

VI.

Minutes of Closing Session.

SESSION OF JANUARY 31, 1902.

Presidence of His Excellency Genaro Raigosa, and of His Excellency Ignacio Mariscal, Secretary of Foreign Affairs of Mexico.

The session was called to order at 4.30 p. m. in the presence of Delegates from seventeen of the North, Central and South American Republics.

Their Excellencies the Delegates present were as follows:

- Argentina.—Antonio Bermejo.
- Bolivia.—Fernando E. Guachalla.
- Colombia.—General Rafael Reyes.
- Costa Rica.—Joaquin Bernardo Calvo.
- Chili.—Emilio Bello Codecido, Augusto Matte.
- Santo Domingo.—Federico Henriquez y Carvajal, Luis Felipe Carbo, Quintin Gutierrez.
- Ecuador.—Luis Felipe Carbo.
- Salvador.—Baltasar Estupinian, Francisco A. Reyes.
- United States of America.—William I. Buchanan, Charles M. Pepper, Volney W. Foster.
- Guatemala.—Coronel Francisco Orla.
- Haiti.—J. N. Leger.
- Honduras.—Jose Leonard, Fausto Davila.
- Mexico.—Genaro Raigosa, Joaquin D. Casasus, Jose Lopez Portillo y Rojas, Emilio Pardo, jr., Alfredo Chavero, Francisco L. de la Barra, Manuel Sanchez Marmol, Rosendo Pineda.
- Nicaragua.—Fausto Davila.
- Paraguay.—Cecilio Baez.
- Peru.—Manuel Alvarez Calderon, Alberto Elmore.
- Uruguay.—Dr. D. Juan Cuestas.

The minutes of the previous session were read and approved.

His Excellency Mr. Alvarez Calderon, Delegate for Peru, offered a motion, that a vote of thanks be tendered to the national and the foreign press for the interest which it has manifested in the work of the Conference, having thus acted as the interpreter of its sentiments with the American governments and the entire world.

It was unanimously agreed to take the motion into immediate consideration, and it was adopted by a unanimous vote.

The following cable, addressed by Hon. Mr. John Hay, Secretary of State of the United States of America, to His Excellency Mr. William I. Buchanan, was read:

«Please express to the President and Members of the Conference and to the Mexican Government the gratification of the Government of the United States that the Conference has manifested so marked a spirit of friendly co-operation for the well-being of the American Republics, and offer congratulations for the successful results of its efforts.—(Signed) John Hay.»

The Chair ordered that the said cable be trans-

mitted to the Department of Foreign Affairs of Mexico, end that the following cable be sent to Hon. John Hay:

To Hon. John Hay, Secretary of State Washington, D. C.

«The Conference is cordially thankful for the congratulations of the Government of the United States and is pleased to acknowledge the important co-operation of the American Delegation in securing the successful termination of the Conference.—(Signed) Genaro Raigosa.»

His Excellency Lic. Ignacio Mariscal, Secretary of State and of the Department of Foreign Affairs of the United States of Mexico, here entered the Hall, and delivered the following closing oration:

«Messrs. Delegates:
«Overcoming the most serious difficulties and belying the dismal prophecies of pessimists or secret enemies, you have successfully reached the goal of your labors and throughout your discussions and in all your acts, notwithstanding the contrariety of your views and aspirations on given subjects, you have displayed the distinguished courtesy that was to be expected from the chosen representatives of the governments of America. Without sacrificing the varying interests of your respective nations you have succeeded in finding the points as to which an agreement was possible, while other points have been touched by you without intemperate acridity or offensive allusions, which if they ever rose to the surface of your debates, were straightway nobly repaired or deferentially explained away. Receive on this account the cordial felicitations of the Mexican government.
»But, more than this, you have done. For reasons still more momentous you deserve the congratulations, not only of the Mexican government, but of all lovers of moral progress and justice. You have advanced in practice, the great principle of Arbitration, of the peaceful and rational solution of international contraversies, so as to render less frequent the barbarous appeal to force, which, sanctioned in the middle ages by the name of «the judgment of God» as a means of settling disputes between individuals, though now repudiated in the most enlightened nations as immoral and absurd, still, unfortunately, continues to be the recognized method of deciding the quarrels of nations. And one of the worst effects of this aberration is that, even nations that are lovers of peace and justice, find themselves under the unavoidable necessity of also holding themselves in readiness for an armed conflict, by virtue of their unquestioned right to resist and repel force by force.
«For evils so great, modern philanthropist (and among them I must mention with due honor the Czar of Russia,) can find no other remedy than compulsory arbitration, and they urge its adoption, at least for given cases, until such time as it can be accepted

as the ideal settlement for all disputes. Nevertheless, there are some generous-minded people who desire without delay to realize that fascinating ideal and to proclaim the unrestricted obligation of nations to submit to arbitration, while another party, perhaps exaggerating the difficulties to be encountered, deny the possibility of any binding arrangement in so complex a question. Both of those views were, from the outset, represented in the Conference, while there were not lacking other groups who, with the same honesty of purpose, advocated a middle course.

«You are well aware that the members of the Mexican Delegation, desiring to strike the just mean between those two extremes, presented to their distinguished colleagues a project prepared with sufficient care. Its object was no other than to conciliate spirits agitated perhaps by the shock of opposing tendencies. In the end ten delegations reached an agreement and signed a Treaty of Compulsory Arbitration with exceptions similar to those that figured in the Washington Treaty which miscarried in 1890,—a fate which we may reasonably hope is not reserved for the present Convention.

«Nevertheless, this is not the principal triumph obtained in the matter of Arbitration. That triumph undoubtedly is the unanimous agreement of all the Delegations, in spite of their apparently radical divergence as to the application of that great principle, to submit for settlement to the Court of Arbitration of The Hague all controversies that may arise among the governments of America, due to the claims of private individuals, for indemnities and damages. As those claims, at least in America and in cases where powerful nations are involved, are without question the most frequent source of international controversies, the importance of this achievement cannot be doubted. When the Convention in question once comes into force, all those complaints and claims which oftenest inflame the minds of statesmen and embitter international relations will be settled peacefully in the manner dictated by equity and the highest considerations of expediency.

«Finally you have unanimously agreed to recognize the principles proclaimed by The Hague Peace Conference and are prepared to become parties to the Conventions concluded by that conference. And in order to secure admittance to one of them you have empowered the Governments of the United States and Mexico, who are among the signatory powers, to conduct the negotiations which such admittance entails. By this means all our sister nations of America will secure, among other advantages, a clear right to appeal to the eminent Court established at the capital of the Netherlands, whenever they may desire that it should adjudicate their controversies. In this respect you have followed a wise suggestion of the Washington Government.

«With respect to Extradition and Protection against Anarchy; the Exchange of official scientific and literary publications; the Exercise of the learned professions; Patents and Trademarks; and Literary and Artistic Copyrights; you have concluded various treaties and conventions embodying the latest and soundest principles. You have made wise recommendations for the establishment of a Pan-American Bank and the creation of an Archæological Commission. You have adopted discreet resolutions for the holding of a Custom House Conference to study measures for facilitating commercial relations

among our several republics; for the construction of a Railway which, utilizing existing lines, shall cross the Continent from North to South; for the observance of International Maritime Sanitary measures; and for the Exchange of Statistics and samples of natural and manufactured products.

«You have enunciated important principles as to the Rights of foreigners, and, with a view to obtaining complete Codes of Public and Private International Law, which, freely sanctioned, shall prevail throughout the length and breadth of the American Continent, you have provided for the organization of a Commission to frame such Codes and submit them for approval to the co-interested governments. This is an important step, tending as it does to convert doctrines, which hitherto have been more or less respected, more or less debated, into precepts of positive law. And wisely has that step been taken, for it will settle the principles that are to uniform the relations of our several nations with one another.

«Finally you have reorganized the useful Bureau of American Republics and have fixed intervals of five years for the holding of future Conferences, unless in view of the conditions prevailing at the end of each such period, the diplomatic representatives of our Republics, residing at Washington, should otherwise decide.

«The Pan-American Conference, gentlemen, has, on the occasion of its second gathering produced truly practical results, which are all the more entitled to praise and admiration in proportion as they were unexpected by persons who contemplated the work of this Assembly from afar. To those persons the obstacles that stood in the way of your immediate success seemed insuperable. But we, who had enjoyed a nearer view of you, never doubted that you would overcome those obstacles, for we had the fullest faith in the high qualifications of each and everyone of the chosen sons of America.

«It is possible that the results obtained may not come up to what an enthusiastic Pan-Americanism had led some of you to expect. But they are enough, and more than enough, to prevent anyone of you going away disappointed. If there have been those among you who had desired an ampler triumph, they should derive consolation from the fact that they have worked hard to attain it, for to undertake great and difficult things, to strive bravely for their realization, nay, even to have earnestly desired them, are in themselves just claims to commendation. *«It magnis et voluisse sat est.»*

«History, gentlemen, will do justice to the intentions of each one of the Delegates assembled in this memorable Conference. It will also assign its just value to the policies of the several governments which entrusted you with their representation, and to the instructions by which your conduct was guided. The accounts, that have been and will continue to be published in regard to you, with a fulness characteristic of our times, will place at the disposal of History the necessary factors for uttering her irrevocable verdict. For the time being, our duty is but to respect the independent volition of each government and to recognize that its decisions have been inspired by the great national interests of which it is the guardian and of which it, and it alone, is the judge.

«Let us congratulate ourselves on the fact that this Conference, in spite of its extremely delicate mission, has given rise to no conflicts in the true sense

of the word. If, at times, its debates were heated, if threatening clouds at moments darkened your horizon, they were soon dispelled by the potent influence of reason to which you have all done homage, and now your labors have come to an end in the midst of serenity and peace; nay even of effusiveness, taking shape in acts of justice, as are the tributes you have paid to persons of unquestioned merit, or to South American heroes, who have sacrificed their ease to their love of science and country and of whom one, the sole survivor, is now in our midst. We may well say with the English poet: «All's well that ends well».

«The Mexican Government experiences the sincerest satisfaction on that account. Devoid of selfish interests, with no other object nor aspiration than the success of the great aims of the Conference and the increased welfare and honor of the Nations of America, it has labored assiduously, through its Delegation, to bring about an agreement among the enlightened members of this Assembly as to the principal questions discussed. In the end, that agreement, as far as was practicable, was attained and it produced at once the most gratifying results. Mexico feels satisfied, for she had sought no other reward for her efforts.

«And now, Messrs. Delegates, that you are on the point of departing from this city and from the territory of the Republic, allow me, in conclusion, to express a wish that comes from my heart, and rises spontaneously to my lips: It is that when you return to your homes, when you tread once more your native soil to enjoy the felicity to which your merits entitle you, you will entertain towards Mexico a memory as kindly and fraternal as she will preserve of you. And may the souvenir thus evoked, mingling with your realization of the aims for which this Conference was convened, serve to confirm and strengthen your love of peace, fraternity and justice, and may those sentiments, placed at the service of your several nations, guide their policies, making them happy in themselves and happy in the reflected happiness of all their sister Republics, whether great or small.»

At the close of his oration, His Excellency Mr. Mariscal spoke as follows:

In the name of the President of the United States of Mexico, I hereby declare the sessions of the second period of the Second International American Conference as closed.

The present Minutes were then read and adopted. The session closed at 5 o'clock P. M.

