PERU.

File No. 823.032/2.

MESSAGE OF THE PRESIDENT, DON AUGUSTO B. LEGUIA, TO THE PERUVIAN CONGRESS, JULY 28, 1911.[1]

[Extract—Translation.]

The specially cordial ties of friendship which now as ever bind us to the United States of America have in these latter times been strengthened by the decisive influence which the Great Republic has interposed in behalf of the peace of the continent and the lofty international principles which our country has invariably upheld and continues to uphold.

The three nations I have alluded to [Argentine Republic, Brazil, and the United States] have during the past year continued in the noble task they voluntarily undertook to seek a peaceful and honorable solution of the old boundary dispute between our Republic and Ecuador.

After the submission to the consideration of both countries of the protocol[2] which the American Government proposed in July, 1910, with a view to strengthening and rendering the mediation efficacious within the terms and conditions in which it was originally offered, the agreement in question was accepted by my Government, which ordered the minister of Peru in Washington immediately to sign it in its name. The National Congress is fully acquainted with this matter, which was submitted to it for its information at the beginning of last year's legislature.

Following the surprising attitude it has assumed throughout the whole progress of the mediation, the Government of Ecuador declined to accept the principal clauses of the protocol and evidenced its rejection in official communications addressed to the mediators.

It was in this state of affairs that the Ecuadorian Government and Congress, by strange official statements opposing the furtherance of the arbitration proceedings and revealing a determination not to accept the award which might be given, obliged His Majesty the King of Spain to resign the jurisdiction conferred upon him by the Convention of 1887, which had been ratified by the protocol of 1904.

Peru owes a debt of sincere gratitude to that illustrious Prince for the impartiality and rectitude with which he directed the study and prepared the solution of the stormy litigation submitted to his award. His very inhibition, followed by a demand on the Ecuadorian Government for explanations, manifests the high opinion the Spanish Monarch held of his mission; but unfortunately he failed to find in

[1] Transmitted by the American Minister in dispatch No. 32 of Aug. 1, 1911.
[2] See Foreign Relations, 1910, p. 485.

one of the parties sufficient love of justice to submit the affair to a definite solution nor decorum enough to accept and abide by it.

After the Spanish award had been set aside, the three mediating countries shortly afterwards addressed an official note to the Governments concerned, proposing that the boundary question should be submitted to The Hague Arbitration Tribunal. The lofty scope of so laudable a proposal can not fail to be recognized by all. When the Madrid Arbitration had failed in consequence of its foreseen rejection by the Government of Ecuador, the mediating nations called upon to uphold and strengthen the principles of civilization and progress on the continent desired by their entry into so grave a matter to give fresh prestige to the beneficial doctrine of arbitration, by transferring the dispute to the consideration and decision of the supreme international tribunal, recognized and respected by all the nations of the world.

It was hard for Peru to enter upon a second trial; it had just finished the one conducted before Spain, with results favorable to itself, and it was especially distasteful to consent to the refusal of the opposing country, when called upon to enter upon another arbitration, since the former one had just been rejected by it.

But our desire for continental peace, our spirit of American confraternity, evidenced on so many occasions; our absolute confidence in the justice of our cause and the impregnable logic of its defense; and deference to the lofty ideal pursued by the mediators, induced us to accept the new proceedings as a last resource, which we did by accepting the proposal of the mediators. But, to our surprise and regret we were informed that Ecuador had rejected this last proposal, founding its attitude on arguments which our Government did not fail to refute with incontestable answers.

The announcement of our adversary's refusal places the cause of Peru in the most favorable condition in the eyes of the whole world. Ecuador, in rejecting all jurisdictions, both that accepted by itself voluntarily 24 years ago and now that recently suggested of a tribunal to which the most powerful States have submitted their differences, clearly shows its deep conviction that its pretensions are not worthy of presentation before any judge. He alone distrusts justice who in conscience is convinced of the nonmeritoriousness of his cause and the certainty of its condemnation.

The mediators have not abandoned their noble aim of finding a solution of the Peruvian-Ecuadorian boundary dispute, and we have absolute confidence that they will be able to do so in accordance with the principles they have repeatedly proclaimed, in support of which they have interposed all the legitimate and irresistible moral strength which they enjoy on the continent.

BOUNDARY DISPUTE WITH ECUADOR.

(*See* Ecuador.)