

**THE QUESTION OF ABORIGINES  
IN THE LAW AND PRACTICE OF  
NATIONS, INCLUDING A  
COLLECTION OF AUTHORITIES  
AND DOCUMENTS**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649685417

The Question of Aborigines in the Law and Practice of Nations, Including a Collection of Authorities and Documents by Alpheus Henry Snow

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.  
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

[www.triestepublishing.com](http://www.triestepublishing.com)

**ALPHEUS HENRY SNOW**

**THE QUESTION OF ABORIGINES  
IN THE LAW AND PRACTICE OF  
NATIONS, INCLUDING A  
COLLECTION OF  
AUTHORITIES AND DOCUMENTS**



2217 29 g

# THE QUESTION OF ABORIGINES

IN THE LAW AND PRACTICE OF NATIONS

INCLUDING  
A COLLECTION OF AUTHORITIES  
AND DOCUMENTS

By  
ALPHEUS HENRY SNOW



WASHINGTON  
GOVERNMENT PRINTING OFFICE  
1919

APR 23 1920

#### PREFATORY NOTE.

The following is submitted to the Department of State, pursuant to a request made by letter dated April 29, 1918, that the author should "undertake the task of collecting, arranging, and, so far as [he] may deem necessary, editing the authorities and documents relating to the subject of 'Aborigines in the Law and Practice of Nations.'"

The author has discovered no treatise on the question, nor even any chapters in any book on international law or the law of colonies, to serve as a model or guide. He has therefore been compelled to develop the subject and arrange the authorities and documents according to his own judgment.

December 20, 1918.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to support informed decision-making.

3. The third part of the document focuses on the role of technology in modern data management. It discusses how advanced software solutions can streamline data collection, storage, and analysis, leading to more efficient and accurate results.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure the integrity and confidentiality of the organization's data.

5. The fifth part of the document discusses the importance of data governance and the role of a data governance committee. It outlines the key principles and best practices for establishing a robust data governance framework.

6. The sixth part of the document focuses on the role of data in driving business growth and innovation. It highlights how data-driven insights can identify new market opportunities, optimize operations, and improve customer experiences.

7. The seventh part of the document discusses the importance of data literacy and the need for ongoing training and education for all employees. It emphasizes that data literacy is a critical skill for success in the digital age.

8. The eighth part of the document discusses the role of data in compliance and regulatory reporting. It highlights the need for accurate and timely data to ensure the organization meets all applicable legal and regulatory requirements.

9. The ninth part of the document discusses the importance of data security and the need for robust security measures to protect the organization's data from cyber threats. It outlines the key components of a comprehensive data security strategy.

10. The tenth part of the document discusses the role of data in sustainability and social responsibility. It highlights how data can be used to track and report on the organization's environmental, social, and governance (ESG) performance.



## TABLE OF CONTENTS.

	Page.
CHAPTER I. Definition of aborigines.....	7
II. Historical introduction.....	16
III. Aborigines as the wards of the State which exercises sovereignty over them.....	24
IV. The relation between the power over aboriginal tribes and the power over colonies generally.....	38
V. The relation between the power over aboriginal tribes and the power over colonies generally (continued).....	55
VI. The rights of aborigines as respects the land inhabited by them..	73
VII. The rights of aborigines to personal liberty and personal property..	85
VIII. The duties of civilized States as guardians of aborigines.....	107
IX. The legal effect of agreements between civilized States or their citizens and aboriginal tribes.....	117
X. The founding of the independent State of the Congo and its effect on the law of nations regarding aborigines.....	129
XI. The institution by the Berlin-African Conference of a middle- African zone of international jurisdiction, and the effect of this action on the law of nations regarding aborigines.....	145
XII. The failure of the proposals in the Berlin-African Conference for neutralization and surveillance of the middle-African zone of international jurisdiction as affecting the development of the law of nations regarding aborigines.....	155
XIII. International action since the Berlin-African Conference, affecting the law of nations regarding aborigines.....	170
XIV. The doctrine of "intervention for humanity" and its effect on the development of the law of nations regarding aborigines.....	187
XV. The establishment of "the triple principle" by the action of international conferences in the case of Morocco, and the effect of this action on the development of the law of nations regarding aborigines.....	202

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent data collection procedures and the use of advanced analytical techniques to derive meaningful insights from the data.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and processing, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure that the data remains reliable and secure throughout its lifecycle.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that the data management processes remain effective and aligned with the organization's goals.

## THE QUESTION OF ABORIGINES IN THE LAW AND PRACTICE OF NATIONS.

### CHAPTER I.

#### DEFINITION OF ABORIGINES.

So far as the author of this report has been able to discover, no definition of the word "aborigines" as a term of the law and practice of nations has been made by any text-writer of recognized standing, or by any international body whose usage would determine its meaning. It therefore becomes necessary to formulate such a definition from an examination of the meaning attached to the word by lexicographers and by a study of the context of public documents of recognized authority in the law and practice of nations in which the word is used.

The following definition, formulated in that manner, is adopted for the purposes of this report:

Aborigines are the members of uncivilized tribes which inhabit a region at the time a civilized State extends its sovereignty over the region, and which have so inhabited from time immemorial; and also the uncivilized descendants of such persons dwelling in the region.

As a term of the law and practice of nations, "aborigines" is primarily a term of that division of the general public law which is not strictly national or strictly international, and which is concerned with the relations between a State recognized as one of the civilized States and uncivilized tribes under its sovereignty. Aborigines are distinguished from "colonists," the latter term including the citizens of civilized States who settle in the region. The relations of aborigines with each other, with the colonists, and with the colonizing State are necessarily subject to a special régime established by the colonizing State for the purpose of fitting the aborigines for civilization, and opening the resources of the land to the use of the civilized world. All civilized States which assume sovereignty over regions inhabited by aborigines undertake a civilizing work which, while varying in its details, is identical in its general nature and in the fundamental principles to be applied. Hence the dealings of individual civilized States with aborigines under their respective sovereignties are matters of common interest to all nations, and the