

Second Pan-American Conference.

I

Invitation from the Mexican Government for the meeting of the Conference

AND

Acceptances of the Governments of the other American Republics.

INVITATION of the Mexican Government for the meeting of the Conference and acceptances of the Governments of the other American Republics.

OFFICE OF THE SECRETARY OF FOREIGN RELATIONS.—Mexico, August 15th 1900.—Your Excellency: The Mexican Ambassador, as well as all the American representatives in Washington, has received from the Government of the United States, a circular in which a meeting is proposed, as soon as practicable, of a Second American International Conference, similar to that held in the year 1889, although not in the same city, but in one of the other capitals of the New World. Shortly afterwards, the Honorable Secretary of State, in a conversation with our Ambassador, informed him of the great pleasure it would give his Government, if the city of Mexico was named as the place, in which the proposed meeting should be held.

On learning of this conversation I stated in the name of the President of the Republic, that if the greater part of the Governments interested were willing to name this capital as the place where the Conference was to be held, it would give us the greatest pleasure, and we should appreciate as an honor the visit of the Delegates sent by our sister Republics of America; but, if for such an interesting Congress, some other city was named, no matter which, we would send our Delegates.

Finally, the majority of the American Representatives accredited at Washington, following the instructions of their respective Governments, designated this capital with the aforesaid object; and we thank them for the honorable distinction, which, although without having been solicited, is highly appreciated, and accepted with true fraternal sentiments.

Without fully referring to the object of an assembly of such noteworthy interest, its main features having been fully explained in 1889 in numerous minutes and publications, I take the liberty to enclose a programme of the different subjects treated, and approved by those persons to whom I have heretofore referred. It will be sufficient to state that the different matters taken up at that meeting were undoubtedly of the greatest importance for the promotion of intelligent and friendly relations between the American Republics.

Certain it is that the coming Conference cannot discuss all and each of these matters, at least if besides

those considered as the principal ones, it should be thought advisable to embrace the ones which were simply touched upon and remained pending at the close of the meeting. But even if only a few are now to be decided, the resolutions of the Assembly, when faithfully practised, shall constitute so many steps in the direction of harmony between the nations of the world discovered by Columbus; the ideas advanced that will serve as an example to other nations, showing them the enormous benefits to be derived from true and pure ideas of human brotherhood.

Although an appalling pessimism declares useless all endeavors to realize among men the predominance of justice, and gives preference to might over right, it must be borne in mind that the constant assertion of sane theories and their official sanction by the Governments through agreements or declarations made by common accord, which morally bind them, notwithstanding the means to compel their observance be lacking, will create a powerful opinion aiming at extirpating the most deep-rooted evils, as has been the case with slavery and other aberrations that it was necessary to remove in the names of reason and philosophy. And, in truth, to arrive at this common understanding, to sanction these Conventions, or at least prepare their sanction, there is no better way than a liberal discussion at these conferences or congresses; in which one and all the delegates, with equal rights, can defend their opinions, bringing their share of knowledge and sentiments in favor of general welfare.

On the other hand, in such a meeting as is proposed, the sympathies inspired by mutual communication, are strengthened and cultivated, be they of language or race, or of political institutions, to-day substantially identical in the nations of this hemisphere; and without the pretension to form a world apart, nor forgetting that civilization came to us from Europe, and that the greatest interests of humanity are the same, we may be permitted to recall that in America there are special and closer bonds among its inhabitants, and with fewer international complications whereby the nations are benefitted. This consideration, prudently applied, gives results that should offend no one, or place us in conflict with the rights of others, because we are inspired by the dictates of Justice, and by a more complete notion of liberty, far from all exclusion, be it of language, religion or origin.

Confident that these ideas will find an echo in the sentiments of your illustrious Government, I have the honor to address your Excellency, by request of the President of the United States of Mexico, inviting the Government of to send its Delegates to the Second American International Congress that will meet in this city on the 22nd day of October 1901; assuring you, from this time, that your Delegation will receive the most cordial welcome.

I avail myself of this opportunity to have the honor of assuring your Excellency my most distinguished consideration.—*Ignacio Mariscal.*

Enclosure to the invitation from the Mexican Government.
MEETING of the members composing the Executive Committee of the International Union of American Republics, held the 23rd day of May 1900.

By invitation of Señor Don Joaquín Bernardo Calvo, senior member of the Executive Committee of the International Union of American Republics, a meeting of the members of said Committee was held on the 23rd day of May, 1900, in the Bureau of the American Republics.

The following gentlemen were present:

Sr. Don Joaquín Bernardo Calvo, Minister from Costa Rica.

Sr. Don Antonio Lazo Arriaga, Minister of Guatemala.

Sr. Don Eduardo Wilde, Minister from the Argentine Republic.

Sr. Calvo gave an account of the work recommended to the Executive Committee, at the meeting of the representatives of the countries composing the International Union of American Republics, held on the 14th day of April, 1900, presenting in effect the following:

Suggestions made by the Executive Committee of the Union of the American Republics.

"The programme of the First American Conference was so ample that it can be said it comprised all and even more than needed to be resolved for the common benefit of the American Republics.

"The Executive Committee considers no new question can arise for the study and consideration of the future Conference that does not directly or indirectly refer to one of the eight parts of that programme.

"Although the influence of the First Conference, has not resulted in any transcendental work, it cannot be denied, that it has been of some importance. In the first, place, it can be shown as a result, the greater harmony and intelligence which exists between the American Republics. The practical results, although few in number, do not fail to have a great significance. The Bureau of the American Republics exists at present and daily improving serves as the organ of the union of these republics. In 1891 the American Monetary Conference, was held in Washington; the plans for an inter-continental railway were made and a commercial nomenclature in three languages was formed and printed.

"The Executive Committee thinks that the new Conference should select, amongst the questions to be considered, those that are now of the greatest importance; and should study the new ones submitted, if also offers the following

PROGRAMME:

«I. Points studied by the previous Conference, which the new Conference may decide to reconsider.

«II. Arbitration.

«III. International Court of Claims.

«IV. Means of protection to industry, agriculture, and commerce. Development of communications between the countries of the Union. Consular regulations. Port and Custom House Regulations. Statistics.

«V. Reorganization of the International Bureau of the American Republics.

«With the object of facilitating the study of this question, the programme of the First Conference with a list of the committees among which the work was divided, and the minutes of the last resolutions adopted by that assembly are appended.

Washington, May 22nd. 1900.

Programme of the First Conference.

Washington 1898.—«FIRST.—Measures which tend to preserve peace and to foment the prosperity of the different American States.

«SECOND.—Measures which tend to the formation of a union to consider Custom House tariffs, and to advance as much as possible commercial reciprocity between American nations.

«THIRD.—To establish frequent and regular communication between the ports of the different American States.

«FOURTH.—The adoption by each one of the independent States of America, of a uniform system of Custom House rules and regulations, that must be observed for the import and export of merchandise and for the payment of duties and port charges; the establishing of an equal method in all the countries for the classification and valuation of the merchandise, the forms in which Custom House invoices must be made, as also identical precepts on the matter of health and quarantine.

«FIFTH.—The adoption of a uniform system of weights and measures, and laws for the protection of rights acquired by patents, or privileges of invention, and trade-marks; the laws for the protection of copyrights, so that the privileges of the citizens of, each country be respected in all the other countries; also identical dispositions regarding the extradition of criminals.

«SIXTH.—The adoption by each one of the Governments of a common silver coin that shall be of obligatory circulation in all transactions of commercial reciprocity, between the States of America.

«SEVENTH.—An agreement on a definite plan of arbitration for all questions, disputes, and differences, which exist, or may arise between the different American States, to the end that all such difficulties and questions between the said States, may be peacefully terminated, avoiding war, and the recommendation to the respective Governments for its adoption.

«EIGHTH.—And any other matters relative to the prosperity of the different States represented in the Conference, that any of them may consider desirable to submit to discussion.»

Committees appointed to act at the First American International Conference.

- I. Executive Committee.
- II. Committee on the Custom House Union, (Tariff, Quarantine, etc.)
- III. Committee on Communications by the Atlantic.
- IV. Committee on Communications by the Pacific.
- V. Committee on Communications by the Gulf of Mexico, and the Caribbean Sea.
- VI. Committee on Communications by Railways.

- VII. Committee on Custom House rules and regulations.
- VIII. Committee on Port Charges.
- IX. Committee on Weights and Measures.
- X. Committee on Sanitary regulations
- XI. Committee on Patents and Trade marks.
- XII. Committee on Extradition.
- XIII. Committee on Monetary Conventions.
- XIV. Committee on Banks.
- XV. Committee on International Law.
- XVI. Committee on Public Welfare.
- XVII. Committee on Arrangements.
- XVIII. Committee on Credentials.

Resolutions adopted by the First American International Conference.

«FIRST RECOMMENDATION.—The Committee on Weights and Measures, presented a favorable report, and the Conference recommended, the adoption of the metric decimal system to the nations represented, that have not already adopted it.»

«SECOND RECOMMENDATION.—The Committee on Railway communications recommended, and the Conference expressed a favorable opinion, on the construction of an Inter-continental railway that should be declared neutral at all times.»

«The American Government, organized the Committee that was recommended by this act of the Conference, and the studies for the road were made and appeared in an extensive report, printed last year, each Government interested having contributed to the expenses incurred, in proportion to its respective population.»

«THIRD RECOMMENDATION.—The Committee on the Custom House Union, submitted two reports, that of the majority being one in which they recommended the negotiation of partial treaties of commercial reciprocity, with one or more of the American nations, which would be willing to enter into such agreement on an acceptable basis, in each case, with the object of promoting the common welfare; and the other, of the minority, in which it was proposed to discard the project of a Custom House league or combination, between the American Nations. The Conference adopted the first of the said propositions.»

«FOURTH RECOMMENDATION.—The Committee on Communications by the Atlantic proposed the establishment of one or more steamship lines between the ports of the United States and Brazil and the River Plata—the resolution was unanimously adopted by the Conference.»

«FIFTH RECOMMENDATION.—The Committee on Communications by the Pacific, proposed, and the Conference agreed, to recommend to the countries interested, to encourage on the bases indicated, the increase of maritime communications, on said Ocean.»

«SIXTH RECOMMENDATION.—The Committee on Communications by the Gulf of Mexico, and the Caribbean Sea, proposed, and the Conference adopted, a resolution recommending the respective Governments to assist in the establishment of a first class steamship service, between the ports of the Gulf, and the sea indicated.

«SEVENTH RECOMMENDATION.—The Committee on Custom House regulations, gave a favorable report on a proposition made by the delegate from Mexico, Don Matías Romero, for the adoption of a common nomenclature or catalogue, in alphabetical order, of foreign merchandise imported, and the Conference adopted the proposition unanimously.»

«The work of compiling this catalogue was done at the Bureau of the American Republics, and was printed in English, Spanish, and Portuguese. This catalogue has been adopted for use in the Custom Houses of the United States.»

«EIGHTH RECOMMENDATION.—For the classification, examination, and valuation of merchandise, forms of ma-

nifests, invoices, declarations, and impositions of Custom House duties, the Committee proposed, and the Conference agreed, to the adoption of simple, expeditious, and uniform methods, indicating, in this respect, the base and form to be followed, and in the same manner in regard to notices and practices in cases of contagious diseases.»

«NINTH RECOMMENDATION.—The Bureau of the American Republics was created by decision of the Conference, in view of the favorable report made by the same Committee on Custom House regulations.»

«TENTH RECOMMENDATION.—The Committee on port dues presented a report that was extensively discussed, the Conference finally deciding to recommend that port dues be embraced under one heading, namely: that of tonnage dues, with the form, system, and exceptions indicated.»

«Referring to consular fees, the Committee proposed, and the Conference agreed, to recommend the adoption of a uniform classification of the acts in which consular agents can intervene, and fixed the maximum of the respective fees, specially those which refer to navigation and commerce.»

«ELEVENTH RECOMMENDATION.—The Committee on Sanitary Regulations, reported favorably and the Conference agreed to recommend for adoption the decision of the International Sanitary Convention of Rio de Janeiro, of 1887, or those of the proposed Sanitary Convention of the Congress of Lima, of 1888.»

«TWELFTH RECOMMENDATION.—The Committee on Patents, and Trade Marks proposed, and it was adopted by the Conference, to recommend the adherence to the treaties on literary and artistic copyrights and patents of invention, commercial, and manufacturing trade marks, celebrated by the South American Congress at Montevideo.»

«THIRTEENTH RECOMMENDATION.—The Committee on Extradition proposed, and the Conference agreed, to recommend the Treaty of International Penal Law adjusted by the South American Congress of Montevideo, and that the countries which had not already signed Extradition Treaties with the United States of America, should do so.»

«FOURTEENTH RECOMMENDATION.—The Committee on American International Monetary Convention submitted to the Conference two reports: one from the majority, in which is recommended the establishment of an American International Monetary Union; that as a base for this Union an International silver coin should be considered as legal tender in the respective countries: for the accomplishment of this recommendation, a Monetary Committee should be called at Washington, composed of one delegate from each nation, to determine the sum, value, proportion and relation of that coin with gold. The opinion of the minority recommended, that in lieu of issuing an International Silver Coin, Mexico, and the States of Central and South America, might send to the United States Treasury, for deposit, silver in bars, and that for the value of this metal in gold, they should receive bills issued by the Government at Washington. The conference decided on an analogous opinion to the proposition of the majority, but substituted for the silver coin «one or more international coins uniform in weight and fineness, that can be used in all countries represented in the Conference.»

«The Monetary Committee recommended this resolution to the Conference, met in Washington, in the month of January 1891; but it only resulted in the expression of a desire to call another Monetary Committee, that could arrive at some decision to establish a uniform Monetary system among the American nations, that would benefit one and all alike.»

«FIFTEENTH RECOMMENDATION.—The Committee on Banks presented two opinions, and in consequence recommended two distinct resolutions; the proposition of the majority says: «The Conference recommends to the

Governments represented, that they authorize concessions, favorable to the advancement of banking operations between the American States, and more especially, such as would be an inducement for the establishment of an American International Bank, with power to establish branches or agencies in the other countries represented in this Conference."

The proposition of the minority was: to recommend to the Governments represented in the Conference, to stimulate the amounts of products exchanged between the respective countries, affording every facility possible, and obviating the difficulties raised by the institutions of credit."

The Conference adopted the resolution proposed by the majority.

SIXTEENTH RECOMMENDATION.—The Committee on International Law, proposed, and the Conference resolved, to recommend to the Governments there represented, that have not as yet adopted the Treaties of International Law, private, civil, commercial, and penal, of the Congress of Montevideo in 1888, to manifest: "that they adhere to those Treaties within one year, and also recommends the adoption of the principle, that legalization of documents should be considered in due form when carried out according to the laws of the country from which the documents proceed, provided they are counter-signed by a diplomatic or consular agent accredited in the country from the Government of that in which the document is to take effect."

SEVENTEENTH RECOMMENDATION.—In the question of Claims and Diplomatic Intervention, the Committee was divided. The report of the majority recommended the recognition, as principles of American International Law, the following:

"I. Foreigners enjoy all civil rights that natives enjoy; they can make use of them in the form, foundation and procedure, and are entitled to the same recourses, absolutely on the same terms as natives.

"II. The Nation neither has nor recognizes any other obligation or responsibility to foreigners, than those established by the Constitution and the laws in favor of natives."

The report of the minority maintains that the power of a nation to protect by means of a diplomatic claim, the rights and interests of its citizens shall not be diminished.

The resolution of the majority was adopted by all the delegates, with the exception of the one from the United States, who voted in the negative, and the delegate from Hayti who refrained from voting.

EIGHTEENTH RECOMMENDATION.—About the question of Navigation of Rivers, there was also a difference of opinion. The decision of the majority recommended to declare:

"I. That the rivers that separate different States, or flow through their territories, should be kept open and free to navigation, by riparian nations.

"II. That this agreement does not affect the dominion or sovereignty, of the riparian nations, either in time of peace or war.

In the minority report, written by Mr. Trescott, delegate of the United States, it was recommended that all differences which might arise should be left to the prudence of the riparian powers, to settle it between themselves in a friendly way, considering this preferable to the establishment of general rules.

With the exception of the delegate from Venezuela, who refrained from voting, all of the Latin-American delegations voted in favor of the recommendations proposed by the majority, excepting the delegate from Nicaragua, who voted in the negative, as did the delegate from the United States.

NINETEENTH RECOMMENDATION.—The Committee on Public Welfare proposed, and the Conference adopted, a declaration in favor of a peaceful solution of international differences, and recommended the signing of a

uniform treaty of arbitration, on the basis indicated in the resolution.

In the case of arbitration with European powers, the Conference confirmed the report of the Committee, agreeing to also recommend arbitration for the decision of disputes between the American Republics and European nations.

With reference to the right of conquest, the Committee on Public Welfare proposed a resolution requesting the Governments represented at the Conference to adopt the following resolutions:

"I. That the principle of conquest, be eliminated from American Public Law, during the time the treaty of arbitration is in force;

"II. That the surrender of territory, made during the time that the treaty of arbitration exists, is null if such surrender was made under the threat of war, or the pressure of armed force;

"III. That the nation having made such surrender, has the right to require the decision by arbitration, as to its validity;

"IV. That the refusal to have recourse to arbitration, if made under the conditions of article 11, shall have no value or effect.

The vote of all the delegates was unanimous, with the exception of that of Chili, who refrained from voting."

The report was approved unanimously.

The Minister of the Argentine Republic made the following proposition:

"In view that the Executive Committee has to leave this capital during three or four of the summer months, in order not to delay indefinitely the meeting of the Conference, be it resolved that, the Director of the Bureau of the International Union of American Republic should call on the President of the Executive Committee, the Secretary of State Mr. Hay, requesting him to telegraph to the Governments of the Republics invited, asking for a reply to the invitation, and should their answer be in the affirmative, to beg them to authorize by telegraph their respective representatives, in Washington, to designate the place, and fix the time, for the meeting of the Conference."

The foregoing proposition was unanimously adopted. Señor Calvo made the following proposition, that was also unanimously approved:

"In order to obtain the best result in the development of point V of the proposed programme, which refers to the reorganization of the International Bureau of American Republics, the Director of said Bureau is commissioned to draw up a plan for the corresponding reorganization."

ACCEPTANCES of the Invitation from the Mexican Government.

Memorandum of the dates on which the American Republics accepted the invitation from the Mexican Government.

1900. September	11. GUATEMALA.
" "	25. ARGENTINE REPUBLIC.
" "	27. URUGUAY.
" October	4. HAYTI.
" "	11. HONDURAS.
" "	15. NICARAGUA.
" November	20. BOLIVIA.
" "	24. VENEZUELA.
" December	17. DOMINICAN REPUBLIC.
" "	29. SALVADOR.
1901. January	21. COLOMBIA.
" February	25. UNITED STATES OF AMERICA.
" March	13. COSTA RICA.
" "	22. PERU.
" May	10. BRAZIL.
1901. August	23. PARAGUAY.
" September	27. CHILL.
" October	7. ECUADOR.

LETTERS of acceptance of the invitation of Mexico.

GUATEMALA.

DEPARTMENT OF FOREIGN RELATIONS.—Guatemala, September 11, 1900.—Honored Sir: I have had the honor of informing myself of the contents of the circular, which, with two enclosures, Your Excellency has been pleased to direct to me, with your esteemed note of the 8th. of the current month.

The circular to which I refer, contains the invitation of the Government of Mexico addressed to that of Guatemala, in order that the latter may be represented at the Second International American Congress, which will convene at the capital of Mexico in October of 1901.

From the moment the Government of the United States communicated to that of Guatemala that the said Congress was to meet, and impressed upon this Government the importance it would have for all the nations of America, and the expediency that they, without any exception, should send their representatives to attend the same, my Government saw fit to appoint our Minister at Washington for that purpose.

Later on, when the representatives appointed by the different nations of America, commenced to hold meetings in that capital for the purpose of discussing when and where the said Congress should assemble, our representative received instructions to vote for the capital of Mexico, which, in fact, was finally selected.

Whatever should have been the place chosen, Guatemala would have sent her representative, but she will do so with increased pleasure, for the reason that the place of meeting is to be the city of Mexico.

Our representative, Lic. Antonio Lazo Arriaga will attend the Conference on the date designated.

There remains for me, only, to ask Your Excellency to please transmit the contents of this communication to your Government, to which mine tenders the most expressive thanks for its amiable and courteous invitation.

May it please Your Excellency to accept the homage of my distinguished consideration and esteem. (Signed).—For the Minister, the Sub-Secretary.—*M. Larrainaga.*

To the Honorable Federico Gamboa, Chargé-d'Affaires of Mexico.—City.

A true copy.—Guatemala, September 12th 1900.

—(Signed).—*Luis Ricoy*, 2nd Secretary.

ARGENTINE REPUBLIC.

DEPARTMENT OF FOREIGN RELATIONS AND PUBLIC WORSHIP.—Buenos Aires, September, 25th 1900.—Mr. Minister: I have had the honor of receiving the communication of Your Excellency, dated August 15th in which you are pleased to notify me that the City of Mexico has been designated for the meeting of the Second International American Conference, similar to the one which met in Washington in 1880, inviting the Government of the Argentine Republic to send its Delegates to the said Conference, which is to meet in the month of October 1901.

Having brought this important communication to the notice of His Excellency the President of the Republic, who, inspired by the high aims which are the object of the meeting of the Delegates of the American nations, has requested me to reply to Your Excellency in order that you may inform His Ex-

cency the President of the United States of Mexico, that the persons who are to attend in representation of the Argentine Republic, will be designated in due time.

Availing myself of this opportunity, I have the pleasure of reiterating to Your Excellency the assurance of my distinguished consideration.—(Signed)—*A. Alcorta.*

To His Excellency the Minister of Foreign Relations of the United States of Mexico.

URUGUAY.

Department of Foreign Relations.—Montevideo, September 27th, 1900.

Mr. Minister: I have had the honor of receiving the note of Your Excellency, of August 15th., in which you are pleased to invite the Government of this Republic, in the name of His Excellency the President of the United States of Mexico, to send Delegates to take part in the Second International Conference, which is to assemble in the City of Mexico on October 22, 1901.

His Excellency, the President of the Republic, instructed me at once, to thank the Government of Your Excellency for the courteous invitation contained in your note, and to say in reply, that he accepts the same with pleasure, and he will opportunely name the Delegate of this Republic, who is to represent it at the Conference.

At the same time, it gives me great satisfaction to inform Your Excellency, that the Government of Uruguay, besides the Delegation alluded to, and as an unequivocal testimonial of its desire to make closer, and to strengthen, if such be possible, its relations with Mexico, has resolved to accredit a diplomatic agent near your enlightened Government, with the character of Envoy Extraordinary and Minister Plenipotentiary.

By so doing, the Government of the Republic of Uruguay has desired to demonstrate all the importance that it attaches to the Conference which is to meet in Mexico, concerning the matters that specially interest America, as Your Excellency expresses it with great exactness, and at the same time, the sympathy and high esteem which the Government of Your Excellency deserves.

I avail myself of this opportunity to offer to Your Excellency the assurance of my highest consideration.—(Signed)—*Manuel Herrera Espinosa.*

To His Excellency the Minister of Foreign Relations of the United States of Mexico.

HAYTI.

Department of Foreign Relations.—Port-au-Prince, October 4, 1900.

Mr. Minister: Your Excellency, by dispatch of August 15th. has been pleased, by recalling the labors accomplished by the First International American Conferences, to call attention in a masterly exposition, to the humanitarian problems which urge themselves upon the consideration of the nations the New World.

As soon as the project of another Conference was presented to it, the Republic of Hayti, impressed with the high importance which those deliberations will have for the sister nations, resolved to lend its adhesion to a project so eminently humanitarian. At the same time the satisfaction which the Haytian