplicate, at Lima on the 3rd June, 1929.

(L.S.) E. FIGUEROA.

(L.S.) PEDRO JOSE RADA y GAMIO.

Supplementary Protocol.

The Governments of Chile and Peru have agreed to sign a protocol supplementary to the treaty signed this day, and their respective plenipotentiaries, duly authorised thereto, have agreed on the following provisions:--

Art. 1. The Governments of Chile and Peru shall not, without previous agreement between themselves, cede to any third Power the whole or part of the territories which, in accordance with the present treaty, come under their respective sovereignty, nor shall they, without such agreement, construct any new international railway lines through these territories.

2. The port facilities granted to Peru by article 5 of the treaty shall consist of the most complete freedom of transit of individuals, goods and armaments to Peruvian territory, and from the latter through Chilean territory. During the construction and termination of the works referred to in article 5 of the treaty, the operations of embarkation and disembarkation will be effected in the area of the wharf of the Arica-La Paz railway reserved for the service of the Arica-Tacna railway.

3. The fortifications of the Morro of Arica shall be dismantled, and the Government of Chile shall erect at its own expense the monument agreed upon in article 11 of the treaty.

The present protocol forms an integral part of the treaty bearing this day's date and shall consequently be ratified. The ratifications shall be exchanged at Santiago de Chile as soon as possible.

In witness whereof the undersigned plenipotentiaries have signed the present supplementary protocol in duplicate and have affixed their seals thereto at Lima, on the 3rd June, 1929.

(L.S.) E. FIGUEROA.

(L.S.) PEDRO JOSE RADA y GAMIO.

VITA

Jack Edwin Moore

Candidate for the Degree of
Master of Science

Thesis: POLITICAL GEOGRAPHY OF THE TACNA-ARICA BOUNDARY DISPUTE

Major Field: Geography

Biographical:

Personal Data: Born in Choctaw, Oklahoma, 30 September 1918,
the son of Frank T. and Eva Jo Moore.

Education: Attended grade and junior high school in Enid, Oklahoma; graduated from Enid High School in 1936; received the Bachelor of Arts Degree in Journalism from the University of Oklahoma in 1943; graduate of the Field Officers Course of the Air Command and Staff College, Air University, in 1950 and the Academic Instructors Course in 1956; completed requirements for the Master of Science Degree, with a major in Geography, in August 1959.

Professional Experience: Entered the United States Army in 1941 for duty with the Air Corps; have served overseas in Greenland and Panama; now a Lt. Colonel in the United States Air Force and assigned as Assistant Professor of Air Science, teaching the Military Aspects of World Political Geography, at Oklahoma State University; member of Gamma Theta Upsilon, professional geography fraternity; and associate member of the Association of American Geographers.