

THEODORE ROOSEVELT AND THE ACQUISITION
OF THE PANAMA CANAL

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INTRODUCTION

In this paper, I am going to write the story of the acquisition of the Panama Canal. Whenever you speak of the Panama Canal you must invariably also speak of the connection which Theodore Roosevelt had with it. Historians and critics have discussed Roosevelt's policies, in reference to the canal, for nearly three quarters of a century, and they will probably continue to discuss them for centuries to come. The reason for all of this discussion is the fact that, "The canal is the greatest tangible result of his (Roosevelt's) Presidency."¹

Roosevelt was a man of action and conviction. His attitudes and policies concerning the canal seem to be mere reflections of his overall nature. In his autobiography, Roosevelt states:

By far the most important action I took in foreign affairs during the time I was President related to the Panama Canal. ...At different stages of the affair believers in a do-nothing policy denounced me as having 'usurped authority' - which meant, that when nobody else could or would exercise efficient authority, I exercised it. ²

Roosevelt exercised his authority extremely well in dealing with the Panama Canal --as a matter of fact, he may have overexercised it.

CHAPTER I

Long before Theodore Roosevelt became President of the United States, the American government had shown repeated interest in the building of an interoceanic canal. During President Jackson's administration the Senate had passed a resolution(1835) giving the President the authority to begin negotiations with other countries concerning means of transportation between the Atlantic and the Pacific oceans. Contacts were made with New Granada and the governments of Central America with the purpose of "...assuring to American citizens the free use of any canal which might be built."³ But the efforts of Jackson, and later on, of Van Buren did little to accomplish this purpose. Finally, in 1846, during Polk's administration, a treaty of amity and commerce was established with New Granada.

The thirty-fifth article of this treaty contains a stipulation which would serve as the basis for important actions by the American government in future years. This same article would also play a significant role in President Theodore Roosevelt's policy toward Panama and Colombia. The following are the most important features of the stipulation:

'The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist, or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States; ...and, in order to secure to themselves the tranquil and constant enjoyment of these advantages, ...the United States guarantee, positively and

efficaciously, to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and, in consequence, the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory".⁴

This treaty and especially this thirty-fifth article is one of the major points involved in discussing whether Theodore Roosevelt acted justly in the acquisition of the Panama Canal; it will be discussed in more detail in a later chapter.

Shortly after the Treaty with New Granada was ratified the United States entered into the Clayton-Bulwer Treaty (1850) with Great Britain. This treaty provided "...neither the American or the British Government would seek any exclusive control over a canal through Nicaragua."⁵ By the end of the nineteenth century, the United States would become more imperialistic in nature and would have no desire in sharing a canal with another world power. Thus, the Clayton-Bulwer Treaty would become a major obstacle to complete American control of a canal.⁶

During the latter part of the nineteenth century, several private companies made unsuccessful attempts in the construction of a canal. An American company in Nicaragua failed in 1893 because of financial troubles. Meanwhile, a French company in Panama had done a great deal of excavation but they too ran into financial problems. "It had become evident by the end of the century that the canal would be built only if

the power and resources of the United States government itself were devoted to the task."⁷

Congress had already established several commissions by the end of the nineteenth century to study possible canal routes, but little else had been done. It took the Spanish-American War to get Americans and Theodore Roosevelt seriously interested in a canal. As Henry Pringle, a biographer of Roosevelt writes:

His interest, like that of his fellow citizens, was greatly intensified by the hurried voyage of the U.S.S. Oregon around the Horn to join the fleet off Cuba in the Spanish War. Until then a canal had been commendable, but now it was essential. Roosevelt, exiled from national affairs as governor of New York but nursing his hopes for greater glory, considered it in terms of national defense, not economic importance. ⁸

With American interest at a high pitch, Congress authorized the Walker Commission(1899) to study all possible canal routes, especially those in Nicaragua and Panama. This commission was established with the intention that the United States would be the sole constructor of the canal.⁹

At this point, President McKinley wanted to bring about more positive action concerning a canal. His own enthusiasm for the project was growing and in his annual message to Congress he urged them to do more:

'All of these circumstances (concerning the canal) suggest the urgency of some definite action by the Congress at this session if the labors of the past are to be utilized and the linking of the Atlantic and Pacific oceans by a practical waterway is to be realized. That the construction of such a maritime highway is now more than ever indispensable to that

intimate and ready intercommunication between our eastern and western seaboards demanded by the annexation of the Hawaiian Islands and the prospective expansion of our influence and commerce in the Pacific, and that our national policy now more imperatively than ever calls for its control by this government, are propositions which I doubt not the Congress will duly appreciate and wisely act upon'. 10

Congress did begin to move forward but a problem also began to emerge.

With everyone calling for the United States to be the sole constructor of the canal, something had to be done to abrogate the Clayton-Bulwer Treaty which had forbidden the United States and Great Britian from building and controlling a canal separately. McKinley called upon his Secretary of State, John Hay, to begin negotiations with Great Britian for the purpose of changing the treaty. Roosevelt did not feel these negotiations were necessary. As Governor of New York he "...advised Hay to ignore the Clayton-Bulwer Treaty and to proceed with the construction of the canal with or without Britian's consent, arguing that 'a nation has the right to abrogate a treaty,...for what she regards as sufficient cause'." 11

Hay shunned Roosevelt's advice and soon entered into negotiations with Lord Pauncefort of Great Britian. The First Hay-Pauncefort Treaty began to take shape. The British had to admit that the conditions under which the Clayton-Bulwer Treaty had been signed no longer existed. The financial and naval power of the two countries had immensely changed in

fifty years. American possessions in the Caribbean had increased while British possessions had decreased. The English were more willing to give in to the United States because they now were in control of the Suez Canal which meant much more to them than a canal in the Americas.¹²

The results of the First Hay-Pauncefot Treaty amended the old Clayton-Bulwer Treaty such that the United States would now be authorized to construct, manage and control any proposed canal. The waterway was to be neutral and "...open in both peace and war while foreign powers were to be invited to subscribe to the treaty in a kind of joint guarantee."¹³

When the treaty was submitted to the Senate for ratification, protests arose which Hay and the advocates of the treaty were not able to control.¹⁴ Roosevelt was one of the antagonists of the treaty as Pringle states:

He (Roosevelt) opposed the First Hay-Pauncefot Treaty with Great Britain because it decreed that a canal built by the United States could not be fortified. This, Roosevelt declared, 'strengthens against us every nation whose fleet is larger than ours'. He objected especially to any provision that permitted foreign governments a voice in the control of the canal. This contravened the Monroe Doctrine. ¹⁵

Much of the Senate and the public were convinced that the treaty had to be revised before it could be accepted. These revisions were well on their way to completion when McKinley was assassinated and Roosevelt became President.

With Roosevelt as President, the demand for revision of the treaty had been greatly strengthened and the new Hay-Pauncefote Treaty was soon re-negotiated and signed on November 18, 1901.¹⁶ The new treaty completely abrogated the Clayton-Bulwer Treaty. Munro gives the best summary of the treaty as he states:

...it was agreed that the canal might 'be constructed under the auspices of the Government of the United States' and that 'subject to the provisions of the present treaty, the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal'. Article III laid down rules for the neutralization of the canal, providing especially that 'the canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality,' and that no right of war should be exercised nor any act of hostility committed within it. 17

Under the treaty the United States was also allowed to maintain military police along the canal "...as might be needed to protect it from lawlessness and disorder."¹⁸

The Senate ratified the treaty four weeks after it was signed and as Pringle states: "It must have gratified Roosevelt to know that the first important treaty negotiated while he was President terminated the provisions of the Clayton-Bulwer pact of 1850 whereby Great Britain and the United States agreed to joint control and non-fortification."¹⁹ The days were past when it was unclear if the Americans would be the sole constructors of the canal. Roosevelt's own enthusiasm for the project can be seen in his message to

Congress concerning the canal:

...It is emphatically a work which it is for the interest of the entire country to begin and complete as soon as possible; it is one of those great works which only a great nation can undertake with prospects of success, and which when done are not only permanent assets in the nation's material interests, but standing monuments to its constructive ability. 20

Throughout negotiation of the Hay-Pauncefot Treaty it is interesting to note that both sides felt they were providing for a canal through Nicaragua and not for one through Panama. In a letter Hay wrote to a British consultant on September 29, 1901, he stated:

'I think it hardly conceivable that any other route than Nicaragua will be chosen. The House of Representatives has declared for it by a vote of two to one, and the Senate is apparently of the same mind; but whatever route shall be chosen I think our draft of treaty pledges us to adopt the principles of neutralization therein set forth....' 21

At this time Roosevelt too seems to have been blinded to the possibility of a Panama Canal. In all of his messages concerning a canal Roosevelt either mentioned Nicaragua or he did not specify a route at all. 22

There were others, however, that would work for the adaptation of the Panama route. First, there was Phillipe Bunau-Varilla, an engineer and patriot, who held a large share of stock in the bankrupt French Canal Company which he was trying to save. Secondly, there was Nelson Cromwell, a lawyer who would claim \$800,000 in fees from the same French company. Although the two men were bitter rivals, they both would work

for their own gain and as Bunau-Varilla states: "For Truth, Justice, and National Interests."²³ Whenever it appeared that the final approval would be given to the Nicaraguan route, it became the duty of these two men to see that the Panama route received more encouragement and that it was a viable substitute for the Nicaraguan route.²⁴

Their struggle for the Panama route was an immense undertaking. It appeared that the United States had already made up its mind:

The press, the official commissions, the candidates for Presidency, the political men, everyone - had, before, during, and after the creation of the Panama Canal, condemned it and exalted the idea of Nicaragua. When it was seen in America that the great enterprise was being systematically destroyed by the French, the certainty of its impracticability was further increased. The destruction was regarded with pleasure in America, because people saw in it the proclamation of the superiority of the foresight and the accuracy of the technical judgement the American mind. ²⁵

The only politician who was convinced of the rightness of the Panama route was Senator Mark Hanna of Ohio. Cromwell and Bunau-Varilla would continually support his efforts because he was their only major link to Congress.

Cromwell is generally regarded as the man who was responsible for the first recognition of the possibility of the Panama route. This recognition is for his work at the Republican National Convention in 1899. The convention, which nominated McKinley and Roosevelt, was ready to go on record as favoring the Nicaraguan route when Cromwell persuaded them

to have the platform changed with the words Isthmian Canal inserted in place of the Nicaragua Canal. "It was the first occasion on which it was publicly recognized that a canal other than that of Nicaragua was possible."²⁶ It became known later that "...Mr. Cromwell had donated \$460,000 to the Republican National Committee and had charged it, as a necessary expense, to the canal company."²⁷

Bunau-Varilla, whose interest in money was less important than his conviction that Panama was the best route, began contacting Senator Hanna and totally convinced him that the cause of Panama was the only true and just one.²⁸ With McKinley's death however, Varilla did not know if his ally, Senator Hanna, would be able to have as much impact on the new President as he had had on McKinley. Varilla therefore got the French Canal Company to reduce its sale price to \$40,000,000: a price acceptable to the Walker Commission which was investigating the possible canal routes.²⁹ This price-cut was a turning point, at least in Roosevelt's mind:

The price-cut marked, it would seem, Roosevelt's first recognition that Panama was a preferable route. 'Originally I had been for Nicaragua,' he said some years later. When word of the reduction came, however, he persuaded the canal commission to change its recommendation to Panama. He was by no means ready, on the other hand, to force his views on Congress. ³⁰

Nicaragua was still favored by most of the Congressmen, and even with Hanna's vigorous efforts and Roosevelt's leaning, it appeared that the Panama route would be defeated.

Bunau-Varilla again entered the battle and with some well timed help from nature he seemed to turn the tide. Varilla had spoken of volcanic activity in Nicaragua but few people had taken him seriously. However, on the night before the last major Senate debate, Mount Monatombo, in Nicaragua, erupted. This very volcano was engraved on some Nicaraguan stamps and Varilla quickly purchased a number of them and passed them out in the Senate. He called the stamps, "An official witness of the volcanic activity of Nicaragua."³¹ This last bit of work by Varilla seems to have been the clincher as the Senate now called for the adoption of the Panama route.

Both Cromwell and Bunau-Varilla claim claimed credit for this victory, but in reality it was both of their efforts, combined with those of Hanna, which made the Spooner Act possible. This act was approved on June 28, 1902, and it

...provided for the construction of the canal and created an Isthmian Canal Commission to conduct the work. The President was authorized to acquire the rights and property of the French company at a cost not to exceed forty million dollars, and to acquire from Colombia, upon such terms as he might deem reasonable, the perpetual control of a strip of land and the right to construct a canal therein. If it should prove impossible to obtain a satisfactory title from the French company, or to reach an agreement with Colombia, the canal was to be constructed in Nicaragua. ³²

The fight for the Panama route had been won but both Cromwell and Bunau-Varilla had much more work to do before construction of the canal would become a reality. Up to this point,

Roosevelt had not figured into Cromwell's or Bunau-Varilla's plans because of his relative inactivity concerning the canal. This period of inactivity was soon to come to an end.

CHAPTER II

With the passage of the Spooner Act, Roosevelt's period of relative inactivity concerning the canal came to an end. He was firmly convinced that he must get the canal built as soon as possible. Even with the passage of the Spooner Act, however, Panama was not the guaranteed site of the canal. Colombia would have to give her consent before a canal could be built through Panama. Colombia was not willing to give in easily to the United States, and this irritated the President. Henry Pringle states: "When Colombia hesitated in accepting the proposals of the United States, the President became an ardent partisan of Panama. In this fact lay the hope of Cromwell and Bunau-Varilla."³³

For Bunau-Varilla especially, this was not a period of rest. He knew, that unless a treaty was concluded with Colombia, the provisions of the Spooner Act called for the canal to be built through Nicaragua. If this would happen, all of his previous efforts would have been wasted. Varilla began to confer with Roosevelt, Hay and Cromwell; using his influence to hurry treaty negotiations with Colombia. Varilla also sent telegrams to President Marroquin of Colombia, warning him that excessive greed on Colombia's part would be very dangerous.³⁴

Meanwhile, Secretary of State Hay had begun negotiations with José Vincente Concha, Colombian minister to the United States. Concha, however, soon felt that Hay was being unfair

to Colombia and he left the country in disgust. Concha's assistant, Herran, resumed the negotiations with Hay and signed a treaty on January 22, 1903; only after Hay had threatened that the Nicaraguan route would be substituted. The Senate ratified the treaty on March 17, 1903.³⁵

The Hay-Herran Treaty provided that the United States would pay Colombia \$10,000,000 in gold to purchase the canal and another \$250,000 was to be paid yearly as rent of the canal. In return, Colombia would grant the United States the right to build the canal and the right to control a strip of land three miles wide on each side of the canal. The cities of Panama and Colon were to be excluded from American control.³⁶ The treaty was also supposed to guarantee the sovereignty of Colombia over the canal but "...stipulations had been inserted that no free people would willingly have accepted."³⁷ The United States had inserted a provision protecting the rights of the New Panama Canal Company, for whom Cromwell was working. Colombia was forbidden to negotiate with the canal company. In other words, the treaty would not allow Colombia to demand a share of the \$40,000,000 that the United States had already agreed to pay to the canal company. Another stipulation in the treaty established American courts in the canal zone.³⁸

The reaction to the treaty in Colombia was extremely negative. The Colombian public was strongly opposed to the treaty. Even Bunau-Varilla, who never loved Colombia, admit-

ted that the treaty severely limited the sovereignty of Colombia over the canal.³⁹ President Marroquin of Colombia appeared to be in a bind. On the one hand, Marroquin faced an unfair treaty which his representative in Washington had signed. On the other hand, the possibility that Panama would secede from Colombia unless the treaty was ratified was becoming more realistic. Bunau-Varilla was constantly sending telegrams to Bogota threatening Marroquin that exactly this would happen.⁴⁰

Marroquin was in a delicate position but instead of acting on the ratification of the treaty, he stalled for more time. When the treaty was finally presented to the Colombian Congress it met with immediate disapproval. Colombia wanted a share of the \$40,000,000 being paid to the canal company and she wanted more money from the United States for the right to build the canal. Hay had refused these same alternatives during the treaty negotiations and now he informed Colombia that unless she acted soon to ratify the treaty the whole agreement would be destroyed.⁴¹ Roosevelt, working through Hay, was becoming impatient. He had Hay inform the Colombian Government that the United States would "...consider any modification whatever of the terms of the treaty as practically a breach of faith on the part of the Government of Colombia."⁴²

Unable to obtain more money or to guarantee her sovereignty, the Colombian Congress, really a rubber-stamp group

for Marroquin, formally rejected the treaty on August 12, 1903.⁴³ Roosevelt was infuriated and he stated: "Those contemptible little creatures in Bogotá ought to understand how much they are jeopardizing things and imperiling their own future."⁴⁴ He referred to the Colombians as "jack rabbits" and "foolish and homicidal corruptionists."⁴⁵ "You could no more make an agreement with the Colombian rulers," he (Roosevelt) snorted, "than you could nail currant jelly to a wall'."⁴⁶ Roosevelt's impatience and his use of this type of language hardly fits the description of his conduct which he later spoke of as "...the highest, finest, and nicest standards of public and governmental ethics."⁴⁷

Several authors have criticized Roosevelt heavily for his dealings with Colombia concerning the Hay-Herran Treaty. Most historians consider his actions as unfair diplomatic correspondence. Roosevelt, however, always felt he was acting in a just manner. This is exemplified in his message to Congress of December 7, 1903:

Last spring, a treaty concluded between the representatives of the Republic of Colombia and of our Government was ratified by the Senate. This treaty was entered into at the urgent solicitation of Colombia and after a body of experts appointed by our Government especially to go into the matter of the routes across the Isthmus had pronounced unanimously in favor of the Panama route. In drawing up this treaty every concession was made to the people and the Government of Colombia. We were more than just in dealing with them. Our generosity was such as to make it a serious question whether we had not gone too far in their interest at the expense of our own; for in our scrupulous

desire to pay all possible heed, not merely to the real but even to the fancied rights of our weaker neighbor, who already owed so much to our protection and forbearance, we yielded in all possible ways to her desires in drawing up the treaty. Nevertheless the Government of Colombia not merely repudiated the treaty, but repudiated it in such manner as to make it evident by the time the Colombian Congress adjourned that not the scantiest hope remained of ever getting a satisfactory treaty from them. 48

Again, in his message to Congress on January 4, 1904, Roosevelt defended his actions as being just:

While it was settled that the canal should be built without unnecessary or improper delay, it was no less clearly shown to be our purpose to deal not merely in a spirit of justice but in a spirit of generosity with the people through whose land we might build it. The Hay-Herran Treaty, if it erred at all, erred in the direction of an overgenerosity toward the Colombian Government. In our anxiety to be fair we had gone to the very verge in yielding to a weak nation's demands what that nation was helplessly unable to enforce from us against our will. The only criticisms made upon the administration for the terms of the Hay-Herran Treaty were for having granted too much to Colombia, not for failure to grant enough. Neither in the Congress nor in the public press, at the time that this treaty was formulated, was their complaint that it did not in the fullest and amplest manner guarantee to Colombia everything that she could by any color of title demand. 49

Both of these statements show that Roosevelt was convinced that the actions that he had taken were fair, and that the only mistake he may have made was in giving too much to Colombia. If the press and Congress accepted Roosevelt's actions at that time, later historians have not accepted them. Men, such as Henry Pringle, feel that: "Roosevelt, as he

worked himself into a rage at Colombia, distorted the facts."⁵⁰ Pringle feels that it was these distorted facts which Roosevelt presented to Congress and that his messages must be understood with that taken into consideration. However, before anyone can judge Roosevelt, we must return to the story of Panama which is far from complete.

After it became obvious that Colombia would not accept the Hay-Herran Treaty or anything similar to it, there were three choices left which Roosevelt could pursue.

1. He could accept the situation and continue to negotiate with Marroquin, or he could begin preparations to construct the canal through Nicaragua.

2. He could carry out the terms of the Hay-Herran Treaty by forcibly seizing the strip of territory which was to have been ceded to the United States by the treaty, and then begin the construction of the canal.

3. He could encourage a revolution on the Isthmus of Panama.⁵¹

Roosevelt could not accept the first alternative. He was tired of waiting on Colombia and he was convinced that the canal must be built through Panama. Roosevelt felt that the third alternative was completely immoral and therefore could not be accepted. In a message to Dr. Albert Shaw, an editor of the Review of Reviews, Roosevelt stated:

'I cast aside the proposition at this time to foment the secession of Panama. Whatever other governments can do, the United States can not

go into the securing, by such underhand means, the cession. Privately I freely say to you that I should be delighted if Panama were an independent state, or if it made itself so at this moment; but for me to say so publicly would amount to an instigation of a revolt, and therefore I can not say it". 52

This left Roosevelt with the second alternative as his only course of action. Roosevelt felt that taking the land would be legally justified because of an encounter with John Moore, an international lawyer. Moore had advised Roosevelt that "...the treaty of 1946 with New Granada gave the United States the right of carrying out the works necessary for the canal, regardless of the attitude of Colombia."⁵³ Roosevelt, apparently using Moore's argument, prepared the first draft of his annual message to Congress (this was before the revolution broke out in Panama) and in this draft he had stated: "we should purchase all the rights of the Panama Canal Company and, without further parley with Colombia, enter upon the completion of the canal which the French company has begun!".⁵⁴ Roosevelt was prepared to use his Big Stick to obtain what negotiations had been unable to achieve.

It is hard to understand how Roosevelt's mind could have changed in less than a year. In his second annual message to Congress in December, 1902, Roosevelt had stated:

No independent nation in America need have the slightest fear of aggression from the United States. It behoves each one to maintain order within its own borders and to discharge its just obligations to foreigners. When this is done, they can rest assured that, be they strong or weak, they have nothing to dread

from outside interference. More and more the increasing interdependence and complexity of international political and economic relations render it incumbent on all civilized and orderly powers to insist on the proper policing of the world. 55

A year later, Roosevelt was willing to forcibly take what he wanted and needed from another American country. He must have felt that only by taking Panama could the United States properly police the world. Fortunately, or unfortunately, Roosevelt never gave that first draft of his message to Congress because of new developments in Panama.

CHAPTER III

At the end of chapter II, I mentioned that new developments in Panama had allowed Roosevelt to cast aside his own plans for acquiring the Panama Canal. These new developments were the movements toward revolution and later, the actual revolution which freed Panama from Colombia. In the United States, Roosevelt would not speak publicly concerning the revolutionary movement in Panama but the press did not feel nearly as inhibited on the matter. George Mowry states:

By the middle of September the American press had evidently discovered a promising revolutionary movement in Panama. 'Many public men of prominence,' the anti-imperialistic New York Evening Post stated, are 'in favor of intimating to the Panama revolutionists that if they will maintain resistance long enough....this government will see to it that they are not run over by the superior forces of Colombia'. 56

What we must do, is to find if Roosevelt was connected with the revolution or its planning. Later, we must find how Roosevelt was able to use American forces on the isthmus during the revolution, and how he was able to recognize the new state, Panama, as quickly as he did.

When the Hay-Herran Treaty was rejected by Colombia, the main conspirators of the Panama revolution: Cromwell, Bunau-Varilla, and Dr. Manuel Amador, who later became the first president of the republic of Panama, began to prepare their plans for the revolution.⁵⁷ These men knew that: "The faltering courage of the Panamanian patriots had to be fortified by promises that the United States would, in spirit and

probably actively, be behind them. Gold with which to bribe the Colombian troops had to be supplied."⁵⁸ These men, especially Bunau-Varilla, were determined to achieve these purposes.

Bunau-Varilla and Cromwell both met with Roosevelt, Secretary of State Hay, and other governmental figures on several occasions. The most conclusive meeting, as far as Bunau-Varilla was concerned, took place on October 18, 1903, with Secretary of State Hay.⁵⁹ At this meeting, Hay assured Bunau-Varilla "...we shall not be caught napping...orders have been given to naval forces in the Pacific to sail towards the Isthmus."⁶⁰ After this meeting, Bunau-Varilla was convinced that, although no money or military aid would be available from official sources, the American government, if a revolution occurred, would not allow Colombia to use force to subdue the uprising. With these insights, Bunau-Varilla immediately informed Dr. Amador to hurry necessary preparations for the revolution.⁶¹

Dr. Amador returned to Panama with that intention, but he was not able to convince his fellow patriots of the American intentions. Therefore, he contacted Bunau-Varilla in Washington and informed him that his comrades would be reassured only if an American navy vessel was sent to Colon. Bunau-Varilla, working on a remark from acting Secretary of State Loomis, told Dr. Amador that an American warship, the Nashville, would arrive at the isthmus within two and a half

days.⁶² Professor of History, Howard C. Hill, believes that Bunau-Varilla was only guessing that this is what would happen. Hill states that:

...he(Bunau-Varilla) had grounds for his expectation. Although he does not seem to have received direct assurance from the administration that American naval vessels would be sent to the Isthmus if disturbances occurred, he would have been 'a very dull man,' as Roosevelt says, had he not been able to make 'a very accurate guess' concerning what 'our Government would do'.⁶³

As it turned out, Bunau-Varilla's guess was quite accurate, as the Nashville arrived in Colon November 2, 1903.⁶⁴

On November 1, 1903, the Panama revolutionists, reassured that the Nashville was on its way to Panama, set November 3, 1903, as the date of the revolution. By this time,

the plans(for a revolution) had progressed so far that no need existed for further encouragement. The Roosevelt Administration had concluded, and Bunau-Varilla knew it, to make the Treaty of 1846 with New Granada an excuse to assist the revolutionists.⁶⁵

The Commander of the Nashville, because of the Treaty of 1846, had been ordered to: Maintain free transit across the isthmus, occupy the railroad line if it was threatened by armed forces, and prevent the landing of armed forces of the Government of Colombia or of the revolutionists - if they intended hostile action.⁶⁶

The revolution began, as planned, on November 3, 1903. American troops were landed from the Nashville to protect free transit across the Isthmus. The railroad was seized by United States forces so that "no Colombian troops could dis-

turb the peace of the region by putting down the rebellion on their own soil; and other Colombian troops on their way to the troubled zone by sea were refused the right to land."⁶⁷ Through bribes, the Colombian military personnel who were in Panama were persuaded to leave the area and on November 3, 1903, the revolutionists proudly proclaimed that Panama was an independent state.⁶⁸

President Roosevelt was notified that on November 6, "...freedom had finally and definately been accomplished. He thereupon acted with haste that was indecent, not to say unwise." A little more than a hour after he was notified, Roosevelt had Secretary Hay instruct the American consul at Panama City "...to recognize the de facto government." The same instructions were sent to the heads of state of both Colombia and Panama.⁶⁹

Colombia was in no position to bargain but she still vigorously protested the actions which the United States had taken. As Munro states:

Her representative at Washington insinuated that the revolutionary movement at Panama had been instigated and encouraged by interests in the United States and by American officials, and insisted that the 'premature recognition' of Panama's independence and military measures which had been taken were violations of the treaty of 1846, under which the United States had guaranteed 'the rights of sovereignty and property' of Colombia in the isthmus. ⁷⁰

Secretary of State Hay responded to Colombia's protests by stating that all American actions had been done both fairly

and legally. Hay added that "it was not thought desirable to permit the landing of Colombian troops on the isthmus, as such a course would precipitate civil war and disturb for an indefinite period the free transit which we are pledged to protect."⁷¹ Eventually Colombia decided that it was useless to try and get her land back by force and "she began the long and weary task of obtaining an indemnity by diplomatic representation."⁷²

On November 18, 1903, the Hay-Bunau-Varilla Treaty was drawn up in Washington. It should be noted here that Bunau-Varilla became the Minister of Panama to the United States after the Panama revolution.⁷³ This treaty provided that the United States would be free to construct a canal through Panama. Panama was to be paid the same amounts of money which had been offered to Colombia in the Hay-Herran Treaty. The treaty also guaranteed Panama's independence and the Colombian government was again warned not to try and recover her former territory by force of arms.⁷⁴

Roosevelt had finally achieved his cherished goal; the Panama Canal route. He later described his policy in the following manner:

'The people of Panama were a unit in desiring the Canal and in wishing to overthrow the rule of Colombia. If they had not revolted, I should have recommended to Congress to take possession of the isthmus by force of arms; and I had actually written the first draft of my Message to this effect. When they revolted, I promptly used the Navy to prevent the bandits, who had tried to hold us up, from spending months of futile bloodshed in conquering or endeavoring

to conquer the Isthmus, to the lasting damage of the Isthmus, of us, and of the world. I did not consult Hay, or Root, or anyone else as to what I did, because a council of war does not fight; and I intended to do the job once for all.' 75

Roosevelt did his job well, for he did acquire the canal.

However, we must now look back and see if he was responsible for the revolution, or if he justly interpreted the Treaty of 1846.

The first charge, that Roosevelt was directly responsible for the Panama revolution, can not be thoroughly supported by evidence. Roosevelt defended himself from this charge by stating:

No one connected with the American Government had any part in preparing, inciting, or encouraging the revolution, and except for the reports of our military and naval officers, which I forwarded to Congress, no one connected with the Government had any previous knowledge concerning the proposed revolution, except such as was accessible to any person who read the newspapers and kept abreast of current questions and current affairs. By the unanimous action of its people, and without the firing of a shot, the state of Panama declared themselves an independent republic. 76

Roosevelt's defense was a simple denial that he or members of his administration had any knowledge of what was going on. Yet, Roosevelt and members of his administration had had several meetings with Cromwell and Bunau-Varilla.⁷⁷ Henry Pringle states:

Surely Roosevelt was not as naïve as all that. It is inconceivable that a President so well informed on other subjects did not know about Cromwell's activities. Such a statement places a severe strain upon my theory that Roosevelt

was not consciously untruthful. He could hardly have discussed birth control with Cromwell or the French drama with Bunau-Varilla. For Roosevelt to say that his administration knew no more of the revolutionary plans than a newspaper reader was untrue. 78

Pringle's conclusion is that Roosevelt probably did nothing to incite the revolution, but contrary to Roosevelt's statements, the President was extremely well informed concerning the plans of the conspirators. 79

Professor Hill feels much in the same manner as Pringle does. Hill points out that Roosevelt, Hay, and other administration officials continually denied that they had anything to do with inciting the revolution or giving assurances to Panama in case of a revolt. Hill, through his investigations of the private correspondances between the administration officials, believes that these denials are basically truthful; but Hill does not believe that there was no communication with any of the revolutionary leaders and he states:

In view of the conversations that Bunau-Varilla had with Roosevelt, Hay, and Loomis, the facts hardly warrant Hay's statement to the Colombian representative that 'any charge that this government, or any responsible member of it, held intercourse, whether official or unofficial, with agents of the revolution in Panama, is utterly without justification'. There is no question that both the attitude and the actions of the administration during the weeks which followed the rejection of the treaty gave encouragement, at least indirectly, to the leaders of the insurrection. 80

Other authors tend to agree with Hill and Pringle. Roosevelt knew what was happening: indirectly he supported it - but he never gave an official assurance of help to the Panama revo-

lutionists.

Roosevelt can not escape nearly as easily the criticism that he misused the Treaty of 1846 with New Granada to further the interests of the revolutionists. In a special message to Congress on January 4, 1904, Roosevelt began his defense of his use of the treaty and of his quick recognition of the new state of Panama. He stated:

I have not denied, nor do I wish to deny, either the validity or the propriety of the general rule that a new state should be recognized as independent till it has shown its ability to maintain its independence. This rule is derived from the principle of non-intervention, and as a corollary of that principle has generally been observed by the United States. But, like the principle from which it is deduced, the rule is subject to exceptions; and there are in my opinion clear and imperative reasons why a departure from it was justified and even required in the present instance. These reasons embrace, first, our treaty rights; second, our national interests and safety; and, third, the interests of collective civilization. 81

Roosevelt's first line of defense was the treaty rights of the United States. In his message, Roosevelt stated that the primary objective of the Treaty of 1846 was to assure the construction of an interoceanic canal. Because of this treaty, Colombia was obliged to let the United States build a canal. Roosevelt reasoned that when Colombia rejected the Hay-Herran Treaty she was also refusing to recognize the treaty rights of the United States. Roosevelt continued by stating that once Panama was recognized as independent, the United States was bound by the Treaty of 1846 to protect the

new state from external aggression. Panama was the successor of Colombia and sovereignty over the isthmus now belonged to the Panamanians.⁸²

Secondly, Roosevelt argued that national defense and safety necessitated the policy which he adopted. The delays which would have come about after Colombia rejected the Hay-Herran Treaty would have endangered American self-defense because they would have postponed the building of the canal. Roosevelt added that these postponements could have eventually brought the United States into war. Roosevelt felt that the Colombians wanted to delay action long enough to confiscate the property rights of the French Canal Company in Panama. Roosevelt reasoned that when the French would have moved against such confiscations, Colombia would have called on the United States to maintain order under the Treaty of 1946 and thus the United States could have been forced into war.⁸³

Roosevelt's third point was that his policy in Panama was dictated by the interests of collective civilization. For Roosevelt, the construction of the canal was an undertaking for the good of the whole world and one for which the United States had received a mandate from all of civilization. Roosevelt continued his argument by stating that so no obstacle would be in the way of the United States, Great Britain had agreed to abrogate the Clayton-Bulwer Treaty. Roosevelt was convinced that the purpose of the United States

had been approved by all the nations of the world who saw the necessity of the canal.⁸⁴

Now that we have seen Roosevelt's justification for his policy, we must go back and analyze it according to the facts. First, we must go back to the Treaty of 1846. Roosevelt had justified using American troops on the Isthmus because of the previous policy of the United States in the area. The record shows that the United States, from 1846 till 1903, had used troops on the Isthmus seven times to deal with insurrections.⁸⁵ What is more important, as Hill states, is that

In every instance, prior to 1902, the forces were used only with the approval or consent of the Colombian authorities. On but one occasion, according to the evidence, did the American troops interfere with the movement of Colombian troops; and in this instance (September-October, 1902) the Colombian protest was accepted and regret was expressed by the United States. Prior to the Panama revolution of 1903, to quote the words of the Colombian Minister at Washington (April 12, 1904) the United States 'had never in previous disturbances prevented the landing of troops of the Colombian Government, nor their transport on the railroad'.⁸⁶

Yet, during the revolution, Roosevelt had ordered troops to the Isthmus without Colombia's consent and had used the troops to prevent Colombian forces from putting down the revolution. Roosevelt had said that this was the previous policy of the United States, but truly, as Calcott states: "...this was a clear reversal of the policy of Washington as to the transit area."⁸⁷ The Colombians were using the treaty as a basis of protest against Roosevelt, yet Roosevelt was using the

the treaty as his means of justifying his actions. One of the parties had to change the interpretation of the treaty for this to happen and from the evidence above it appears to have been Roosevelt who changed it. It seems that Roosevelt had to change the meaning of the treaty in order to meet the need of obtaining the canal.

Roosevelt's other arguments: those of national interest and safety, and those of the interests of civilization, must also be understood in light of the facts. In these arguments, Roosevelt's main line of defense rested on the fact that Colombia's rejection of the Hay-Herran Treaty would cause serious delays in the building of the canal. These delays would hurt the United States and the other nations of the world. Yet, if the need for the canal was so urgent, when Colombia rejected the treaty Roosevelt should have gone back to the Spooner Act which called for the canal to be built through Nicaragua if the Panama route could not be worked out. The interests of the world and the interests of the United States would have been just as well taken care of by a canal through Nicaragua as by one through Panama.⁸⁸

Roosevelt was convinced that the canal had to be built through Panama. He had worked hard for that purpose and eventually it was accomplished. Colombia, too, eventually received some restitution for her loss of Panama, but money is never able to heal all the wounds of diplomatic dealings.⁸⁹ Roosevelt's ethics are open to many questions but he did

achieve his goals. In a speech at Berkley, California, on March 11, 1911, Roosevelt summed up his actions in connection with Panama as he stated:

I am interested in the Panama Canal because I started it. If I had followed traditional conservative methods I should have submitted a dignified state paper of probably two-hundred pages to Congress, and the debate on it would be going on yet; but I took the Canal Zone and let Congress debate and while the debate goes on the canal does too. 90

CONCLUSION

What conclusion can be drawn from this paper? The answer to that question will probably depend on your outlook toward Theodore Roosevelt as a President. All the facts show that Roosevelt worked hard and that he eventually acquired that which he sought - the Panama Canal. But was this acquisition carried out in a just manner? If you believe in Theodore Roosevelt's defense of his actions, you would have to say that the taking of Panama was a just act. However, if you look at the facts of the issue, I don't believe that you can say that it was a just act.

It is hard for any historian to make a moral judgment on any piece of history. But in the case of Panama, this judgment must be made: either the actions of Roosevelt were just or they were unjust. John Blum, whose writings lean in favor of Roosevelt, admits in reference to Panama that: "In what he did, certainly in the way he did it, Roosevelt was wrong: but he was also convinced and consistent."⁹¹ I believe that what Blum is saying is true and basically I agree with him. However, I do not believe that you can justify Roosevelt's actions by merely stating that as a President he was convinced and consistent in what he did.

One of the best summations, which I have found, of the Panama affair comes from George Mowry. Not only does Mowry criticize Roosevelt, he also criticizes the American people who were living when the acquisition of Panama took place.

He states:

The presidential invitation to revolt by indirection, the remarkable split-second timing of the U.S.S. Nashville's arrival in Panama, the utterly indefensible interpretation of the transit treaty with Colombia, and the indecent haste in the recognition of the new Panama Republic made Roosevelt a moral accomplice both before and after the act. The whole affair suggested that for Roosevelt ethics stopped at the tidewater beyond which lay a moral jungle where power was the only rightful determinanat. Apparently, the American people held the same view. Even the judicious Elihu Root defended Roosevelt's actions both publicly and privately. Above the sovereignty of Colombia, Root declared, there existed a 'higher right'. Not even the Democratic opposition challenged the President immediately after the event. Senator Gorman's plea to disapprove the treaty was ignored. Instead, the Louisiana legislature by a unanimous vote approved the treaty and congratulated the President. So did the great majority of newspapers and periodicals. International law, The Outlook observed, was sometimes based 'upon a sense of justice but quite as much on national convenience...'. 92

Mowry's conclusion appears to be that Roosevelt and the American people both relied on convenience and the imperialistic tendencies of the period to get that which they thought they needed. I must agree with that conclusion. Roosevelt brought new power to the presidency and he was an aggressive leader of an aggressive people. The mood of the nation was one of expansion and world leadership. With Panama, Roosevelt merely combined his own imperialistic nature with the imperialistic mood of the country - the result - the wrongful taking of Panama.

Roosevelt talked about the Panama affair often after he

left office. He was extremely proud of what he had accomplished. In a speech he made during World War I, Roosevelt stated:

...in reference to the Panama Canal. I might have taken the matter under advisement and put it before the Senate, in which case we should of had a number of most able speeches on the subject. We would have had a number of very profound arguments, and they would have been going on now, and the Panama Canal would be in the dim future yet. We would have had half a century of discussion and perhaps the Panama Canal. I preferred that we should have the Panama Canal first and the half century of discussion afterward. And now instead of discussing the canal before it was built, which would have been harmful, they merely discuss me - a discussion which I regard with benign interest. 93

Roosevelt, in this speech as in all others, admits no guilt on his part. He claims to have acted the way he did in order to get the canal built as soon as possible. However, his expediency in handling the canal does not justify the actions which he took. The discussion of Roosevelt's policies will probably continue long into the future. Some men will probably always claim that Roosevelt did the right thing, but in dealing with Panama, I am forced to agree with the editors of the American Heritage books: "It was an arrogant, flagrantly illegal display of American power and pressure that would plague Washington's relations with Latin America for decades." 94

FOOTNOTES

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2. Theodore Roosevelt, Theodore Roosevelt An Autobiography (New York: Charles Scribner's Sons, 1920), p. 512.

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6. Ibid., p. 65.

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10. Wilfrid H. Callcott, The Caribbean Policy of the United States, 1890-1920 (Baltimore: The John Hopkins Press, 1942), pp. 119-120.

11. George E. Mowry, The Era of Theodore Roosevelt (New York: Harper and Brothers, Publishers, 1958), p. 149.

12. Callcott, Caribbean Policy of United States p. 117.

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18. Callcott, Caribbean Policy of United States p. 122.
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27. Ibid.
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31. Bunau-Varilla, Panama, The Creation pp. 246-250.
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33. Pringle, Theodore Roosevelt p. p. 308.
34. Bunau-Varilla, Panama, The Creation pp. 17-22.
35. Pringle, Theodore Roosevelt p. 309.
36. Miner, Fight For Panama Route pp. 411-422.
37. Pringle, Theodore Roosevelt p. 310.
38. Hill, Roosevelt and the Caribbean p. 49.

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41. Munro, United States and Caribbean Area p. 67.
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53. Hill, Roosevelt and the Caribbean p. 59.
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74. Munro, United States and Caribbean Area p. 69.
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