

Central America, or of any other part, wishes to know the productions of the Argentine Republic. This office informs him that said Republic produces such a quantity of wool, that it so many head of cattle, that it imports such and such articles, and that its market is in such or such a countrp. It will be seen from this that the Museums of Philadelphia have a very distinct character, and not only distinct from the private mercantile agencies but lend great service to the American Republics, in making known the products of their commerce.

For such reasons, and even though certain private mercantile agencies might be injured thereby, the Committee on Commerce and Reciprocity could not reject the proposition of the American Delegation.

Moreover, this Meseum, as a permanent exposition of the products of the American Republics, needs resources, and in order that it may fulfill the object of its institution, it is necessary that they be provided in some form. If the American governments recommend this institution as a simple museum, the recommendation will serve no purpose, for our products are well detailed, perfectly determined, in all the books, pamphlets and communications written on the subject and printed by the gross and sent to the four quarters of the globe. If the Museum is to render proper service, it is necessary that it give reports respecting interior commerce, upon the solvency of large houses, etc., and in this sense, it cannot be denied that it may be recommended by the Conference.

Taking these reasons in to account, the Committee on Commerce and Reciprocity has proposed this recommendation, and in proposing it, I ought to declare, that so far as concerns myself, that the Delegation of Paraguay has given its consent, in all conscience, with head erect, without any reason ever to repent its purpose.

*Secretary Macedo.*—The Committee having accepted the amendment proposed by His Excellency Mr. Carbo, the Conference is asked if it approves the reformed text, which now reads as follows: «The Second International American Conference urges the governments of the Republics in it represented to take measures tending to complete and renew the collections of their products exhibited in the Museums of Philadelphia and for the remittance to said Museums, as an institution of public benefit, of all official data, reports and publications of a general

character, tending to favor and augment mercantile traffic.

The vote having been taken, the recommendation was approved by fourteen votes as against of Chili. The Argentine and Dominican delegations abstained from voting.

*Secretary Macedo.*—The Chair rules that the matter pass to the Committee on Engrossing.

SESSION OF JANUARY 28, 1902.

*Secretary Macedo.*—In accord with the ruling of the 22nd instant <sup>1</sup> the reports of the Committee on Engrossing upon the resolutions approved by the Conference, remain in the office of the Secretary at the disposal of the Honorable Delegates, who may revise them and make such observations upon them as may judged appropriate.

The report upon the recommendation in favor of the Commercial Museum of Philadelphia, readst thus:

*Committee Engrossing.*—The undersigned have the honor to propose the following draft to the resolution voted by the Conference, to the effect that the Commercial Museum of Philadelphia be recognized as an institution worthy of support and cooperation.

The Second International American Conference urges the governments of the Republics in it represented to take measures tending to complete and renew the collections of their products exhibited in the Museums of Philadelphia, and for the remittance to said Museums, as an institution of public benefit, of all official data, reports and publications of a general character, tending to favor and augment mercantile traffic.

Committee Room of the Second International American Conference. Mexico, January 29, 1902. Signed: *Alberto Elmore.*—*Rosendo Pineda.*

The recommendation in favor of the Commercial Museum of Philadelphia, drafted exactly in the same terms as the foregoing report, was signed on the 29th day of January, 1902, by the delegations of Bolivia, Colombia, Costa Rica, Chili, Equador, Salvador, United States of America, Guatemala, Hayti, Honduras, Mexico, Nicaragua, Paraguay, Peru and Uruguay.

<sup>1</sup> See page 74.

NUMBER 16.

## RIGHTS OF ALIENS.

SESSION OF DECEMBER 4, 1902.

*Secretary Macedo.*—The delegations of Salvador, Costa Rica, Equador, Guatemala, Nicaragua, Colombia, Honduras and Venezuela have presented the following project of declaration upon the rights of aliens, which the Chair rules shall pass for examination to the Committee on Pan American Tribunal of Equity and Claims. The project reads as follows:

The majority of the Spanish American peoples, since they were ushered in to a life of independence, have received a long and painful experience, by

reason of unjust diplomatic interventions, at times exorbitant and baseless, presented by foreigners, resident in those countries, endeavoring to elude the jurisdiction of the common courts, and to enjoy greater rights and privileges than those enjoyed by the citizens of the country.

The new currents of civilization, the progress of international law and the practices of advanced countries, have nullified the Roman theory that considered foreigners as barbarians and did not grant to them the same rights as to Roman citizens.

The progress of nations, the necessity of an honest, intelligent and industrious immigration, that should give impulse to their intellectual and material development, have been powerful factors to efface the distinctions made of foreigners, in the past; and to the aforesaid causes is due that the new generations of the American continent consider the alien that brings his capital, his intelligence and his labor to a new soil, not as an enemy, not as a menace, but as an indispensable element for the fruitful development of human activity.

But as there have been those who, making an ill use of this prerogative, convert the rights granted into a hostile element, presenting unjust claims, governments have taken care to put an effective remedy to that evil by adopting measures so that a foreigner residing in a country shall be amenable to common legislation, as a safeguard for the innate rights of the nation, wherein he lives and in obedience to the principles of justice that do not accept groundless claims, as the proper courts are the ones to try the complaints which foreigners may intend to bring against the authorities and individuals of the country where they reside. A painful past compels American countries to adopt measures that shall shelter from the mighty the sovereignty of the nations congregated in this American International Conference, and with the experience of the past, it is expediente that they keep in mind the declarations recommended at the Conference in Washington, by the Committees of Relations and Diplomatic Intervention, the 12th of April, 1890, and which unfortunately were not unanimously accepted, as one of the nations therein represented gave a negative vote and another abstained from voting.

It is not claimed that the above mentioned Conference desires, by means of such a proposition, to establish aspecial International American Public Law; when it has accepted principles recognized by the powerful nations of Europe, but which the latter sometimes pretend to disown, when dealing with some weak Spanish American nations.

It is enough for our purpose, without mentioning painful cases of unjust interventions, to quote the opinion of that eminent authority, Mr. Carlos Calvo who referring to the difference established by Europe in the application of the International Law to the relations with the States of America, says that the most fervent advocate of the unjustifiable theory of force, which he calls the «English system,» was Mr. Thiers, who believed with a pessimistic criterion that because of defects in the organization of our new Spanish American countries, we should be treated in a very different way from that in which European nations were treated and justified foreign interventions, as that of France in Mexico.

The opinion of the renowned statesman, M. Thiers, is greatly exaggerated, and there is a marked injustice in judging so unfavorably the Spanish American nations, who, if they have had distressing falls have arisen to devote their efforts to a slow but sure labor of political organization, which enables them to appear mighty in right and united as they are in this Conference, animated with but one sentiment of fraternity and justice.

Believing in modern ideals, and wishing to maintain firmly the principles of International Law, that only permits diplomatic interference when there has been a delay in administering justice, or when it

has been denied, or when the resolutions of the tribunals are manifestly unjust, and after all the means that the laws establish to obtain complete satisfaction of the rights of the claimants in the same way pertaining to its own citizens have been exhausted, the government of Salvador desiring that the principles accepted by the majority of delegations to the First International Conference of Washington should be maintained, addressed itself to the Cabinets of the other Republics of Central America and to those of Colombia and Venezuela, requesting their acquiescence in a similar declaration of principles in the present International Conference of Mexico, and it obtained favorable replies.

The Foreign Office of Caracas, in reply to that of Salvador, in note of the 18th of June of this year, says: «The declaration that to the same effect was signed on the 18th of April, 1890, by fifteen of the delegates to the Washington Conference, is destined to constitute a doctrine of very salutary effects in Public International Law, as any practice opposed to it would amount to the establishment of privileges and pre-eminences in behalf of those who try to establish themselves in a territory that is not their own, to the detriment of the precepts on which the sovereignty of States rests,» and the same Cabinet adds that «the most recent Constitution of Venezuela sanctions, in articles 12 and 13, the redeeming principles referred to.»

If the manifestations which in a private way have been already made by the Honorable Delegates to the present Conference, are to be practical, and if it is aimed, as there is no reason to doubt, to recognize the right of American nations in their most ample manifestations, it is to be expected that the following declaration, which we respectfully submit to the Second American International Conference will not be disregarded:

I. Foreigners enjoy all the rights granted to our own citizens and they can make use of them in the same manner and form, availing themselves of all proceedings to which they may properly have recourse to, in and under the same terms as those enjoyed by said citizens.

II. The nation asserts that it has no other obligations or responsibilities towards foreigners than those which the Constitution and the laws establish for all cases in favor of its own citizens.

Mexico, November 30, 1901. — For the Delegations of Salvador, *Baltasar Estupinian, Francisco A. Reyes.*

For the Delegation of Costa Rica, *J. B. Calvo.*

For the Delegation of Equador, *F. L. Carbo.*

For the Delegation of Guatemala, *Antonio Lazo Arriaga.*

For the Delegation of Nicaragua, *Luis F. Corea.*

For the Delegation of Colombia, *Rafael Reyes.*

For the Delegation of Venezuela, *Gil Fortoul.*

For the Delegation of Honduras, *Jose Leonard.*

The following project was presented during the suspension of the sessions, and passed by the Chair to the Committee on Pan-American Tribunal or of Claims, by virtue of the power conceded him by the Conference in session of the 8th. of November, 1901:

One of the most frequent causes which tend to disturb good international relations, and which give rise to diplomatic conflicts, is the protection given