

proposition of His Excellency, Cecilio Baez was voted on.

His Excellency, Joaquin D. Casaus, requested the Committee to name the days and hours for holding its sessions, its labors of organization, coming them to an end.

Upon motion of His Excellency, Alberto Blest Gana, it was decided that the Committee should hold its sessions from four to six p. m. on the days the Conference does not assemble.

The Committee adjourned at 12:30 p. m., and all its members were requested to be present on Thursday next at 4 p. m.—(Signed.) *E. Pardo* (jr.)—*Joaquin D. Casaus*, Secretary.

MINUTE NO. 2.

NOVEMBER 7, 1901.

Presidency of His Excellency Mr. Emilio Pardo.

In the City of Mexico at 4.30 p. m. on the 7th day of November, 1901, the Committee on Arbitration and Court of Arbitration met in the Hall of Sessions of the 2nd. International American Conference. Their Excellencies, the Delegates present, were as follows:

<i>Argentina</i>	His Excellency Mr. Antonio Bermejo.
<i>Bolivia</i>	His Excellency Mr. Fernando E. Guachalla.
<i>Brazil</i>	His Excellency Mr. Jose Hygino Duarte Pereira.
<i>Colombia</i>	His Excellency Mr. Carlos Martinez Silva.
<i>Costa Rica</i>	His Excellency Mr. Joaquin Bernardo Calvo.
<i>Chili</i>	His Excellency Mr. Alberto Blest Gana.
<i>Ecuador and the Dominican Republic</i>	His Excellency Mr. Luis Felipe Carbo.
<i>Salvador</i>	His Excellency Mr. Baltasar Estupinian.
<i>United States</i> ...	His Excellency Mr. William I. Buchanan.
<i>Guatemala</i>	His Excellency Mr. Antonio Lazo Arriaga.
<i>Hayti</i>	His Excellency Mr. J. N. Leger.
<i>Honduras</i>	His Excellency Mr. Fausto Davila.
<i>Mexico</i>	His Excellency Mr. Emilio Pardo Jr.
<i>Nicaragua</i>	His Excellency Mr. Luis F. Co-rea.
<i>Paraguay</i>	His Excellency Mr. Cecilio Baez.
<i>Peru</i>	His Excellency Mr. Isaac Alzamora.
<i>Uruguay</i>	His Excellency Mr. Juan Cuestas.
<i>Venezuela</i>	His Excellency Mr. Jose Gil Fortoul.

The minutes of the previous session were read and approved and a copy thereof was distributed among the members of the Committee, as well as a copy of the proposed Treaty on Arbitration submitted by the Mexican Delegation, with its corresponding preamble, historical and doctrinal parts.

His Excellency, the President, stated that he had received from the Secretary General the documents relative to said proposed Treaty on Arbitration and invited the Delegates to express their opinion about the advisability of suspending for some time the meetings of the Committee, in order to prepare conveniently its labors.

His Excellency, Mr. Buchanan, a Delegate for the United States, proposed that the meetings of the Committee should be suspended for ten days, and his motion was approved.

His Excellency, the President, consequently announced that the next session would take place on Tuesday, the 19th. inst. at four o'clock p. m.; stating that although strictly speaking, according to the proposition approved, the Delegates should meet on the 17th., this date being a holiday, and the fact that the session of the Conference was to take place on the next day, it was necessary to postpone the meeting until the 19th.

The session adjourned as five o'clock p. m.—(Signed).—*E. Pardo*, (jr.)—*Joaquin D. Casaus*, Secretary.

MINUTE NO. 3.

NOVEMBER 26, 1901.

Presidency of His Excellency Mr. Emilio Pardo.

The session was opened at 4.40 p. m., the following members of the Committee being present:

<i>Argentina</i>	His Excellency Mr. Antonio Bermejo.
<i>Bolivia</i>	His Excellency Mr. Fernando E. Guachalla.
<i>Brazil</i>	His Excellency Mr. Jose Hygino Duarte Pereira.
<i>Costa Rica</i>	His Excellency Mr. Joaquin Bernardo Calvo.
<i>Chili</i>	His Excellency Mr. Alberto Blest Gana.
<i>Ecuador and the Dominican Republic</i>	His Excellency Mr. Luis Felipe Carbo.
<i>Salvador</i>	His Excellency Mr. Baltasar Estupinian.
<i>United States</i> ...	His Excellency Mr. William I. Buchanan.
<i>Hayti</i>	His Excellency Mr. J. N. Leger.
<i>Honduras</i>	His Excellency Mr. Fausto Davila.
<i>Mexico</i>	His Excellency Mr. Emilio Pardo, Jr.
<i>Nicaragua</i>	His Excellency Mr. Luis F. Co-rea.
<i>Paraguay</i>	His Excellency Mr. Cecilio Baez.
<i>Uruguay</i>	His Excellency Mr. Juan Cuestas.
<i>Venezuela</i>	His Excellency Mr. Jose Gil Fortoul.

Minutes of the preceding session were read and approved.

His Excellency Mr. Buchanan, Delegate from the United States of America, asked for the floor in order to manifest that despite the pleasure that the Honorable Delegates would have in prolonging their residence in Mexico and enjoying for the longest time possible the exquisite hospitality of this coun-

try, yet all were desirous of terminating as soon as possible the labors of the Conference, in a manner that should preserve harmony with the elevated aims pursued. He added that the Committee on Arbitration has before it an important task, which may give rise to considerable discussion, and he judged, therefore, opportune to propose, in interest of the work that the Committee is to realize and for the purpose of facilitating its labors and terminating as rapidly as possible the same, the appointment of a sub-committee, composed of seven members, designated by the President of the Committee, who naturally would form part of it, which would celebrate reunions daily and strictly private, taking into consideration all the projects presented and to be presented, and when an accord is reached, as is to be hoped, would render account to the Committee on Arbitration, of the result of its labors. He terminated saying that he made this proposition in hope that it would be approved.

His Excellency Mr. Guachalla, Delegate from Bolivia, stated that he accepted with pleasure the idea of the Honorable Mr. Buchanan, but begged to be permitted to modify it in the sense that the designation of the members of the sub-committee be made by means of lot, in order to avoid for the President the difficulty of making that designation, recalling in fact that when it was a question of form in which the Committee on Arbitration should constitute itself, he also had the honor to propose that the designation of its members be left to chance.

His Excellency Mr. Blest Gana, Delegate from Chili, declared that the unique object of the sub-committee was to simplify the task of the Committee, and that it ran the risk, if the modification suggested by His Excellency Mr. Guachalla were adopted, of producing contrary effects, as choice by lot might group adverse opinions, which was precisely what was convenient to avoid, as he had the honor once before to manifest on the occasion referred to by the Honorable Delegate from Bolivia, and that by virtue of these considerations, he sustained without reserve the proposition of the Honorable Mr. Buchanan.

His Excellency Mr. Gil Fortoul, Delegate from Venezuela, manifested that if what was sought was to avoid that it be left to blind chance the designation of the members of the sub-committee, there was in his judgment, a means of saving the difficulty, that was to name them by voting, a modification that he begged to propose to the Committee.

His Excellency the President manifested that a proposition and two modifications having been presented, he would submit the first to vote.

His Excellency Mr. Fortoul stated that in his judgment it was preferable to commence by consulting the opinion of the Committee with respect to the modifications; but that he had no objection in accepting whatever the Chair might decide regarding this particular.

Submitted to vote, the proposition of the Honorable Mr. Buchanan was approved.

His Excellency Mr. Guachalla declared that, in view of this result, he retired the indication by him formulated, accepting the proposition that the designation of the members of the sub-committee be made by the Honorable President, whose decisions inspired in him complete confidence.

There was then placed to vote the indication of

the Honorable Mr. Fortoul, who, in turn, manifested that he retired it, on the supposition that the report of the sub-committee would be accepted by the Committee on Arbitration.

The sub-committee was designated in the following form:

<i>Argentina</i>	His Excellency Mr. Bermejo.
<i>Brazil</i>	His Excellency Mr. Duarte Pereira.
<i>Chili</i>	His Excellency Mr. Blest Gana.
<i>United States</i> ...	His Excellency Mr. Buchanan.
<i>Guatemala</i>	His Excellency Mr. Lazo Arriaga.
<i>Mexico</i>	His Excellency Mr. Pardo.
<i>Peru</i>	His Excellency Mr. Alzamora.

His Excellency Mr. Buchanan then made an indication to effect that the secretaries of the Committee on Arbitration send under seal, all the documents and projects relating to the matters to be examined, to the sub-committee just designated, which would have no secretary, one of its members only acting as such; so that the sub-committee might terminate its labors.

The Committee being consulted regarding the proposition, approved it unanimously.

A statement was read presented by the Honorable Mr. Calvo, Delegate from Costa Rica. It was ordered passed to the sub-committee.

At 5.15 p. m. the session was adjourned.—(Signed).—*E. Pardo*, (jr.)—*Joaquin D. Casaus*, Secretary.

MINUTE NO. 4.

DECEMBER 17, 1901.

Mr. Emilio Pardo on the Chair.

The session was opened at four and a quarter p. m., the following Delegates being present:

<i>Argentina</i>	The Hon. Dr. Bermejo.
<i>Bolivia</i>	The Hon. Dr. Guachalla.
<i>Colombia</i>	The Hon. Gen. Reyes.
<i>Costa Rica</i>	The Hon. Mr. Calvo.
<i>Chili</i>	The Hon. Mr. Blest Gana.
<i>Ecuador and Dominican Republic</i>	The Hon. Mr. Carbo.
<i>Salvador</i>	The Hon. Mr. Estupinian.
<i>United States</i> ...	The Hon. Mr. Buchanan.
<i>Guatemala</i>	The Hon. Mr. Lazo Arriaga.
<i>Hayti</i>	The Hon. Mr. Leger.
<i>Honduras and Nicaragua</i>	The Hon. Mr. Davila.
<i>Mexico</i>	The Hon. Mr. Pardo.
<i>Paraguay</i>	The Hon. Dr. Baez.
<i>Peru</i>	The Hon. Dr. Alzamora.
<i>Uruguay</i>	The Hon. Dr. Cuestas.
<i>Venezuela</i>	The Hon. Mr. Gil Fortoul.

The Minutes of the last session were read, and His Excellency Mr. Guachalla asked that they be rectified in the part relative to having withdrawn the indication that he made, with regard to the designation of the individuals of the subcommittee being made by means of chance or lot, for it is given to understand in the minutes that he withdraw his motion due to the fact that the one made by Mr. Buchanan has been

approved, which is not correct, for in voting upon this, there remained pending the determination of the form of designation of the members of the sub-committee.

His Excellency Mr. Gil Fortoul also asked that the minutes be rectified in the part relative to the withdrawal of his motion in that the members of the sub-committee be designated by means of a vote, for he did not express, as stated in the minutes, that he entertained the idea that the report of the sub-committee had to be accepted by the Committee itself.

His Excellency the President announced that the rectification asked for would be made, and then stated that he had convoked the Committee for the reason that the sub-committee had remained incomplete due to the lamented death of His Excellency Mr. Duarte Pereira, and for the purpose of determining if the sub-committee should continue to act with only six members or if a substitute were to be named for His Excellency Mr. Duarte Pereira, and in such case in what form the same should be done.

His Excellency Mr. Estupinian proposed that for the reasons expressed in the session of the preceding day by the Honorable Mr. Buchanan, that no substitute be named to His Excellency Mr. Duarte Pereira and that the sub-committee would continue to act with six members.

After a light debate in which took part Their Excellencies Messrs. Calvo, Leger, Lazo, Arriaga and Baez, impugning the proposition the first and the last, it being supported by the third, and Mr. Leger formulating some inquiries regarding the state of the labors of the sub-committee, to which His Excellency the President replied, the proposition of His Excellency Mr. Estupinian was put to vote, and was approved by ten votes, being those of Colombia, Chili, Dominican Republic, Ecuador, Salvador, United States of America, Guatemala, Honduras, Mexico, Nicaragua, against seven votes, from the Argentine, Bolivia, Costa Rica, Paraguay, Peru, Uruguay and Venezuela. His Excellency the Delegate from Hayti abstained from voting.

The session terminated at 4.40 p. m.—(Signed). E. Pardo, (jr.).—*Joaquin Casasas*, Secretary.

ADHESION to the Conventions of The Hague.

SESSION OF JANUARY 15, 1902.

Secretary Macedo.—A note has been received directed to His Excellency the President of the Conference, from the Delegations of the Argentine Republic, Bolivia, Colombia, Costa Rica, Dominican Republic, Salvador, United States of America, Guatemala, Hayti, Honduras, Mexico, Nicaragua, Paraguay, Peru and Uruguay, communicating the fact of having signed a protocol in which it is declared that the principle established in the Conventions of The Hague ought to be considered as American public law, and the charge is conferred upon the United States and Mexico to negotiate for the adhesion to said conventions, and remitting the text of the said protocol, in order that by way of the General Secretary of the Conference it be sent to the Department of Foreign Affairs of Mexico, so that it may be duly executed. The note mentioned states:

PROTOCOL of adherence to the Conventions of The Hague.

The undersigned Delegations appreciating the advantages that the Nations they represent may obtain

from adhering to the three Conventions of The Hague have signed a Protocol in which, after declaring that the principles established in said Conventions shall be considered as American Public Law, they have entrusted the Governments of the United States and Mexico with the task of negotiating with the other signatory Powers of the Convention for the peaceful settlement of international conflicts, so that the American Nations not signing said Convention may adhere to it when they may solicit it.

Said Delegations have the honor, therefore, of sending to the Conference the text of the resolutions approved, so that it may be sent, through the Secretary General to the Secretary of Foreign Relations of United States of Mexico, in order that, following the indispensable procedure for the acts of the Delegations represented at this Conference, to attain all the necessary efficacy with regard to the Republics which have appointed them, the said Resolutions be then duly carried into effect.

Accept, Sir, the assurances of our respectful regard.

Mexico, January 15, 1902.—(Signed.) *William I. Buchanan*, *Charles M. Pepper*, *Volney W. Foster*, Delegation of the United States of America.—*Antonio Bermejo*, *Lorenzo Anadon*, Delegation of the Argentine Republic.—*F. L. de la Barra*, *M. Sanchez Marmol*, *Jose Lopez Portillo y Rojas*, *Alfredo Chavero*, Delegates of Mexico.—*Isaac Alzamora*, *Alvarez Calderon*, *Alberto Elmore*, Delegation of Peru.—*Fernando E. Guachalla*, Delegate of Bolivia.—*Federico Henriquez i Carbajal*, *Quintin Gutierrez*, Delegates of the Dominican Republic.—For the Delegation of Honduras and as Delegate for Nicaragua, *F. Davila*.—Delegate of Colombia, *Rafael Reyes*.—Delegation from Salvador, *F. A. Reyes*, *Baltasar Estupinian*.—*J. L. Leege*, Delegate of Hayti.—*J. B. Calvo*, Delegate of Costa Rica.—*Juan Cuestas*, Delegate of Uruguay.—Delegation of Guatemala, *Antonio Lazo Arriaga*, *Francisco Orla*.

His Excellency Mr. Cuestas, Delegate from Uruguay.—I have asked for the floor simply to state that the note has not my signature.

His Excellency Mr. Lazo Arriaga, Delegate from Guatemala.—I would like to have the same fact noted, Mr. President, with respect to the delegation of Guatemala.

Secretary Macedo.—To the signatures read by the Secretary will be added those of His Excellency Mr. Cuestas, Delegate from Uruguay and those of Their Excellencies Messrs. Lazo Arriaga and Orla, Delegates from Guatemala. The protocol referred to in the note read, states as follows:

PROJECT.

Art. 1. The American Republics represented at the International Conference of American States in Mexico, which have not subscribed to the three Conventions signed at The Hague on the 29th of July, 1899, hereby recognize as a part of Public International American Law the principles set forth therein.

Art. 2. With respect to the Conventions which are of an open character the adherence thereto will be communicated to the Government of Holland through diplomatic channels by the respective Governments, upon the ratification thereof.

Art. 3. The wide general convenience being so clearly apparent that would be secured by confiding

the solution of differences to be submitted to arbitration to the jurisdiction of a tribunal of so high a character as that of the Arbitration Court at The Hague, and, also, that the American Nations, not now signatory to the Convention creating that beneficent institution, can become adherents thereto by virtue of an accepted and recognized right; and, further, taking into consideration the offer of the Government of the United States of America and the United States of Mexico, the Conference hereby confers upon said governments the authority to negotiate with the other signatory powers to the Convention, for the Peaceful Adjustment of International Differences for the adherence thereto of the American Nations so requesting and not now signatory to the said Convention.

For the Delegation of Guatemala: *Antonio Lazo Arriaga*, *Francisco Orla*.—Delegates of Mexico: *G. Raigosa*,* *E. Pardo*, (jr.), *Joaquin D. Casasus*,* *Alfredo Chavero*,* *Jose Lopez Portillo y Rojas*,* *Pablo Macedo*,* *Francisco L. de la Barra*,* *M. Sanchez Marmol*,* *Rosendo Pineda*.—For the Argentine Delegation: *Lorenzo Anadon*, *Antonio Bermejo*.—For the Delegation of Peru: *Isaac Alzamora*, *Manuel Alvarez Calderon*, *Alberto Elmore*.—For the Delegation of Uruguay: *Juan Cuestas*. The Delegate for Venezuela signs ad referendum, and he further calls attention to the fact that in so far as his country is concerned neither the questions of navigation nor those connected therewith, which are referred to are included in the same. For the Delegation of Venezuela: *M. M. Galaviz*.—For the Delegation of Costa Rica: *J. B. Calvo*.—The Delegate of Hayti: *J. N. Leger*.—Delegates of the Dominican Republic: *Federico Enriquez y Carbajal*,* *Quintin Gutierrez*.—For Paraguay: *Cecilio Baez*.—Delegate of Bolivia: *Fernando E. Guachalla*.—*Baltasar Estupinian*, Delegate of Salvador.—*Rafael Reyes*,* Delegate of Colombia.—For the Delegation of Honduras and as Delegate for Nicaragua, *F. Davila*.—*William I. Buchanan*,* *Charles M. Pepper*,* *Volney W. Foster*,* Delegates of the United States of America.

Art. 4. In order that the widest and most unrestricted application of the principle of just arbitration may be satisfactorily and definitely brought about at the earliest possibly day, and, to the end that the most advanced and mutually advantageous form in which the said principle can be expressed in a Convention to be signed between the American Republics may be fully ascertained, that the President of Mexico is hereby most respectfully requested to ascertain by careful investigation the views of the different governments represented in the Conference regarding the most advanced form in which a general arbitration Convention could be drawn that would meet with the approval and secure the final ratification of all the countries in the Conference, and after the conclusion of his inquiry, to prepare a plan for such a general Convention as would apparently meet the wishes of all the Republics; and, if possible, arrange for a series of protocols to carry the plan into execution; or, if this should be found to be impracticable, then to present the correspondence with a report to the next Conference.

Mexico, January 15, 1902. Delegation of Guatemala, *Antonio Lazo Arriaga*, *Francisco Orla*.—

(* Their Excellencies the Delegates, whose names are marked with an asterisk, signed the Protocol on the day on which it was sent to the Conference (January 15, 1902).)

Delegation of Mexico: *G. Raigosa*, *Joaquin D. Casasus*, *Jose Lopez Portillo y Rojas*, *E. Pardo, jr.*, *Pablo Macedo*, *Alfredo Chavero*, *F. L. de la Barra*, *Manuel Sanchez Marmol*, *Rosendo Pineda*.—*J. N. Leger*, Delegate from Hayti.—Delegation of Peru, *Isaac Alzamora*, *Manuel Alvarez Calderon*, *Alberto Elmore*.—Delegation of the United States of America, *William I. Buchanan*, *Charles M. Pepper*, *Volney W. Foster*.—Delegation of Uruguay, *Juan Cuestas*.—Delegation of the Argentine Republic, *A. Bermejo*, *Lorenzo Anadon*.—Delegate of Costa Rica, *J. B. Calvo*.—Delegation of Honduras and as a Delegate from Nicaragua, *F. Davila*.—*Cecilio Baez*, Delegate of Paraguay.—*Fernando E. Guachalla*, Delegate of Bolivia.—*Federico Enriquez y Carbajal*, *Quintin Gutierrez*, Delegates of the Dominican Republic.—*Rafael Reyes*, Delegate of Colombia.—Delegation of Salvador, *F. A. Reyes*, *Baltasar Estupinian*.

His Excellency Mr. Blest Gana, Delegate from Chili.—Before the Chair rules on the document that has just been read, I ought to observe that the Delegation of Chili has presented a project of convention touching on the same matter, that is to say, upon the adhesion to the conventions of the Hague. In consequence, the Delegation of Chili considers that, as there exist two projects in direct connection, it is necessary and convenient, before ruling is made by the Chair, that the project of said Delegation be read.

I would recall to my honorable colleagues of the sub-committee on Arbitration, that from the first session, when we incidentally took up the matter of adhesion to the conventions of The Hague, the speaker pronounced himself in favor of it, and even stated that those conventions constituted one of the most advanced steps that have been taken in the matter up to the present time, and that they were vested with especial importance by reason of the character of the persons that concurred to that Congress, and the authority of the governments that were there represented. They are, without doubt, the most notable documents, the clearest and the most concrete that have yet been produced in matters of arbitration. And having thus expressed his opinions in this regard, he pronounced himself in favor of the ideas of The Hague, in name of his government.

Therefore, it would seem strange that the signature of the Delegation of Chili should not figure in a project referring to the adhesion of the said conventions, and which shows the signatures of all or almost all of the honorable members of the Conference, except those forming the Delegation of Chili, and which has thought best to present separately a project of convention in this matter, bases on the reasons and doctrines consigned in the corresponding statement of motives.

Without anticipating the ruling that the Chair is to give on the project or convention just read, the Delegation of Chili thinks that in justice and in reason its project should be read immediately after, since it touches upon the same matter.

It is scarcely necessary to say that the Delegation of Chili notes with complacency the uniformity of opinions of the members of this Assembly, upon a principle of which it has always been a decided partizan.

In consequence, based on the fact that this is a matter in favor of which the delegations have pronounced themselves, and upon which exist two projects, I will not say analogous, but which touch upon the