

# TREATIES.

*Additional separate and secret Article to the Treaty of Amity and Commerce and to that of eventual and defensive Alliance between the United States of America and France. Concluded at Paris, February 6, 1778.*

Feb. 6, 1778.

Annulled.  
1798, ch. 67.  
Vol. i. p. 578.

## ACT SEPARATE AND SECRET.

THE most Christian King declares in consequence of the intimate union which subsists between him and the King of Spain, that in concluding with the United States of America this treaty of amity and commerce, and that of eventual and defensive alliance, his Majesty hath intended and intends to reserve expressly, as he reserves by this present separate and secret act, to his said Catholic Majesty, the power of acceding to the said treatys, and to participate in their stipulations at such time as he shall judge proper. It being well understood nevertheless, that if any of the stipulations of the said treatys are not agreeable to the King of Spain, his Catholic Majesty may propose other conditions analogous to the principal aim of the alliance and conformable to the rules of equality, reciprocity, and friendship.

The Deputies of the United States, in the name of their constituents, accept the present Declaration in its full extent, and the Deputy of the said States who is fully empower[ed] to treat with Spain promises to sign on the first requisition of his Catholic Majesty, the act or acts necessary to communicate to him the stipulations of the treaties above written; and the said Deputy shall endeavor in good faith the adjustment of the points in which the King of Spain may propose any alteration, conformable to the principles of equality, reciprocity, and

## ACTE SÉPARÉ ET SECRET.

LE Roi très Chrétien déclare en conséquence de l'union intime qui subsiste entre lui et le Roi d'Espagne, qu'en concluant avec les Etats-Unis de l'Amérique Septentrionale le traité d'amitié et de commerce et celui d'alliance éventuelle et deffensive, Sa Majesté a entendu et entend réserver expressement, comme elle réserve par le présent acte séparé et secret à Sa dite Majesté Catholique la faculté d'accéder aux dits traités, et de participer à leurs stipulations, dans quelque tems qu'elle le juge à propos, bien entendu néanmoins que si quelques unes des stipulations des dits traités ne converoient point au Roi d'Espagne, Sa Majesté Catholique seroit maitresse de proposer d'autres conditions analogues au but principal de l'alliance, et conformer aux lois de l'égalité, de la réciprocité et de l'amitié.

Les Députés des Etats-Unis au nom de leurs commettans acceptent la présente Déclaration dans toute son étendue, et le Député des dits Etats spécialement chargé des pleinpouvoirs pour traiter avec la Couronne d'Espagne, promet de signer à la première réquisition de Sa Majesté Catholique l'acte ou les actes nécessaires, pour lui rendre communes les stipulations des traités ci-dessus relatés, et le dit Député se prêtera de bonne foi à l'ajustement des points auxquels le Roi d'Espagne voudroit apporter quelques changemens, conformément aux

The power of acceding to the treaties between the United States and France expressly reserved for the King of Spain.  
Vol. viii. pp. 6, 12.

Stipulations may be changed.

The deputies of the United States assent.

\* The first four Treaties in this pamphlet have not been previously published in the Statutes at Large, and are now printed to make the list as nearly complete as possible.

the most sincere and perfect amity ; he the said Deputy not doubting but that the person or persons im-power'd by his Catholic Majesty to treat with the United States will do the same with regard to any alterations of the same kind that may be thought necessary by the said Plenipotentiary of the United States. In faith whereof the respective Plenipotentiaries have signed the present separate and secret article, and affixed to the same their seals.

Execution.

Done at Paris this sixth day of February, one thousand seven hundred and seventy-eight.

C. A. GERARD, [L. s.]

B. FRANKLIN, [L. s.]

SILAS DEANE, [L. s.]

ARTHUR LEE, [L. s.]

Deputy, Plenipotentiary for France and Spain.

principes de l'égalité, de la réciprocité et de l'amitié la plus parfaite et la plus sincère, ne doutant pas le dit Député que la personne ou les personnes qui seront autorisées par le Roi Catholique à traiter avec les Etats-Unis, n'en usent de même, relativement aux changemens de la même nature que le dit Plénipotentiaire des Etats-Unis pourra juger nécessaires.

En foi de quoi les Plénipotentiaires respectifs ont signé le présent article séparé et secret, et y ont apposé le cachet de leurs armes.

Fait à Paris le sixième jour du mois de février mil sept cent soixante dix huit.

C. A. GERARD, [L. s.]

B. FRANKLIN, [L. s.]

SILAS DEANE, [L. s.]

ARTHUR LEE, [L. s.]

Député plénipotentiaire pour la France et l'Espagne.

*Treaty between the Thirteen United States of North America and France. Signed at Versailles, February 25th, 1783.\**

Feb. 25, 1783.

Annulled.  
1798, ch. 67.  
Vol. i. p. 578.

*A contract between his most Christian Majesty and the thirteen United States of North America, entered into at Versailles, on the 25th of February, 1783.*

*Un Contrat entre Sa Majesté le Roi très Chrétien et les treize Etats-Unis de l'Amérique Septentrionale, passé à Versailles le 25 Février 1783.*

THE re-established peace between the belligerent powers, the advantages of a free commerce to all parts of the globe, and the independence of the thirteen United States of North America, acknowledged and founded on a solid and honorable basis, rendered it probable that the said States would be in a condition to provide hereafter for their necessities, by means of the resources within themselves, without being compelled to implore the continuation of the succours which the king has so liberally granted during the war: But the minister plenipotentiary of the said United States to his Majesty, having represented to him the exhausted state to which they have been reduced by a long and disastrous war, his Majesty has condescended to take into consideration the request made by the aforesaid minister, in the name of the Congress of the said States, for a new advance of money to answer numerous purposes of urgent and indispensable expenses in the course of the present year; his Majesty has in consequence determined, notwithstanding the no less pressing necessities of his own service, to grant to Congress a new pecuniary assistance, which he has fixed at the sum of six millions livres tournois, under the title of loan, and under the guaranty of the whole thirteen United States, which the minister of Congress has declared his acceptance of, with the liveliest acknowledgments, in the name of the said States.

LA paix rétablie entre les Puissances belligérantes, les avantages d'un commerce libre dans toutes les parties du globe et l'indépendance des treize Etats-Unis de l'Amérique Septentrionale, reconnue et fondée sur une base solide et honorable, promettoient de voir les dits Etats en situation de pourvoir dès à présent à leurs besoins par les ressources qui leur sont propres, sans être forcés d'implorer la continuation des secours que le Roi leur a si librement accordés pendant la durée de la guerre; mais le ministre plénipotentiaire des dits Etats-Unis près Sa Majesté, lui ayant exposé l'épuisement où les a réduit une guerre longue et désastreuse, Sa Majesté a daigné prendre en considération la demande faite par le ministre susdit au nom du Congrès des dits Etats, d'une nouvelle avance d'argent pour subvenir à une multitude d'objets de dépenses urgentes et indispensables dans le cours de la présente année; Sa Majesté s'est déterminée en conséquence, malgré les besoins non moins pressants de son propre service, à accorder au Congrès une nouvelle assistance pécuniaire qu'elle a fixée à la somme de six millions de livres tournois, à titre de prêt et sous la garantie solidaire des treize Etats-Unis, ce que le ministre du Congrès a déclaré accepter avec la plus vive reconnaissance au nom des dits Etats.

Preamble.

New pecuniary assistance granted to Congress as a loan.

\* This Treaty was ratified by the Old Congress on the 31st of October, 1783, and by the King of France on the 21st of December, 1783. The date of exchange of ratifications does not appear, but was probably that of the ratification by the King.

Periods for the payment of the loan assigned.

And as it is necessary to the good order of his Majesty's finances, and also useful to the operations of the finances of the United States, to assign periods for payment of the six millions livres in question, and to regulate the conditions and terms of reimbursement which should be made at his Majesty's royal treasury at Paris, after the manner of what has been stipulated for the preceding advances, by a former contract of the 16th July, 1782.

Contracting parties.

We, Charles Gravier, Count de Vergennes, &c., Counsellor of the King in his councils, Commander of his orders, chief of the royal council of finances, Counsellor of State, &c., Minister and Secretary of State, and of his commands and finances, invested with full powers by his Majesty, given to us for the purpose of these presents:—

And we, Benjamin Franklin, minister and plenipotentiary of the United States of North America, likewise invested with full powers by the Congress of said States for the same purpose of these presents, after having compared and duly communicated to each other our respective powers, have agreed on the following articles:—

#### ARTICLE I.

Money to be paid in twelve monthly payments, and upon what promise.

The payment of the six millions livres, French money above mentioned, shall be made from the funds of the royal treasury, in proportions of five hundred thousand livres during each of the twelve months of the present year, under the acknowledgments of the minister of the said United States, promising in the name of Congress, and in behalf of the thirteen United States, to reimburse and refund the said six millions livres, in ready money, at his Majesty's royal treasury, at the house of the sieur grand banker at Paris, with interest at five per cent. per annum, at periods hereafter stipulated in the third and fourth articles. The advances which his Majesty has been pleased to allow to be made on account of the six millions in question shall be deducted in the payments of the first month of this year.

Advances already made to be deducted from first payments.

Et comme il est nécessaire au bon ordre des finances de Sa Majesté et même utile aux opérations de la finance des Etats-Unis, d'assigner les époques de payment des six millions de livres dont il s'agit et de régler les conditions et les termes du remboursement qui doit en être fait au trésor royal de Sa Majesté à Paris, à l'exemple de ce qui a été stipulé pour les précédentes avances, par un premier contrat du 16 Juillet, 1782.

Nous, Charles Gravier, Comte de Vergennes, &c., Conseiller du Roi en tous ses conseils, Commandeur de ses ordres, Chef du Conseil Royal des Finances, Conseiller d'Etat et d'Epee, Ministre et Secrétaire d'Etat et des ses Commandemens et Finances, muni des pleins pouvoirs de Sa Majesté à nous donnés à l'effet des présentes.

Et nous, Benjamin Franklin, Ministre Plénipotentiaire des Etats-Unis de l'Amérique Septentrionale, pareillement muni des pouvoirs du Congrès des dits Etats au même effet des présentes, après en avoir conféré et nous être dûement communiqué nos pouvoirs respectifs, avons arrêté les articles qui suivent.

#### ARTICLE Per.

Le paiement de six millions de livres argent de France énoncées ci-dessus, sera fait des fonds du trésor royal, à raison de cinq cens mille livres par chacun des douze mois de la présente année, sur les reconnoissances du ministre des dits Etats-Unis, portant promesse au nom du Congrès et solidairement pour les treize Etats-Unis, de faire rembourser et restituer en argent comptant au trésor royal de Sa Majesté, au domicile du S. grand banquier à Paris, la dite somme de six millions de livres, avec les intérêts à cinq pour cent l'an, aux époques stipulées par les articles trois et quatre ci-après; les avances que Sa Majesté a bien voulu promettre qui soient faites à compte des six millions dont il s'agit, seront imputées sur les payemens des premiers mois de cette année.

## ARTICLE II.

For better understanding the fixing of periods for the reimbursement of the six millions at the royal treasury, and to prevent all ambiguity on this head, it has been found proper to recapitulate here the amount of the preceding aids granted by the king to the United States, and to distinguish them according to their different classes. The first is composed of funds lent successively by his Majesty, amounting in the whole to the sum of eighteen millions livres, reimbursable in specie at the royal treasury in twelve equal portions of a million five hundred thousand livres each, besides the interest, and in twelve years, to commence from the third year after the date of the peace, the interest, beginning to reckon at the date of the peace, to be discharged annually, shall diminish in proportion to the reimbursement of the capital, the last payment of which shall expire in the year 1798.

The second class comprehends the loan of five millions Dutch florins, amounting, by a moderate valuation, to ten millions livres tournois, the said loan made in Holland, in 1781, for the service of the United States of North America, under the engagement of the king to refund the capital with interest, at four per cent. per annum, at the general counter of the states-general of the United Provinces of the Netherlands, in ten equal portions, reckoning from the sixth year of the date of the said loan, and under the like engagement on the part of the minister of Congress, and in behalf of the thirteen United States, to reimburse the ten millions of said loan in ready money at the royal treasury, with interest, at four per cent. per annum, in ten equal portions of a million each, and in ten periods from year to year, the first of which shall take place in the month of November, 1787, and the last in the same month, 1796. The whole conformable to the conditions expressed in the contract of the 16th July, 1782.

In the third class are comprehended the aids and subsidies fur-

## ARTICLE 2°.

Pour l'intelligence de la fixation des termes de remboursement des six millions au trésor royal, et pour prévenir toute ambiguïté à ce sujet, il a été trouvé convenable de récapituler ici le montant des précédens secours accordés par le Roi aux Etats-Unis, et de les distinguer suivant leurs différentes classes; la première est composée des fonds successivement prêtés par Sa Majesté, montans ensemble à la somme de dix huit millions de livres, remboursables en espèces au trésor royal en douze parties égales de quinze cens mille livres chacune, outre les intérêts, et en douze années à commencer seulement de la troisième après l'époque de la paix; les intérêts commençant à courir de l'époque de la paix pour être acquittés chaque année, doivent diminuer à mesure et en proportion du remboursement des capitaux, dont le dernier terme écherra dans l'année 1798.

Indebtedness to France divided into three classes.

First class;

when to be repaid with interest.

La seconde classe comprend l'emprunt de cinq millions de florins de Hollande, montant par évaluation modérée à dix millions de livres tournois, le dit emprunt fait en Hollande en 1781 pour le service des Etats-Unis de l'Amérique Septentrionale, sous l'engagement du Roi d'en restituer le capital avec les intérêts à 4 pour cent l'an, au comptoir général des Etats Généraux des Provinces-Unies des Pays-Bas, en dix parties égales à compter de la sixième année de la date du dit emprunt; et sous pareil engagement de la part du Ministre du Congrès et solidairement pour les treize Etats-Unis, de faire le remboursement des dix millions du dit emprunt, en argent comptant au trésor royal, avec les intérêts à 4 pour cent par an, en dix parties égales d'un million chacune et en dix termes d'année en année dont le premier écherra au mois de Novembre 1787, et le dernier dans le même mois de l'année 1796. Le tout conformément aux conditions exprimées au contrat du 16 Juillet 1782.

Second class;

when to be repaid and at what rate of interest.

Dans la troisième classe sont compris les secours et subsides fournis

Third class.

Third class.

Vol. viii pp.  
6, 12.Gratuitous  
gift confirmed,  
in case, &c.

nished to the Congress of the United States, under the title of gratuitous assistance, from the pure generosity of the king, three millions of which were granted before the treaty of February, 1778, and six millions in 1781; which aids and subsidies amount in the whole to nine millions livres tournois. His Majesty here confirms, in case of need, the gratuitous gift to the Congress of the said thirteen United States.

au Congrès des Etats-Unis, à titre d'assistance gratuite de la pure générosité du Roi, dont trois millions accordés antérieurement au traité du mois de Février 1778, et six millions en 1781, desquels secours et subsides montans ensemble à neuf millions de livres tournois, Sa Majesté confirme ici en tant que de besoin, le don gratuit au Congrès desd<sup>ts</sup>. treize Etats-Unis.

## ARTICLE III.

New loan,  
when and how to  
be repaid, and at  
what rate of  
interest.

The new loan of six millions livres tournois, the subject of the present contract, shall be refunded and reimbursed in ready money at his Majesty's royal treasury, in six equal portions of a million each, with interest at five per cent. per annum, and in six periods, the first of which shall take place in the year 1797, and so on, from year to year, until 1802, when the last reimbursement shall be completed.

ARTICLE 3<sup>o</sup>.

Le nouveau prêt de six millions de livres tournois qui fait la matière du présent contrat, sera restitué et remboursé en argent comptant au trésor royal de Sa Majesté, en six parties égales d'un million chacune avec les intérêts à cinq pour cent par an, et en six termes dont le premier écherra en l'année 1797, et ainsi d'année en année jusqu'en 1802, que le dit remboursement sera effectué.

## ARTICLE IV.

Interest when  
to begin to run,  
and to be paid  
annually in  
Paris.

The interest of five per cent. per annum, of the capital of the six millions mentioned in the preceding article, shall begin to be reckoned from the first of January, of the year 1784, and shall be paid in ready money at his Majesty's royal treasury at Paris on the same day of each year, the first of which shall take place the first of January, 1785, and so on, from year to year, until the definitive reimbursement of the capital; his Majesty being pleased, by a new act of generosity, to present and remit to the thirteen United States the partial interest of the present year, which the undersigned minister of Congress has declared to accept with acknowledgment in the name of the said United States.

ARTICLE 4<sup>o</sup>.

Les intérêts à cinq pour cent l'an, du capital de six millions énoncé en l'article ci-dessus, commenceront à courir du premier Janvier de l'année 1784, et seront payés comptant au trésor royal de Sa Majesté à Paris, au même jour de chacune année dont la première écherra le premier Janvier 1785, et ainsi d'année en année jusqu'au remboursement définitif du capital, Sa Majesté voulant bien par un nouvel acte de générosité, faire don et remise aux treize Etats-Unis, des intérêts partiels de la présente année, ce que le ministre soussigné du Congrès a déclaré accepter avec reconnaissance, au nom des dits Etats-Unis.

## ARTICLE V.

Interest pay-  
able to diminish  
as the payments  
are made.

The interest of the capital of the six millions shall diminish in proportion to the reimbursements at the periods fixed in the preceding arti-

ARTICLE 5<sup>o</sup>.

Les intérêts du capital de six millions diminueront dans la proportion des remboursemens aux époques fixées en l'article ci-dessus; le Con-

cle; Congress and the United States reserving, however, the liberty of freeing themselves by anticipated payments, should the state of their finances admit.

## ARTICLE VI.

The contracting parties will reciprocally guaranty the faithful observation of the foregoing articles, the ratifications of which shall be exchanged in the space of nine months from the date of this present contract, or sooner if possible.

In faith whereof, we, the ministers plenipotentiaries of his Majesty and the Congress of the thirteen United States of North America, in virtue of our respective full powers, have signed the present contract, and thereunto affixed the seal of our arms.

Done at Versailles, the twenty-fifth day of February, one thousand seven hundred and eighty-three.

GRAVIER DE VERGENNES,

[L. s.]

B. FRANKLIN,

[L. s.]

grès et les Etats-Unis se réservent néanmoins la faculté d'accélérer leur libération par des remboursemens anticipés, si l'état de leur finance pouvoit le leur permettre.

## ARTICLE 6°.

Les parties contractantes se garantissent réciproquement l'observation fidèle des articles ci-dessus, dont les ratifications seront échangées dans l'espace de neuf mois, ou plutôt s'il est possible, à compter de la datte du présent contrat.

En foi de quoi nous, ministres plenipotentiaires de Sa Majesté et du Congrès des treize Etats-Unis de l'Amérique Septentrionale, en vertu de nos plein-pouvoirs respectifs, avons signé le présent contrat et y avons fait apposer le cachet de nos armes.

Fait à Versailles le vingt-cinquième jour du mois de Février mil sept cent quatre-vingt-trois.

GRAVIER DE VERGENNES,

[L. s.]

B. FRANKLIN,

[L. s.]

Ratifications,  
when to be ex-  
changed.

Signature.





*Convention between the United States and Venezuela for settlement of Aves Island claims. Signed January 14, 1859 ; Ratified Feb. 26, 1861.*

*Convenio entre los Estados Unidos y Venezuela para el arreglo de reclamaciones teniendo relacion á la Isla de Aves.* Jan. 14, 1859.

EDWARD A. TURPIN, Minister Resident of the United States of America, and Luis Sanojo, Secretary of State in the Department of Foreign Relations of the Government of Venezuela, being duly authorized to form an equitable agreement for the satisfaction of the damages and losses sustained by Philo S. Shelton, Sampson and Tappan, and Lang and Delano, in consequence of the evictions of their agents and employees from the Aves Island by the forces of Venezuela, have agreed upon the following articles :—

EDUARDO A. TURPIN, Ministro Residente de los Estados Unidos de América, y Luis Sanojo, Secretario de Estado en el Departamento de Relaciones Exteriores del Gobierno de Venezuela, debidamente autorizados para formar un convenio equitativo para la satisfaccion de los daños y pérdidas sufridos por Philo S. Shelton, Sampson y Tappan, y Lang y Delano á consecuencia de haberse lanzado á sus agentes y empleados de la isla de Aves, por medio de las fuerzas de Venezuela, han convenido en los artículos siguientes :—

Contracting parties.

ARTICLE I.

ARTÍCULO 1º.

The Government of Venezuela obliges itself to pay to the Government of the United States or to its Minister Resident in Venezuela the gross sum of one hundred and thirty thousand dollars, United States currency (\$ 130,000) of which said sum, one hundred and five thousand dollars (\$ 105,000) is in liquidation of the claims of Shelton, Sampson, and Tappan, and is to be distributed among themselves, and the residue, that is to say, twenty-five thousand dollars (\$ 25,000) is in liquidation of claims of Lang and Delano.

El Gobierno de Venezuela se obliga á pagar al Gobierno de los Estados Unidos, ó á su Ministro Residente en Venezuela la suma total de ciento treinta mil pesos, moneda corriente de los Estados Unidos (\$ 130,000), de cuya suma ciento y cinco mil pesos (\$ 105,000) pertenecen á la liquidacion de los reclamos de Shelton, Sampson y Tappan y deben distribuirse por ellos y entre ellos ; y el residuo, es decir, veinte y cinco mil pesos (\$ 25,000) pertenece á la liquidacion del reclamo de Lang y Delano.

Venezuela to pay the United States the sum of \$ 130,000 in liquidation of certain claims.

ARTICLE II.

ARTÍCULO 2º.

The said sum of one hundred and thirty thousand dollars, shall be paid in the following terms :—

La suma dicha de ciento treinta mil pesos será abonada dentro de los plazos siguientes :—

Mode of payment.

For Shelton, Tappan, & Sampson.

	1st June . . . . .	\$2,500
	1st August . . . . .	2,500
1859	1st October . . . . .	2,500
	1st December . . . . .	2,500
		\$10,000

Para Philo Sampson & Cº., & Sampson & Tappan.

	1º de Junio . . . . .	\$2,500
	1º de Agosto . . . . .	2,500
1859	1º de Octubre . . . . .	2,500
	1º de Diciembre . . . . .	2,500
		\$10,000

For Shelton & Co.		For Lang & Delano.		Para Shelton & C <sup>a</sup> .		Para Lang & Delano.	
1860 {	30 June \$ 7,500		\$ 2,000	1860 {	30 de Junio \$ 7,500		\$ 2,000
	31 Dec. 7,500		2,000		31 de Dic. 7,500		2,000
		\$ 15,000	\$ 4,000			\$ 15,000	\$ 4,000
1861 {	30 June 10,000		2,000	1861 {	30 de Junio 10,000		2,000
	31 Dec. 10,000		2,000		31 de Dic. 10,000		2,000
		20,000	4,000			20,000	4,000
1862 {	30 June 10,000		2,500	1862 {	30 de Junio 10,000		2,500
	31 Dec. 10,000		2,500		31 de Dic. 10,000		2,500
		20,000	5,000			20,000	5,000
1863 {	30 June 10,000		3,000	1863 {	30 de Junio 10,000		3,000
	31 Dec. 10,000		3,000		31 de Dic. 10,000		3,000
		20,000	6,000			20,000	6,000
1864 {	30 June 10,000		3,000	1864 {	30 de Junio 10,000		3,000
	31 Dec. 10,000		3,000		31 de Dic. 10,000		3,000
		20,000	6,000			20,000	6,000
		\$ 95,000	\$ 25,000			\$ 95,000	\$ 25,000

Interest at the rate of five per cent. per annum shall be paid on the gross amount of indemnity, commencing from the 1st day of this present month, January, 1859, and being added to the several instalments as they fall due. The interest being always computed on the amount of indemnity remaining unpaid at the time of the payment of the several instalments.

### ARTICLE III.

In consideration of the above agreement and indemnification, the Government of the United States, and the individuals in whose behalf they have been made, agree to desist from all further reclamation respecting the Island of Aves.

### ARTICLE IV.

This agreement shall be submitted to the present National Convention, and in case it should not be ratified by it before the closing of its present session, then it shall be considered null and void.

Valencia, January the fourteenth of eighteen hundred and fifty-nine.

LUIS SANOJO.

E. A. TURPIN.

The National Convention having seen the foregoing agreement concluded on the fourteenth of January last past between the Secretary of Foreign Relations of the Republic and the Minister Resident of the United States,

Resolves,

To give its approval to the Convention aforesaid with the suppression, in Article III. of the second part, which is as follows:—

Se abonará un interes de cinco por ciento anual sobre la totalidad de la suma de indemnizacion, comenzando desde el primero del corriente mes, y agregándose los diversos plazos á proporcion que se venzan. Computándose siempre el interés sobre el monto de indemnizacion que quede sin satisfacerse al tiempo del pago de los diversos plazos.

### ARTÍCULO 3º.

Por virtud de esta transaccion, el Gobierno de los Estados Unidos y los particulares en cuyo favor se ha convenido en las anteriores indemnizaciones, desisten de toda reclamacion sobre la isla de Aves.

### ARTÍCULO 4º.

El presente convenio será sometido á la actual Convencion Nacional y caso de no sea considerado ni aprobado por ella, ántes de cerrarse, se considerará nulo y de ningun valor.

Valencia, Enero catorce de mil ochocientos cincuenta y nueve.

E. A. TURPIN.

LUIS SANOJO.

La Convencion Nacional, visto el precedente convenio celebrado el catorce de Enero próximo pasado, entre el Secretario de Relaciones Exteriores de la República i el Ministro Residente de los Estados Unidos,

Resuelve:

Prestar su aprobacion al preinserto convenio, con la supresion, en el artículo 3º. de la segunda parte que dice así: “haciendo abandono en

Interest.

No further reclamation respecting Aves Island.

This convention to be null and void if not ratified, &c.

Ratification.

"Abandoning to the Republic of Venezuela whatever rights might pertain to them" (rights to Aves Island); and with the provision that the interest stipulated in Article II. shall always be simple interest, which shall only be paid successively, on the unpaid principal.

Done at Valencia in the Hall of Sessions of the National Convention, February first, one thousand eight hundred and fifty-nine.

(Signed) *The President,*  
F. TORO.

*The Secretary,*  
R. RAMIREZ.

Valencia, February 3, 1859.

Let it be executed. J. CASTRO.

By His Excellency.

The Secretary of State, in the Department of Foreign Relations,  
LUIS SANOJO.

A Copy.

The Assistant Secretary of Foreign Relations,

[SEAL.] R. VALENZUELA.

favor de la República de Venezuela de todos los derechos que á ella (á la isla de Aves,) puedan tener"; i con la advertencia de que el interés estipulado en el artículo 2º. será siempre interés simple, que se pagará solo, sucesivamente, sobre el capital no pagado.

Dada en Valencia, en el Salon de las sesiones de la Convencion Nacional, á primero de Febrero de mil ochocientos cincuenta i nueve.

Firmados, *El Presidente,*  
F. TORO.

*El Secretario,*  
R. RAMIREZ.

Valencia, Febrero 3 de 1859.

Ejecútese. J. CASTRO.

Por S. E.

El Secretario de Estado en el Despacho de Relaciones Exteriores,  
LUIS SANOJO.

Es copia.

El Subsecretario de Relaciones Exteriores,

[SELLO.] R. VALENZUELA.



*Modification, concluded December 17, 1867, to Treaty between the United States and Siam, of May 29, 1856. Ratified August 11, 1868.* Dec. 17-31, 1867.  
Vol. xi. p. 683.

No. 72.

UNITED STATES CONSULATE,  
BANGKOK, Dec. 31, 1867.Letter of the  
United States  
Consul Bang-  
ko

TO HON. F. W. SEWARD,  
*Assistant Secretary of State,*  
Washington, D. C.

SIR, — I have the honor to inform the Department that I have received a letter from his Excellency Chaw Phaya Praklang, Minister of Foreign Affairs, informing me that the Royal Counsellors for the Kingdom of Siam desire to change article first of the Treaty Regulations, and that the change shall go into effect on January 1st, 1868. The article alluded to is as follows, viz. :—

Change in the  
treaty regula-  
tions suggested.

“Every shipmaster upon anchoring his vessel at Paknam will deliver into the custody of the Custom-house officers, all his guns and ammunition, and a custom-house officer will then be appointed to the vessel and will proceed in her to Bangkok.”

The article as changed will require that the powder alone be left at Paknam, but that the guns be allowed to remain in the vessel. I have given my assent to the change and all the other Consuls have done the same.

The change is a very advantageous one to shipmasters, as in [the] shipping and reshipping of their guns, some of which were heavy, was attended with much delay and expense; whereas they generally have but a few pounds of powder on board which can be boxed up and put ashore in a very short time.

I have the honor to be, Sir,  
Your obedient servant,  
J. M. HOOD *U. S. Consul.*

CHAW PHAYA PRAKLANG, *Minister of Foreign Affairs of the Kingdom of Siam,* to MR. J. M. HOOD, *U. S. Consul,*

Saying, — That the Sénabodee of the Kingdom of Siam have considered this matter, and have come to the conclusion that, as they saw that Siam was near the water and that trading ships could ascend to the city, for this reason they asked a clause in the treaties, that all guns and powder should be landed at Paknam before the ship would ascend the river.

The Ministers Plenipotentiary also were of the same opinion, and yielded this point to the Siamese in the Treaties. When a vessel came in and the Chaw Pausknan at Paknam received the guns and powder off the vessel, *that* [they] found it very difficult to take care of the powder and were afraid of an explosion, and for this reason they did not receive the powder from the vessel but simply the guns. But now a long time since the Senabodee are of the opinion that the taking off of the guns at Paknam is a source of trouble to the vessels, for they took off guns belonging to many persons and when the vessels *come* [came] down again it was often after night, and when the Captains went for their guns the wrong ones were frequently taken, and when the vessel coming afterwards

could not find her own guns, there was a fuss, and the Siamese officers had frequently to pay for the guns. Again the powder was left in the vessels, and they coming up and anchoring in the river, there was danger of an explosion and injury to the citizens here.

Therefore the Senabodee have ordered me to write to all the Consuls, and ask that the custom be changed from January 1st, 1868. We ask to take out the powder of the vessel at Paknam, but the guns can be left in the vessels and need not be taken out. If you are also of the same opinion, you will please inform masters of vessels and others under your protection to this effect. When the vessel comes to Paknam let them take out all the powder, but if they refuse to let the powder be taken out and it remains in the vessel and there arises any difficulty from that fact, we [beg to] claim indemnity according to the treaty.

Given Tuesday, December 17, 1867.

*Convention and Protocol between the United States of America and Sweden and Norway. Naturalization. Signed May 26, 1869; Ratified December 17, 1870; Exchanged June 14, 1871; Proclaimed January 12, 1872.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: May 26, 1869.

## A PROCLAMATION.

WHEREAS a convention and protocol between the United States of America and his Majesty the King of Sweden and Norway were concluded and signed by their respective plenipotentiaries, at the city of Stockholm, on the twenty-sixth day of May, 1869, which convention and protocol as amended by the Senate of the United States, and being in the English and Swedish languages, are word for word as follows:—

Preamble.

The President of the United States of America and his Majesty the King of Sweden and Norway, led by the wish to regulate the citizenship of those persons who emigrate from the United States of America to Sweden and Norway and their dependencies and territories, and from Sweden and Norway to the United States of America, have resolved to treat on this subject, and have for that purpose appointed plenipotentiaries to conclude a convention, that is to say: The President of the United States of America, Joseph J. Bartlett, Minister Resident; and his Majesty the King of Sweden and Norway, Count Charles Wachtmeister, Minister of State for Foreign Affairs; who have agreed to and signed the following articles:—

### ART. I.

Citizens of the United States of America who have resided in Sweden or Norway for a continuous period of at least five years, and during such residence have become and are lawfully recognized as citi-

Presidenten i Förenta Staterna af Amerika och Hans Majt. Konungen af Sverige och Norge, lifvade af önskan att reglera de personers nationalitet som utflytta från Förenta Staterna af Amerika till Sverige och Norge och dess underlydande länder och områden, och från Sverige och Norge till Förenta Staterna af Amerika, hafva beslutat att derom öfverenskomma, och till detta ändamål förordnat Fullmäktige att afsluta en konvention, nemligen:—

Contracting parties.

Presidenten i de Förenta Staterna af Amerika: Minister Presidenten Joseph J. Bartlett; och

Hans Majt. Konungen af Sverige och Norge: Herr Grefve Carl Wachtmeister, dess Stats Minister för Utrikes Arendena; hvilka hafva antagit och undertecknat följande artiklar:—

### ART. I.

Medborgare i de Förenta Staterna, som hafva uppehållit sig i Sverige eller Norge under en tid af åtminstone fem år och under detta uppehåll hafva blifvit och äro lagligen erkända såsom Svenske eller

When citizens of the United States are to be treated as citizens of Sweden and Norway.

zens of Sweden or Norway, shall be held by the government of the United States to be Swedish or Norwegian citizens, and shall be treated as such.

When citizens of Sweden and Norway are to be treated as citizens of the United States.

Reciprocally, citizens of Sweden or Norway who have resided in the United States of America for a continuous period of at least five years, and during such residence have become naturalized citizens of the United States, shall be held by the government of Sweden and Norway to be American citizens, and shall be treated as such.

Declaration of intent not to effect naturalization.

The declaration of an intention to become a citizen of the one or the other country has not for either party the effect of citizenship legally acquired.

#### ART. II.

Naturalized citizens liable on return to their original country for offences committed before emigration.

A recognized citizen of the one party, on returning to the territory of the other, remains liable to trial and punishment for an action punishable by the laws of his original country and committed before his emigration, but not for the emigration itself, saving always the limitation established by the laws of his original country and any other remission of liability to punishment.

#### ART. III.

Provision as to restoration to citizenship in original country.

If a citizen of the one party, who has become a recognized citizen of the other party, takes up his abode once more in his original country and applies to be restored to his former citizenship, the government of the last-named country is authorized to receive him again as a citizen on such conditions as the said government may think proper.

#### ART. IV.

Convention for the extradition of fugitives from justice not to be changed.  
Vol. xii. p. 1125.

The convention for the mutual delivery of criminals, fugitives from justice, in certain cases, concluded between the United States on the one part, and Sweden and Norway on the other part, the 21st March, 1860, remains in force without change.

Norske medborgare, skola af de Förenta Staternas Regering anses som Svenske eller Norske medborgare och behandlas såsom sådana.

Reciprokt: Svenske eller Norske medborgare, som hafva uppehållit sig i de Förenta Staterna af Amerika utan af brott under en tid af åtminstone fem år, och under detta uppehåll hafva blifvit naturaliserade såsom medborgare i de Förenta Staterna, skola af Sveriges och Norges Regering anses som Amerikanska medborgare och behandlas såsom sådana.

Tillkännagifvande om afsigten att blifva medborgare i det ena eller det andra landet har icke för någon af parterna verkan af lagligen förvärfvadt medborgareskap.

#### ART. II.

Om en såsom medborgare i det ena landet erkänd utvandrare återvänder till det andra landets område, förblifver han underkastad åtal och straff för en enligt det sednare landets lagar straffbar handling, som han begått före sin utvandring, men icke för sjelfva utvandringen; städse med förbehåll af den i hans ursprungliga hemlands lagar fastställda preskription samt af hvarje annan omständighet som medför frihet från ansvar.

#### ART. III.

Om en medborgare i det ena landet, som blifvit inom det andra såsom medborgare erkänd, åter bosätter sig i sitt ursprungliga hemland, kan Regeringen i detta sistnämnda land, på hans egen ansökning och under de villkor denna Regering finner lämpligt föreskrifva, åter upptaga honom till medborgare.

#### ART. IV.

Den emellan Förenta Staterna, å ena, samt Sverige och Norge, å andra sidan, den 21 Mars 1860 afslutade konvention om ömsesidigt utlemnande af för vissa begångna brott förrymda förbrytare, kommer fortfarande att gälla utan förändring.



## ART. V.

The present convention shall go into effect immediately on the exchange of ratifications, and shall continue in force for ten years. If neither party shall have given the other six months' previous notice of its intention then to terminate the same, it shall further remain in force until the end of twelve months after either of the contracting parties shall have given notice to the other of such intention.

## ART. VI.

The present convention shall be ratified by the President, by and with the advice and consent of the Senate of the United States, and by His Majesty the King of Sweden and Norway; and the ratifications shall be exchanged at Stockholm within twenty-four months from the date hereof.

In faith whereof the Plenipotentiaries have signed and sealed this convention.

STOCKHOLM, May 26, 1869.

[SEAL.] JOSEPH J. BARTLETT.

## PROTOCOL.

DONE AT STOCKHOLM, MAY 26, 1869.

The undersigned met to-day to sign the convention agreed upon in conformity with their respective full powers, relating to the citizenship of those persons who emigrate from the United States of America to Sweden and Norway, and from Sweden and Norway to the United States of America; on which occasion the following observations, more exactly defining and explaining the contents of this convention, were entered in the following protocol:—

I. Relating to the first article of the convention.

It is understood that if a citizen of the United States of America has been discharged from his American citizenship, or, on the other side, if a Swede or a Norwegian has

## ART. V.

Denna konvention skall träda i kraft omedelbart efter ratifikationernas utväxlande och skall förblifva gällande i tio år. Om ingendera af parterna sex månader förut meddelat den andra sin afsigt att densamma då upphäfva, förblifver den fortfarande gällande intill utgången af tolf månader efter det endera af de kontraherande parterna underrättat den andra om en dylik afsigt.

Convention when to go into effect, and how long to continue;

## ART. VI.

Denna konvention skall ratificeras af Presidenten i de Förenta Staterna af Amerika, uppå och med Senatens derstädes tillstyrkande och bifall, samt af Hans Majt. Konungen af Sverige och Norge; och ratifikationerna skola utväxlas i Stockholm inom tjugu fyra månader från denna dag.

Till bestyrkande hvaraf Fullmäktige denna konvention undertecknat och med sina insegel bekräftat.

STOCKHOLM den 26te Maj 1869.

[SIGILL.] C. WACHTMEISTER.

## PROTOKOLL.

Protocol.

UNDERTECKNADT I STOCKHOLM May 26, 1869.  
DEN 26 MAJ 1869.

Undertecknade sammanträdde i dag för att underskrifva den i öfverensstämmelse med deras respektiva fullmakter afslutade konvention rörande de personers nationalitet som utvandra från de Förenta Staterna af Amerika till Sverige och Norge och från Sverige och Norge till de Förenta Staterna af Amerika; och blefvo vid detta tillfälle följande förklaranden i detta protokoll intagna, i ändamål att närmare bestämma och förklara innehållet af denna konvention:—

I. I afseende å konventionens första artikel:

Det är öfverenskommet att om en medborgare i de Förenta Staterna af Amerika blifvit lagligen befriad från sitt amerikanska medborgareskap, eller, å andra sidan, om en

The additional five years' residence not required, when, &c.

been discharged from his Swedish or Norwegian citizenship, in the manner legally prescribed by the government of his original country, and then in the other country in a rightful and perfectly valid manner acquires citizenship, then an additional five years' residence shall no longer be required; but a person who has in that manner been recognized as a citizen of the other country shall, from the moment thereof, be held and treated as a Swedish or Norwegian citizen, and, reciprocally, as a citizen of the United States.

II. Relating to the second article of the convention.

Swedes, &c., naturalized in the United States and returning to their original country, liable to fulfil their military service, &c.

If a former Swede or Norwegian, who under the first article is to be held, as an adopted citizen of the United States of America, has emigrated after he has attained the age when he becomes liable to military service, and returns again to his original country, it is agreed that he remains liable to trial and punishment for an action punishable by the laws of his original country and committed before his emigration, but not for the act of emigration itself, unless thereby have been committed any punishable action against Sweden or Norway, or against a Swedish or Norwegian citizen, such as non-fulfilment of military service, or desertion from the military force or from a ship, saving always the limitation established by the laws of the original country, and any other remission of liability to punishment; and that he can be held to fulfil, according to the laws, his military service, or the remaining part thereof.

III. Relating to the third article of the convention.

Swedes, &c., naturalized in the United States, and renewing their residence in Sweden, with the intent not to return to the United States, held to renounce their American citizenship.

It is further agreed that if a Swede or Norwegian, who has become a naturalized citizen of the United States, renews his residence in Sweden or Norway without the intent to return to America, he shall be held by the government of the United States to have renounced his American citizenship.

Svensk eller Norrman af sitt fader-neslands Regering blifvit lagligen befriad från sitt svenska eller norska medborgareskap, och han derefter i stadgad och giltig ordning vinner medborgareskap i det andra landet, skall i sådant fall ett femårigt vistande ej dessutom vara erforderligt, utan den utvandrare, som på så sätt blifvit erkänd såsom medborgare i det andra landet, skall från denna stund anses och behandlas såsom Svensk eller Norsk medborgare eller reciprokt såsom medborgare i de Förenta Staterna.

II. I afseende å konventionens andra artikel:

Om en Svensk eller Norsk utvandrare, som enligt Art. I. är att betrakta såsom upptagen till medborgare i de Förenta Staterna af Amerika, har utvandrat efter uppnåendet af den i lag bestämda utskriftsålder, och derefter ånyo återvänt till sitt ursprungliga hemland, så är det öfverenskommet att han förblifver åtal och straff underkastad för de efter hans ursprungliga hemlands lagar straffbara handlingar som han kan hafva begått före sin utvandring, men icke för sjelfva utvandringen, med mindre den innefattar någon särskild mot Sverige eller Norge, eller mot en Svensk eller Norsk medborgare förfövat lagöfverträdelse, såsom ickefullgörande af värnepligten eller rymning ur krigstjenst eller från fartyg, städse med förbehåll af den i hans ursprungliga hemlands lagar fastställda preskription samt af hvarje annan omständighet som medför frihet från ansvar; samt att han kan tillhållas att, i enlighet med vederbörande lagstiftning, fullgöra sin värnepligt eller den återstående delen deraf.

III. I afseende å konventionens tredje artikel:

Det är vidare öfverenskommet att om en Svensk eller Norsk medborgare som blifvit naturaliserad såsom medborgare i de Förenta Staterna af Amerika, ånyo bosätter sig i Sverige eller Norge, utan afsigt att återvända till Amerika, skall han af Förenta Staternas Regering anses hafva afstått från sitt amerikanska medborgareskap.

The intent not to return to America may be held to exist when the person so naturalized resides more than two years in Sweden or Norway.

[SEAL.] JOSEPH J. BARTLETT.

Afsigten att icke återvända till Amerika anses förefinnas när den sålunda naturaliserade personen uppehållit sig mer än två år i Sverige eller Norge.

[SIGILL.] C. WACHTMEISTER.

And whereas the said convention and protocol as amended have been duly ratified on both parts, and the respective ratifications of the same were exchanged at Stockholm on the fourteenth day of June, in the year one thousand eight hundred and seventy-one, by C. C. Andrews, Minister Resident of the United States, and Count C. Wachtmeister, Minister of State for Foreign Affairs of his Majesty the King of Sweden and Norway;

Ratified.

And whereas the Senate, by their resolution of the eighth instant, (two-thirds of the Senators present concurring), did advise and consent to the said exchange, notwithstanding said exchange was delayed beyond the time appointed therefor, and resolved that the said exchange may be regarded as valid as if it had taken place within the time mentioned in the resolution of the Senate on the subject, of the 9th of December, 1870:

Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said convention and protocol to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclaimed.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twelfth day of January, in the year of our Lord one thousand eight hundred and seventy-  
[SEAL.] two, and of the Independence of the United States of America the ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*



*Convention between the United States of America and the Republic of Nicaragua. Extradition. Signed June 25, 1870; Ratified April 11, 1871; Ratifications exchanged June 24, 1871; Proclaimed September 19, 1871.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: June 25, 1870.

## A PROCLAMATION.

WHEREAS a convention for the extradition of criminals between the United States of America and the Republic of Nicaragua was concluded and signed at Managua, by their respective plenipotentiaries, on the twenty-fifth day of June, 1870; which convention, being in the English and Spanish languages, is word for word as follows:—

Preamble.

EXTRADITION CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF NICARAGUA.

The United States of America and the Republic of Nicaragua, having judged it expedient, with a view to the better administration of justice, and to prevention of crimes within their respective territories and jurisdiction, that persons convicted of, or charged with the crimes hereinafter mentioned, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude a convention for that purpose, and have appointed as their plenipotentiaries: the President of the United States, Charles N. Riotte, a citizen and Minister Resident of the United States in Nicaragua, the President of the Republic of Nicaragua, Mister Tomas Ayon, Minister for For[eign] Relations, who, after reciprocal communication of their full powers, found in good and due form, have agreed upon the following articles, viz.:—

### ARTICLE I.

The government of the United States and the government of Nicaragua mutually agree to deliver up persons who, having been convicted

CONVENCION DE EXTRADICION ENTRE LA REPÚBLICA DE NICARAGUA I LOS ESTADOS UNIDOS DE AMERICA.

La República de Nicaragua i los Estados Unidos de América, habiendo juzgado conveniente para la mejor administracion de justicia, i para prevenir crímenes dentro de sus territorios respectivos, que las personas condenadas por ó acusadas le los crímenes enumerados en seguida i siendo fugitivas de la justicia, sean bajo ciertas circunstancias reciprocamente entregadas, han resuelto celebrar una convencion, i con tal objecto han nombrado como sus respectivos Plenipotenciarios: el Presidente de la República de Nicaragua al señor Don Tomas Ayon, Ministro de Relaciones Exteriores, i el Presidente de los Estados Unidos á Carlos N. Riotte, ciudadano i Ministro Residente de los Estados Unidos en Nicaragua, quienes, despues de haberse comunicado reciprocamente sus plenos poderes i halládoslos en buena i debida forma, han convenido en los articulos siguientes:—

Contracting parties.

### ART[ICUL]O I.

El gobierno de Nicaragua i el gobierno de los Estados Unidos convienen en entregarse mutuamente las personas condenadas por

Persons convicted of or charged with certain crimes, &c., to be given up.

Proof, &amp;c.

of or charged with the crimes specified in the following article, committed within the jurisdiction of one of the contracting parties, shall seek an asylum or be found within the territories of the other: Provided, That this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his or her apprehension and commitment for trial, if the crime had been there committed.

## ARTICLE II.

Crimes;

Persons shall be delivered up, who shall have been convicted of, or be charged, according to the provisions of this convention, with any of the following crimes:—

murder;

1. Murder, comprehending assassination, parricide, infanticide, and poisoning.

rape, arson,  
piracy, &c.;

2. The crimes of rape, arson, piracy, and mutiny on board a ship, whenever the crew, or part thereof, by fraud or violence against the commander, have taken possession of the vessel.

burglary and  
robbery;

3. The crime of burglary, defined to be the action of breaking and entering by night into the house of another with the intent to commit felony; and the crime of robbery, defined to be the action of feloniously and forcibly taking from the person of another, goods or money, by violence or putting him in fear.

forgery;

4. The crime of forgery, by which is understood the utterance of forged papers, the counterfeiting of public, sovereign, or government acts.

counterfeiting;

5. The fabrication or circulation of counterfeit money, either coin or paper, of public bonds, bank notes, and obligations, and in general of all titles of instruments of credit, the counterfeiting of seals, dies, stamps, and marks of State and public administrations and the utterance thereof.

embezzlement  
by public officers,  
&c.

6. The embezzlement of public moneys, committed within the jurisdiction of either party, by public officers or depositors.

ó acusadas de los crímenes enumerados en el artículo que sigue, cometidos dentro de la jurisdicción de una de las partes contratantes i que hayan buscado asilo ó se encuentren dentro del territorio de la otra: Bien entendido que esto solo tendrá lugar cuando la criminalidad se evidencie de tal manera que según las leyes del país donde se encuentre la persona fugitiva ó acusada, sería legítimamente arrestada i enjuiciada, si en él se hubiese cometido el crimen.

## ARTICULO II.

Serán entregadas las personas condenadas ó acusadas, con arreglo á lo dispuesto en esta convención, de alguno de los crímenes siguientes:—

1°. El homicidio voluntario, incluyendo el asesinato, el parricidio, el infanticidio i el envenenamiento.

2°. Los crimines de raptó, incendio, piratería i motín á bordo de una embarcación, cuando la tripulación ó porción de ella, con fraude ó violencia contra el comandante, han tomado posesión del buque.

3°. El crimen de allanamiento, entendiéndose por esto el acto de descerrajar ó forzar é introducirse á casa de otro durante la noche para cometer algun crimen; i el crimen de robo, definiéndolo el acto de tomar de la persona de otro con fuerza é intension criminal, efectos ó moneda, por medio de violencia ó intimidación.

4°. El crimen de falsificación, con que se entiende, introducir á sabiendas ó poner en circulación papeles falsificados, falsear documentos públicos del soberano ó del gobierno.

5°. La fabricación ó circulación de monedas falsas, ó acuñada ó de papel, de bonos públicos, billetes de banco i obligaciones, i generalmente de cualesquier títulos, ó instrumento de crédito, la falsificación de sellos, cuños, troqueles i marcas del estado i de administraciones públicas i su venta ó circulación.

6°. La apropiación ó peculado, de caudales públicos, cometida dentro de la jurisdicción de cualquiera de las partes, por oficiales públicos ó depositarios.

7. Embezzlement by any person or persons hired or salaried, to the detriment of their employers, when these crimes are subjected to infamous punishment.

### ARTICLE III.

The provisions of this treaty shall not apply to any crime or offence of a political character, and the person or persons delivered up for the crimes enumerated in the preceding article, shall in no case be tried for any ordinary crime, committed previously to that for which his or their surrender is asked.

### ARTICLE IV.

If the person, whose surrender may be claimed pursuant to the stipulations of the present treaty, shall have been arrested for the commission of offences in the country where he has sought an asylum, or shall have been convicted thereof, his extradition may be deferred until he shall have been acquitted, or have served the term of imprisonment to which he may have been sentenced.

### ARTICLE V.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the contracting parties, or, in the event of the absence of these from the country or its seat of government, they may be made by superior consular officers. If the person whose extradition may be asked for shall have been convicted of a crime, a copy of the sentence of the court in which he may have been convicted, authenticated under its seal, and an attestation of the official character of the judge by the proper executive authority, and of the latter by the minister or consul of the United States or of Nicaragua, respectively, shall accompany the requisition. When, however, the fugitive shall have been merely charged with crime,

7°. La apropiacion cometida por una ó mas personas jornaleras ó asalariadas, en perjuicio del amo, con tal que la pena de estos crímenes sea infamante. Embezzlement by persons hired or salaried, &c.

### ART[ICUL]o III.

Las disposiciones de la presente convension no se aplicarán á crímenes ó delitos de un caracter politico; i la persona ó personas entregadas por razon de los crímenes enumerados en el artículo anterior no podrán de ningun modo ser procesadas por crimen comun cualquiera, cometido anteriormente á aquel por el cual la entrega ha sido pedida. Political offences not included in the treaty.

### ARTICULO IV.

Si la persona, de quien la entrega ha sido demandada con arreglo á las estipulaciones del presente tratado hubiera sido arrestada por infracciones cometidas en el pais á donde se ha refugiado, ó condenada por ellas, entonces su estradicion podrá ser suspendida hasta que sea absuelta ó concluya el término de la prision fijada en la sentencia. Extradition may be deferred, if, &c.

### ARTICULO V.

Las requisitorias para la estradicion de fugitivos ante la justicia, serán hechas por los agentes diplomáticos respectivos de las partes contratantes, ó en caso de su ausencia del pais ó de la capital del gobierno, pueden practicarse por los superiores oficiales consulares. Si la persona de que se pide la estradicion está condenada por un crimen, la requisitoria debe ser acompañada de una copia de la sentencia del tribunal que le ha condenado, autenticada con su sello i con atestacion del carácter oficial del juez firmante dada por la autoridad ejecutiva propia, i legalizacion de la última por el ministro ó consul de Nicaragua ó de los Estados Unidos respectivamente. Al contrario, cuando el fujitivo solo está acusado de crimen, una copia debi- Requisitions for surrender of fugitives, how to be made.

Warrant for  
arrest.

a duly authenticated copy of the warrant for his arrest in the country where the crime may have been committed, and of the depositions upon which such warrant may have been issued, must accompany the requisition as aforesaid. The President of the United States, or the proper executive authority in Nicaragua, may then issue a warrant for the apprehension of the fugitive, in order that he may be brought before the proper judicial authority for examining the question of extradition. If it should then be decided that, according to law and evidence, the extradition is due pursuant to this treaty, the fugitive may be given up according to the forms prescribed in such cases.

Extradition.

#### ARTICLE VI.

Expenses.

The expenses of the arrest, detention, and transportation of the persons claimed shall be paid by the government in whose name the requisition shall have been made.

#### ARTICLE VII.

Convention to  
continue how  
long;

This convention shall continue in force during five (5) years from the day of exchange of ratifications, but if neither party shall have given to the other six (6) months previous notice of its intention to terminate the same, the convention shall remain in force five (5) years longer, and so on.

when to be rat-  
ified.

The present convention shall be ratified and the ratifications exchanged at the capital of Nicaragua, or any other place temporarily occupied by the Nicaraguan government, within twelve (12) months, or sooner if possible.

Signature.

In witness whereof the respective Plenipotentiaries have signed the present convention in duplicate, and have thereunto affixed their seals.

Done at the city of Managua, capital of the Republic of Nicaragua, the twenty-fifth day of June, one thousand eight hundred and seventy, of the Independence of

damente legalizada del auto de prision para arrestarle en el pais donde el crimen ha sido cometido i de las deposiciones sobre que tal auto ha sido espedido, debe acompañar tal requisicion. El Presidente, ó la autoridad ejecutiva propia de Nicaragua, ó el Presidente de los Estados Unidos, pueden, pues, acordar la prision del fugitivo con el fin de llevarle á presencia de la autoridad judicial competente para examinar la cuestion de entrega. Si entonces se decidiere segun la lei i el testimonio que la extradicion es debida conforme á este Tratado, el fugitivo será entregado segun las formalidades prescritas en tales casos.

#### ARTICULO VI.

Los gastos del arresto, de la detension i trasportacion de las personas reclamadas serán pagados por el gobierno en cuyo nombre haya sido hecha la requisicion.

#### ARTICULO VII.

Esta convencion tendrá vigor por cinco (5) años contados desde el dia del canje de las ratificaciones, pero en caso de que ninguna de las partes haya dado á la otra con seis (6) meses de anticipacion, aviso de su intension de poner término á ella, la convencion quedará en vigor cinco (5) años mas i lo mismo en adelante.

La presente convencion será ratificada i las ratificaciones canjeadas en la capital de Nicaragua, Managua, ó cualquiera otro punto transitoriamente ocupado por el gobierno Nicaraguense, dentro de doce (12) meses ó antes si fuere posible.

En testimonio de lo cual los Plenipotenciarios respectivos firman la presente convencion dos de un tenor, i ponen sus sellos.

Hecha en la ciudad de Managua, capital de la República de Nicaragua el dia veintecinco de Junio del año de mil ochocientos setenta, el quincuagesimo nono de la Independencia



the United States the ninety-fourth, and of the Independence of Nicaragua the fifty-ninth.

[SEAL.] CHARLES N. RIOTTE.	[SELLO.] CHARLES N. RIOTTE.
[SEAL.] TOMAS AYON.	[SELLO.] TOMAS AYON.

And whereas said convention as amended has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Managua, on the twenty-fourth day of June last, by Charles N. Riotte, Minister Resident of the United States, and J. D. Rodriguez, Member of the Chamber of Deputies of Nicaragua, on the part of their respective governments :

Ratification.

Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation.

In witness whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington this nineteenth day of September, in the year of our Lord one thousand eight hundred and [SEAL.] seventy-one, and of the Independence of the United States the ninety-sixth.

U. S. GRANT.

By the President :

HAMILTON FISH, *Secretary of State.*



*Convention between the United States of America and the Austro-Hungarian Monarchy. Rights, &c., of Consuls. Signed July 11, 1870; Ratified December 19, 1870; Ratifications exchanged June 26, 1871; Proclaimed June 29, 1871.* July 11, 1870.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

## A PROCLAMATION.

WHEREAS a convention between the United States of America and his Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, concerning the rights, privileges, immunities, and duties of consuls of either country residing in the other, was concluded and signed at Washington by their respective plenipotentiaries, on the eleventh day of July, 1870; which convention, being in the English and German languages, is word for word as follows:—

Preamble.

The President of the United States of America and his Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, animated by the desire to define, in a comprehensive and precise manner, the reciprocal rights, privileges, and immunities of the consuls-general, consuls, vice-consuls, and consular agents, their chancellors and secretaries, of the United States of America, and of the Austro-Hungarian monarchy, and to determine their duties and their respective sphere of action, have agreed upon the conclusion of a consular convention, and for that purpose have appointed their respective Plenipotentiaries, namely: the President of the United States of America, Hamilton Fish, Secretary of State of the United States; and his Majesty the Emperor of Austria, Apostolic King of Hungary, Charles, Baron von Lederer, Knight of the Imperial and Royal Order of Leopold, and his Majesty's Envoy Extraordinary and Minister Plenipotentiary in the United States of America; who, after communicating to each other their full powers, found in good and due form, have agreed upon the following articles:

Seine Majestaet der Kaiser von Oesterreich, Koenig von Boehmen, etc., und apostolischer Koenig von Ungarn; und der Praesident der Vereinigten Staaten von Nord-America. von dem Wunsche durchdrungen, die gegenseitigen Rechte, Vorrechte und Freiheiten der General-Consuln, Consuln, Vice-Consuln und Consular-Agenten, der Kanzler oder Sekretaere, so wie die Funktionen derselben und die Obliegenheiten, welchen sie beziehungsweise in der oesterreichisch-ungarischen Monarchie und in den Vereinigten Staaten Nord-Amerika's unterworfen sein sollen, in der moeglichsten Ausdehnung und Klarheit festzustellen, haben den Abschluss einer Consular-Convention beschlossen und zu diesem Ende zu Ihren Bevollmaechtigten ernannt, naemlich: Seine Kaiserliche und Koeniglich-Apostolische Majestaet: den Herrn Carl Freiherrn von Lederer, Ritter d. k. u. k. Leopold Ordens und Allerhoechst Ihren ausserordentlichen Gesandten und bevollmaechtigten Minister bei den Vereinigten Staaten Nord-Amerika's; Der Praesident der Vereinigten Staaten den Staats-Sekretaer der Vereinigten Staaten Hamilton Fish, welche nach Austausch ihrer in guter und gehoeriger Form befundenen Vollmachten ueber nachstehende Artikel uebereingekommen sind:—

Contracting parties.

## ARTICLE I.

Consuls, &c.,  
may be appointed  
at what places.

Each of the high contracting parties shall be at liberty to establish consuls-general, consuls, vice-consuls, or consular agents at the ports and places of trade of the other party, except those where it may not be convenient to recognize such officers; but this exception shall not apply to one of the high contracting parties without also applying to every other power.

Exception as to  
places to apply to  
every power.

Consuls, &c.,  
may act in the  
whole of the dis-  
trict;

Consuls-general, consuls, and other consular officers appointed and taking office according to the provisions of this article, in one or the other of the two countries, shall be free to exercise the right accorded them by the present convention throughout the whole of the district for which they may be respectively appointed.

to be recog-  
nized upon pre-  
senting their cre-  
dentials.

The said functionaries shall be admitted and recognized, respectively, upon presenting their credentials in accordance with the rules and formalities established in their respective countries.

Exequatur.

The exequatur required for the free exercise of their official duties shall be delivered to them free of charge; and upon exhibiting such exequatur, they shall be admitted at once and without interference by the authorities, federal or state, judicial or executive, of the ports, cities, and places of their residence and district, to the enjoyment of the prerogatives reciprocally granted.

## ARTIKEL I.

Jedem der hohen vertragenden Theile wird es frei stehen, General-Consuln, Consuln und Vice-Consuln oder Consular-Agenten in den Haefen und Handelsplaetzen des anderen Theiles zu bestellen, mit Ausnahme jener Orte wo es ihnen nicht angemessen erscheinen sollte, solche Funktionaeere anzuerkennen; diese Ausnahme soll jedoch nicht auf einen der vertragenden Theile angewendet werden koennen, ohne allen anderen Maechten gegenueber gleichmaessig Anwendung zu finden. Die den Bestimmungen dieses Artikels gemaess in einem oder dem anderen der beiden Laender angestellten und in Amtsfunktion getretenen General-Consuln, Consuln und Consular-Beamten duerfen die ihnen durch gegenwaertige Convention zuerkannten Befugnisse im ganzen Umkreise des Bezirkes ausueben, fuer welchen sie namentlich ernannt wurden.

Die besagten Beamten werden auf die, in Gemaessheit der in den gegenseitigen Laendern bestehenden Vorschriften und Foermlichkeiten, geschehene Vorweisung ihrer Bestellungen gegenseitig zugelassen und anerkannt.

Das zur freien Ausuebung ihrer Funktionen erforderliche Exequatur wird ihnen kostenfrei ausgefertigt und gegen die Vorweisung dieses Exequatur sollen dieselben sofort und unbeanstandet von den am Amtssitze der Consularfunktionaeere oder in ihrem Amtsbezirke befindlichen Hafen-, Stadt-, oder Ortsbehoerden, dieselben moegen Behoerden des Bundes oder des Staates, Gerichts- oder Vollzugsbehoerden sein, zum Genusse der gegenseitig zugesicherten Vorrechte zugelassen werden.

## ARTICLE II.

## ARTIKEL II.

Consuls, &c.,  
when exempt,  
and from what  
services and  
charges.

The consuls-general, consuls, vice-consuls, and consular agents, their chancellors, and other consular officers, if they are citizens of the State which appoints them, shall be exempt from military bil-

Die General-Consuln, Consuln, Vice-Consuln und Consular-Agenten, deren Kanzler und Consular-Beamten geniessen, wenn sie Buerger des sie ernennenden Staates sind, die Befreiung von den vom

letings, from service in the military or the national guard, and other duties of the same nature, and from all direct and personal taxation, whether federal, state, or municipal, provided they be not owners of real estate, and neither carry on trade nor any industrial business.

If, however, they are not citizens of the State which appoints them, or if they are citizens of the State in which they reside, or if they own property, or engage in any business there that is taxed under any laws of the country, then they shall be subject to the same taxes, charges, and assessments as other private individuals.

They shall, moreover, enjoy personal immunities, except for acts regarded as crimes by the laws of the country in which they reside.

If they are engaged in commerce, personal detention can be resorted to in their case only for commercial liabilities, and then in accordance only with general laws, applicable to all persons alike.

### ARTICLE III.

Consuls-general, consuls, and their chancellors, vice-consuls, and consular officers, if citizens of the country which appoints them, shall not be summoned to appear as witnesses before a court of justice, except when, pursuant to law, the testimony of a consul may be necessary for the defence of a person charged with crime.

In other cases the local court, when it deems the testimony of a consul necessary, shall either go to his dwelling to have the testimony taken orally, or shall send there a competent officer to reduce it to

Bunde einem Staate oder den Gemeinden auferlegten Militaer-Einquartierungen und Contributionem vom Dienste in der Miliz oder der National-Garde und von anderen Pflichten aehnlicher Art, — dann von allen direkten und personlichen Bundes-, Staats- oder Gemeindesteuern, vorausgesetzt dass sie kein unbewegliches Eigenthum besitzen und weder Handel treiben, noch ein industrielles Geschaeft ausueben.

Wenn sie aber nicht Staatsbuerger des sie anstellenden Staates sind, oder wenn sie Buerger des Staates sind in welchem sie residiren, oder wenn sie daselbst unbewegliches Eigenthum besitzen oder irgend ein Geschaeft betreiben, welches nach den Landesgesetzen einer Besteuerung unterliegt, sollen sie denselben Abgaben, Lasten und Auflagen wie andere Private unterworfen sein.

Sie geniessen ueberdies der personlichen Immunitaet, ausgenommen bezueglic der durch die Gesetze des Landes in welchem sie residiren als Verbrechen bezeichneten Handlungen.

Wenn sie Kaufleute sind, kann die personliche Haft gegen sie nur wegen Handelsverbindlichkeiten und dann nur im Einklange mit den fuer Jedermann geltenden allgemeinen Gesetzen in Anwendung kommen.

### ARTIKEL III.

Die General-Consuln, Consuln und ihre Kanzler, Vice-Consuln und Consular-Beamten duerfen, wenn sie Buerger des Staates sind, der sie ernennt, zum Erscheinen vor Gericht nicht vorgeladen werden, ausgenommen wenn in Gemacssheit der Gesetzgebung das Zeugniß eines Consuls zur Vertheidigung einer Person erforderlich ist, welche eines Verbrechens angeklagt ist.

Ausser diessen Faellen wird die Lokalgerichtsbehoerde, wenn sie die Abgabe einer gerichtlichen Aussage fuer noethig haelt, sich in ihre Wohnung begeben, um dieselben muendlich zu vernehmen, oder zu

Consuls, &c.  
when subject  
to certain  
charges;

their personal  
immunities;

not to be sum-  
moned as wit-  
nesses, except,  
&c.;

their testimony  
how to be given.

writing, or shall ask of him a written declaration.

#### ARTICLE IV.

Consuls, &c., may place the arms of their nation over the chief entrance of their offices;

Consuls-general, consuls, vice-consuls, and consular agents shall be at liberty to place over the chief entrance of their respective offices the arms of their nation, with the inscription: "Consulate General," "Consulate," "Vice-Consulate," or "Consular Agency," as may be.

when and where may hoist the flag of their country.

They shall also be at liberty to hoist the flag of their country on the consular edifice, except when they reside in a city where the legation of their government may be established. They shall also be at liberty to hoist their flag on board the vessel employed by them in port for the discharge of their duty.

#### ARTICLE V.

Consular archives inviolable.

The consular archives shall be at all times inviolable, and under no pretence whatever shall the local authorities be allowed to examine or seize the papers forming part of them.

#### ARTICLE VI.

In case of the death, absence, &c., of consuls, &c., who to act.

In the event of incapacity, absence, or death of consuls-general, consuls, vice-consuls, their consular pupils, chancellors, or secretaries, whose official character may have been previously made known to the respective authorities in the United States, or in the Austro-Hungarian empire, shall be admitted at once to the temporary exercise of the consular functions, and they shall, for the duration of it, enjoy all the immunities, rights, and privileges conferred upon them by this convention.

#### ARTICLE VII.

Consuls, &c., Consuls-general and consuls shall

diesem Zwecke einen kompetenten Beamten dahin abordnen, oder eine schriftliche Erklärung von ihnen abverlangen.

#### ARTIKEL IV.

Die General-Consuln, Consuln, Vice-Consuln und Consular-Agenten dürfen ueber dem aeußeren bezueglichen Eingange des Consulat-Amtes das Wappenschild ihrer Nation, je nachdem mit der Aufschrift: "General-Consulat," "Consulat," "Vice-Consulat," oder "Consular-Agentie," anbringen.

Est ist ihnen ferner gestattet, die Flagge ihres Landes auf dem Consulsgebaeude aufzuziehen, wofern sie nicht in der Stadt residiren wo die Gesandtschaft ihrer Regierung sich befindet.

Sie koennen desgleichen ihre Flagge auf dem Schiffe aufhissen, dessen sie sich in Ausuebung ihrer Funktionen zu Fahrten in Hafen bedienen.

#### ARTIKEL V.

Die Consular-Archive sind jederzeit unverletzlich, und es ist den Lokalbehoerden unter keinem Vorwande die Durchsuchung oder Beschlagnahme der dazu gehoerigen Papiere gestattet.

#### ARTIKEL VI.

Im Falle der Verhinderung, der Abwesenheit oder des Ablebens der General-Consuln, Consuln, oder Vice-Consuln, werden jene Consular-Eleyen, Kanzler und Sekretaere, welche schon fruher in der genannten Eigenschaft den betreffenden Behoerden in Oesterreich-Ungarn oder in den Vereinigten Staaten vorgestellt worden sind, ohne weiteres zur Ausuebung der Consulsfunktionen zugelassen und geniessen waehrend dieser Zeit die, laut gegenwaertiger Convention, ihnen uebertragenen Freiheiten und Vorrechte.

#### ARTIKEL VII.

Die General-Consuln und Consuln

have the power to appoint vice-consuls and consular agents in the cities, ports, and towns within their consular districts, subject, however, to the approbation of the government of the country where they reside.

These vice-consuls and consular agents\* may be selected indiscriminately from among citizens of the two countries or from foreigners, and they shall be furnished with a commission issued by the appointing consul, under whose orders they are to be placed.

They shall enjoy the privileges and liberties stipulated in this convention.

To vice-consuls and to consular agents who are not citizens of the State which appoints them, the privileges and immunities specified in Article II shall not extend.

#### ARTICLE VIII.

Consuls-general, consuls, vice-consuls, or consular agents of the two countries may, in the exercise of their duties, apply to the authorities within their districts, whether federal or local, judicial or executive, in the event of any infraction of the treaties and conventions between the two countries; also for the purpose of protecting the rights of their countrymen.

Should the said authorities fail to take due notice of their application, they shall be at liberty, in the absence of any diplomatic representative of their country, to apply to the government of the country where they reside.

#### ARTICLE IX.

Consuls-general, consuls, vice-consuls, or consular agents of the two countries, also their chancellors, shall have the right to take at their office, at the residence of the parties, or on board ship, the depositions of the captains and

koennen, vorbehaltlich der Genehmigung der Regierung des Landes, wo sie residiren, Vice-Consuln und Consular-Agenten in den Staedten, Haefen und Ortschaften ihres Consular-Bezirktes ernennen.

may appoint vice-consuls and consular agents, subject, &c.;

Diese Vice-Consuln und Consular-Agenten koennen ohne Unterschied aus Staatsbuergern beider Laender wie aus Auslaendern gewaehlt werden, und sind mit einem vom ernennenden Consul, unter dessen Befehlen sie zu stehen haben, ausgestellten Ernennungs-Dekret zu versehen.

and issue commissions;

Sie sollen die durch gegenwaertige Convention festgestellten Vorrechte und Freiheiten geniessen.

their privileges and liberties;

Jenen Vice-Consuln und Consular-Agenten jedoch, welche nicht Unterthanen des sie ernennenden Staates sind, werden die durch den Artikel 2 bestimmten Freiheiten und Immunitaeten nicht zugestanden.

#### ARTIKEL VIII.

Die General-Consuln, Consuln und Vice-Consuln, oder Consular-Agenten der beiden Staaten koennen, in Ausuebung der ihnen zustehenden Amtsbefugnisse an die Behoerden ihres Amtsbezirktes, dieselben moegen Bundes- oder Staats-, Gerichts- oder Vollzugs-Behoerden sein, im Falle einer jeden Verletzung der zwischen beiden Laendern bestehenden Traktate oder Conventionen oder zum Schutze der Rechte ihrer Staatsangehoerigen sich wenden.

may apply to the authorities within their districts;

Im Falle dass auf ihre Reklamationen von den genannten Behoerden nicht eingegangen wuerde, steht es ihnen frei, im Abgange eines diplomatischen Vertreters ihres Landes, sich an die Staats- oder Bundes-Regierung des Landes, wo sie residiren, zu wenden.

when to the government of the country in which they reside;

#### ARTIKEL IX.

Die General-Consuln, Consuln, Vice-Consuln, oder Consular-Agenten beider Staaten, sowie auch ihre Kanzler, haben das Recht in ihren Kanzleien, in der Wohnung der Parteien, oder am Bord der Schiffe, die von den Capitaenen, der Mannschaft

may take depositions.

crews of vessels of their own nation, of passengers on board of them, of merchants, or any other citizens of their own country.

Consuls, &c., may receive and verify wills and bequests, and agreements;

They shall have the power also to receive and verify conformably to the laws and regulations of their country :

1st. Wills and bequests of their countrymen, and all such acts and contracts between their countrymen as are intended to be drawn up in an authentic form and verified.

2d. Any and all acts of agreement entered upon between citizens of their own country and inhabitants of the country where they reside.

such agreements, &c., thus authenticated, to be received as legal documents, &c. ;

All such acts of agreement, and other instruments, and also copies thereof, when duly authenticated by such consul-general, consul, vice-consul, or consular agent under his official seals, shall be received in courts of justice as legal documents, or as authenticated copies, as the case may be, and shall have the same force and effect as if drawn up by competent public officers of one or the other of the two countries.

may translate and legalize certain documents ;

Consuls-general, consuls, vice-consuls, or consular agents of the respective countries shall have the power to translate and legalize all documents issued by the authorities or functionaries of their own country ; and such papers shall have the same force and effect in the country where the aforesaid officers reside as if drawn up by sworn interpreters.

effect thereof ;

#### ARTICLE X.

may go on board vessels of their nation ;

Consuls-general, consuls, vice-consuls, or consular agents shall be at liberty to go on board the vessels of their nation admitted to entry, either in person or by proxy, and to examine the captain and crew, to look into the register of the ship, to receive declarations with reference to their voyage, their destination,

their powers and duties in this respect.

der Schiffe ihrer Nation, den Passagieren, Handelsleuten und allen Staatsangehörigen ihres Landes etwa abzugebenden Deklarationen entgegenzunehmen.

Ebenso sind sie, in Gemaessheit der Gesetze und der Vorschriften ihres Landes, ermächtigt, entgegenzunehmen und zu beglaubigen :—

1. Die letztwilligen Verfügungen ihrer Staatsangehörigen und alle sonstigen dieselben betreffenden civilrechtlichen Akte und Uebereinkommen denen eine authentische Form gegeben und welche beglaubigt werden sollen.

2. Die zwischen ihren Staatsangehörigen und Bewohnern des Landes wo sie residiren errichteten Vertragsurkunden.

Alle diese Verträge und Urkunden, sowie deren Abschriften, sollen, wenn sie von solchen General-Consuln, Consuln, Vice-Consuln, oder Consular-Agenten gehörig beglaubigt und mit ihren Amtssiegeln versehen sind, von den Gerichten je nachdem als gesetzliche Urkunden oder als beglaubigte Abschriften entgegengenommen und dieselbe Kraft und Gültigkeit haben, als wenn sie von den kompetenten öffentlichen Funktionären des einen oder des anderen der beiden Länder errichtet worden wären.

Die beiderseitigen General-Consuln, Consuln, Vice-Consuln, oder Consular-Agenten können die Uebersetzung und Legalisirung der von den Behörden oder Funktionären ihres Landes ausgehenden Urkunden jeder Art vornehmen, und es sollen solche Uebersetzungen im Lande wo sie residiren dieselbe Kraft und Gültigkeit haben, als wenn sie von den beideten Dolmetschern des Landes angefertigt worden wären.

#### ARTIKEL X.

Die General-Consuln, Consuln, Vice-Consuln, oder Consular-Agenten, dürfen sich an Bord der Schiffe ihrer Staatsangehörigen, nachdem dieselben zur freien Gemeinschaft (Pratika) zugelassen sind, entweder in eigener Person begeben, oder Delegirte dahin senden, den Capitänen und die Mannschaft vernehmen, die



and the incidents of the voyage; also, to draw up manifests, lists of freight, to assist in despatching their vessels, and finally to accompany the said captains or crews before the courts and before the administrative authorities, in order to act as their interpreters or agents in their business transactions or applications of any kind.

The judicial authorities and custom-house officials shall in no case proceed to the examination or search of merchant vessels without previous notice to the consular authority of the nation to which the said vessels belong, in order to enable them to be present.

They shall also give due notice to consuls, vice-consuls, or consular agents, in order to enable them to be present at any depositions or statements to be made in courts of law, or before local magistrates, by captains or persons composing the crew, thus to prevent errors or false interpretations which might impede the correct administration of justice.

The notice to consuls, vice-consuls, or consular agents shall name the hour fixed for such proceedings, and upon the non-appearance of the said officers or their representatives, the case shall be proceeded with in their absence,

#### ARTICLE XI.

Consuls, vice-consuls, or consular agents, shall have exclusive charge of the internal order of the merchant vessels of their nation. They shall have therefore the exclusive power to take cognizance of and to settle all differences which may arise at sea or in port between captains, officers, and crews, in reference to wages and the execution of mutual contracts, subject in each

Schiffspapiere pruefen, die Aussagen ueber ihre Reise, Bestimmung und die Zwischenfaelle der Fahrt entgegennehmen, die Manifest (Ladungsverzeichnisse) ausfertigen und die Expedition ihrer Schiffe foerdern, endlich die fraglichen Capitaene und Mannschaften vor die Gerichte und zu den Administrativ-Behoerden des Landes begleiten, um ihnen bei den Geschaeften, welche sie betreiben, oder bei den Ansuchen, welche sie zu stellen haben, als Dolmetscher und Sachwalter zu dienen.

Die Gerichtsbeamten und die Beamten und Organe des Zollamtes duerfen in keinem Falle Visitationen oder Durchsuchungen an Bord der Handelsschiffe vornehmen, ohne hievon vorlaeufig der Consular-behoerde der Nation welcher diese Schiffe angeh hoeren, Kenntniss gegeben zu haben, damit dieselben der Visitation beiwohnen koennen.

Sie werden desgleichen die Consuln, Vice-Consuln, oder Consular-Agenten rechtzeitig verstaendigen, damit dieselben den von den Capitaenen und Mannschaften vor den Gerichten und den lokalen Verwaltungsbehoerden abzugebenden Erklaerungen beiwohnen, um auf diese Weise jeden Irrthum oder jede falsche Auslegung, welche die richtige Handhabung der Justiz beeintraechtigen koennte, zu vermeiden.

Die zu diesem Zwecke an die Consuln, Vice-Consuln, oder Consular-Agenten zu richtende Einladung soll eine genaue Angabe der Stunde enthalten, and falls sie versaeumen persoendlich zu erscheinen, oder sich durch einen Delegirten vertreten zu lassen, wird in ihrer Abwesenheit vorgegangen werden.

#### ARTIKEL XI.

Die Consuln, Vice-Consuln, oder Consular-Agenten sind ausschliesslich mit der Aufrechthaltung der inneren Ordnung an Bord der Handelsschiffe ihrer Nation beauftragt. Sie werden dem zu Folge die ausschliessliche Befugniss haben, die zwischen den Capitaenen, den Schiffs-Offizieren, und den Mannschaften auf der See oder im Hafen entstandenen Streitigkeiten jeder

Merchant vessels not to be searched, &c., without previous notice to the consular authorities

Consuls, &c., to be notified to be present at the taking of certain depositions, &c.

Notice to state what.

Powers and duties of consuls, &c., as to merchant vessels of their nation, their officers and crews.

case to the laws of their own nation.

Local authorities not to interfere except, &c.

The local authorities shall in no way interfere, except in cases where the differences on board ship are of a nature to disturb the peace and public order in port or on shore, or when persons other than the officers and crew of the vessel are parties to the disturbance; except as aforesaid the local authorities shall confine themselves to the rendering of forcible assistance if required by the consuls, vice-consuls, or consular agents, and shall cause the arrest, temporary imprisonment, and removal on board his own vessel, of every person whose name is found on the muster-rolls or register of the ship or list of the crew.

## ARTICLE XII.

Deserters from merchant vessels may be arrested, &c., by consuls, &c.

Consuls-general, consuls, vice-consuls, or consular agents, shall have the power to cause the arrest of all sailors or all other persons belonging to the crews of vessels of their nation who may be guilty of having deserted on the respective territories of the high contracting powers, and to have them sent on board or back to their native country.

Proceedings in such cases.

To that end they shall make a written application to the competent local authority, supporting it by the exhibition of the ship's register and list of the crew, or else, should the vessel have sailed previously, by producing an authenticated copy of these documents, showing that the persons claimed really do belong to the ship's crew.

Arrest and imprisonment.

Upon such request the surrender of the deserter shall not be refused. Every aid and assistance shall, moreover, be granted to the said consular authorities for the detection and arrest of deserters, and the

Art, welche sich auf die Loehnung und die Erfuellung gegenseitig eingegangener Verbindlichkeiten beziehen, zur Kenntniss zu nehmen und zu schlichten haben, und in jedem einzelnen Falle nach den Gesetzen ihres eigenen Landes vorgehen.

Ein Einschreiten der Localbehoerden darf nur dann stattfinden wenn die an Bord der Schiffe vorgefallenen Unordnungen der Art sind, die Ruhe und oeffentliche Ordnung am Lande oder im Hafen zu stoeren, oder wenn andere Personen als die Schiffs-Offiziere und Mannschaft bei den Unordnungen betheiligt sind.

Mit Ausnahme obgedachter Faelle werden die Lokalbehoerden sich darauf beschraenken den Consuln, Vice-Consuln oder Consular-Agenten auf deren Verlangen thatkraeftigen Beistand zu leisten, um die Verhaftung jedes in der Muster-Rolle eingetragenen Individuums und dessen Ruecksendung an Bord oder provisorische Abfuhrung in das Gefaengniss zu veranlassen.

## ARTIKEL XII.

Die General-Consuln, Consuln, und Vice-Consuln, oder Consular-Agenten koennen diejenigen Seeleute sowie jede andere aus was immer fuer einem Titel zur Mannschaft der Schiffe ihrer Nation gehoerende Person, welche auf dem Gebiete des einen der hohen vertragenden Theile desertirt sind, verhaften und entweder an Bord oder in ihre Heimath zuruecksenden lassen.

Zu diesem Ende werden sie sich schriftlich an die kompetente Lokalbehoerden zu wenden und durch Vorlegung der Schiffsregister oder der Musterrolle, oder, falls das Schiff abgegangen, einer authentischen Abschrift dieser Urkunden, den Nachweiss zu fuehren haben, dass die reklamirten Individuen wirklich zur Schiffsmannschaft gehoerten.

Auf das dergestalt begruendete Ersuchen darf die Uebergabe des Deserteurs nicht verweigert werden. Es soll ueberdies den genannten Consularbehoerden jede Huelfsleistung und jeder Beistand zur Er-

latter shall be taken to the prisons of the country and there detained at the request and expense of the consular authority until there may be an opportunity for sending them away.

The duration of this imprisonment shall not exceed the term of three months, at the expiration of which time, and upon three days' notice to the consul, the prisoner shall be set free, and he shall not be liable to rearrest for the same cause.

Should, however, the deserter have committed on shore an indictable offence, the local authorities shall be free to postpone his extradition until due sentence shall have been passed and executed.

The high contracting parties agree that seamen, or other individuals forming part of the ship's crew, who are citizens of the country in which the desertion took place, shall not be affected by the provisions of this article.

### ARTICLE XIII.

In all cases where no other agreement to the contrary exists between owners, freighters, and insurers, all damages suffered at sea by the vessels of the two countries, whether they enter the respective ports voluntarily or by stress of weather, shall be settled by the consuls-general, consuls, vice-consuls, or consular agents of their respective nation, provided no interests of citizens of the country where the said functionaries reside, nor of citizens of a third power, are concerned. In that case, and in the absence of a friendly compromise between all parties interested, the adjudication shall take place under supervision of the local authorities.

forschung und Anhaltung des Deserteurs gewahrt werden, und sind diese in die Gefaengnisse des Landes abzufuehren, und auf Verlangen und Kosten der Consularbehoerde so lange in Gewahrsam zu halten, bis dieselbe Gelegenheit zu ihrer Absendung gefunden hat.

Die Dauer dieser Gefangenhaltung darf drei Monate nicht ueberschreiten, nach deren Ablauf und ueber eine drei Tage vorher erfolgte Verstaendigung des Consuls, der Verhaftete in Freiheit gesetzt wird, welcher aus demselben Grunde nicht abermals verhaftet werden darf.

Hat jedoch der Deserteur am Lande eine strafbare Handlung veruebt, so steht es der Lokalbehoerde frei die Auslieferung aufzuschieben, bis das gerichtliche Urtheil gefaellt und vollstaendig vollzogen worden ist.

Die hohen vertragenden Theile haben sich dahin geeinigt, dass Seeleute oder andere Individuen der Schiffsmannschaft, welche Buerger des Landes sind wo die Desertion stattfindet, von den Bestimmungen des gegenwaertigen Artikels ausgenommen sein sollen.

### ARTIKEL XIII.

In Faellen, wo nicht ein, zwischen den Rhedern, Befrachtern und Assekuranten getroffenes Uebereinkommen entgegensteht, werden die Havarien, welche Schiffe beider Laender auf der See erlitten haben, — dieselben moegen in die beiderseitigen Haefen freiwillig einkaufen, oder daselbst gezwungen beilegen, — durch die General-Consuln, Consuln, Vice-Consuln, oder Consular-Agenten ihrer Nation geregelt, wofern nicht Buerger des Landes, wo die genannten Funktionaeere residiren, oder Buerger einer dritten Macht, bei den Havarien bethelligt sind. In diesem Falle und in Ermangelung eines guetlichen Vergleiches zwischen allen Beteiligten, hat die Regelung der Havarien durch die Lokalbehoerde stattzufinden.

Duration of imprisonment.

Indictable offences committed on shore by deserters may be first punished.

This article not to apply to seamen who are citizens of the country.

Damages suffered by vessels at sea, how may be settled.

## ARTICLE XIV.

## ARTIKEL XIV.

Provisions as  
to wrecked ves-  
sels.

Notice of  
wrecks to be  
given.

Proceedings as  
to the salvage of  
wrecked vessels  
to be directed by  
consuls, &c.

In the event of a vessel belonging to the government, or owned by a citizen of one of the two contracting States, being wrecked or cast on shore upon the coast of the other, the local authorities shall inform the consuls-general, consuls, vice-consuls, or consular agents of the district of the occurrence; or, if such consular agency does not exist, they shall communicate with the consul-general, consul, vice-consul, or consular agent of the nearest district.

All proceedings relative to the salvage of American vessels wrecked or cast on shore in Austro-Hungarian waters shall be directed by the United States consuls-general, consuls, vice-consuls, or consular agents; also all proceedings relative to the salvage of Austro-Hungarian vessels wrecked or cast on shore in American waters shall be directed by Austro-Hungarian consuls-general, consuls, vice-consuls, or consular agents.

An interference of the local authorities in the two countries shall take place for the purpose only of assisting the consular authorities in maintaining order and protecting the rights of salvors not belonging to the crew, also for enforcing the regulations relative to the import or export of the merchandise saved.

Duty of local  
authorities in the  
absence of con-  
suls, &c.

In the absence and until the arrival of the consuls-general, consuls, vice-consuls, or consular agents, or their duly appointed delegates, the local authorities shall take all the necessary measures for the protection of persons and preservation of the property saved from the wreck.

Charges and  
expenses.

No charges shall be made for the interference of the local authorities in such cases, except for expenses incurred through salvage and the

Wenn ein der Regierung oder dem Angehörigen des einen der hohen vertragenden Staaten gehörendes Schiff im Kuestengebiet des anderen scheitert oder strandet, werden die Lokalbehörden den Vorfall zur Kenntniss des General-Consuls, Consuls, Vice-Consuls, oder Consular-Agenten des Amtsbezirktes, oder, in dessen Abgange, zur Kenntniss des dem Orte des Unfalles zunächst befindlichen General-Consuls, Consuls, Vice-Consuls, oder Consular-Agenten bringen.

Alle auf die Bergung amerikanischer, in Gewässern des oesterreichisch-ungarischen Gebietes gescheiterten oder gestrandeten Schiffe bezüglichen Operationen sollen unter der Leitung der amerikanischen General-Consuln, Consuln, Vice-Consuln, oder Consular-Agenten stattfinden; — hingegen werden alle Operationen zur Bergung oesterreichisch-ungarischer, in Gewässern des amerikanischen Gebietes, gescheiterten oder gestrandeten Schiffe, von den oesterreichisch-ungarischen General-Consuln, Consuln, Vice-Consuln, oder Consular-Agenten geleitet.

Das Einschreiten der Lokalbehörden findet in beiden Ländern nur statt, um die Consularbehörde zu unterstützen, die Ordnung aufrecht zu halten, die Interessen der nicht zur Schiffsmannschaft gehörenden Berger zu wahren, und die Vollziehung der hinsichtlich der Ein- und Ausfuhr der geborgenen Güter zu befolgenden Vorschriften sicher zu stellen.

In Abwesenheit und bis zur Ankunft der General-Consuln, Consuln, Vice-Consuln, oder Consular-Agenten, oder des zu diesem Ende von ihnen bestellten Abgeordneten, haben die Lokalbehörden alle erforderlichen Vorkehrungen zum Schutze der Personen und zur Erhaltung der Gegenstände zu treffen, welche aus dem Schiffbruche gerettet worden sind.

Aus dem Einschreiten der Lokalbehörden in diesen Fällen soll kein Anlass zur Einhebung von irgend welchen Kostenbeträgen

preservation of property saved; also for those expenses which, under similar circumstances, vessels belonging to the country where the wreck happens would have to incur.

In case of a doubt concerning the nationality of the wrecks, the local authorities shall have exclusively the management and execution of the provisions laid down in the present article.

The high contracting parties also agree that all merchandise and goods not destined for consumption in the country in which the wreck takes place shall be free of all duties.

#### ARTICLE XV.

Consuls-general, consuls, vice-consuls, and consular agents, also consular pupils, chancellors, and consular officers, shall enjoy in the two countries all the liberties, prerogatives, immunities, and privileges granted to functionaries of the same class of the most favored nation.

#### ARTICLE XVI.

In case of the death of a citizen of the United States in the Austrian-Hungarian monarchy, or of a citizen of the Austrian-Hungarian monarchy in the United States, without having any known heirs or testamentary executors by him appointed, the competent local authorities shall inform the consuls or consular agents of the State to which the deceased belonged of the circumstances, in order that the necessary information may be immediately forwarded to the parties interested.

genommen werden, mit Ausnahme jener Kosten, welche die Operationen des Bergens und die Bewahrung der geborgenen Gegenstaende erfordert haben, so wie derjenigen, welche im gleichen Falle die Schiffe, welche dem Lande angehoren, an dessen Kueste der Schiffbruch stattfand, — zu tragen haetten.

Im Falle eines Zweifels ueber die Nationalitaet der gescheiterten Schiffe gehoeren die im gegenwaertigen Artikel erwahnten Anordnungen zur ausschliesslichen Kompetenz der Lokalbehoerde.

Die hohen vertragenden Theile einigen sich ausserdem dahin, dass die geborgenen Gueter und Effekten, wofern sie nicht zum Gebrauche im Lande an dessen Kueste der Schiffbruch stattfindet, bestimmt werden, keinerlei Zollgebuehr unterliegen.

#### ARTIKEL XV.

Die General-Consuln, Consuln, Vice-Consuln und Consular-Agenten, wie auch Consulats-Eleven, Kanzler und Consular-Beamte, geniessen in beiden Laendern alle jene Befreiungen, Praerogative, Immunitaeten und Privilegien, welche den Funktionaeren gleicher Kategorie der meist beguenstigten Nation zugestanden werden.

#### ARTIKEL XVI.

Im Falle des Ablebens eines Angehoerigen der oesterreichisch-ungarischen Monarchie in den Vereinigten Staaten, oder eines Angehoerigen der Vereinigten Staaten in der oesterreichisch-ungarischen Monarchie, ohne dass die von ihm bestimmten Erben oder Testaments-Exekutoren bekannt sind, sollen die kompetenten Lokalbehoerden die Consuln oder Consular-Agenten des Staates, zu welchem der Verstorbene gehoerte, von diesem Umstande benachrichtigen, damit hievon die noethige Mittheilung unverzueglich an die betheiligten Parteien uebermittelt werde.

When the nationality of the wrecked vessel is in doubt.

What goods on board wrecked vessels to be free of duty.

Consuls, &c., to have the privileges granted to those of the most favored nation.

The death of certain citizens of one country in the other to be made known to the consuls, &c.

## ARTICLE XVII.

## ARTIKEL XVII.

Convention to  
continue how  
long.

The present convention shall remain in force for the space of ten years from the date of the exchange of the ratifications, which shall be made in conformity with the respective constitutions of the two countries, and exchanged at Washington within the period of ten (10) months, or sooner if possible.

In case neither of the contracting parties gives notice before the expiration of the said term of its intention not to renew this convention, it shall remain in force a year longer, and so on, from year to year, until the expiration of a year from the day on which one of the parties shall have given such notice.

Signature.

In testimony whereof, the respective Plenipotentiaries have signed this Convention and hereunto affixed their respective seals.

Done in duplicate at Washington, the eleventh day of July, in the year of our Lord one thousand eight hundred and seventy.

[SEAL.] HAMILTON FISH.  
[SEAL.] LEDERER.

Gegenwaertige Convention soll zehn (10) Jahre in Kraft bleiben, angefangen vom Tage des Austausches der Ratifikationen, welcher in Gemacssheit der betreffenden Verfassungen in beiden Laendern zu Washington, und binnen zehn (10) Monaten oder frueher, wenn moeglich, stattfinden soll.

Im Falle als keiner der vertragenden Theile vor dem Ablaufe des erwachten Zeitraumes die Absicht kundgeben sollte, die Convention nicht zu verlaengern, so soll dieselbe ein (1) Jahr laenger in Kraft bleiben, und so weiter, von Jahr zu Jahr, bis zum Ablaufe eines Jahres von dem Tage an, an welchem einer der vertragenden Theile sie gekuendigt haben wird.

Urkund dessen haben die beiderseitigen Bevollmaechtigten diese Convention unterzeichnet und derselben ihre Siegel beigedruckelt.

In zweifacher Ausfertigung geschehen zu Washington, den elften Juli, eintaesend achthundert und siebenzig.

[SIEGEL.] LEDERER.  
[SIEGEL.] HAMILTON FISH.

And whereas the Senate, by their resolution of the twelfth of May, 1871, did advise and consent that the period within which it was stipulated in the said convention that the ratifications thereof should be exchanged might be extended for a period of three months;

Ratification.

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged, in this city, on the twenty-sixth day of June, 1871, by Hamilton Fish, Secretary of State of the United States, and Baron Lederer, Envoy Extraordinary and Minister Plenipotentiary of his Majesty the Emperor of Austria, &c., accredited to this government on the part of their respective governments:

Proclamation.

Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said convention to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-ninth day of June, in the year of our Lord one thousand eight hundred and seventy-one, and of the Independence of the United States of America the ninety-fifth.

[SEAL.]

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State*.

*Convention between the United States of America and the Austro-Hungarian Monarchy. Naturalization. Signed September 20, 1870; Ratified March 24, 1871; Ratifications Exchanged July 14, 1871; Proclaimed August 1, 1871.* Sept. 20, 1870.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

## A PROCLAMATION.

WHEREAS a convention between the United States of America and his Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, concerning naturalization, was concluded and signed at Vienna by their respective plenipotentiaries on the twentieth day of September, 1870, which convention, being in the English and German languages, is word for word as follows:—

Preamble

The President of the United States of America and his Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, led by the wish to regulate the citizenship of those persons who emigrate from the United States of America to the territories of the Austro-Hungarian Monarchy, and from the Austro-Hungarian Monarchy to the United States of America, have resolved to treat on this subject, and have for that purpose appointed plenipotentiaries to conclude a convention, that is to say: The President of the United States of America, John Jay, Envoy Extraordinary and Minister Plenipotentiary from the United States to his imperial and royal Apostolic Majesty; and his Majesty the Emperor of Austria, &c., Apostolic King of Hungary, the Count Frederick Ferdinand de Beust, his Majesty's Privy Counsellor and Chamberlain, Chancellor of the Empire, Minister of the Imperial House and of Foreign Affairs, Grand Cross of the Orders of St. Stephen and Leopold, who have agreed to and signed the following articles:—

Der Praesident der Vereinigten Staaten von Amerika, und Seine Majestaet der Kaiser von Oesterreich, Koenig von Boehmen, etc., und Apostolischer Koenig von Ungarn, von dem Wunsche geleitet, die Staatsbuergerschaft jener Personen zu regeln, welche aus den Vereinigten Staaten von Amerika nach den Staatsgebieten der oesterreichisch - ungarischen Monarchie und aus der oesterreichisch-ungarischen Monarchie nach den Vereinigten Staaten von Amerika auswandern, haben beschlossen ueber diesen Gegenstand in Verhandlung zu treten und haben zu diesem Ende Bevollmaechtigte ernannt, um eine Convention abzuschliessen und zwar:—

Contracting parties.

Der Praesident der Vereinigten Staaten von Amerika:—

Den Herrn John Jay, ausserordentlichen Gesandten und bevollmaechtigten Minister der Vereinigten Staaten von Amerika bei Seiner Kaiserlichen und Koeniglichen Apostolischen Majestaet; und

Seine Majestaet der Kaiser von Oesterreich, etc., und Apostolischer Koenig von Ungarn:—

Den Herrn Friedrich Ferdinand Grafen von Beust, Allerhoechst Ihren Geheimen Rath und Kaemmerer, Reichskanzler, Minister des Kaiserlichen Hauses und der aus-

## ARTICLE I.

When citizens of the Austro-Hungarian Monarchy are to become American citizens;

Citizens of the Austro-Hungarian Monarchy who have resided in the United States of America uninterruptedly at least five years, and during such residence have become naturalized citizens of the United States, shall be held by the government of Austria and Hungary to be American citizens, and shall be treated as such.

when citizens of the United States are to become citizens of the Austro-Hungarian Monarchy.

Reciprocally, citizens of the United States of America who have resided in the territories of the Austro-Hungarian Monarchy uninterruptedly at least five years, and during such residence have become naturalized citizens of the Austro-Hungarian Monarchy, shall be held by the United States to be citizens of the Austro-Hungarian Monarchy, and shall be treated as such.

Declaration of intent not to effect naturalization.

The declaration of an intention to become a citizen of the one or the other country has not for either party the effect of naturalization.

## ARTICLE II.

Naturalized citizens liable on their return to their original country, for offences committed before emigration.

A naturalized citizen of the one party, on return to the territory of the other party, remains liable to trial and punishment for an action punishable by the laws of his original country committed before his emigration, saving always the limitation established by the laws of his original country and any other remission of liability to punishment.

In particular, a former citizen of the Austro-Hungarian Monarchy, who, under the first article, is to be held as an American citizen, is

waertigen Angelegenheiten, Grosskreuz des Sct. Stefan- und des Leopold-Ordens, welche die folgenden Artikel vereinbart und unterzeichnet haben:—

## ARTIKEL I.

Staatsbuerger der oesterreichisch-ungarischen Monarchie, welche sich ununterbrochen durch wenigstens fuenf Jahre in den Vereinigten Staaten von Amerika aufgehalten haben und waehrend dieses Aufenthaltes naturalisirte Buerger der Vereinigten Staaten geworden sind, sollen von der Regierung Oesterreichs und Ungarns als: amerikanische Buerger angesehen und als solche behandelt werden.

Umgekehrt sollen Buerger der Vereinigten Staaten von Amerika, welche sich ununterbrochen durch wenigstens fuenf Jahre in den Staatsgebieten der oesterreichisch-ungarischen Monarchie aufgehalten haben und waehrend dieses Aufenthaltes Staatsbuerger der oesterreich-ungarischen Monarchie geworden sind, von den Vereinigten Staaten als oesterreichische oder ungarische Staatsbuerger angesehen und als solche behandelt werden.

Die blosse Erklaerung der Absicht, Staatsangehoeriger des einen oder des andern Landes zu werden, soll fuer keinen Theil die Wirkung der Naturalisation haben.

## ARTIKEL II.

Ein naturalisirter Staatsangehoeriger des einen Theiles bleibt bei seiner Rueckkehr in das Gebiet des andern Theiles fuer eine vor seiner Auswanderung begangene, nach den Gesetzen seines urspruenglichen Vaterlandes strafbare, Handlung der Untersuchung und Bestrafung unterworfen, so ferne nicht nach den bezeuglichen Gesetzen seines urspruenglichen Vaterlandes Verjaehrung oder sonstige Strafslosigkeit eingetreten ist.

Namentlich soll ein nach Artikel I als amerikanischer Staatsbuerger zu erachtender fruherer Staatsbuerger der oesterreichisch-ungari-



liable to trial and punishment, according to the laws of Austro-Hungary, for non-fulfilment of military duty:—

1st. If he has emigrated, after having been drafted at the time of conscription, and thus having become enrolled as a recruit for service in the standing army.

2d. If he has emigrated whilst he stood in service under the flag, or had a leave of absence only for a limited time.

3d. If, having a leave of absence for an unlimited time, or belonging to the reserve or to the militia, he has emigrated after having received a call into service, or after a public proclamation requiring his appearance, or after war has broken out.

On the other hand, a former citizen of the Austro-Hungarian Monarchy naturalized in the United States, who by or after his emigration has transgressed the legal provisions on military duty by any acts or omissions other than those above enumerated in the clauses numbered one, two, and three, can, on his return to his original country, neither be held subsequently to military service nor remain liable to trial and punishment for the non-fulfilment of his military duty.

### ARTICLE III.

The convention for the mutual delivery of criminals, fugitives from justice, concluded on the 3d July, 1856, between the government of the United States of America, on the one part, and the Austro-Hungarian Monarchy, on the other part, as well as the additional convention, signed on the 8th May, 1848, to the treaty of commerce and navigation concluded between the said governments on the 27th of August, 1829, and especially the stipulations of Article 1 V. of the said additional convention concerning the delivery of the deserters from the ships of war and merchant vessels, remain in force without change.

schen Monarchie nach den daselbst bestehenden Gesetzen wegen Nichterfüllung der Wehrpflicht zur Untersuchung und strafe gezogen werden koennen:—

1. Wenn er ausgewandert ist, nachdem er bei der Aushebung der Wehrpflichtigen bereits als Rekrut zum Dienste im stehenden Heere herangezogen war.

2. Wenn er ausgewandert ist, während er im Dienste bei den Fahnen stand, oder nur auf bestimmte Zeit beurlaubt war.

3. Wenn er, als auf unbestimmte Zeit Beurlaubter, oder als Reserve- oder Landwehrmann, ausgewandert ist, nachdem er bereits eine Einberufungsordre erhalten, oder nachdem bereits eine oeffentliche Aufforderung zur Stellung erlassen oder der Krieg ausgebrochen war.

Dagegen soll ein in den Vereinigten Staaten naturalisirter fruherer Staatsbuerger der oesterreichisch-ungarischen Monarchie, welcher sich bei oder nach seiner Auswanderung durch andere als die in Ziffer 1, 2 und 3 bezeichneten Handlungen oder Unterlassungen gegen die gesetzlichen Bestimmungen ueber die Wehrpflicht vergangen hat, bei seiner Rueckkehr in sein ursprüngliches Vaterland weder nachträglich zum Kriegsdienste herangezogen, noch wegen Nichterfüllung seiner Wehrpflicht zur Untersuchung und Strafe gezogen werden.

### ARTIKEL III.

Der Vertrag ueber die wechselseitige Auslieferung von der Strafjustitz durch die Flucht sich entziehenden Verbrechern, welcher zwischen der oesterreichisch-ungarischen Monarchie einerseits und den Vereinigten Staaten von Amerika andererseits am 3. Juli 1856, abgeschlossen worden ist, sowie die am 8. Mai 1848, unterzeichnete Additional-Convention zu dem zwischen denselben Regierungen abgeschlossenen Handels- und Schifffahrtsvertrag vom 27. August 1829, und namentlich die Bestimmungen des Artikels IV dieser Additional-Convention ueber die Auslieferung der Deserteurs von den Kriegs-

Naturalized citizens liable on their return to their original country in particular for non-fulfilment of certain military duties.

but not for others.

Convention for extradition of fugitives from justice, and certain other conventions, not to be changed hereby.

Vol. xv. p. 691.  
Vol. ix. p. 944.  
Vol. viii. p. 398.

## ARTICLE IV.

Provision as to  
recovery of citi-  
zenship in origi-  
nal country

The emigrant from the one state, who, according to Article I. is to be held as a citizen of the other state, shall not, on his return to his original country, be constrained to resume his former citizenship; yet if he shall of his own accord re-acquire it, and renounce the citizenship obtained by naturalization, such a renunciation is allowable, and no fixed period of residence shall be required for the recognition of his recovery of citizenship in his original country.

## ARTICLE V.

When this  
convention shall  
take effect, and  
how long con-  
tinue;

The present convention shall go into effect immediately on the exchange of ratifications, and shall continue in force ten years. If neither party shall have given to the other six months' previous notice of its intention then to terminate the same, it shall further remain in force until the end of twelve months after either of the contracting parties shall have given notice to the other of such intention.

## ARTICLE VI.

when to be  
ratified.

The present convention shall be ratified by the President of the United States, by and with the consent of the Senate of the United States, and by his Majesty the Emperor of Austria, &c., King of Hungary, with the constitutional consent of the two legislatures of the Austro-Hungarian Monarchy, and the ratifications shall be exchanged at Vienna within twelve months from the date hereof.

Signature.

In faith whereof the plenipoten-

und Handelsschiffen, bleiben unverändert fortbestehen.

## ARTIKEL IV.

Derjenige, welcher aus dem einen Staate ausgewandert, und nach Artikel I als Angehöriger des andern Staates zu erachten ist, soll bei etwaiger Rueckkehr in sein früheres Vaterland nicht angehalten werden können, in die alte Staatsangehörigkeit zurueck zu treten. Wenn er dieselbe mit seinem Willen jedoch wieder erwirbt und auf sein, durch Naturalisation erworbenes, Staatsbürgerrecht wieder verzichtet, so soll ein solcher Verzicht zulaessig und soll fuer die Anerkennung der Wiedererwerbung des Staatsbürgerrechtes im urspruenglichen Heimathsstaate eine gewisse Dauer des Aufenthaltes in diesem Staate nicht erforderlich sein.

## ARTIKEL V.

Der gegenwaertige Vertrag tritt sofort nach Austausch der Ratificationen in Kraft und hat fuer 10 Jahre Gueltigkeit.

Wenn kein Theil dem andern sechs Monate vor dem Ablauf dieser zehn Jahre Mittheilung von seiner Absicht macht, denselben alsdann aufzuheben, so soll er ferner in Kraft bleiben bis zum Ablauf von zwolf Monaten, nachdem einer der contrahirenden Theile dem andern von einer solchen Absicht Kenntniss gegeben.

## ARTIKEL VI.

Die gegenwaertige Convention soll von dem Praesidenten der Vereinigten Staaten, mit und unter Zustimmung des Senates der Vereinigten Staaten, und von Seiner Majestaet dem Kaiser von Oesterreich, etc., Koenig von Ungarn, nach eingeholter verfassungsmaessigen Zustimmung der beiden Gesetzgebungen der oesterreichisch-ungarischen Monarchie, ratificirt und die Ratificationen zu Wien innerhalb zwolf Monaten vom Datum derselben ausgewechselt werden.

Zu Urkund dessen haben die Be-

tiaries have signed this convention as well in German as in English, and have thereto affixed their seals.

Done at Vienna the twentieth day of September, in the year of our Lord one thousand eight hundred and seventy, in the ninety-fifth year of the Independence of the United States of America, and in the twenty-second year of the reign of his imperial and royal Apostolic Majesty.

[SEAL.]  
[SEAL.]

JOHN JAY.  
BEUST.

vollmaechtigten diese Uebereinkunft, sowohl in deutscher als in englischer Sprache unterzeichnet und derselben ihr Insiegel beigesetzt.

So geschehen in Wien den zwanzigsten September, im Jahre des Herrn eintausendachthundertundsiebzig, im fuefundneunzigsten Jahre der Unabhaengigkeit der Vereinigten Staaten von Amerika und im zweiundzwanzigsten Jahre der Regierung Seiner Kaiserlichen und Koeniglich-Apostolischen Majestaet.

[SIEGEL.]  
[SIEGEL.]

JOHN JAY.  
BEUST.

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Vienna, on the fourteenth day of July, 1871, by John Jay, Envoy Extraordinary and Minister Plenipotentiary of the United States, and Count Frederick Ferdinand de Beust, Minister for Foreign Affairs of the Austro-Hungarian Monarchy, &c., on the part of their respective governments:

Ratification.

Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this first day of August, in the year of our Lord one thousand eight hundred and seventy-one, and of the Independence of the United States of America the ninety-sixth.

[SEAL.]

U. S. GRANT.

By the President:  
HAMILTON FISH, *Secretary of State.*



*Agreement between the United States and Spain, for the Settlement of certain Claims of Citizens of the United States, made by Daniel E. Sickles, Esq., Envoy Extraordinary and Minister Plenipotentiary of the United States at Madrid, and His Excellency Señor Don Cristino Martos, Minister of State of Spain. Concluded February 12, 1871.* Feb. 12, 1871.

Memorandum of an arbitration for the settlement of the claims of citizens of the United States, or of their heirs, against the government of Spain for wrongs and injuries committed against their persons and property, or against the persons and property of citizens of whom the said heirs are the legal representatives, by the authorities of Spain, in the island of Cuba, or within the maritime jurisdiction thereof, since the commencement of the present insurrection.

1. It is agreed that all such claims shall be submitted to arbitrators, one to be appointed by the Secretary of State of the United States, another by the Envoy Extraordinary and Minister Plenipotentiary of Spain at Washington, and these two to name an umpire who shall decide all questions upon which they shall be unable to agree; and in case the place of either arbitrator or of the umpire shall from any cause become vacant, such vacancy shall be filled forthwith in the manner herein provided for the original appointment.

Claims of citizens of the United States against the government of Spain to be submitted to arbitrators, and in case of disagreement to umpire.

2. The arbitrators and umpire so named shall meet at Washington within one month from the date of their appointment, and shall, before proceeding to business, make and subscribe a solemn declaration that they will impartially hear and determine, to the best of their judgment, and according to public law and the treaties in force between the two countries and these present stipulations, all such claims as shall, in conformity with this agreement, be laid before them on the part of the government of the United States; and such declaration shall be entered upon the record of their proceedings.

Arbitrators and umpire to meet at Washington, &c.

3. Each government may name an advocate to appear before the arbitrators or the umpire, to represent the interests of the parties respectively.

Each government may name an advocate.

4. The arbitrators shall have full power, subject to these stipulations, and it shall be their duty, before proceeding with the hearing and decision of any case, to make and publish convenient rules prescribing the time and manner of the presentation of claims and of the proof thereof; and any disagreement with reference to the said rules of proceeding shall be decided by the umpire. It is understood that a reasonable period shall be allowed for the presentation of the proofs; that all claims, and the testimony in favor of them, shall be presented only through the government of the United States; that the award made in each case shall be in writing, and, if indemnity be given, the sum to be paid shall be expressed in the gold coin of the United States.

Power of arbitrators.

Claims to be presented through government of the United States.

5. The arbitrators shall have jurisdiction of all claims presented to them by the government of the United States for injuries done to citizens of the United States by the authorities of Spain, in Cuba, since the first day of October, 1868. Adjudications of the tribunals in Cuba concerning citizens of the United States, made in the absence of the parties

Jurisdiction of arbitrators.

Jurisdiction of  
arbitrators.

interested, or in violation of international law or of the guarantees and forms provided for in the treaty of October 27, 1795, between the United States and Spain, may be reviewed by the arbitrators, who shall make such award in any such case as they shall deem just. No judgment of a Spanish tribunal, disallowing the affirmation of a party that he is a citizen of the United States, shall prevent the arbitrators from hearing a reclamation presented in behalf of said party by the United States Government; nevertheless, in any case heard by the arbitrators, the Spanish Government may traverse the allegation of American citizenship, and thereupon competent and sufficient proof thereof will be required. The commission having recognized the quality of American citizens in the claimants, they will acquire the rights accorded to them by the present stipulations as such citizens. And it is further agreed that the arbitrators shall not have jurisdiction of any reclamation made in behalf of a native-born Spanish subject, naturalized in the United States, if it shall appear that the same subject-matter having been adjudicated by a competent tribunal in Cuba, and the claimant, having appeared therein, either in person or by his duly appointed attorney, and being required by the laws of Spain to make a declaration of his nationality, failed to declare that he was a citizen of the United States; in such case, and for the purposes of this arbitration, it shall be deemed and taken that the claimant, by his own default, had renounced his allegiance to the United States. And it is further agreed that the arbitrators shall not have jurisdiction of any demands growing out of contracts.

Expenses of  
arbitration, and  
how defrayed.

Allowance to  
advocates.

Secretary and  
his pay.

Awards to be  
final and con-  
clusive.

6. The expenses of the arbitration will be defrayed by a percentage to be added to the amount awarded. The compensation of the arbitrators and umpire shall not exceed three thousand dollars each; the same allowance shall be made to each of the two advocates representing respectively the two governments; and the arbitrators may employ a secretary at a compensation not exceeding the sum of five dollars a day for every day actually and necessarily given to the business of the arbitration.

7. The two governments will accept the awards made in the several cases submitted to the said arbitration as final and conclusive, and will give full effect to the same in good faith and as soon as possible.

*Supplemental Convention between the United States and Great Britain, concerning the Renunciation of Naturalization in certain Cases. Signed February 23, 1871; Ratified March 24, 1871; Ratifications exchanged May 4, 1871; Proclaimed May 5, 1871.* Feb. 23, 1871.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

### A PROCLAMATION.

WHEREAS a convention supplemental to the convention of May 13, 1870, between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, concerning naturalization, was concluded and signed at Washington by their respective plenipotentiaries, on the twenty-third day of February, 1871, which supplemental convention is word for word as follows:—

Preamble.  
Vol. xvi. p. 775.

Whereas by the second article of the convention between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, for regulating the citizenship of citizens and subjects of the contracting parties who have emigrated, or may emigrate, from the dominions of the one to those of the other party, signed at London, on the 13th of May, 1870, it was stipulated that the manner in which the renunciation by such citizens and subjects of their naturalization, and the resumption of their native allegiance may be made and publicly declared, should be agreed upon by the governments of the respective countries, the President of the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, for the purpose of effecting such agreement, have resolved to conclude a supplemental convention, and have named as their plenipotentiaries, that is to say, the President of the United States of America, Hamilton Fish, Secretary of State, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Edward Thornton, Knight Commander of the most honorable Order of the Bath, and her envoy extraordinary and minister plenipotentiary to the United States of America, who have agreed as follows:—

ARTICLE I. Any person, being originally a citizen of the United States who had previously to May 13th, 1870, been naturalized as a British subject, may, at any time before August 10th, 1872, and any British subject who, at the date first aforesaid, had been naturalized as a citizen within the United States, may, at any time before May 12th, 1872, publicly declare his renunciation of such naturalization by subscribing an instrument in writing, substantially in the form hereunto appended, and designated as Annex A.

Certain citizens or subjects of either country naturalized in the other may renounce their naturalization, and in what manner;

Such renunciation, by an original citizen of the United States, of British nationality, shall, within the territories and jurisdiction of the United States, be made in duplicate, in the presence of any court authorized by law for the time being to admit aliens to naturalization, or before the clerk or prothonotary of any such court: if the declarant be beyond the territories of the United States, it shall be made in duplicate, before any diplomatic or consular officer of the United States. One of such duplicates shall remain of record in the custody of the court or officer in whose

if within the United States;

if beyond the territory of the United States.

Renunciation  
how to be made,  
if in the United  
Kingdom;

if elsewhere in  
the British do-  
minions.

Lists, &c. of  
persons renoun-  
cing their natu-  
ralization to be  
furnished.

Convention  
when to be rati-  
fied.

presence it was made ; the other shall be, without delay, transmitted to the Department of State.

Such renunciation, if declared by an original British subject, of his acquired nationality as a citizen of the United States, shall, if the declarant be in the United Kingdom of Great Britain and Ireland, be made in duplicate, in the presence of a justice of the peace; if elsewhere in Her Britannic Majesty's dominions, in triplicate, in the presence of any judge of civil or criminal jurisdiction, of any justice of the peace, or of any other officer for the time being authorized by law, in the place in which the declarant is, to administer an oath for any judicial or other legal purpose: if out of Her Majesty's dominions, in triplicate, in the presence of any officer in the diplomatic or consular service of Her Majesty.

ARTICLE II. The contracting parties hereby engage to communicate each to the other, from time to time, lists of the persons who, within their respective dominions and territories, or before their diplomatic and consular officers, have declared their renunciation of naturalization, with the dates and places of making such declarations, and such information as to the abode of the declarants, and the times and places of their naturalization, as they may have furnished.

ARTICLE III. The present convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty, and the ratifications shall be exchanged at Washington as soon as may be convenient.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at Washington the twenty-third day of February, in the year of our Lord one thousand eight hundred and seventy-one.

[SEAL.]  
[SEAL.]

HAMILTON FISH.  
EDW'D THORNTON.

Annex.

ANNEX A.

Form of dec-  
laration of re-  
nunciation of  
naturalization.

I, A. B., of [insert abode], being originally a citizen of the United States of America, [or a British subject,] and having become naturalized within the dominions of Her Britannic Majesty as a British subject, [or as a citizen within the United States of America,] do hereby renounce my naturalization as a British subject, [or citizen of the United States,] and declare that it is my desire to resume my nationality as a citizen of the United States, [or British subject.]

(Signed) A. B.

Made and subscribed to before me, ———, in [insert country or other subdivision, and State, province, colony, legation, or consulate,] this ——— day of ———, 187 —.

(Signed)

E. F.,

*Justice of the Peace, [or other title.]*

[SEAL.]  
[SEAL.]

HAMILTON FISH,  
EDW'D THORNTON.

Convention  
proclaimed.

And whereas the said supplemental convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged in this city on the fourth day of May, 1871, by Hamilton Fish, Secretary of State of the United States, and Sir Edward Thornton, K. C. B., Her Britannic Majesty's envoy extraordinary and minister plenipotentiary accredited to this Government, on the part of their respective Govern-ments :

Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said supplemental convention to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.



In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this fifth day of May, in the year  
[SEAL.] of our Lord one thousand eight hundred and seventy-one, and  
of the Independence of the United States of America the  
ninety-fifth.

U. S. GRANT.

By the President :

HAMILTON FISH, *Secretary of State.*



*Treaty between the United States of America and the Kingdom of Italy. Commerce and Navigation. Signed February 26, 1871; Ratified April 29, 1871; Ratifications exchanged November 18, 1871; Proclaimed November 23, 1871.* Feb. 26, 1871.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

## A PROCLAMATION.

WHEREAS a treaty of commerce and navigation between the United States of America and his Majesty the King of Italy was concluded and signed by their respective plenipotentiaries, at the city of Florence, on the twenty-sixth day of February, one thousand eight hundred and seventy-one, which treaty, being in the English and Italian languages, is word for word as follows:—

Preamble.

*Treaty of Commerce and Navigation between the United States and the Kingdom of Italy.*

*Trattato di Commercio e di Navigazione tra il Regno d'Italia e gli Stati Uniti.*

The United States of America and his Majesty the King of Italy, desiring to extend and facilitate the relations of commerce and navigation between the two countries, have determined to conclude a treaty for that purpose, and have named as their respective plenipotentiaries: The United States of America, George Perkins Marsh, their Envoy Extraordinary and Minister Plenipotentiary near his Majesty the King of Italy; and his Majesty the King of Italy, the Noble Emilio Visconti Venosta, Grand Cordon of his Orders of the Saints Maurice and Lazarus, and of the Crown of Italy, Deputy in Parliament, and his Minister Secretary of State for Foreign Affairs; and the said plenipotentiaries having exchanged their full powers, found in good and due form, have concluded and signed the following articles:—

### ARTICLE I.

There shall be between the territories of the high contracting parties a reciprocal liberty of commerce and navigation.

Italian citizens in the United States, and citizens of the United States in Italy, shall mutually have

Sua Maestà il Re d'Italia e gli Stati Uniti d'America, desiderando d'estendere e facilitare le relazioni di commercio e di navigazione fra i due paesi, hanno determinato di conchiudere a questo scopo un trattato, ed hanno nominato come loro rispettivi Plenipotenziari: Sua Maestà il Re d'Italia, il Nobile Emilio Visconti Venosta, Gran Cordone dei suoi Ordini dei Santi Maurizio e Lazzaro, e della corona d'Italia, Deputato al Parlamento, e suo Ministro Segretario di Stato per gli Affari Esteri; e gli Stati Uniti d'America, Giorgio Perkins Marsh, loro Inviato Straordinario e Ministro Plenipotenziario presso Sua Maestà il Re d'Italia; e i predetti Plenipotenziari avendo scambiato i loro pieni poteri, trovati in buona e debita forma, hanno conchiuso e firmato i seguenti articoli:

Contracting parties.

### ARTICOLO I.

Vi sarà fra i territori delle alte parti contraenti reciproca libertà di commercio e di navigazione.

Reciprocal liberty of commerce and navigation.

I cittadini italiani negli Stati Uniti ed i cittadini degli Stati Uniti in Italia avranno scambievol-

Residence,  
rights and priv-  
ileges.

liberty to enter with their ships and cargoes all the ports of the United States and of Italy respectively, which may be open to foreign commerce. They shall also have liberty to sojourn and reside in all parts whatever of said territories. They shall enjoy, respectively, within the States and possessions of each party, the same rights, privileges, favors, immunities, and exemptions for their commerce and navigation as the natives of the country wherein they reside, without paying other or higher duties or charges than are paid by the natives, on condition of their submitting to the laws and ordinances there prevailing.

War vessels.

War vessels of the two powers shall receive in their respective ports the treatment of those of the most favored nations.

#### ARTICLE II.

Right to travel  
and carry on  
trade.

The citizens of each of the high contracting parties shall have liberty to travel in the States and territories of the other, to carry on trade, wholesale and retail, to hire and occupy houses and warehouses, to employ agents of their choice, and generally to do any thing incident to or necessary for trade, upon the same terms as the natives of the country, submitting themselves to the laws there established.

#### ARTICLE III.

Security to  
persons and  
property.

The citizens of each of the high contracting parties shall receive, in the States and territories of the other, the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or shall be granted to the natives, on their submitting themselves to the conditions imposed upon the natives.

Exemption  
from compulsory  
military service,  
from office and  
contributions.

They shall, however, be exempt in their respective territories from compulsory military service, either on land or sea, in the regular forces, or in the national guard, or in the militia. They shall likewise be exempt from any judicial or mu-

mente libertà d'entrare coi loro bastimenti e carichi in tutti quei porti dell' Italia e degli Stati Uniti, rispettivamente, che possono essere aperti al commercio estero.

Essi avranno pure libertà di soggiornare e risiedere in qualsivoglia parte dei detti territori.

Essi godranno rispettivamente negli stati e possedimenti di ciascuna parte, gli stessi diritti, privilegi, favori, immunità ed esenzioni pel loro commercio e navigazione che i nativi del paese in cui risiedono, senza pagare altri o maggiori diritti o gravami di quelli pagati da questi ultimi, sotto condizione d'assoggettarsi alle leggi e regolamenti in vigore.

Le navi da guerra delle due potenze riceveranno nei rispettivi loro porti il trattamento di quelle della nazione più favorita.

#### ARTICOLO II.

I cittadini di ciascuna delle alte parti contraenti avranno libertà di viaggiare negli stati e territori dell' altra, d'esercitare il commercio all' ingrosso ed al minuto, di prendere in affitto ed occupare case e magazzini, d'impiegare agenti a loro scelta, ed in generale di fare qualunque cosa incidentale o necessaria al commercio, alle medesime condizioni dei nazionali, sottomettendosi alle leggi in vigore.

#### ARTICOLO III.

I cittadini di ciascuna delle alte parti contraenti riceveranno negli stati e territori dell' altra la più costante protezione e sicurezza per le loro persone e proprietà, e godranno a questo riguardo degli stessi diritti e privilegi che sono o saranno accordati ai nazionali, purchè si sottomettano alle condizioni imposte a questi ultimi. Essi andranno per altro esenti nei loro rispettivi stati dal servizio militare obbligatorio, sì nell' esercito che nella marina, nelle forze regolari o nella guardia nazionale o nella milizia. Essi saranno pure esenti da ogni ufficio giudiziario o municipale, e da ogni contribuzione di sorta in

nicipal office, and from any contribution whatever, in kind or in money, to be levied in compensation for personal services.

## ARTICLE IV.

The citizens of neither of the contracting parties shall be liable, in the States or territories of the other, to any embargo, nor shall they be detained with their vessels, cargoes, merchandise, or effects, for any military expedition, nor for any public or private purpose whatsoever, without allowing to those interested a sufficient indemnification previously agreed upon when possible.

## ARTICLE V.

The high contracting parties agree that whatever kind of produce, manufactures, or merchandise of any foreign country can be from time to time lawfully imported into the United States, in their own vessels, may be also imported in Italian vessels; that no other or higher duties upon the tonnage of the vessel or her cargo shall be levied and collected, whether the importation be made in vessels of the one country or of the other; and, in like manner, that whatsoever kind of produce, manufactures, or merchandise of any foreign country can be from time to time lawfully imported into Italy in its own vessels, may be also imported in vessels of the United States, and that no higher or other duties upon the tonnage of the vessel or her cargo shall be levied and collected, whether the importation be made in vessels of the one country or of the other; and they further agree that whatever may be lawfully exported and re-exported from the one country, in its own vessels, to any foreign country, may, in the like manner, be exported or re-exported in the vessels of the other country, and the same bounties, duties, and drawbacks; shall be allowed and collected, whether such exportation or re-exportation be made in vessels of the United States or of Italy.

natura o in danaro che fosse esatta in compenso di servizi personali.

## ARTICOLO IV.

I cittadini di nessuna delle parti contraenti saranno sottomessi negli stati o territori dell'altra a niun embargo, nè trattenuti colle loro navi, carichi, mercanzie od effetti per qualunque spedizione militare, nè per qualsivoglia motivo pubblico o privato, senza che venga accordata agl'interessati un'indennità sufficiente, previamente convenuta, quando sia possibile.

No embargo or detention without indemnification.

## ARTICOLO V.

Le alte parti contraenti conven-gono che qualunque specie di prodotto, manifattura o mercanzia di uno stato estero la cui importazione in Italia possa essere di quando in quando coi suoi propri bastimenti permessa dalle leggi, possa essere pure importata coi bastimenti degli Stati Uniti; che nessun maggiore od altro diritto sul tonnellaggio del bastimento o sul carico sarà posto e percepito, sia che l'importazione si faccia coi bastimenti dell'uno stato o dell'altro; e nella stessa maniera che qualunque specie di prodotto, manifattura e mercanzia di uno stato estero la cui importazione negli Stati Uniti coi suoi propri bastimenti possa essere di quando in quando dalle leggi permessa, possa essere pure importata coi bastimenti Italiani, e che nessun maggiore od altro diritto sul tonnellaggio del bastimento o sul suo carico sarà posto e percepito, sia che l'importazione si faccia coi bastimenti dell'uno stato o dell'altro; ed esse inoltre convengono che tutto ciò la cui importazione o riesportazione da uno dei due stati ad uno stato estero coi suoi proprii bastimenti, sia permessa dalle leggi, possa nella stessa guisa venir esportata o riesportata coi bastimenti dell'altro stato, e che gli stessi premi, diritti e rimborsi di diritti saranno con-

Imports into the United States in Italian vessels and duties thereon;

into Italy in vessels of the United States and duties thereon.

Exports, bounties, duties, and drawbacks.

## ARTICLE VI.

Duties upon  
imports into  
either country;

upon exports.

Prohibition.

No higher or other duties shall be imposed on the importation into the United States of any articles, the produce or manufactures of Italy, and no higher or other duties shall be imposed on the importation into Italy of any articles, the produce or manufactures of the United States, than are or shall be payable on the like articles, being the produce or the manufactures of any other foreign country; nor shall any other or higher duties or charges be imposed, in either of the two countries, on the exportation of any articles to the United States or to Italy, respectively, than such as are payable on the exportation of the like articles to any foreign country, nor shall any prohibition be imposed on the importation or the exportation of any articles, the produce or manufactures of the United States or of Italy, to or from the territories of the United States, or to or from the territories of Italy, which shall not equally extend to all other nations.

## ARTICLE VII.

Vessels of  
either country  
entering a port  
of the other, may  
proceed to an-  
other port and  
discharge;

but not engage  
in coast-wise  
navigation.

Vessels of the United States arriving at a port of Italy, and, reciprocally, vessels of Italy arriving at a port of the United States, may proceed to any other port of the same country, and may there discharge such part of their original cargoes as may not have been discharged at the port where they first arrived. It is, however, understood and agreed that nothing contained in this article shall apply to the coastwise navigation, which each of the two contracting parties reserves exclusively to itself.

## ARTICLE VIII.

Certain vessels  
to be exempt

The following shall be exempt from paying tonnage, anchorage,

cessi e percepiti, sia che tale esportazione o riesportazione si faccia coi bastimenti dell' Italia o degli Stati Uniti.

## ARTICOLO VI.

Nessun altro o maggiore diritto sarà posto sull' importazione in Italia di qualunque articolo, prodotto del suolo o dell' industria degli Stati Uniti, e nessun altro o maggior diritto sarà posto sull' importazione negli Stati Uniti di qualunque articolo, prodotto del suolo o dell' industria dell' Italia, di quelli che devono o dovranno pagarsi sopra identici articoli costituenti il prodotto del suolo o dell' industria di un altro stato estero; nè nessun altro o maggior diritto o imposizione sarà posto in uno di questi due stati sull' esportazione di qualunque articolo in Italia o agli Stati Uniti rispettivamente, di quelli che devono pagarsi sopra gl'identici articoli che si esportano ad uno stato estero; nè nessuna proibizione sarà posta sull' importazione o esportazione di qualunque articolo prodotto del suolo o dell' industria d'Italia o degli Stati Uniti, ai o dai territori d'Italia, ai o dai territori degli Stati Uniti che non sia egualmente estesa a tutte le altre nazioni.

## ARTICOLO VII.

Le navi d'Italia che arrivano in un porto degli Stati Uniti, e reciprocamente, le navi degli Stati Uniti che arrivano in un porto d'Italia, possono procedere ad un altro porto dello stesso stato, ed ivi scaricare quella parte del loro primitivo carico che possono non avere scaricata al porto dove prima arrivarono. È però inteso e convenuto che nessuna disposizione contenuta in questo articolo si applicherà alla navigazione di costa d'ambidue gli stati, che ciascuna delle due parti contraenti si riserva esclusivamente per se.

## ARTICOLO VIII.

Saranno esenti dal pagare i diritti di tonnelloaggio, di ancor-

and clearance duties in the respective ports:—

1st. Vessels entering in ballast, and leaving again in ballast, from whatever port they may come.

2. Vessels passing from a port of either of the two states into one or more ports of the same state, therein to discharge a part or all of their cargo, or take in or complete their cargo, whenever they shall furnish proof of having already paid the aforesaid duties.

3. Loaded vessels entering a port either voluntarily or forced from stress of weather, and leaving it without having disposed of the whole or part of their cargoes, or having therein completed their cargoes.

No vessel of the one country, which may be compelled to enter a port of the other, shall be regarded as engaging in trade if it merely breaks bulk for repairs, transfers her cargo to another vessel on account of unseaworthiness, purchases stores, or sells damaged goods for re-exportation. It is, however, understood that all portions of such damaged goods destined to be sold for internal consumption shall be liable to the payment of custom duties.

#### ARTICLE IX.

When any vessel belonging to the citizens of either of the contracting parties shall be wrecked, foundered, or shall suffer any damage, on the coasts or within the dominions of the other, there shall be given to it all assistance and protection in the same manner which is usual and customary with the vessels of the nation where the damage happens, permitting them to unload the said vessel, if necessary, of its merchandise and effects, and to reload the same, or part thereof, paying no duties whatsoever but such as shall be due upon the articles left for consumption.

VOL. XVII. TREAT.—54

aggio e di spedizione nei porti rispettivi: from tonnage, anchorage, and clearance duties.

1°. Le navi che entrano in zavorra ripartiranno in zavorra, da qualunque porto provengano.

2°. Le navi che sieno passate da un porto di uno dei due stati in uno o più porti del medesimo stato, per deporvi in tutto o in parte il loro carico, per prendervelo e completarlo, ogni qualvolta forniscano la prova d'aver già pagato i diritti summenzionati.

3°. Le navi che, entrate col carico in un porto, o volontariamente o pel cattivo tempo, ne usciranno senza aver disposto di tutto o di parte del loro carico, o senza averlo ivi completato.

Nessuna nave di uno degli stati che sia forzata ad entrare in un porto dell' altro, si reputerà fare operazioni di commercio, se avrà scaricato delle mercanzie semplicemente per restauri, trasportato il suo carico sopra altra nave in caso d'innavigabilità della prima, comprato vettovaglie o venduto mercanzie avariate per la riesportazione. È però inteso che ogni porzione di tali merci avariate, destinate ad esser vendute per la consumazione interna, sarà soggetta al pagamento dei relativi diritti di dogana.

What vessels not to be considered as engaging in trade.

What damaged goods to pay customs duties.

#### ARTICOLO IX.

Quando una nave appartenente ai cittadini di una delle parti contraenti venisse a naufragare, affondare o soffrire qualche avaria sulle coste o nei domini dell' altra, le sarà concesso ogni assistenza e protezione nello stesso modo che si usa e costuma colle navi dello stato ove avvenne l'infortunio, permettendo alla medesima di scaricare, se è necessario, il suo contenuto, mercanzie od effetti, e di ricaricare lo stesso contenuto o parte di esso, senza pagare nessun diritto di sorta, eccetto quello che può essere dovuto sopra gli articoli lasciati per la consumazione.

Wrecked, &c., vessels, to receive assistance, &c.

No duties, except, &c.

## ARTICLE X.

Vessels may complete their crews.

Vessels of either of the contracting parties shall have liberty, within the territories and dominions of the other, to complete their crew, in order to continue their voyage, with sailors articled in the country, provided they submit to the local regulations and their enrolment be voluntary.

## ARTICLE XI.

Vessels, &c., captured by pirates, and found within, &c., to be delivered to owners, if claimed within one year.

All ships, merchandise, and effects belonging to the citizens of one of the contracting parties, which may be captured by pirates, whether within the limits of its jurisdiction or on the high seas, and may be carried or found in the rivers, roads, bays, ports, or dominions of the other, shall be delivered up to the owners, they proving, in due and proper form, their rights before the competent tribunals; it being well understood that the claim should be made within the term of one year, by the parties themselves, their attorneys, or agents of the respective governments.

## ARTICLE XII.

Private property of, &c., in case of war, to be exempt from capture.

The high contracting parties agree that, in the unfortunate event of a war between them, the private property of their respective citizens and subjects, with the exception of contraband of war, shall be exempt from capture or seizure, on the high seas or elsewhere, by the armed vessels or by the military forces of either party; it being understood that this exemption shall not extend to vessels and their cargoes which may attempt to enter a port blockaded by the naval forces of either party.

This exemption not to extend to, &c.

## ARTICLE XIII.

What to constitute a legal blockade.

The high contracting parties having agreed that a state of war between one of them and a third power shall not, except in the cases of blockade and contraband of war, affect the neutral commerce of the other, and being desirous of remov-

## ARTICOLO X.

Le navi di una delle parti contraenti avranno libertà, nei territori e domini dell' altra, di completare il proprio equipaggio per poter proseguire il viaggio con marinai arruolati nel paese, semprechè si conformino ai regolamenti locali, e il loro arruolamento sia volontario.

## ARTICOLO XI.

Le navi, mercanzie ed effetti appartenenti ai cittadini di una delle alte parti contraenti, che fossero state predate dai pirati, sia nei limiti della sua giurisdizione, o in alto mare, e fossero trasportate o trovate nelle rade, fiumi, baje, porti o domini dell' altra, saranno consegnate ai loro proprietari, purchè provino in debita e giusta forma i loro diritti avanti i competenti tribunali; è però inteso che il reclamo dovrà esser fatto nel termine di un (1) anno, dalle parti stese, dai loro procuratori, o dagli agenti dei rispettivi governi.

## ARTICOLO XII.

Le alte parti contraenti conven-gono che verificandosi la sventura di una guerra fra esse, la proprietà privata dei rispettivi loro cittadini e sudditi, ad eccezione del contrabando di guerra, sarà in alto mare, o in qualsivoglia altro luogo, esente da cattura o da confisca per parte delle navi armate o delle forze militari d'ambo le parti; è però inteso che questa esenzione non si estenderà alle navi ed ai loro carichi che tentino di entrare in un porto bloccato dalle forze navali dell' una o dell' altra parte.

## ARTICOLO XIII.

Le alte parti contraenti avendo convenuto che lo stato di guerra fra una di esse ed una terza potenza, eccetto i casi di blocco e di contrabbando di guerra, non avrà influenza sul commercio neutrale dell' altra e bramando rimuovere



ing every uncertainty which may hitherto have arisen respecting that which, upon principles of fairness and justice, ought to constitute a legal blockade, they hereby expressly declare that such places only shall be considered blockaded as shall be actually invested by naval forces capable of preventing the entry of neutrals and so stationed as to create an evident danger on their part to attempt it.

## ARTICLE XIV.

And whereas it frequently happens that vessels sail for a port or a place belonging to an enemy without knowing that the same is besieged, blockaded, or invested, it is agreed that every vessel so circumstanced may be turned away from such port or place, but shall not be detained, nor shall any part of her cargo, if not contraband of war, be confiscated, unless, after a warning of such blockade or investment from an officer commanding a vessel of the blockading forces, by an indorsement of such officer on the papers of the vessel, mentioning the date and the latitude and longitude where such indorsement was made, she shall again attempt to enter; but she shall be permitted to go to any other port or place she shall think proper. Nor shall any vessel of either, that may have entered into such a port before the same was actually besieged, blockaded, or invested by the other, be restrained from quitting such place with her cargo, nor, if found therein after the reduction and surrender, shall such vessel or her cargo be liable to confiscation, but they shall be restored to the owners thereof; and if any vessel, having thus entered any port before the blockade took place, shall take on board a cargo after the blockade be established, she shall be subject to being warned by the blockading forces to return to the port blockaded and discharge the said cargo, and if, after receiving the said warning, the vessel shall persist in going out with the cargo, she shall be liable to the same consequences

ogni dubbio che possa finora essere stato elevato riguardo a quanto è necessario secondo i principii d'equità e di giustizia per costituire un blocco legale, esse qui espressamente dichiarano che saranno considerati come bloccati soltanto quei luoghi che saranno effettivamente investiti da forze navali capaci d'impedire l'accesso ai neutrali, e in guisa disposte da creare, per parte dei medesimi un evidente pericolo d'entrarvi.

## ARTICOLO XIV.

E considerando che di frequente avviene che dei bastimenti navighino verso un porto od una piazza appartenente al nemico senza sapere che la medesima è assediata, bloccata o investita, è convenuto che ogni bastimento che si trovi in siffatte condizioni può essere respinto da quel porto o da quella piazza, ma non sarà trattenuto, ne verrà confiscata nessuna parte del suo carico se non sia contrabbando di guerra, a meno che dopo d'aver ricevuto avviso di quel blocco od investimento da un ufficiale comandante una nave che faccia parte delle forze bloccanti, mediante annotazione fatta dal medesimo sulle carte della nave, menzionante la data e la latitudine e longitudine in cui detta annotazione venne fatta, esso di nuovo tenterà di entrare; ma gli sarà però messo d'andare ad un altro porto o piazza che crederà conveniente. E neppure a nessuna nave di una delle parti che sia entrata in un porto prima che questo fosse effettivamente assediato, bloccato o investito dall'altra, sarà impedito d'uscirne col suo carico, e se dessa vi si trovasse dentro dopo la conquista o la resa, non sarà, nè la nave nè il suo carico, sottoposto a confisca, ma saranno restituiti ai loro proprietari, e se una nave entrata nel porto prima che il blocco avesse luogo, dopo che questo è stabilito, prenderà a bordo del carico, sarà soggetta ad essere avvertita dalle forze bloccanti di tornare al porto bloccato e di deporre il carico, e se dopo aver ricevuto tale

Vessels attempting, in ignorance, to enter a blockaded port, not to be detained, &c., unless, &c.

What indorsement on the vessel's papers.

Provision as to vessels in port when blockade is established.

as a vessel attempting to enter a blockaded port after being warned off by the blockading forces.

avviso la nave persisterà nel voler partire col carico, essa andrà sotto-posta alle stesse conseguenze di una nave che tenti d'entrare in un porto bloccato dopo averne ricevuto avviso dalle forze bloccanti.

#### ARTICLE XV.

#### ARTICOLO XV.

What to be deemed contraband of war.

The liberty of navigation and commerce secured to neutrals by the stipulations of this treaty shall extend to all kinds of merchandise, excepting those only which are distinguished by the name of contraband of war. And, in order to remove all causes of doubt and misunderstanding upon this subject, the contracting parties expressly agree and declare that the following articles, and no others, shall be considered as comprehended under this denomination:—

La libertà di commercio e navigazione, dal presente trattato assicurata ai neutrali, si estenderà ad ogni specie di mercanzia, eccetto solo quelle indicate col nome di contrabbando di guerra. E allo scopo di rimuovere ogni causa di dubbio e malinteso in questo proposito, le parti contraenti espressamente convengono e dichiarano che i seguenti oggetti e non altri si considereranno compresi sotto questa denominazione:—

1. Cannons, mortars, howitzers, swivels, blunderbusses, muskets, fusees, rifles, carbines, pistols, pikes, swords, sabres, lances, spears, halberds, bombs, grenades, powder, matches, balls, and all other things belonging to, and expressly manufactured for, the use of these arms.

1°. Cannoni, mortai, colubrine, obizzi, moschetti, fucili semplici o rigati, rifles, pistole, carabine, picche, spade, sciabole, lance, aste, alabarde, bombe, granate, polvere, micce, palle ed ogni altra cosa ad esse appartenente ed espressamente manipolata per uso di queste armi.

2. Infantry belts, implements of war and defensive weapons, clothes cut or made up in a military form and for a military use.

2°. Cuojami da infanteria, istrumenti di guerra e armi difensive, abiti tagliati o fatti in forma militare e per uso militare.

3. Cavalry belts, war saddles and holsters.

3°. Cuojami da cavalleria, selle da guerra e fonde.

4. And generally all kinds of arms and instruments of iron, steel, brass, and copper, or of any other materials manufactured, prepared, and formed expressly to make war by sea or land.

4°. E generalmente ogni specie di armi ed istrumenti di ferro, acciaio, ottone e rame, e d'ogni altra materia manufatta, preparata e formata espressamente a far la guerra in terra o in mare.

#### ARTICLE XVI.

#### ARTICOLO XVI.

Citizens of either country may sail from any port and trade in the ports, &c., of those who are enemies of the other.

It shall be lawful for the citizens of the United States, and for the subjects of the Kingdom of Italy, to sail with their ships with all manner of liberty and security, no distinction being made who are the proprietors of the merchandise laden thereon, from any port to the places of those who now are, or hereafter shall be, at enmity, with either of the contracting parties. It shall likewise be lawful for the citizens

Sarà permesso ai sudditi dell'Italia ed ai cittadini degli Stati Uniti di navigare coi loro bastimenti, con ogni maniera di libertà e sicurezza, senza che nessuna distinzione venga fatta a chi appartengono le mercanzie caricate sui medesimi, da qualunque porto ai luoghi di coloro che sono o saranno in avvenire in ostilità con una o coll'altra delle parti contraenti. Sarà parimente permesso ai precitati cittadini di

aforesaid to sail with the ships and merchandise before mentioned, and to trade with the same liberty and security from the places, ports, and havens of those who are enemies of both or either party without any opposition or disturbance whatever, not only directly from the places of the enemy before mentioned to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under the jurisdiction of one power or under several; and it is hereby stipulated that free ships shall also give freedom to goods, and that every thing shall be deemed to be free and exempt from capture which shall be found on board the ships belonging to the citizens of either of the contracting parties, although the whole lading or any part thereof should appertain to the enemies of the other, contraband goods being always excepted. It is also agreed, in like manner, that the same liberty be extended to persons who are on board of a free ship; and they shall not be taken out of that free ship unless they are officers or soldiers, and in the actual service of the enemy. Provided, however, and it is hereby agreed, that the stipulations in this article contained, declaring that the flag shall cover the property, shall be understood as applying to those powers only who recognize this principle, but if either of the two contracting parties shall be at war with a third, and the other neutral, the flag of the neutral shall cover the property of enemies whose governments acknowledge this principle, and not of others.

## ARTICLE XVII.

All vessels sailing under the flag of the United States, and furnished with such papers as their laws require, shall be regarded in Italy as vessels of the United States, and, reciprocally, all vessels sailing under the flag of Italy, and furnished with the papers which the laws of Italy require, shall be regarded in the United States as Italian vessels.

navigare coi bastimenti e mercanzie sopra ricordate, e d'esercitare il commercio colla stessa libertà e sicurezza dalle piazze, porti e rade di coloro che son nemici d'ambidue o di una delle parti, senza nessuna opposizione o disturbo di sorta, non solo direttamente dai luoghi del nemico sopra ricordati ai luoghi dei neutrali, ma eziandio da uno ad un altro luogo appartenente ad un nemico, sieno essi sotto la giurisdizione di una o più potenze. Ed è pure qui stipulato che nave libera rende libera la merce, e che sarà reputato libero ed esente da cattura tutto ciò che sarà trovato a bordo delle navi appartenenti ai cittadini di una delle parti contraenti, quantunque l'intero carico, od una parte di esso appartenga ai nemici dell'altra, eccetto sempre il contrabbando di guerra. È inoltre convenuto nello stesso modo, che la stessa libertà si estenda alle persone che si trovano a bordo di nave libera, e che esse non ne verranno tolte a meno che non sieno ufficiali o soldati, e al servizio attuale del nemico. A condizione tuttavia, e questo è qui convenuto, che le disposizioni contenute in questo articolo, le quali dichiarano che la bandiera cuopre la proprietà, s'intenderanno applicabili solo a quelle potenze che riconoscono questo principio, ma se una delle due parti contraenti sarà in guerra con una terza potenza, e l'altra neutrale, la bandiera del neutrale cuoprirà la proprietà dei nemici, i governi dei quali riconoscono questo principio, e non degli altri.

Free ships to make free goods contraband, excepted;

and free persons, except, &c.

This privilege to extend only to what flags.

## ARTICOLO XVII.

Tutti i bastimenti che navigheranno sotto la bandiera d'Italia, muniti delle carte richieste dalla legislazione della medesima, saranno negli Stati Uniti considerati come bastimenti dell'Italia, e reciprocamente tutti i bastimenti che navigheranno sotto la bandiera degli Stati Uniti, muniti delle carte richieste dalla legislazione dei medesimi, saranno considerati in Ita-

What to be deemed vessels of the United States and what Italian vessels.

## ARTICLE XVIII.

Examination on the high seas, of the merchant vessels of one country, by the war vessels of the other.

In order to prevent all kinds of disorder in the visiting and examination of the ships and cargoes of both the contracting parties on the high seas, they have agreed, mutually, that whenever a vessel of war shall meet with a vessel not of war of the other contracting party, the first shall remain at a convenient distance, and may send its boat, with two or three men only, in order to execute the said examination of the papers, concerning the ownership and cargo of the vessel, without causing the least extortion, violence, or ill-treatment; and it is expressly agreed that the unarmed party shall in no case be required to go on board the examining vessel for the purpose of exhibiting his papers, or for any other purpose whatever.

## ARTICLE XIX.

Provision as to vessels under convoy.

It is agreed that the stipulations contained in the present treaty, relative to the visiting and examining of a vessel, shall apply only to those which sail without a convoy; and when said vessels shall be under convoy the verbal declaration of the commander of the convoy, on his word of honor, that the vessels under his protection belong to the nation whose flag he carries, and when bound to an enemy's port, that they have no contraband goods on board, shall be sufficient.

## ARTICLE XX.

Commanders of ships of war to be punished, and to be liable in damages for outrages upon the persons or property of the citizens of the other country.

In order effectually to provide for the security of the citizens and subjects of the contracting parties, it is agreed between them that all commanders of ships of war of each party, respectively, shall be strictly enjoined to forbear from doing any damage to, or committing any outrage against, the citizens or subjects of the other, or against their vessels or property; and if the said com-

lia come bastimenti degli Stati Uniti.

## ARTICOLO XVIII.

Allo scopo d'impedire ogni disordine nella visita e nell' esame delle navi e dei carichi d' ambedue le parti contraenti, in alto mare, esse hanno mutuamente consentito che qualora una nave da guerra ne incontri un' altra che tale non sia, dell' altra parte contraente, la prima rimarrà a conveniente distanza e potrà inviare il suo battello con due o tre uomini solamente affine di procedere al suddetto esame delle carte concernenti la proprietà della nave e del carico, senza cagionare la minima estorsione, violenza o cattivi trattamenti. Ed è espressamente convenuto che in niun caso si esigerà che la parte non armata vada a bordo della nave che vuol far la visita per mostrare le sue carte o per qualunque altro siasi scopo.

## ARTICOLO XIX.

È convenuto che le disposizioni contenute nel presente Trattato relative alla visita ed all' esame di una nave, saranno applicabili solo a quelle che navigano senza un convoglio, e nel caso contrario la dichiarazione verbale del comandante del convoglio sulla sua parola d'onore che le navi poste sotto la sua protezione appartengono alla nazione di cui egli porta la bandiera, e, quando sien diretti ad un porto nemico, che non hanno contrabbando di guerra, sarà sufficiente.

## ARTICOLO XX.

Allo scopo di provvedere efficacemente alla sicurezza dei cittadini e sudditi delle parti contraenti, esse convengono tra loro che sarà rigorosamente prescritto a tutti i comandanti delle navi da guerra di ciascuna parte rispettivamente, d'astenersi dal far danno o commettere oltraggi sulle persone dei cittadini o sudditi dell' altra, o sulle loro navi o proprietà; e se i sopradetti coman-

manders shall act contrary to this stipulation, they shall be severely punished, and made answerable in their persons and estates for the satisfaction and reparation of said damages, of whatever nature they may be.

## ARTICLE XXI.

If by any fatality, which cannot be expected, and which may God avert, the two contracting parties should be engaged in a war with each other, they have agreed and do agree, now for then, that there shall be allowed the term of six months to the merchants residing on the coasts and in the ports of each other, and the term of one year to those who dwell in the interior, to arrange their business and transport their effects wherever they please, with the safe conduct necessary to protect them and their property, until they arrive at the ports designated for their embarkation. And all women and children, scholars of every faculty, cultivators of the earth, artisans, mechanics, manufacturers, and fishermen, unarmed and inhabiting the unfortified towns, villages, or places, and, in general, all others whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments and shall not be molested in their persons, nor shall their houses or goods be burnt or otherwise destroyed, nor their fields wasted by the armed force of the belligerent in whose power, by the events of war, they may happen to fall; but, if it be necessary that any thing should be taken from them for the use of such belligerent, the same shall be paid for at a reasonable price.

And it is declared that neither the pretence that war dissolves treaties, nor any other whatever, shall be considered as annulling or suspending this article; but, on the contrary, that the state of war is precisely that for which it is provided, and during which its provisions are to be sacredly observed as the most

danti agiranno contrariamente a queste disposizioni, saranno severamente puniti e resi responsabili nelle loro persone e proprietà per la soddisfazione e riparazione dei predetti danni di qualunque natura essi sieno.

## ARTICOLO XXI.

Se per impreveduta sventura, che Dio tolga, le due parti contraenti s'impegnassero in guerra tra loro, esse hanno convenuto e convengono, ora per allora, che sarà concesso il termine di sei mesi ai mercanti che resiedono sulle coste e nei porti dell'una e dell'altra, ed il termine di un anno a coloro che abitano nell'interno per sistemare i loro affari e trasportare i loro effetti dove lor piaccia, col salvo-condotto necessario a proteggere loro e le loro proprietà, fino all'arrivo nei porti indicati pel loro imbarco; e alle donne e ai ragazzi, agli studenti d'ogni facoltà, ai coltivatori del suolo, artigiani, meccanici, manifattori e pescatori, inermi e dimoranti in città, villaggi e luoghi non fortificati, ed in generale a tutti coloro le occupazioni dei quali sono dirette alla sussistenza comune ed a beneficio dell'umanità, sarà concesso di continuare nelle rispettive faccende, e non verranno molestati nelle loro persone, nè le loro case saranno bruciate o in altra guisa distrutte, nè i loro campi devastati dalle forze armate dei belligeranti in potere dei quali sieno caduti per accidente di guerra; ma se fia necessario che si tolga loro alcuna cosa per uso dei belligeranti, la medesima sarà pagata ad un prezzo ragionevole.

E si dichiara che nè la pretesa che la guerra scioglie ogni trattato, nè qualsivoglia altra si reputerà annullare o sospendere questo articolo; ma al contrario che lo stato di guerra è precisamente quello per cui vien così disposto, ed è per la sua durata che questi provvedimenti dovranno religiosamente osservarsi come gli

In case of war merchants to be allowed a certain time to arrange business and leave.

Who may continue their respective employments unmolested.

This article not to be annulled or suspended on any pretence.

acknowledged obligations in the law of nations.

obblighi i più riconosciuti nel diritto internazionale.

#### ARTICLE XXII.

#### ARTICOLO XXII.

Disposition of personal property;

The citizens of each of the contracting parties shall have power to dispose of their personal goods within the jurisdiction of the other, by sale, donation, testament, or otherwise, and their representatives, being citizens of the other party, shall succeed to their personal goods, whether by testament or ab intestato, and they may take possession thereof, either by themselves or others acting for them, and dispose of the same at their will, paying such dues only as the inhabitants of the country wherein such goods are shall be subject to pay in like cases.

I cittadini di ciascuna delle parti contraenti potranno disporre dei loro beni mobili posti nella giurisdizione dell' altra, per vendita, donazione, testamento o in qualsivoglia altro modo, e i loro rappresentanti, i quali sieno cittadini dell' altra parte, succederanno nei loro beni mobili, sia per testamento che ab intestato, e potranno prenderne possesso in persona o per mezzo d'altri che agiscano in loro nome, e disporne a volontà, pagando quei diritti soltanto che gli abitanti dello stato in cui tali beni son posti, sono obbligati a pagare in simili casi.

of real estate.

As for the case of real estate, the citizens and subjects of the two contracting parties shall be treated on the footing of the most favored nation.

Trattandosi di possedimento di beni immobili, i cittadini e sudditi delle due parti contraenti saranno trattati sul piede della nazione più favorita.

#### ARTICLE XXIII.

#### ARTICOLO XXIII.

Courts of justice to be open to the citizens of either country.

The citizens of either party shall have free access to the courts of justice, in order to maintain and defend their own rights, without any other conditions, restrictions, or taxes than such as are imposed upon the natives. They shall therefore be free to employ, in defence of their rights, such advocates, solicitors, notaries, agents, and factors as they may judge proper, in all their trials at law; and such citizens or agents shall have free opportunity to be present at the decisions and sentences of the tribunals in all cases which may concern them, and likewise at the taking of all examinations and evidences which may be exhibited in the said trials.

I cittadini dell' una e dell' altra parte avranno libero accesso ai tribunale di giustizia per mantenere e difendere i loro diritti, senza altre condizioni, restrizioni e tasse all' infuori di quelle imposte ai nazionali; essi saranno in conseguenza liberi d'impiegare in difesa dei loro diritti gli avvocati, sollecitatori, notari, agenti e facitori che essi giudichino convenienti in tutte le loro cause, e tali cittadini o agenti avranno facoltà di assistere alle decisioni e sentenze dei tribunali in tutte le cause che li concernono, come pure di assistere agli esami e deposizioni che possono prodursi nei giudizi medesimi.

#### ARTICLE XXIV.

#### ARTICOLO XXIV.

Privileges of the most favored nation.

The United States of America and the Kingdom of Italy mutually engage not to grant any particular favor to other nations, in respect to commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the same freely, if the concession was freely made, or on allowing the same

Il Regno d'Italia e gli Stati Uniti d'America s'impegnano scambievolmente a non accordare nessun favore particolare alle altre nazioni, in materia di commercio e navigazione, che non divenga immediatamente comune all' altra parte, la quale ne godrà liberamente, se la concessione venne liberamente fatta, o accordando egual

compensation if the concession was conditional.

compenso, se la concessione fu condizionale.

## ARTICLE XXV.

The present treaty shall continue in force for five (5) years from the day of the exchange of the ratifications; and if, twelve (12) months before the expiration of that period, neither of the high contracting parties shall have announced to the other, by an official notification, its intention to terminate the said treaty, it shall remain obligatory on both parties one (1) year beyond that time, and so on until the expiration of the twelve (12) months, which will follow a similar notification, whatever may be the time when such notification shall be given.

Il presente trattato sarà in vigore per cinque (5) anni a decorrere dal giorno dello scambio delle ratifiche, e se dodici (12) mesi prima dello spirare di questo periodo, niuna delle alte parti contraenti avrà ufficialmente annunciato all' altra la sua intenzione di por termine al detto trattato, esso resterà obbligatorio per ambo le parti per un (1) anno ancora, e così di seguito fino allo spirare dei dodici (12) mesi che seguiranno tale notificazione, qualunque sia il tempo in cui la medesima avrà avuto luogo.

This treaty to continue in force how long;

## ARTICLE XXVI.

The present treaty shall be approved and ratified by his Majesty the King of Italy, and by the President of the United States, by and with the advice and consent of the Senate thereof, and the ratifications shall be exchanged at Washington within twelve months from the date hereof, or sooner if possible.

In faith whereof the plenipotentiaries of the contracting parties have signed the present treaty in duplicate, in the English and Italian languages, and thereto affixed their respective seals.

Done at Florence, this twenty-sixth day of February, in the year of our Lord one thousand eight hundred and seventy-one.

[L. s.] GEORGE P. MARSH.  
[L. s.] VISCONTI VENOSTA.

## ARTICOLO XXVI.

Il presente trattato sarà approvato e ratificato da Sua Maestà il Re d'Italia e dal Presidente degli Stati Uniti per e con l'avviso e consenso del Senato dei predetti stati, e le ratifiche saranno scambiate a Washington entro dodici mesi dalla data dell' presente, o più presto se è possibile.

In fede di che, i plenipotenziari delle parti contraenti hanno firmato il presente trattato in duplicato in lingua italiana ed inglese, e vi hanno apposto i loro rispettivi sigilli.

Fatto a Firenze questo vigesimo sesto giorno di febbrajo nell' anno dell' nostro Signore mille ottocento settantuno.

[L. s.] VISCONTI VENOSTA.  
[L. s.] GEORGE P. MARSH.

when and where to be ratified.

Signature.

And whereas the said treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington on the eighteenth instant:

Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

Ratification.

Proclamation.

## TREATY WITH THE KINGDOM OF ITALY. FEB. 26, 1871.

In testimony whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-third day of November, in the  
[SEAL.] year of our Lord one thousand eight hundred and seventy-one,  
and of the Independence of the United States of America the  
ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*



ADDITIONAL ARTICLE.

*Between the United States of America and the German Empire.*

March 31 and  
May 14, 1871.

*Additional Article to the Convention for the Amelioration of the Postal Service, concluded on the 21st October, 1867, between the Post Departments of the United States of America and the North German Union, as well as to the additional Convention of the 7-23 April, 1870.*

As a regular steamship line between a port of Germany and a port of the United States of America can be employed for the transportation of the German-American mails at such a compensation that the entire cost of transportation between the boundaries of the two countries shall not exceed one half silbergroschen for each single letter: Now, therefore, the undersigned, duly authorized by their respective governments, that is to say, the government of the United States of America and the government of the German Empire, have agreed upon the following additional article to the postal convention of the 21st October, 1867, and to the additional convention of the 7-23 April, 1870: —

Preamble.

Contracting parties.

Vol. xvi. pp.  
979, 1003.

SOLE ARTICLE.

The single letter rate on correspondence exchanged directly between the two administrations by means of such steamship line shall be as follows, viz.: —

Single rate of letter postage.

1. For letters from Germany to the United States :
  - a. When prepaid in Germany, 2½ silbergroschen.
  - b. When paid in the United States, 12 cents.
2. For letters from the United States to Germany :
  - a. When prepaid in the United States, 6 cents.
  - b. When paid in Germany, 5 silbergroschen.

This additional article takes effect on the date of the dispatch of the first mail by such steamship line, and from that date forward has the same duration as the convention of the 21st October, 1867, and the additional convention of the 7-23 April, 1870.

When this article takes effect.

Done in duplicate, and signed in Washington the thirty-first day of March, one thousand eight hundred and seventy-one, and in Berlin the fourteenth day of May, one thousand eight hundred and seventy-one.

[SEAL.]

JNO. A. J. CRESWELL,

*Postmaster-General of the United States.*

[SEAL.]

HEINRICH STEPHAN,

*General Post Director of the German Empire.*

I hereby approve the foregoing additional article, and in testimony thereof I have caused the seal of the United States to be affixed.

[SEAL.]

U. S. GRANT.

By the President :

HAMILTON FISH,

*Secretary of State.*

WASHINGTON, March 31, 1871.



April 19, 871. *Convention between the United States of America and the United States of Mexico. Extension of the duration of the Joint Commission for Settlement of Claims. Signed April 19, 1871; Ratified December 15, 1871; Ratifications exchanged February 8, 1872; Proclaimed February 8, 1872.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

## A PROCLAMATION.

Preamble.

WHEREAS a convention between the United States of America and the United States of Mexico was concluded and signed by their respective plenipotentiaries, at the city of Mexico, on the nineteenth day of April, in the year of our Lord one thousand eight hundred and seventy-one, for extending the time limited by the convention between the two countries of the 4th of July, 1868, for the termination of the proceedings of the joint commission provided for by the latter instrument; which convention, being in the English and Spanish languages, is word for word as follows:—

Vol. ix. p. 922. Whereas a convention was concluded on the 4th day of July, 1868, between the United States of America and the United States of Mexico, for the settlement of outstanding claims that have originated since the signing of the treaty of Guadalupe Hidalgo, on the 2d of February, 1848, by a mixed commission limited to endure for two years and six months from the day of the first meeting of the commissioners; and whereas doubts have arisen as to the practicability of the business of the said commission being concluded within the period assigned:

Contracting parties.

The President of the United States of America and the President of the United States of Mexico are desirous that the time originally fixed for the duration of the said commission should be extended, and to this end have named plenipotentiaries to agree upon the best mode of effecting this object, that is to say: The President of the United States of America, Thomas H. Nelson, accredited as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Mexican Republic; and the President of the United States of Mexico, Manuel Azpiroz, Chief Clerk and in charge of the Ministry of Foreign Relations of the United States of Mexico; who, after having presented their respective powers,

Considerando que fué concluida, en 4 de Julio de 1868, una convencion entre los Estados Unidos Mexicanos y los Estados Unidos de América, para el arreglo de las reclamaciones pendientes que se habian originado despues de firmado el tratado de Guadalupe Hidalgo en 2 de Febrero de 1848, por medio de una comision mixta, cuya duracion fué limitada por el término de dos años y seis meses, contados desde el dia de la primera reunion de los comisionados; y considerando que se ha puesto en duda la posibilidad de que sean concluidos dentro del término señalado los negocios pendientes ante dicha comision:

El Presidente de los Estados Unidos Mexicanos y el Presidente de los Estados Unidos de América desean que el tiempo primitivamente fijado para la duracion de dicha comision sea prorogado, y para alcanzar este fin del mejor modo por medio de una convencion han nombrado plenipotenciarios, á saber: El Presidente de los Estados Unidos Mexicanos á Manuel Azpiroz, Oficial Mayor encargado del Ministerio de Relaciones Exteriores de los Estados Unidos Mexicanos; y el Presidente de los Estados Unidos de América á Thomas H. Nelson, acreditado como Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos de América en Mexico; quienes, despues de haberse

and finding them sufficient and in due form, have agreed upon the following articles:—

## ARTICLE I.

Duration of joint commission for settlement of claims, extended for one year.

Vol. xv. p. 633.

The high contracting parties agree that the term assigned in the convention of the 4th of July, 1868, above referred to, for the duration of the said commission, shall be extended for a time not exceeding one year from the day when the functions of the said commission would terminate according to the convention referred to, or for a shorter time if it should be deemed sufficient by the commissioners, or the umpire, in case of their disagreement.

It is agreed that nothing contained in this article shall in any wise alter or extend the time originally fixed in the said convention for the presentation of claims to the mixed commission.

## ARTICLE II.

When this convention is to be ratified.

The present convention shall be ratified, and the ratifications shall be exchanged at Washington, as soon as possible.

Signature.

In witness whereof the above-mentioned plenipotentiaries have signed the same and affixed their respective seals.

Done in the city of Mexico the 19th day of April, in the year one thousand eight hundred and seventy-one.

[SEAL.] THOMAS H. NELSON.  
[SEAL.] MANUEL AZPIROZ.

Ratification.

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same have been exchanged:

Proclamation.

Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington this eighth day of February, in the year of our Lord one thousand eight hundred and seventy-two, and of [SEAL.] the Independence of the United States of America the ninety-sixth.

By the President:

HAMILTON FISH, *Secretary of State.*

## ARTÍCULO I.

Las altas partes contratantes convienen en que el término señalado en la convencion de 4 de Julio de 1868, arriba citada, para la duracion de dicha comision, sea prorogado por un tiempo que no exceda de un año, contado desde el dia en que, segun la convencion citada, deberian terminar las funciones de la misma comision, ó por un tiempo menor que sea bastante á juicio de los comisionados, ó del arbitro en caso de discordia entre ellos.

Queda convenido, que por este artículo no se alteran ó prorogan de ningun modo los términos prefijados en la citada convencion para la presentacion de reclamaciones ante la comision mixta.

## ARTÍCULO II.

La presente convencion será ratificada, y las ratificaciones serán cangeadas en Washington, á la mayor brevedad.

En fé de lo cual los plenipotenciarios arriba nombrados firman la presente convencion, poniendo en ella sus sellos respectivos.

Hecha en México el dia diez y nueve de Abril del año mil ochocientos setenta y uno.

[SEAL.] MANUEL AZPIROZ.  
[SEAL.] THOMAS H. NELSON.

U. S. GRANT.

*Treaty between the United States and Great Britain. Claims, Fisheries, Navigation of the St. Lawrence, &c.; American Lumber on the River St. John; Boundary. Concluded May 8, 1871; Ratifications exchanged June 17, 1871; Proclaimed July 4, 1871.* May 8, 1871.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

## A PROCLAMATION.

WHEREAS a treaty, between the United States of America and her Majesty the Queen of the United Kingdom of Great Britain and Ireland, concerning the settlement of all causes of difference between the two countries, was concluded and signed at Washington by the high commissioners and plenipotentiaries of the respective governments on the eighth day of May last; which treaty is word for word, as follows:— Preamble.

The United States of America and her Britannic Majesty, being desirous to provide for an amicable settlement of all causes of difference between the two countries, have for that purpose appointed their respective plenipotentiaries, that is to say: The President of the United States has appointed, on the part of the United States, as Commissioners in a Joint High Commission and Plenipotentiaries, Hamilton Fish, Secretary of State; Robert Cumming Schenck, Envoy Extraordinary and Minister Plenipotentiary to Great Britain; Samuel Nelson, an Associate Justice of the Supreme Court of the United States; Ebenezer Rockwood Hoar, of Massachusetts; and George Henry Williams, of Oregon; and her Britannic Majesty, on her part, has appointed as her High Commissioners and Plenipotentiaries, the Right Honourable George Frederick Samuel, Earl de Grey and Earl of Ripon, Viscount Goderich, Baron Grantham, a Baronet, a Peer of the United Kingdom, Lord President of her Majesty's Most Honourable Privy Council, Knight of the Most Noble Order of the Garter, etc., etc.; the Right Honourable Sir Stafford Henry Northcote, Baronet, one of her Majesty's Most Honourable Privy Council, a Member of Parliament, a Companion of the Most Honourable Order of the Bath, etc., etc.; Sir Edward Thornton, Knight Commander of the Most Honourable Order of the Bath, her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States of America; Sir John Alexander Macdonald, Knight Commander of the Most Honourable Order of the Bath, a member of her Majesty's Privy Council for Canada, and Minister of Justice and Attorney-General of her Majesty's Dominion of Canada; and Mountague Bernard, Esquire, Chichele Professor of International Law in the University of Oxford. Contracting parties.

And the said plenipotentiaries, after having exchanged their full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:—

### ARTICLE I.

Whereas differences have arisen between the government of the United States and the government of her Britannic Majesty, and still exist, growing out of the acts committed by the several vessels which have given rise to the claims generically known as the "Alabama claims:" Alabama claims to be referred to arbitration.

And whereas her Britannic Majesty has authorized her high commissioners and plenipotentiaries to express, in a friendly spirit, the regret felt

by her Majesty's government for the escape, under whatever circumstances, of the Alabama and other vessels from British ports, and for the depredations committed by those vessels:

Arbitrators,  
and how to be  
named.

Now, in order to remove and adjust all complaints and claims on the part of the United States, and to provide for the speedy settlement of such claims, which are not admitted by her Britannic Majesty's government, the high contracting parties agree that all the said claims, growing out of acts committed by the aforesaid vessels, and generically known as the "Alabama claims," shall be referred to a tribunal of arbitration to be composed of five arbitrators, to be appointed in the following manner, that is to say: One shall be named by the President of the United States; one shall be named by her Britannic Majesty; his Majesty the King of Italy shall be requested to name one; the President of the Swiss Confederation shall be requested to name one; and his Majesty the Emperor of Brazil shall be requested to name one.

Vacancies how  
filled.

In case of the death, absence, or incapacity to serve of any or either of the said arbitrators, or, in the event of either of the said arbitrators omitting or declining or ceasing to act as such, the President of the United States, or her Britannic Majesty, or his Majesty the King of Italy, or the President of the Swiss Confederation, or his Majesty the Emperor of Brazil, as the case may be, may forthwith name another person to act as arbitrator in the place and stead of the arbitrator originally named by such head of a state.

And in the event of the refusal or omission for two months after receipt of the request from either of the high contracting parties of his Majesty the King of Italy, or the President of the Swiss Confederation, or his Majesty the Emperor of Brazil, to name an arbitrator either to fill the original appointment or in the place of one who may have died, be absent, or incapacitated, or who may omit, decline, or from any cause cease to act as such arbitrator, his Majesty the King of Sweden and Norway shall be requested to name one or more persons, as the case may be, to act as such arbitrator or arbitrators.

## ARTICLE II.

Arbitrators to  
meet when and  
where;  
their powers;

a majority to  
decide.

Agent of each  
party.

The arbitrators shall meet at Geneva, in Switzerland, at the earliest convenient day after they shall have been named, and shall proceed impartially and carefully to examine and decide all questions that shall be laid before them on the part of the governments of the United States and her Britannic Majesty respectively. All questions considered by the tribunal, including the final award, shall be decided by a majority of all the arbitrators.

Each of the high contracting parties shall also name one person to attend the tribunal as its agent to represent it generally in all matters connected with the arbitration.

## ARTICLE III.

Case of each  
party, &c., when  
to be given to  
arbitrators.

The written or printed case of each of the two parties, accompanied by the documents, the official correspondence, and other evidence on which each relies, shall be delivered in duplicate to each of the arbitrators and to the agent of the other party as soon as may be after the organization of the tribunal, but within a period not exceeding six months from the date of the exchange of the ratifications of this treaty.

## ARTICLE IV.

Counter case,  
&c.

Within four months after the delivery on both sides of the written or printed case, either party may, in like manner, deliver in duplicate to each

of the said arbitrators, and to the agent of the other party, a counter case and additional documents, correspondence, and evidence, in reply to the case, documents, correspondence, and evidence so presented by the other party.

The arbitrators may, however, extend the time for delivering such counter case, documents, correspondence, and evidence, when, in their judgment, it becomes necessary, in consequence of the distance of the place from which the evidence to be presented is to be procured. Time may be extended.

If in the case submitted to the arbitrators either party shall have specified or alluded to any report or document in its own exclusive possession without annexing a copy, such party shall be bound, if the other party thinks proper to apply for it, to furnish that party with a copy thereof; and either party may call upon the other, through the arbitrators, to produce the originals or certified copies of any papers adduced as evidence, giving in each instance such reasonable notice as the arbitrators may require. Documents and papers to be produced.

#### ARTICLE V.

It shall be the duty of the agent of each party, within two months after the expiration of the time limited for the delivery of the counter case on both sides, to deliver in duplicate to each of the said arbitrators and to the agent of the other party a written or printed argument showing the points and referring to the evidence upon which his government relies; and the arbitrators may, if they desire further elucidation with regard to any point, require a written or printed statement or argument, or oral argument by counsel upon it; but in such case the other party shall be entitled to reply either orally or in writing, as the case may be. Arguments and briefs.

#### ARTICLE VI.

In deciding the matters submitted to the arbitrators, they shall be governed by the following three rules, which are agreed upon by the high contracting parties as rules to be taken as applicable to the case, and by such principles of international law not inconsistent therewith as the arbitrators shall determine to have been applicable to the case. Rules, &c., to govern the arbitrators in their decisions.

#### RULES.

A neutral government is bound —

First, to use due diligence to prevent the fitting out, arming, or equipping, within its jurisdiction, of any vessel which it has reasonable ground to believe is intended to cruise or to carry on war against a power with which it is at peace; and also to use like diligence to prevent the departure from its jurisdiction of any vessel intended to cruise or carry on war as above, such vessel having been specially adapted, in whole or in part, within such jurisdiction, to warlike use. Obligations of neutral government to use due diligence to prevent the fitting out, &c., within, &c., of vessels, &c.;

Secondly, not to permit or suffer either belligerent to make use of its ports or waters as the base of naval operations against the other, or for the purpose of the renewal or augmentation of military supplies or arms, or the recruitment of men. not to permit its ports, &c., to be used for certain purposes;

Thirdly, to exercise due diligence in its own ports and waters, and, as to all persons within its jurisdiction, to prevent any violation of the foregoing obligations and duties. to use due diligence within, &c., to prevent violation of obligations.

Her Britannic Majesty has commanded her high commissioners and plenipotentiaries to declare that her Majesty's government cannot assent to the foregoing rules as a statement of principles of international law which were in force at the time when the claims mentioned in Article I. arose, but that her Majesty's government, in order to evince its desire of strengthening the friendly relations between the two countries and of These rules not admitted to have been in force when the Alabama claims arose, but to govern in future cases.

making satisfactory provision for the future, agrees that in deciding the questions between the two countries arising out of those claims, the arbitrators should assume that her Majesty's government had undertaken to act upon the principles set forth in these rules.

And the high contracting parties agree to observe these rules as between themselves in future, and to bring them to the knowledge of other maritime powers, and to invite them to accede to them.

#### ARTICLE VII.

Decision to be made when and in what form;

The decision of the tribunal shall, if possible, be made within three months from the close of the argument on both sides.

to be made as to each vessel separately.

It shall be made in writing and dated, and shall be signed by the arbitrators who may assent to it.

If Great Britain is found in fault, a gross sum may be awarded; when to be paid.

The said tribunal shall first determine as to each vessel separately whether Great Britain has, by any act or omission, failed to fulfil any of the duties set forth in the foregoing three rules, or recognized by the principles of international law not inconsistent with such rules, and shall certify such fact as to each of the said vessels. In case the tribunal find that Great Britain has failed to fulfil any duty or duties as aforesaid, it may, if it think proper, proceed to award a sum in gross to be paid by Great Britain to the United States for all the claims referred to it; and in such case the gross sum so awarded shall be paid in coin by the government of Great Britain to the government of the United States, at Washington, within twelve months after the date of the award.

Award to be in duplicate, and to whom delivered.

The award shall be in duplicate, one copy whereof shall be delivered to the agent of the United States for his government, and the other copy shall be delivered to the agent of Great Britain for his government.

#### ARTICLE VIII.

Expenses of the arbitration, how to be defrayed.

Each government shall pay its own agent and provide for the proper remuneration of the counsel employed by it and of the arbitrator appointed by it, and for the expense of preparing and submitting its case to the tribunal. All other expenses connected with the arbitration shall be defrayed by the two governments in equal moieties.

#### ARTICLE IX.

Arbitrators to keep a record.

The arbitrators shall keep an accurate record of their proceedings, and may appoint and employ the necessary officers to assist them.

#### ARTICLE X.

If Great Britain is found in fault and a gross sum is not awarded, a board of assessors to be appointed to determine claims, &c.;

In case the tribunal finds that Great Britain has failed to fulfil any duty or duties as aforesaid, and does not award a sum in gross, the high contracting parties agree that a board of assessors shall be appointed to ascertain and determine what claims are valid, and what amount or amounts shall be paid by Great Britain to the United States on account of the liability arising from such failure, as to each vessel, according to the extent of such liability as decided by the arbitrators.

how to be constituted.

The board of assessors shall be constituted as follows: One member thereof shall be named by the President of the United States, one member thereof shall be named by her Britannic Majesty, and one member thereof shall be named by the representative at Washington of his Majesty the King of Italy; and in case of a vacancy happening from any cause, it shall be filled in the same manner in which the original appointment was made.

Vacancies.

Board to meet when.

As soon as possible after such nominations the board of assessors



shall be organized in Washington, with power to hold their sittings there, or in New York, or in Boston. The members thereof shall severally subscribe a solemn declaration that they will impartially and carefully examine and decide, to the best of their judgment and according to justice and equity, all matters submitted to them, and shall forthwith proceed, under such rules and regulations as they may prescribe, to the investigation of the claims which shall be presented to them by the government of the United States, and shall examine and decide upon them in such order and manner as they may think proper, but upon such evidence or information only as shall be furnished by or on behalf of the governments of the United States and of Great Britain, respectively. They shall be bound to hear on each separate claim, if required, one person on behalf of each government, as counsel or agent. A majority of the assessors in each case shall be sufficient for a decision.

Members to  
subscribe a de-  
claration;

their powers  
and duties;

a majority to  
decide.

The decision of the assessors shall be given upon each claim in writing, and shall be signed by them respectively and dated.

Decision when  
and how given.

Claims to be  
presented within  
what time.

Every claim shall be presented to the assessors within six months from the day of their first meeting, but they may, for good cause shown, extend the time for the presentation of any claim to a further period not exceeding three months.

The assessors shall report to each government at or before the expiration of one year from the date of their first meeting the amount of claims decided by them up to the date of such report; if further claims then remain undecided, they shall make a further report at or before the expiration of two years from the date of such first meeting; and in case any claims remain undetermined at that time, they shall make a final report within a further period of six months.

Report of as-  
sessors;

The report or reports shall be made in duplicate, and one copy thereof shall be delivered to the secretary of state of the United States, and one copy thereof to the representative of her Britannic Majesty at Washington.

how to be made  
and to whom de-  
livered.

All sums of money which may be awarded under this article shall be payable at Washington, in coin, within twelve months after the delivery of each report.

Awards when  
and where to be  
paid.

The board of assessors may employ such clerks as they shall think necessary.

Clerks.

The expenses of the board of assessors shall be borne equally by the two governments, and paid from time to time, as may be found expedient, on the production of accounts certified by the board. The remuneration of the assessors shall also be paid by the two governments in equal moieties in a similar manner.

Expenses.

## ARTICLE XI.

The high contracting parties engage to consider the result of the proceedings of the tribunal of arbitration and of the board of assessors, should such board be appointed, as a full, perfect, and final settlement of all the claims hereinbefore referred to; and further engage that every such claim, whether the same may or may not have been presented to the notice of, made, preferred, or laid before the tribunal or board, shall, from and after the conclusion of the proceedings of the tribunal or board, be considered and treated as finally settled, barred, and thenceforth inadmissible.

Decisions of  
the arbitrators  
and assessors to  
be final.

Claims not pre-  
sented to be  
deemed finally  
settled.

## ARTICLE XII.

The high contracting parties agree that all claims on the part of corporations, companies, or private individuals, citizens of the United States, upon the government of her Britannic Majesty, arising out of acts committed against the persons or property of citizens of the United States during the period between the thirteenth of April, eighteen hundred and

Certain claims  
(other than the  
Alabama claims)  
against either  
government to  
be referred to

three commis-  
sioners;

See *Ante*, p. 422.

their appoint-  
ment;

vacancies;

their powers  
and duties.

See *Post*, p. 947.

sixty-one, and the ninth of April, eighteen hundred and sixty-five, inclusive, not being claims growing out of the acts of the vessels referred to in Article I. of this treaty, and all claims, with the like exception, on the part of corporations, companies, or private individuals, subjects of her Britannic Majesty, upon the government of the United States, arising out of acts committed against the persons or property of subjects of her Britannic Majesty during the same period, which may have been presented to either government for its interposition with the other, and which yet remain unsettled, as well as any other such claims which may be presented within the time specified in Article XIV. of this treaty, shall be referred to three commissioners, to be appointed in the following manner, that is to say: One commissioner shall be named by the President of the United States, one by her Britannic Majesty, and a third by the President of the United States and her Britannic Majesty conjointly; and in case the third commissioner shall not have been so named within a period of three months from the date of the exchange of the ratifications of this treaty, then the third commissioner shall be named by the Representative at Washington of his Majesty the King of Spain. In case of the death, absence, or incapacity of any commissioner, or in the event of any commissioner omitting or ceasing to act, the vacancy shall be filled in the manner hereinbefore provided for making the original appointment; the period of three months in case of such substitution being calculated from the date of the happening of the vacancy.

The commissioners so named shall meet at Washington at the earliest convenient period after they have been respectively named; and shall, before proceeding to any business, make and subscribe a solemn declaration that they will impartially and carefully examine and decide, to the best of their judgment, and according to justice and equity, all such claims as shall be laid before them on the part of the governments of the United States and of her Britannic Majesty, respectively; and such declaration shall be entered on the record of their proceedings.

### ARTICLE XIII.

Claims to be  
investigated.

A majority to  
decide.  
Award in each  
claim.

Agent of each  
government.

Decisions to be  
final.

See article  
xvii.

The commissioners shall then forthwith proceed to the investigation of the claims which shall be presented to them. They shall investigate and decide such claims in such order and such manner as they may think proper, but upon such evidence or information only as shall be furnished by or on behalf of the respective governments. They shall be bound to receive and consider all written documents or statements which may be presented to them by or on behalf of the respective governments in support of, or in answer to, any claim, and to hear, if required, one person on each side, on behalf of each government, as counsel or agent for such government, on each and every separate claim. A majority of the commissioners shall be sufficient for an award in each case. The award shall be given upon each claim in writing, and shall be signed by the commissioners assenting to it. It shall be competent for each government to name one person to attend the commissioners as its agent, to present and support claims on its behalf, and to answer claims made upon it, and to represent it generally in all matters connected with the investigation and decision thereof.

The high contracting parties hereby engage to consider the decision of the commissioners as absolutely final and conclusive upon each claim decided upon by them, and to give full effect to such decisions without any objection, evasion, or delay whatsoever.

### ARTICLE XIV.

Claims when

Every claim shall be presented to the commissioners within six months

from the day of their first meeting, unless in any case where reasons for delay shall be established to the satisfaction of the commissioners, and then, and in any such case, the period for presenting the claim may be extended by them to any time not exceeding three months longer. to be presented to the commissioners;

The commissioners shall be bound to examine and decide upon every claim within two years from the day of their first meeting. It shall be competent for the commissioners to decide in each case whether any claim has or has not been duly made, preferred, and laid before them, either wholly or to any and what extent, according to the true intent and meaning of this treaty. when to be decided. Commissioners to decide if any case is properly before them.

#### ARTICLE XV.

All sums of money which may be awarded by the commissioners on account of any claim shall be paid by the one government to the other, as the case may be, within twelve months after the date of the final award, without interest, and without any deduction save as specified in Article XVI. of this treaty. Awards when to be paid.

#### ARTICLE XVI.

The commissioners shall keep an accurate record, and correct minutes or notes of all their proceedings, with the dates thereof, and may appoint and employ a secretary, and any other necessary officer or officers, to assist them in the transaction of the business which may come before them. Records. Secretary.

Each government shall pay its own commissioner and agent or counsel. All other expenses shall be defrayed by the two governments in equal moieties. Expenses;

The whole expenses of the commission, including contingent expenses, shall be defrayed by a ratable deduction on the amount of the sums awarded by the commissioners, provided always that such deduction shall not exceed the rate of five per cent. on the sums so awarded. to be charged upon awards; not over five per cent.

#### ARTICLE XVII.

The high contracting parties engage to consider the result of the proceedings of this commission as a full, perfect, and final settlement of all such claims as are mentioned in Article XII. of this treaty upon either government; and further engage that every such claim, whether or not the same may have been presented to the notice of, made, preferred, or laid before the said commission, shall, from and after the conclusion of the proceedings of the said commission, be considered and treated as finally settled, barred, and thenceforth inadmissible. Decisions of commissioners to be final upon all claims that might have been presented.

#### ARTICLE XVIII.

It is agreed by the high contracting parties that, in addition to the liberty secured to the United States fishermen by the convention between the United States and Great Britain, signed at London on the 20th day of October, 1818, of taking, curing, and drying fish on certain coasts of the British North American Colonies therein defined, the inhabitants of the United States shall have, in common with the subjects of her Britannic Majesty, the liberty, for the term of years mentioned in Article XXXIII. of this treaty, to take fish of every kind, except shell-fish, on the sea-coasts and shores, and in the bays, harbors, and creeks, of the provinces of Quebec, Nova Scotia, and New Brunswick, and the colony of Prince Edward's Island, and of the several islands thereunto adjacent, without being restricted to any distance Right of the inhabitants of the United States in certain sea fisheries in common. Vol. viii. p. 248. See articles xxxii. & xxxiii.

from the shore, with permission to land upon the said coasts and shores and islands, and also upon the Magdalen Islands, for the purpose of drying their nets and curing their fish; provided that, in so doing, they do not interfere with the rights of private property, or with British fishermen, in the peaceable use of any part of the said coasts in their occupancy for the same purpose.

Salmon and shad fisheries exclusively for British fishermen.

It is understood that the above-mentioned liberty applies solely to the sea fishery, and that the salmon and shad fisheries, and all other fisheries in rivers and the mouths of rivers, are hereby reserved exclusively for British fishermen.

#### ARTICLE XIX.

Rights in common of British subjects in certain sea fisheries, on certain coasts of the United States.

See articles xxxii. & xxxiii.

Proviso.

Salmon and shad fisheries.

It is agreed by the high contracting parties that British subjects shall have, in common with the citizens of the United States, the liberty, for the term of years mentioned in Article XXXIII. of this treaty, to take fish of every kind, except shell-fish, on the eastern sea-coasts and shores of the United States north of the thirty-ninth parallel of north latitude, and on the shores of the several islands thereunto adjacent, and in the bays, harbors, and creeks of the said sea-coasts and shores of the United States and of the said islands, without being restricted to any distance from the shore, with permission to land upon the said coasts of the United States and of the islands aforesaid, for the purpose of drying their nets and curing their fish; provided that, in so doing, they do not interfere with the rights of private property, or with the fishermen of the United States in the peaceable use of any part of the said coasts in their occupancy for the same purpose.

It is understood that the above-mentioned liberty applies solely to the sea fishery, and that salmon and shad fisheries, and all other fisheries in rivers and mouths of rivers, are hereby reserved exclusively for fishermen of the United States.

#### ARTICLE XX.

Certain places reserved from the common right of fishing.

Vol. x. p. 1089.

See articles xxxii. & xxxiii.

Commission to designate such places, if, &c.

It is agreed that the places designated by the commissioners appointed under the first article of the treaty between the United States and Great Britain, concluded at Washington on the 5th of June, 1854, upon the coasts of her Britannic Majesty's dominions and the United States, as places reserved from the common right of fishing under that treaty, shall be regarded as in like manner reserved from the common right of fishing under the preceding articles. In case any question should arise between the governments of the United States and of her Britannic Majesty as to the common right of fishing in places not thus designated as reserved, it is agreed that a commission shall be appointed to designate such places, and shall be constituted in the same manner, and have the same powers, duties, and authority as the commission appointed under the said first article of the treaty of the 5th of June, 1854.

#### ARTICLE XXI.

Certain fish oil and fish to be free of duty.

See articles xxxii. & xxxiii.

It is agreed that, for the term of years mentioned in Article XXXIII. of this treaty, fish oil and fish of all kinds (except fish of the inland lakes, and of the rivers falling into them, and except fish preserved in oil), being the produce of the fisheries of the United States, or of the Dominion of Canada, or of Prince Edward's Island, shall be admitted into each country, respectively free of duty.

#### ARTICLE XXII.

Commissioners

Inasmuch as it is asserted by the government of her Britannic Majesty

that the privileges accorded to the citizens of the United States under Article XVIII. of this treaty are of greater value than those accorded by Articles XIX. and XXI. of this treaty to the subjects of her Britannic Majesty, and this assertion is not admitted by the government of the United States, it is further agreed that commissioners shall be appointed to determine, having regard to the privileges accorded by the United States to the subjects of her Britannic Majesty, as stated in Articles XIX. and XXI. of this treaty, the amount of any compensation which, in their opinion, ought to be paid by the government of the United States to the government of her Britannic Majesty in return for the privileges accorded to the citizens of the United States under Article XVIII. of this treaty; and that any sum of money which the said commissioners may so award shall be paid by the United States government, in a gross sum, within twelve months after such award shall have been given.

to determine the compensation, if any, to be paid by the United States for privileges granted by article xviii. of this treaty.

Award when to be paid.

#### ARTICLE XXIII.

The commissioners referred to in the preceding article shall be appointed in the following manner, that is to say: One commissioner shall be named by the President of the United States, one by her Britannic Majesty, and a third by the President of the United States and her Britannic Majesty conjointly; and in case the third commissioner shall not have been so named within a period of three months from the date when this article shall take effect, then the third commissioner shall be named by the representative at London of his Majesty the Emperor of Austria and King of Hungary. In case of the death, absence, or incapacity of any commissioner, or in the event of any commissioner omitting or ceasing to act, the vacancy shall be filled in the manner hereinbefore provided for making the original appointment, the period of three months in case of such substitution being calculated from the date of the happening of the vacancy.

Commissioners, how to be appointed;

vacancies;

The commissioners so named shall meet in the city of Halifax, in the province of Nova Scotia, at the earliest convenient period after they have been respectively named, and shall, before proceeding to any business, make and subscribe a solemn declaration that they will impartially and carefully examine and decide the matters referred to them to the best of their judgment, and according to justice and equity; and such declaration shall be entered on the record of their proceedings.

when and where to meet; their powers and duties.

Each of the high contracting parties shall also name one person to attend the commission as its agent, to represent it generally in all matters connected with the commission.

Agent for each government.

#### ARTICLE XXIV.

The proceedings shall be conducted in such order as the commissioners appointed under Articles XXII. and XXIII. of this treaty shall determine. They shall be bound to receive such oral or written testimony as either government may present. If either party shall offer oral testimony, the other party shall have the right of cross-examination, under such rules as the commissioners shall prescribe.

Proceedings before these commissioners, how to be conducted.

If in the case submitted to the commissioners either party shall have specified or alluded to any report or document in its own exclusive possession, without annexing a copy, such party shall be bound, if the other party thinks proper to apply for it, to furnish that party with a copy thereof; and either party may call upon the other, through the commissioners, to produce the originals or certified copies of any papers adduced as evidence, giving in each instance such reasonable notice as the commissioners may require.

Documents and papers.

The case on either side shall be closed within a period of six months

Cases to be

closed in six  
months.  
Awards.

from the date of the organization of the commission, and the commissioners shall be requested to give their award as soon as possible thereafter. The aforesaid period of six months may be extended for three months in case of a vacancy occurring among the commissioners under the circumstances contemplated in Article XXIII. of this treaty.

#### ARTICLE XXV.

Records,  
secretary, &c.

The commissioners shall keep an accurate record and correct minutes or notes of all their proceedings, with the dates thereof, and may appoint and employ a secretary and any other necessary officer or officers to assist them in the transaction of the business which may come before them.

Expenses.

Each of the high contracting parties shall pay its own commissioner and agent or counsel; all other expenses shall be defrayed by the two governments in equal moieties.

#### ARTICLE XXVI.

Navigation of  
the St. Lawrence  
to be free;

The navigation of the river St. Lawrence, ascending and descending, from the forty-fifth parallel of north latitude, where it ceases to form the boundary between the two countries, from, to, and into the sea, shall forever remain free and open for the purposes of commerce to the citizens of the United States, subject to any laws and regulations of Great Britain, or of the dominion of Canada, not inconsistent with such privilege of free navigation.

of other rivers.

The navigation of the rivers Yukon, Porcupine, and Stikine, ascending and descending, from, to, and into the sea, shall forever remain free and open for the purposes of commerce to the subjects of her Britannic Majesty and to the citizens of the United States, subject to any laws and regulations of either country within its own territory, not inconsistent with such privilege of free navigation.

#### ARTICLE XXVII.

The use on  
terms of equality  
of certain canals  
by citizens of  
both countries,  
to be urged.

The government of her Britannic Majesty engages to urge upon the government of the dominion of Canada to secure to the citizens of the United States the use of the Welland, St. Lawrence, and other canals in the dominion on terms of equality with the inhabitants of the dominion; and the government of the United States engages that the subjects of her Britannic Majesty shall enjoy the use of the St. Clair Flats canal on terms of equality with the inhabitants of the United States, and further engages to urge upon the State governments to secure to the subjects of her Britannic Majesty the use of the several State canals connected with the navigation of the lakes or rivers traversed by or contiguous to the boundary line between the possessions of the high contracting parties, on terms of equality with the inhabitants of the United States.

#### ARTICLE XXVIII.

Navigation of  
Lake Michigan.

The navigation of Lake Michigan shall also, for the term of years mentioned in Article XXXIII. of this treaty, be free and open for the purposes of commerce to the subjects of her Britannic Majesty, subject to any laws and regulations of the United States or of the States bordering thereon not inconsistent with such privilege of free navigation.

#### ARTICLE XXIX.

Provisions for

It is agreed that, for the term of years mentioned in Article XXXIII.

of this treaty, goods, wares, or merchandise arriving at the ports of New York, Boston, and Portland, and any other ports in the United States which have been or may, from time to time, be specially designated by the President of the United States, and destined for her Britannic Majesty's possessions in North America, may be entered at the proper custom-house and conveyed in transit, without the payment of duties, through the territory of the United States, under such rules, regulations, and conditions for the protection of the revenue as the government of the United States may from time to time prescribe; and under like rules, regulations, and conditions, goods, wares, or merchandise may be conveyed in transit, without the payment of duties, from such possessions through the territory of the United States for export from the said ports of the United States.

the conveyance in transit through territory of the United States of certain merchandise imported at certain ports of the United States, and of goods intended for export.

It is further agreed that, for the like period, goods, wares, or merchandise arriving at any of the ports of her Britannic Majesty's possessions in North America, and destined for the United States, may be entered at the proper custom-house and conveyed in transit, without the payment of duties, through the said possessions, under such rules and regulations, and conditions for the protection of the revenue as the governments of the said possessions may from time to time prescribe; and, under like rules, regulations, and conditions, goods, wares, or merchandise may be conveyed in transit, without payment of duties, from the United States through the said possessions to other places in the United States, or for export from ports in the said possessions.

Reciprocal provisions as to conveyance in transit through British territory.

#### ARTICLE XXX.

It is agreed that, for the term of years mentioned in Article XXXIII. of this treaty, subjects of her Britannic Majesty may carry in British vessels, without payment of duty, goods, wares, or merchandise from one port or place within the territory of the United States upon the St. Lawrence, the great lakes, and the rivers connecting the same, to another port or place within the territory of the United States as aforesaid: *Provided*, That a portion of such transportation is made through the dominion of Canada by land carriage and in bond, under such rules and regulations as may be agreed upon between the government of her Britannic Majesty and the government of the United States.

British subjects may carry in British vessels goods free of duty from certain ports of the United States to other such ports, if part of such carriage is through Canada by land and in bond.

Citizens of the United States may for the like period carry in United States vessels, without payment of duty, goods, wares, or merchandise from one port or place within the possessions of her Britannic Majesty in North America to another port or place within the said possessions: *Provided*, That a portion of such transportation is made through the territory of the United States by land carriage and in bond, under such rules and regulations as may be agreed upon between the government of the United States and the government of her Britannic Majesty.

Reciprocal privileges granted to citizens of the United States.

The government of the United States further engages not to impose any export duties on goods, wares, or merchandise carried under this article through the territory of the United States; and her Majesty's government engages to urge the parliament of the dominion of Canada and the legislatures of the other colonies not to impose any export duties on goods, wares, or merchandise carried under this article; and the government of the United States may, in case such export duties are imposed by the dominion of Canada, suspend, during the period that such duties are imposed, the right of carrying granted under this article in favor of the subjects of her Britannic Majesty.

Provision as to export duties on goods carried under this article.

The government of the United States may suspend the right of carrying granted in favor of the subjects of her Britannic Majesty under this article, in case the dominion of Canada should at any time deprive the citizens of the United States of the use of the canals in the said dominion on terms of equality with the inhabitants of the dominion, as provided in Article XXVII.

Privileges granted by this article may be suspended by the United States, if &c.

## ARTICLE XXXI.

Provision as to duty on lumber cut in Maine, floated down the St. John and shipped to the United States from New Brunswick.

The government of her Britannic Majesty further engages to urge upon the parliament of the dominion of Canada and the legislature of New Brunswick, that no export duty, or other duty, shall be levied on lumber or timber of any kind cut on that portion of the American territory in the State of Maine watered by the river St. John and its tributaries, and floated down that river to the sea, when the same is shipped to the United States from the province of New Brunswick. And, in case any such export or other duty continues to be levied after the expiration of one year from the date of the exchange of the ratifications of this treaty, it is agreed that the government of the United States may suspend the right of carrying hereinbefore granted under Article XXX. of this treaty for such period as such export or other duty may be levied.

## ARTICLE XXXII.

Provisions of articles xviii. to xxv. to extend to Newfoundland.

It is further agreed that the provisions and stipulations of Articles XVIII. to XXV. of this treaty, inclusive, shall extend to the colony of Newfoundland, so far as they are applicable. But if the imperial parliament, the legislature of Newfoundland, or the Congress of the United States, shall not embrace the colony of Newfoundland in their laws enacted for carrying the foregoing articles into effect, then this article shall be of no effect; but the omission to make provision by law to give it effect, by either of the legislative bodies aforesaid, shall not in any way impair any other articles of this treaty.

Proviso.

## ARTICLE XXXIII.

Articles xviii. to xxv. and article xxx. when to take effect;

The foregoing Articles XVIII. to XXV., inclusive, and Article XXX. of this treaty, shall take effect as soon as the laws required to carry them into operation shall have been passed by the imperial parliament of Great Britain, by the parliament of Canada, and by the legislature of Prince Edward's Island on the one hand, and by the Congress of the United States on the other. Such assent having been given, the said articles shall remain in force for the period of ten years from the date at which they may come into operation; and further until the expiration of two years after either of the high contracting parties shall have given notice to the other of its wish to terminate the same; each of the high contracting parties being at liberty to give such notice to the other at the end of the said period of ten years or at any time afterward.

how long to continue.

## ARTICLE XXXIV.

The decision as to a portion of the boundary line between the United States and British possessions west of the Rocky Mountains under the first article of the treaty of June 15, 1846, to be left to the arbitration of the Emperor of Germany.

Vol. ix. p. 869.

Whereas it was stipulated by Article I. of the treaty concluded at Washington on the 15th of June, 1846, between the United States and her Britannic Majesty, that the line of boundary between the territories of the United States and those of her Britannic Majesty, from the point on the forty-ninth parallel of north latitude up to which it had already been ascertained, should be continued westward along the said parallel of north latitude "to the middle of the channel which separates the continent from Vancouver's Island, and thence southerly, through the middle of the said channel and of Fuca Straits, to the Pacific Ocean;" and whereas the commissioners appointed by the two high contracting parties to determine that portion of the boundary which runs southerly through the middle of the channel aforesaid, were unable to agree upon the same; and whereas the government of her Britannic Majesty claims that such boundary line should, under the terms of the treaty above recited, be run through the Rosario Straits, and the government of the United States claims that it



should be run through the Canal de Haro, it is agreed that the respective claims of the government of the United States and of the government of her Britannic Majesty shall be submitted to the arbitration and award of his Majesty the Emperor of Germany, who, having regard to the above-mentioned article of the said treaty, shall decide thereupon, finally and without appeal, which of those claims is most in accordance with the true interpretation of the treaty of June 15, 1846.

## ARTICLE XXXV.

The award of his Majesty the Emperor of Germany shall be considered as absolutely final and conclusive; and full effect shall be given to such award without any objection, evasion, or delay whatsoever. Such decision shall be given in writing and dated; it shall be in whatsoever form his Majesty may choose to adopt; it shall be delivered to the representatives or other public agents of the United States and of Great Britain, respectively, who may be actually at Berlin, and shall be considered as operative from the day of the date of the delivery thereof.

Award of the Emperor of Germany; its form and effect, and how delivered.

## ARTICLE XXXVI.

The written or printed case of each of the two parties, accompanied by the evidence offered in support of the same, shall be laid before his Majesty the Emperor of Germany within six months from the date of the exchange of the ratifications of this treaty, and a copy of such case and evidence shall be communicated by each party to the other, through their respective representatives at Berlin.

The case of the two parties to be laid before the arbitrator: how and within what time.

The high contracting parties may include in the evidence to be considered by the arbitrator such documents, official correspondence, and other official or public statements bearing on the subject of the reference as they may consider necessary to the support of their respective cases.

After the written or printed case shall have been communicated by each party to the other, each party shall have the power of drawing up and laying before the arbitrator a second and definitive statement, if it think fit to do so, in reply to the case of the other party so communicated, which definitive statement shall be so laid before the arbitrator, and also be mutually communicated in the same manner as aforesaid, by each party to the other, within six months from the date of laying the first statement of the case before the arbitrator.

## ARTICLE XXXVII.

If, in the case submitted to the arbitrator, either party shall specify or allude to any report or document in its own exclusive possession without annexing a copy, such party shall be bound, if the other party thinks proper to apply for it, to furnish that party with a copy thereof, and either party may call upon the other, through the arbitrator, to produce the originals or certified copies of any papers adduced as evidence, giving in each instance such reasonable notice as the arbitrator may require. And if the arbitrator should desire further elucidation or evidence with regard to any point contained in the statements laid before him, he shall be at liberty to require it from either party, and he shall be at liberty to hear one counsel or agent for each party, in relation to any matter, and at such time, and in such manner, as he may think fit.

Papers and documents.

Further evidence.

## ARTICLE XXXVIII.

The representatives or other public agents of the United States and of Great Britain at Berlin, respectively, shall be considered as the agents of

Agents of each government be-

fore the arbitra-  
tor.

their respective governments to conduct their cases before the arbitrator, who shall be requested to address all his communications, and give all his notices to such representatives or other public agents, who shall represent their respective governments generally, in all matters connected with the arbitration.

#### ARTICLE XXXIX.

Arbitrator to  
proceed in said  
arbitration in  
person, or, &c.

It shall be competent to the arbitrator to proceed in the said arbitration, and all matters relating thereto, as and when he shall see fit, either in person, or by a person or persons named by him for that purpose, either in the presence or absence of either or both agents, and either orally or by written discussion or otherwise.

#### ARTICLE XL.

Secretary or  
clerk.

The arbitrator may, if he think fit, appoint a secretary, or clerk, for the purposes of the proposed arbitration, at such rate of remuneration as he shall think proper. This, and all other expenses of and connected with the said arbitration, shall be provided for as hereinafter stipulated.

#### ARTICLE XLI.

Costs and ex-  
penses and how  
to be paid.

The arbitrator shall be requested to deliver, together with his award, an account of all the costs and expenses which he may have been put to in relation to this matter, which shall forthwith be repaid by the two governments in equal moieties.

#### ARTICLE XLII.

Form of award  
and when and  
how to be deliv-  
ered.

The arbitrator shall be requested to give his award in writing as early as convenient after the whole case on each side shall have been laid before him, and to deliver one copy thereof to each of the said agents.

#### ARTICLE XLIII.

Ratification.

The present treaty shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by her Britannic Majesty; and the ratifications shall be exchanged either at Washington or at London within six months from the date hereof, or earlier if possible.

Signature.

In faith whereof, we, the respective plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at Washington the eighth day of May, in the year of our Lord one thousand eight hundred and seventy-one.

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[ L. S. ]

HAMILTON FISH.  
ROBT. C. SCHENCK.  
SAMUEL NELSON.  
EBENEZER ROCKWOOD HOAR.  
GEO. H. WILLIAMS.  
DE GREY & RIPON.  
STAFFORD H. NORTHCOTE.  
EDWD. THORNTON.  
JOHN A. MACDONALD.  
MOUNTAGUE BERNARD.

Proclamation.

And whereas the said treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged in the city of London, on the seventeenth day of June, 1871, by Robert C. Schenck,

Envoy Extraordinary and Minister Plenipotentiary of the United States, and Earl Granville, her Majesty's Principal Secretary of State for Foreign Affairs, on the part of their respective governments:

Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this fourth day of July, in the year of  
[SEAL.] our Lord one thousand eight hundred and seventy-one, and of  
the Independence of the United States the ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*



*Postal Convention between the United States of America and the Republic of Ecuador.*

May 9, 1871.

THE undersigned, John A. J. Creswell, Postmaster-General of the United States of America, in virtue of the powers vested in him by law, and Antonio Flores, minister of the Republic of Ecuador at Washington, in the name of his government, and by virtue of the powers which he has formally presented to this effect, have agreed upon the following articles, to wit:

Contracting parties.

ARTICLE I.

An exchange of mails shall hereafter take place between the United States of America and the Republic of Ecuador, by the ordinary means of communication via the Isthmus of Panama, the Government of the United States to be at the expense of the transportation thereof between New York and Panama, and San Francisco and Panama, so long as direct service by United States steamers, including the Isthmus transit, is maintained under existing conditions; and the government of Ecuador to be at the expense of the transportation thereof between Panama and Ecuador so long as the present or other similar arrangement for the ocean mail service between Panama and Ecuador is continued. The correspondence so exchanged shall comprise:

Exchange of mails, by what means and at whose expense.

1. Letters and manuscripts subject by the laws of either country to letter rate of postage.

Mail matter.

2. Newspapers and prints of all kinds, in sheets, in pamphlets, and in books, sheets of music, engravings, lithographs, photographs, drawings, maps and plans, and such correspondence may be exchanged, whether originating in either of said countries and destined for the other, or originating in or destined for foreign countries to which they may respectively serve as intermediaries.

ARTICLE II.

New York and San Francisco shall be the offices of exchange on the side of the United States, and Guayaquil and Manta shall be the offices of exchange on the side of Ecuador, for all mails transmitted between the two countries under this arrangement; and all mail matter transmitted in either direction between the respective offices of exchange shall be forwarded in close bags or pouches, under seal, addressed to the corresponding exchange office, and the mails so dispatched from either country to the other shall be forwarded to the United States consul and resident mail agent at Panama, who is hereby designated as the agent of the two governments for receiving the bags or pouches at that port from either direction, and for dispatching the same to their respective ultimate destinations.

Offices of exchange.

Closed bags.

Mail agent.

The two Post Departments may, at any time, discontinue either of said offices of exchange or establish others.

Offices of exchange may be discontinued, &c.

ARTICLE III.

The standard weight for the single rate of postage and rule of progression shall be:

Weight for single rate of postage.

age and rule of progression.

1. For letters, or manuscripts subject by law to letter rate of postage, one-half ( $\frac{1}{2}$ ) ounce (avoirdupois).

Notice of damage in standard weight.

2. For all other correspondence mentioned in the second paragraph of the first article, that which each country shall adopt for the mails which it dispatches to the other, adapted to the convenience and habits of its interior administration; but each country shall give notice to the other of the standard weight it adopts, and of any subsequent change thereof. The weight stated by the dispatching exchange office shall always be accepted, except in cases of manifest error.

#### ARTICLE IV.

No accounts to be kept. Each country to collect, &c.

No accounts shall be kept between the Post-office Departments of the two countries on the international correspondence, written or printed, exchanged between them; but each country shall levy, collect, and retain to its own use the following postal charges, viz.:

Rates of postage.  
Letters.

1. The postage to be charged and collected in the United States on each letter, or manuscript subject to letter postage, mailed in the United States, and addressed to any place in the Republic of Ecuador, shall be twenty (20) cents, United States currency, per each weight of half an ounce or fraction of half an ounce; and the postage to be charged and collected in Ecuador on each letter, or manuscript subject to letter postage, mailed in Ecuador and addressed to any place in the United States of America, shall be two (2) reals, or the fifth part of a dollar (hard), Ecuador currency, the same to be in each case in full of all charges whatever to the place of destination in either country. Either country, however, is at liberty to reduce this charge, but not to increase it without the previous assent of the other.

Charge may be reduced but not increased without, &c.

Newspapers, &c.;

2. On all other correspondence mentioned in the second paragraph of the first article the Post Departments of the United States and Ecuador may respectively levy, collect, and retain to their separate and exclusive use such rates of postage adapted to their interior administration and to the cost of sea-transportation as they shall deem advisable. But each office shall give notice to the other of the rates it adopts, and of any subsequent change thereof.

how to be sent.

Packages.

Newspapers and other correspondence of the class referred to in the preceding paragraph shall be sent in narrow bands or covers, open at the sides or ends, so that they may be easily examined; and packages of such correspondence shall be subject to the laws and regulations of each country in regard to their liability to pay customs duty, if containing dutiable goods, or to be rated with letter-postage when containing written matter, or for any other cause specified in said laws and regulations.

#### ARTICLE V.

Undelivered letters to be returned monthly and without charge.

Newspapers, &c., not to be returned.

Letters wrongly addressed.

Letters, and other communications in manuscript, which, from any cause, cannot be delivered to their address, after the expiration of a proper period to effect their delivery, shall be reciprocally returned every month, unopened and without charge, to the Post-office Department of the dispatching country; but newspapers, and all other articles of printed matter, shall not be returned, but remain at the disposal of the receiving office.

Letters erroneously transmitted, or wrongly addressed, shall be promptly returned to the dispatching office without charge.

#### ARTICLE VI.

Exchange in open mails of correspondence from Ecuador to other countries

The Post Department of the United States shall establish, in conformity with the arrangements in force at the time, the conditions upon which the Post Department of Ecuador may exchange, in open mails, the correspondence originating in Ecuador and destined for countries to which the United

States may serve as an intermediary; but such correspondence shall only be charged with the international postage established by this convention, augmented by the postage rates in force between the United States and the country of destination, and any other tax for exterior service. via the United States.

The Post Department of the United States shall furnish the Post Department of Ecuador with a list stating the foreign countries to which the foreign postage and the amounts thereof must be absolutely pre-paid, or can be left unpaid, and shall modify such list from time to time, as the exigencies of its foreign postal service may require. List of countries to which postage must be prepaid, &c.

In conformity to the requirements of the preceding paragraph, a table marked A is hereunto annexed, enumerating the countries with which, and specifying the terms and conditions on which, Ecuador may exchange correspondence by way of the United States. Table A. See p. 884.

Correspondence of this class must be accompanied by a letter-bill from the dispatching exchange office of Ecuador, specifying the amount due thereon to the United States, and the receiving exchange office of the United States shall return by next post to such dispatching exchange office an acknowledgment of receipt and verification thereof, which letter-bills and acknowledgments of receipt shall be in conformity to the models B and C, hereunto annexed, and shall serve as vouchers in the settlement of the accounts. Letter-bills, and to state what. Forms of. See pp. 885, 886.

The accounts to be kept between the two Post Departments upon this class of correspondence shall be stated quarterly, transmitted and verified as speedily as practicable; and the amounts found due shall be paid promptly to the United States office, under such regulations as the respective Post Departments may from time to time prescribe. Such quarterly statement shall be prepared by the United States office, and shall follow the form D, hereunto annexed. Accounts of this class, to be stated quarterly, &c. Form. See p. 886.

## ARTICLE VII.

Letters originating in foreign countries and addressed to the United States or Ecuador, respectively, on which the foreign and international postal charges are fully prepaid, shall, when forwarded in the mails of either country to the other, be delivered in the country of destination free of charge. Prepaid letters from foreign countries to be delivered without charge, when, &c.

## ARTICLE VIII.

The official correspondence between the two governments, that of each government with its legation near the other, and of each legation with its government, shall be conveyed to its destination free of postage and with all the precautions which the two governments may find necessary for its inviolability and security. Official correspondence to be free.

## ARTICLE IX.

When in one of the two countries there is no legation of the other, the franking privilege of the vacant legation shall be transferred, in the terms stipulated in the preceding article, to the respective consulate or vice-consulate at New York or Guayaquil. Franking privilege when legation is vacant.

## ARTICLE X.

Neither Post Department shall be required to deliver any article received in the mails the circulation of which shall be prohibited by the laws in force in the country of destination; and any article subject by the laws of either country to customs duty or to confiscation shall, when received in the mails from the other, be treated in accordance with the laws of the receiving country. Neither country to deliver mail matter prohibited by its laws; articles subject to duty or confiscation.

## ARTICLE XI.

Transmission  
of registered ar-  
ticles and fees.

The two Post Departments may, by mutual agreement, provide for the transmission of registered articles in the mails exchanged between the two countries.

The register fee for each article shall be ten (10) cents in the United States and one (1) real in Ecuador.

## ARTICLE XII.

Measures of  
detail to be al-  
tered.

The two Post Departments shall settle, by agreement between them, all measures of detail and arrangement required to carry this convention into execution, and may modify the same in like manner, from time to time, as the exigencies of the service may require. Articles may also, by mutual

Amendments.

consent, be amended, added, or suppressed, according to the requirements of the service, without rescinding or otherwise altering or impairing any other of the articles of this convention.

## ARTICLE XIII.

When conven-  
tion takes effect  
and how long  
continues;

This convention shall take effect from the date of the exchange of ratifications, and shall continue in force until annulled by mutual consent, or until one year from the date of notice given by one of the two departments to the other of its desire to terminate the same.

## ARTICLE XIV.

when and how  
to be ratified.

This convention shall be approved and ratified in the manner and form prescribed by the constitution and laws of each of the high contracting parties, and the exchange of ratifications shall be made at Washington six months after the last ratification, or sooner, if possible.

Done in duplicate, at the city of Washington, this ninth day of May, in the year of our Lord one thousand eight hundred and seventy-one.

[L. s.]

JNO. A. J. CRESWELL,

*Postmaster-General of the United States.*

[L. s.]

ANTONIO FLORES.

Approved.

I hereby approve the foregoing convention, and in testimony thereof I have caused the seal of the United States to be affixed.

[L. s.]

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

WASHINGTON, May 9, 1871.

## [TRANSLATION.]

Ratification by  
Ecuador;

Having seen and examined the foregoing postal convention, which has been approved by the legislative decree of the 1st of the present month, and in exercise of the sixth attribute of the sixtieth article of the constitution, I have ratified it, as by the present I do ratify and declare it accepted, confirmed, and obligatory in all and each of its clauses and stipulations contained in said convention, solemnly engaging and pledging for its faithful and exact observance on the part of Ecuador the national faith and honor.

In faith of which I have caused the present to be prepared, signed with my hand, sealed with the seal of the republic, and countersigned by the



secretary of state for foreign relations, at Quito, the thirtieth of September, eighteen hundred and seventy-one.

[L. S.]

FRANCISCO JAVIER LEON.

G. GARCIA MORENO.

We, John A. J. Creswell, Postmaster-General of the United States, and Antonio Flores, minister of Ecuador to the United States, certify that on this date we have proceeded to perform the exchange of ratifications of the postal convention which was concluded between the United States and Ecuador at Washington, on the 9th day of May, A. D. 1871.

Done in duplicate and signed at Washington, this 6th day of December, A. D. 1871.

[L. S.]

JNO. A. J. CRESWELL,  
*Postmaster-General of the United States.*  
ANTONIO FLORES.

[L. S.]

(See p. 881.)

A.—Table showing the countries to which and the terms and conditions on which Ecuador may forward letters, newspapers, and prints of all kinds through the ordinary mails of the United States.

Countries.	Letters.	Newspapers.	Prints of all other descriptions.				The United States exchange office to which the correspondence should be sent.
	For each ½ oz. or under.	For each newspaper not exceeding 4 oz. in weight.	Not exceeding 1 oz. in weight.	Exceeding 1 oz. but not exceeding 2 oz. in weight.	Exceeding 2 oz. but not exceeding 4 oz. in weight.	For every additional 4 oz. or fraction thereof.	
	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	
Australia, via San Francisco . . . . .	10	4	4	6	8	8	San Francisco.
Austria, via Bremen or Hamburg . . . . .	*7	5	4	7	10	10	New York.
Austria, via Cologne . . . . .	*10	6	5	9	12	12	Do.
Bahamas . . . . .	3	4	4	6	8	8	Do.
Belgium . . . . .	*10	6	10	11	12	12	Do.
Bermuda . . . . .	10	4	4	6	8	8	Do.
Belize (British Honduras) . . . . .	12	4	8	9	10	10	Do.
Brazil . . . . .	15	5	5	7	10	10	Do.
British Columbia . . . . .	6	4	6	7	8	8	San Francisco.
Canada . . . . .	6	4	6	7	8	8	New York.
China, via San Francisco . . . . .	10	4	4	6	8	8	San Francisco.
Costa Rica . . . . .	10	4	4	6	8	8	New York.
Cuba . . . . .	10	4	4	6	8	8	Do.
Denmark, via Bremen or Hamburg . . . . .	*10	8	8	11	14	14	Do.
Denmark, via Cologne . . . . .	*13	9	9	13	16	16	Do.
Dominica . . . . .	10	4	4	6	8	8	Do.
East Indies, via San Francisco . . . . .	10	4	4	6	8	8	San Francisco.
Egypt, via Bremen or Hamburg . . . . .	*17	11	10	13	16	16	New York.
Egypt, via Cologne . . . . .	*20	12	11	15	18	18	Do.
France, via direct steamer . . . . .	10	4	4	6	8	8	Do.
Germany, via Bremen or Hamburg . . . . .	*7	5	4	7	10	10	Do.
Germany, via Cologne . . . . .	*10	6	5	9	12	12	Do.
Gibraltar . . . . .	16	6	6	11	16	16	Do.
Great Britain and Ireland . . . . .	*6	4	4	7	10	10	Do.
Greece, via Bremen or Hamburg . . . . .	*15	11	10	13	16	16	Do.
Greece, via Cologne . . . . .	*18	12	11	15	18	18	Do.
Guatemala . . . . .	10	4	3	5	8	8	Do.
Hayti . . . . .	10	4	4	6	8	8	Do.
Holland . . . . .	*10	6	10	11	12	12	Do.
Italy . . . . .	*10	6	10	11	12	12	Do.
Japan, via San Francisco . . . . .	10	4	4	6	8	8	San Francisco.
Malta . . . . .	16	6	6	11	16	16	New York.
Mexico . . . . .	10	5	5	7	10	10	Do.
New Brunswick . . . . .	6	4	6	7	8	8	Do.
Newfoundland . . . . .	10	4	6	7	8	8	Do.
New Zealand . . . . .	12	4	6	7	8	8	San Francisco.
Nicaragua . . . . .	10	4	4	6	8	8	New York.
Norway, via Bremen or Hamburg . . . . .	*12	10	9	12	15	15	Do.
Norway, via Cologne . . . . .	*15	11	10	14	17	17	Do.
Nova Scotia . . . . .	6	4	6	7	8	8	Do.
Portugal . . . . .	16	10	6	11	16	16	Do.
Prince Edward Island . . . . .	6	4	6	7	8	8	Do.
Prussia, via Bremen or Hamburg . . . . .	*12	7	6	9	12	12	Do.
Prussia, via Cologne . . . . .	*15	8	7	11	14	14	Do.
Salvador . . . . .	10	4	3	5	8	8	Do.
Sandwich Islands . . . . .	6	4	6	7	8	8	San Francisco.
Spain . . . . .	16 ½ oz.	8	6	11	18	18	New York.
Sweden, via Bremen or Hamburg . . . . .	*11	10	9	12	15	15	Do.
Sweden, via Cologne . . . . .	*14	11	10	14	17	17	Do.
Switzerland . . . . .	*10	6	10	11	12	12	Do.
Turkey, via Bremen or Hamburg . . . . .	12	9	8	11	14	14	Do.
Turkey, via Cologne . . . . .	15	10	9	13	16	16	Do.
Vancouver Island . . . . .	6	4	6	7	8	8	San Francisco.
Venezuela . . . . .	10	5	10	11	12	12	New York.
West Indies (British and Danish, not here- inbefore named). . . . .	10	4	4	6	8	8	Do.
West Indies (not British or Danish) . . . . .	18	6	...	...	...	...	Do.

NOTE.—The asterisk (\*) indicates that prepayment is not obligatory in the United States, and consequently not in Ecuador. The absence of the asterisk denotes that prepayment is compulsory in the United States, and therefore the rates not marked with an asterisk must always be collected in Ecuador and paid to the United States. Printed matter sent from the United States to foreign countries must always be prepaid; and the rates expressed in the table include the postage thereon between Panama and the United States.

POSTAL ADMINISTRATION }  
OF  
ECUADOR. }

B.  
(See p. 881.)

{ CORRESPONDENCE  
WITH THE  
UNITED STATES.

LETTER BILL No. \_\_\_\_\_.

For the mail from \_\_\_\_\_, to \_\_\_\_\_, sent the \_\_\_\_\_  
of \_\_\_\_\_, 187 .

Number of the items.	Nature of the correspondence.	Statement by the dispatching exchange office.			Verification by the receiving exchange office.		
		Number of single rates.	Amount of the postages due the United States.		Number of single rates.	Amount of the postages due the United States.	
			Dollars.	Cts.		Dollars.	Cts.
1	Prepaid letters from Ecuador for foreign countries in transit through the United States. } Amount of the foreign postage to account for to the United States. }						
2	Unpaid letters from Ecuador for foreign countries in transit through the United States. }						
3	Prepaid newspapers and prints from Ecuador for foreign countries in transit through the United States. } Amount of the United States and foreign postage to account for to the United States. }						
Total . . . . .							

Postmaster of \_\_\_\_\_.

POST OFFICE DEPARTMENT  
OF THE  
UNITED STATES OF AMERICA. }

C.  
(See p. 881.)

{ CORRESPONDENCE  
WITH  
ECUADOR.

ACKNOWLEDGMENT OF RECEIPT.

For the mail dispatched from \_\_\_\_\_ to \_\_\_\_\_; sent the \_\_\_\_\_ of \_\_\_\_\_ 187;  
received the \_\_\_\_\_ of \_\_\_\_\_ 187

Number of the items.	Nature of the correspondence.	Statement by the dis- patching exchange office.			Verification by the receiving exchange office.		
		Number of single rates.	Amount of the postages due the United States.		Number of single rates.	Amount of the postages due the United States.	
			Dollars.	Cts.		Dollars.	Cts.
1	Prepaid letters from Ecu- ador for foreign countries in transit through the United States. }						
	Amount of the foreign postage to account for to the United States. }						
2	Unpaid letters from Ecu- ador for foreign countries in transit through the United States. }						
	..... }						
3	Prepaid newspapers and prints from Ecuador for foreign countries in tran- sit through the United States. }						
	Amount of the United States and foreign post- age to account for to the United States. }						
Total . . . . .							

Postmaster of \_\_\_\_\_.

POST-OFFICE DEPARTMENT  
OF THE  
UNITED STATES OF AMERICA. }

D.  
(See p. 881.)

{ CORRESPONDENCE  
WITH  
ECUADOR.

Quarterly account of the correspondence forwarded from Ecuador to the United States  
for transmission in the United States mails to countries beyond, during the quarter  
ended \_\_\_\_\_, 187

SUMS WHICH ECUADOR MUST ACCOUNT FOR TO THE UNITED STATES.			
Date of the dispatch of the mails.	Number of the letter-bills.	Amount of the postages due the United States.	
187-.	187-.	Dollars.	Cents.
	Total . . . . .		

*Convention between the General Post-office of the United States of America and the General Post-office of the United Kingdom of Great Britain* June 30 & July 27, 1871.

THE general post-office of the United States of America and the general post-office of the United Kingdom of Great Britain and Ireland, being desirous of establishing an exchange of money-orders between the two countries, the undersigned, duly authorized for that purpose, have agreed upon the following articles:—

#### ARTICLE I.

There shall be a regular exchange of money-orders between the two countries. The maximum of each order is fixed at ten pounds sterling when issued in the United Kingdom of Great Britain and Ireland, and when issued in the United States, at fifty dollars in the national paper currency of the latter country.

Exchange of money-orders.  
Maximum of any order.

#### ARTICLE II.

The British post-office shall have power to fix the rates of commission on all money-orders issued in the United Kingdom, and the United States post-office shall have the same power in regard to all money-orders issued in the United States. Each office shall communicate to the other its tariff of charges or rates of commission which shall be established under this convention, and these rates shall, in all cases, be paid in advance by the remitter, and shall not, in any event, be repayable. It is understood, moreover, that each office is authorized to suspend, temporarily, the exchange of money-orders in case the course of exchange or any other circumstance should give rise to abuses or cause detriment to the postal revenue.

Commissions on money-orders;  
to be paid in advance and not repayable.  
Exchange of orders may be suspended if, &c.

#### ARTICLE III.

Each country shall keep the commission charged on all money-orders issued within it, but shall pay to the other country one per cent. on the total amount of such orders.

Commissions to be kept, &c.

#### ARTICLE IV.

No money-order shall include a fractional part of a penny or of a cent.

Money-orders not to include parts of a penny or cent.

#### ARTICLE V.

The service of the postal money-order system between the two countries shall be performed exclusively by the agency of offices of exchange. On the part of the United States, the office of exchange shall be New York, and on the part of the United Kingdom, London.

Offices of exchange to perform the service;  
to be at New York and London.

#### ARTICLE VI.

Any person in the United States desiring to remit to the United Kingdom a sum of money within the limits prescribed by Article I., may pay it into any post-office in the United States designated for such purpose from time to time, by the postmaster-general of that country. Such person

Remittance by orders from other post-offices.

Remittance by orders from other post-offices; shall at the same time give the name and address of the person to whom the amount is to be paid in the United Kingdom, and his own name and address.

Any person in the United Kingdom desiring to remit to the United States a sum of money, within the same limits, may pay it into any money-order office of the United Kingdom, giving at the same time the name and exact address of the person to whom the amount is to be paid in the United States, and his own name and address.

The receiving postmaster in either country shall, in accordance with the rules established by his postal administration, notify every such payment to the despatching exchange office.

The postmaster of New York, upon receipt of every notification of that kind, shall make out and forward to the payee in the United Kingdom a money-order payable in sterling at the post-office in that country designated by the remitter of the order, it being understood that the money-orders so remitted shall be sent, in the first instance, to the controller of the money-order office in London, and shall not be subject to postage.

#### ARTICLE VII.

exchange office of each country to send certified lists to the other by every mail. By every mail the exchange office of each country shall send to the exchange office of the other country a certified list of sums payable in that country, and received since the despatch of the previous list.

Inland money-orders. As soon as any such list shall have reached the New York office and been verified, this office shall make out inland money-orders in favor of the payees for the amount specified in the list, and shall promptly forward them to the payees or to the paying office, in conformity with the regulations existing in the United States, for the payment of money-orders.

Forms of lists. The list forwarded to the United Kingdom shall be accompanied by the relative letters of advice of the orders entered therein, together with the orders themselves, as already settled in Article VI. After comparison with the list, the advices shall be despatched to the offices drawn upon, and the letters inclosing the orders posted for delivery.

The lists, by means of which each office of exchange communicates with the other, shall be according to the Forms A and B, annexed.

#### ARTICLE VIII.

Lists to be numbered, and how. The lists despatched from each office of exchange shall be numbered consecutively, commencing with No. I. at the beginning of each year, and the entries also in these lists shall have consecutive numbers, those in the lists from the United Kingdom commencing each calendar month with No. I.

Duplicate lists; Of each list despatched from New York, a duplicate shall be sent, which duplicate shall, after being verified at the British office, be returned to New York.

#### ARTICLE IX.

to be transmitted, when, &c. Should any list fail to be received, in due course, the despatching office shall, on receiving information to that effect, transmit without delay a duplicate of the list, duly certified as such.

#### ARTICLE X.

Errors to be corrected. Each office of exchange shall promptly communicate to the other the correction of any simple error which it may discover in the verification of the lists. When the lists shall show irregularities which the receiving office shall not be able to rectify, that office shall apply for an explanation from the despatching office; and this explanation shall be afforded without delay.

# ARTICLE XI.

Duplicate orders shall only be issued by the postal administration of the country on which the original orders were drawn, and in conformity with the regulations established or to be established in that country. Duplicate orders.

# ARTICLE XII.

At the close of each quarter three copies of an account shall be prepared and transmitted by the office at London, exhibiting the balance found due on the exchanges of orders during the quarter ; which balance, after proper verification, shall, if due by the United States office, be paid at London ; but if due by the British office, it shall be paid at New York, and always in the money of the country to which the payment is made. If, pending the settlement of an account, one of the two postal administrations shall ascertain that it owes the other a balance exceeding one thousand pounds sterling, the indebted administration shall promptly remit the approximate amount of such balance to the credit of the other. This account, and the letters which accompany such intermediate remittances, shall be in accordance with the Forms C, D, and E, annexed to this convention. Accounts between the exchange-offices.  
See pp. 897  
900, 901.

# ARTICLE XIII.

Until the two general post-offices shall consent to an alteration, it is agreed that, in all matters of account relative to money-orders which shall result from the execution of the present convention, the pound sterling of Great Britain shall be considered as equivalent to four dollars and eighty-six cents of the gold coin of the United States. The pound sterling to be the equivalent of four dollars and eighty-six cents of the gold coin of the United States.

# ARTICLE XIV.

Each exchange office shall certify its orders to the other in amounts designated in the denominations of the money both of the despatching and receiving country at the rate of conversion established upon the basis of gold by Article XIII. of this convention. This conversion shall be checked at the receiving office of exchange. Orders to be certified in the denominations of money of both countries.

# ARTICLE XV.

All payments for money-orders, whether to or by the public, if not in gold, shall be made to the nearest practicable equivalent. Money-orders payable in gold or its nearest equivalent.

# ARTICLE XVI.

The value, in gold coin of the United States of deposits in paper money made in that country for payment in Great Britain, shall be determined at the exchange office of New York, according to the rate of premium on gold on the day of receipt at that office of notification of such deposits. On the other hand, the value, in United States paper currency, of money orders certified in the lists sent from the exchange office of London to the exchange office of New York, shall be determined (also at New York) in accordance with the premium on gold on the day of the receipt of such lists. The value of the paper currency of the United States to be determined according to the premium on gold.

# ARTICLE XVII.

Orders which shall not have been paid within twelve calendar months from the month of issue shall become void, and the sums received shall accrue to, and remain at, the disposal of the country of origin. The British office shall, therefore, enter to the credit of the United States in Orders not paid within twelve months to be void ; sums paid therefor to belong to whom.

the quarterly account all money-orders entered in the lists received from the United States which remain unpaid at the end of the period specified.

On the other hand, the United States office shall, at the close of each month, transmit to the British office, for entry in the quarterly account, a detailed statement of all orders included in the lists despatched from the latter office, which, under this article, become void.

#### ARTICLE XVIII.

Repayments of orders to remitters.

Repayment of orders to remitters shall not be made until an authorization for such repayment shall first have been obtained by the country of issue from the country where such orders were payable, and the amounts of the repaid orders shall be duly credited to the former country in the quarterly account. It is the province of each postal administration to determine the manner in which repayment to the remitter is to be made.

#### ARTICLE XIX.

Orders subject to what regulations as regards payment.

The orders issued by each country on the other shall be subject, as regards payment, to the regulations which govern the payment of inland orders of the country on which they are drawn.

#### ARTICLE XX.

Additional rules may be adopted.

The general post-office in each country shall be authorized to adopt any additional rules (if not repugnant to the foregoing) for the greater security against fraud, or for the better working of the system generally. All such additional rules, however, must be promptly communicated to the post-office of the other country.

#### ARTICLE XXI.

When this convention shall take effect.

The present convention shall take effect on the first day of October next, and shall continue in force until twelve months after the date at which one of the contracting parties shall have notified to the other its intention to terminate it.

Signature.

Done in duplicate and signed in London on the thirtieth day of June, in the year of our Lord one thousand eight hundred and seventy-one, and in Washington on the twenty-seventh day of July, in the year of our Lord one thousand eight hundred and seventy-one.

[SEAL.]

JNO. A. J. CRESWELL,  
*Postmaster-General of the United States.*  
W. MONSELL,  
*Her Majesty's Postmaster-General.*

[SEAL.]

Approval.

I hereby approve the foregoing convention, and in testimony thereof I have caused the seal of the United States to be affixed.

[SEAL.]

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

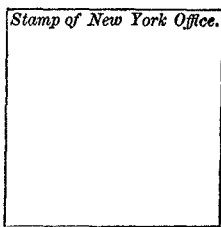
WASHINGTON, July 27, 1871.



A.

List No. ———.

Stamp of New York Office.



SIR: I have the honor to transmit to you herewith, in duplicate, a list containing a detailed statement of the sums received in the United States since my last despatch (List No. ———) for orders payable in Great Britain and Ireland, amounting in the aggregate to \$———.

Be pleased to examine, complete, and return to me the original copy of this list, with your acknowledgment of its receipt indorsed thereon.

I am, respectfully, your obedient servant,

———,  
*Postmaster, New York.*

TO THE CONTROLLER MONEY-ORDER OFFICE, *London.*

		Current number of international order.	
		Number of original order.	
		Date of original order.	
		Office issuing original order.	
		Office where payable.	
		Name.	Payee.
		Address.	
		Name.	Remitter.
		Address.	
		Dolls. Cts.	Amount of order in United States currency.
			Date of receipt at New York.
		Premium on gold on day of receipt.	
		Dolls. Cts.	Value of order in United States gold.
			Amount in British money.
		£	
		s.	
		d.	
		Date of payment.	
		£	Paid in year of issue.
		s.	
		d.	
		£	Paid in following year.
		s.	
		d.	
		£	Renewable orders.
		s.	
		d.	
		Remarks.	

BLANKS TO BE FILLED BY THE DESPATCHING EXCHANGE OFFICE OF NEW YORK.

FOR USE OF CHIEF OFFICE, LONDON.

MONEY-ORDER OFFICE,  
*London, ——— —, 187—.*

SIR: I have examined this list of money-orders from No. ——— to No. ———, inclusive, for sums received in the United States for payment in the United Kingdom, amounting in the aggregate to \$———, and which is to be paid to the net amount of £———s. —d.

The said list was found to be correct, with the following exceptions:

I am, sir, your obedient servant,

—————, *Controller.*

TO THE POSTMASTER  
MONEY-ORDER EXCHANGE OFFICE, *New York.*



**LIST**  
**OF**  
**MONEY-ORDERS ISSUED IN THE UNITED KINGDOM**  
**AND**  
**PAYABLE IN THE UNITED STATES.**





*Table showing the particulars of such orders as have been repaid to the remitters in the country of issue.*

[illegible]

*Table showing the particulars of such orders as have become void.*

[illegible]



POSTAL CONVENTION—GREAT BRITAIN. JUNE 30 & JULY 27, 1871. 899

## BALANCE —

[illegible]

The within account exhibits a total balance of \_\_\_\_\_, which, after deduction of the payments on account as therein stated, leaves a balance remaining of \_\_\_\_\_ due the \_\_\_\_\_ office.

\_\_\_\_\_,  
(Signature of proper accounting officer of the British office.)

The above statement of account is accepted with a balance of \_\_\_\_\_ due the \_\_\_\_\_ office.

\_\_\_\_\_,  
*Auditor of the Treasury for the Post-office Department.*  
WASHINGTON, \_\_\_\_\_, 187-.

The payment on account of \_\_\_\_\_ having been receipted by special vouchers, the receipt of the balance remaining of \_\_\_\_\_ is hereby acknowledged.

\_\_\_\_\_,  
\_\_\_\_\_,  
\_\_\_\_\_, 187-.

(D.)

See p. 889.

No. —.

MONEY-ORDER OFFICE,  
*London*, \_\_\_\_\_, 187-.

SIR: The lists of international money-orders which the \_\_\_\_\_ exchange office has transmitted to the New York exchange office from \_\_\_\_\_ to \_\_\_\_\_, 187-, amount to the sum of £\_\_\_\_\_, equal to . \$  
The lists transmitted by the New York office to the \_\_\_\_\_ office during the same period, amount to . . . . . \$

Difference . . . . . \$

On account of which the British office has already paid the following sums, viz.:

_____ 18—	. . . . .	\$
_____ 18—	. . . . .	\$
_____ 18—	. . . . .	\$
_____ 18—	. . . . .	\$
		_____ \$

Difference remaining . . . . . \$

In accordance with the terms of Article VII. of the convention of \_\_\_\_\_, a bill of exchange on New York for \$\_\_\_\_\_ is herewith transmitted, the receipt of which you will be pleased to acknowledge in due form.

\_\_\_\_\_,  
\_\_\_\_\_.  
**TO THE POSTMASTER-GENERAL**  
**OF THE UNITED STATES,**  
*Washington.*

(E.)

See p. 889.

No. —

POST-OFFICE DEPARTMENT,

Washington, D. C., —, 18—.

SIR: The list of international money-orders which the exchange office of New York has transmitted to the exchange office of — from — 187—, amount to the sum of \$—, equal to £  
The lists transmitted by the exchange office — to the New York office during the same period, amount to £

Difference . . . . . £

On account of which the United States office has already paid the following sums:—

— 18—	. . . . .	£
— 18—	. . . . .	£
— 18—	. . . . .	£
		£

Difference remaining. . . . . £

In accordance with the terms of Article VII. of the convention of —, 18—, a bill of exchange on London for £— is herewith transmitted, the receipt of which you will be pleased to acknowledge in due form.

Superintendent Money-order Office.

TO THE POSTMASTER-GENERAL, &c., &c., &c.,  
London, England.



*Convention for the Regulation of the Postal Intercourse between the United States of America and the Kingdom of Denmark.* Nov. 7 and Dec. 1, 1871.

THE Post Department of the United States of America and the Danish Post Department have agreed upon employing the steamers in regular service between their territories, as well as the steamers engaged between Hamburg and Bremen on the one side, and American ports on the other, in order to establish an immediate exchange of mails, and have, for that purpose, consented to the following articles:

Exchange of mails between the United States and Denmark.

ARTICLE I.

There shall be an immediate exchange of correspondence between the United States of America and Denmark by means of the said steamers, and this correspondence shall embrace letters, newspapers, book-packets, prints of all kinds, (comprising maps, plans, engravings, drawings, photographs, lithographs, and all other like productions of mechanical processes, sheets of music, &c.,) and patterns or samples of merchandise; and such correspondence may be exchanged, whether originating in either of the said countries, or originating in countries to which these may respectively serve as intermediaries.

Correspondence, to include what.

ARTICLE II.

The exchange of correspondence shall take place between the post-offices to be hereafter designated by the two post departments; but either of the two offices so designated may at any time be discontinued, and others established by mutual consent.

Offices of exchange.

ARTICLE III.

The United States office shall make its own arrangements for the dispatch of its mails to Denmark, and in like manner the office of Denmark shall make its own arrangements for the dispatch of its mails to the United States. The mails shall be reciprocally forwarded by the regular routes of communication hereinbefore mentioned, and each office shall, at its own cost, pay the expense of the intermediate transportation (sea and territorial) of the mails which it dispatches to the other. It is also agreed that the cost, either in whole or in part, of the international ocean and territorial transit of the closed mails exchanged in both directions between the respective frontiers shall, upon application of either office, be first defrayed by that one of the two offices which shall have obtained from the intermediaries the most favorable pecuniary terms for such conveyance, and any amount so advanced by one for and on account of the other shall be promptly reimbursed.

Each country to dispatch its mails by regular routes.

Cost of international and territorial transit of closed mails.

ARTICLE IV.

The postage on ordinary letters sent from the United States to Denmark, or from Denmark to the United States, shall be respectively twelve (12) skilling rigsmønt, or seven (7) cents for a single letter.

Letter-postage;

The weight of a single letter shall not exceed fifteen grammes.

weight and rates of letters.

**Letter postage.** For every letter exceeding fifteen grammes there shall be paid a single rate of postage for every additional fifteen grammes or fraction of fifteen grammes. The weight stated by the dispatching office shall always be accepted, except in cases of manifest error.

The maximum weight of letters shall be two hundred and fifty (250) grammes.

#### ARTICLE V.

**Prepayment of postage optional. Unpaid, &c., letters.**

The prepayment of postage on ordinary letters shall be optional. If they shall be forwarded unpaid, or insufficiently paid, they shall, in the first case, be charged, besides the usual postage, with an additional postage of respectively four (4) cents, or six (6) skilling rigsmønt, and in the last case, besides the deficient postage, with similar additional postage.

#### ARTICLE VI.

**Rates for other correspondence.**

On all other correspondence in the first article mentioned, the rates shall be, for the mails dispatched, that which the dispatching office shall adopt, adapted to the convenience and habits of its interior administration. But each office shall give notice to the other of the rate it adopts and of any subsequent change thereof. These articles shall be forwarded under regulations of the dispatching post-office, but always including the following:

**Notice.**

**Regulations for forwarding;**

**postage to be prepaid;**

1. The postage shall be prepaid. If, however, the postage on the correspondence mentioned in this article should not be wholly prepaid, the said correspondence shall still be forwarded to the place of destination; but it shall, in that case, beside the deficient postage, be charged with an additional postage, not exceeding four (4) cents in the United States, and six (6) skilling rigsmønt in Denmark.

**packets not to contain, &c;**

2. No packet shall contain any thing which shall be closed against inspection, nor any written communication whatever, except to state from whom and to whom the packet is sent, and the number and price placed upon each pattern or sample of merchandise.

**dimensions of packets;**

3. No packet may exceed two feet in length, or one foot in any other dimension.

**prohibited articles;**

4. Neither office shall be bound to deliver any article the importation of which may be prohibited by the laws or regulations of the country of destination.

**customs duties.**

5. The customs duties that may be chargeable in each of the two countries may be levied for the use of the customs.

#### ARTICLE VII.

**Registered correspondence. Rates of postage;**

**to be prepaid.**

**No responsibility for loss.**

Any correspondence mentioned in Article I. may be registered, and the postage chargeable on such correspondence shall always be prepaid. Registered correspondence shall, in addition to the postage, be subject to an international registration fee not exceeding ten (10) cents in the United States, and eight (8) skilling rigsmønt in Denmark, and this fee shall always be prepaid. Each office is at liberty to reduce this fee for the mails it dispatches. Each department shall use its best exertions for the safe delivery of registered correspondence, but is not responsible pecuniarily for the loss of any such correspondence.

#### ARTICLE VIII.

**No other charges, &c.**

It is further agreed that no charge of any kind, or on any account, otherwise than is herein expressly provided, shall be levied or collected in the country of destination on the letters or other correspondence exchanged.

# ARTICLE IX.

As to the correspondence originating in one country and destined for the other, no account shall take place, and thus the post-office of the United States shall retain the whole amount of postage collected in the United States upon international paid correspondence forwarded to Denmark, and upon international unpaid or insufficiently paid correspondence received from Denmark; and in like manner the Danish post-office shall retain the whole amount of postage collected in Denmark upon international paid correspondence forwarded to the United States, and upon international unpaid or insufficiently paid correspondence received from the United States.

Each post-office to retain postage collected on, &c

However, each of the two departments shall be at liberty to claim accounts to be settled when it appears that in one country for one year there is levied twenty per cent more than in the other. If an account is claimed, it shall be regulated on the following basis:

Either country may claim an account.

From the total amount of postages and register fees collected by each office on letters, added to the total amount of prepaid postages and register fees on other correspondence which it dispatches, the dispatching office shall deduct the amount required for the conveyance of the mails between the two countries, and the amount of the two net sums shall be equally divided between the two offices.

Basis of account.

The deficient and additional postages mentioned in Article VI. shall not be included in the account between the two offices, but, unshared, shall belong to the office by which they are collected.

# ARTICLE X.

The two post departments shall establish, by agreement, and in conformity with the arrangements in force at the time, the conditions upon which the two offices may respectively exchange in open mails the correspondence originating in or destined to other foreign countries to which they may reciprocally serve as intermediaries. It is always understood, however, that such correspondence shall only be charged with the American-Danish rate, augmented by the postage due to foreign countries, or for other exterior service.

Exchange of correspondence in open mails.

Rates.

It is agreed that the account of this correspondence shall, as to the international postages chargeable on the same, be regulated on the basis mentioned in the preceding article; but that the amount of the extra national postage, or other tax for exterior service, shall be reciprocally accounted for at full rates. Such charges for paid correspondence to, and for unpaid correspondence from, foreign countries, shall therefore be summarily entered on the respective letter-bills to the credit of the country through which the same is forwarded.

Basis of accounts.

# ARTICLE XI.

The Post-office of the United States shall be granted the privilege of transit of closed mails through the Danish territory, exchanged in either direction, to and from Sweden and Norway, for a payment of four skilling rigsmønt per thirty (30) grammes net weight of letters, and two-thirds skilling rigsmønt per forty (40) grammes net weight of prints, patterns, and samples of merchandise. Correspondence exempt from postage, letters which cannot be delivered, as well as money-orders, shall not be charged with any transit rate.

Transit of closed mails through either country.

Reciprocally, the United States office grants to the office of Denmark the privilege of transit of the closed mails exchanged in either direction between the latter and any country to which the former may serve as intermediary, by its usual means of mail transportation, whether on sea

or land, and the terms of transit shall be agreed upon when the exercise of the privilege is required.

#### ARTICLE XII.

Postal accounts to be transmitted quarterly.

The postal accounts between the two offices shall be stated and transmitted quarterly, and verified as speedily as possible, and the balance found due shall be paid in the coin of the creditor country.

Rate for conversion of money.

The rate for the conversion of the money of the two countries shall be one dollar for one rigsdaler, eighty-five skilling rigsmont. The two offices shall, however, always be at liberty to agree upon another rate for the conversion.

#### ARTICLE XIII.

Missent correspondence, &c., to be returned.

Any ordinary correspondence wrongly addressed, or wrongly sent, shall without delay, and registered correspondence of all kinds, as well as ordinary letters not deliverable for any other cause than the aforesaid, within the issue of every month, be mutually returned at the expense of the originating office. All other correspondence which cannot be delivered shall remain at the disposition of the receiving office.

If any returned correspondence shall be charged with postage debited the office of destination, the said correspondence shall be returned for the amount of postage which was originally charged by the dispatching office.

#### ARTICLE XIV.

Transfer of closed mails from vessel to vessel.

When, in any port of either country, a closed mail is transferred from one vessel to another, without any expense to the office of the country where the transfer is made, such transfer shall not be subject to any postal charge by one office against the other.

#### ARTICLE XV.

Official communications.

Official communications between the two offices shall not be the occasion of any accounts on either side.

#### ARTICLE XVI.

Detailed regulations.

See pp. 908, 911.

The two offices shall, by mutual consent, establish the detailed regulations which the carrying into execution of the articles included in this convention may require.

#### ARTICLE XVII.

When convention takes effect, and how long to continue;

The present convention shall be carried into effect on the day on which the two offices shall agree, and shall continue in force until one of the two contracting parties shall have announced to the other, within the issue of a calendar year, its intention to terminate it.

#### ARTICLE XVIII.

when to be ratified.

The present convention is to be ratified, and the ratifications are to be exchanged as soon as possible.

Done at Copenhagen, in duplicate original, this 7th day of November, 1871, and at Washington this 1st day of December, 1871.

[SEAL.]

JNO. A. J. CRESWELL,

*Postmaster-General.*

[SEAL.]

DANNESKJOLD SAMSOE.



I hereby approve the foregoing convention, and in testimony thereof I have caused the seal of the United States to be affixed. Approved.

[SEAL.]

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

WASHINGTON, December 1, 1871.

TRANSLATION.

We, Christian the Ninth, by the grace of God King of Denmark, the Vandals and Goths, Duke of Slesvig, Holstein, Stormarn, Ditmarsh, Lauenborg, and Oldenborg, have most graciously deigned, on our part, to ratify the foregoing convention by our signature.

Done at our capital and residence, Copenhagen, on the 20th of March, 1872.

Under our hand and royal seal, in his Majesty's name.

[SEAL.]

FREDERIK,  
*Prince Royal.*

Countersigned:

O. D. ROSSENÖRN-LEHN.

See p. 906

*Detailed Regulations arranged between the Post-office Department of the United States of America and the Post-office Department of Denmark, for the Execution of the Postal Convention signed at Washington the 1st day of December, 1871, and at Copenhagen the 7th day of November, 1871.*

#### ARTICLE I.

Offices for  
exchange of  
mails;

for closed  
mails.

The offices for the exchange of the mails shall be: On the part of the United States, (1) New York; (2) Chicago. On the part of Denmark: (1) Copenhagen; (2) the travelling office between Korsør and Kiel.

The exchange offices of New York and Chicago shall make up closed mails for the exchange offices of (1) Copenhagen, (2) the travelling office between Korsør and Kiel; and these Danish exchange offices shall make up closed mails for New York and Chicago.

#### ARTICLE II.

Letter-bills,  
form, &c.  
See pp. 912, 914.

Each mail exchanged between the two administrations shall be accompanied with a letter-bill, showing the postages, &c., accruing to each office upon the different kinds of correspondence. The form of this letter-bill shall follow the models A and B, hereto annexed, and shall, consecutively, be numbered by the dispatching office during each calendar year.

The receiving office shall acknowledge its receipt by the next dispatch.

#### ARTICLE III.

Correspondence  
to be divided into  
packages.

The exchange offices shall divide the correspondence which they dispatch into a suitable number of separate packages, according to the letter-bill. Each of these packages shall bear the proper etiquette and number corresponding to the letter-bill.

#### ARTICLE IV.

Number of  
rates to be desig-  
nated.

When more than a single rate is chargeable upon any letter or other article, the number of rates to which it is subject shall be indicated by the dispatching office, by a figure in the upper left corner of the address.

#### ARTICLE V.

Registered cor-  
respondence.  
See p. 916.

Registered correspondence shall be described in a register-list, following the models C and D, hereto annexed.

All registered letters shall be enveloped together in a strong paper, securely fastened, and the packet inscribed with the words "*Registered*" or "*Recommanderet*," and placed in the mail.

The blank in the letter-bill for expressing the number of registered articles shall be filled by letters and figures expressing the number.

In case no registered articles are sent, the proper blank of the letter-bill shall be filled with the word "*nihil*" or "*nil*."

#### ARTICLE VI.

Registered  
letters to be

The registered letters dispatched shall be acknowledged immediately by the receiving office. If the verification by the receiving office shall

disclose an error of any kind in the register-list, it shall be also by the acknowledged first mail notified to the dispatching office.

# ARTICLE VII.

All letters exchanged between the two offices shall indicate, by stamp or writing thereon, the office of origin, and the unpaid letters so exchanged shall also be stamped with the name of the dispatching office of exchange. Letters to be stamped, and how.

Correspondence fully paid to destination shall be stamped "*Paid all*," in the United States, and "*Franko*" in Denmark.

Registered articles shall be stamped "*Registered*," in the United States, and "*Recommanderet*," in Denmark. Correspondence insufficiently paid shall be stamped "*Insufficiently paid*," in the United States, and "*Utilrækkelig frankeret*," in Denmark, and the amount of the deficient postage expressed in figures on the face.

Correspondence dispatched by the direct line between the respective countries shall be stamped "*Direct service*," or "*Service direct*."

When dispatched *via* Germany, it shall be stamped to indicate German transit.

# ARTICLE VIII.

The two post departments are mutually to furnish each other with lists stating the foreign countries to which the foreign postage, and the amounts thereof, must be absolutely prepaid, or can be left unpaid; and until such lists are furnished, neither country is to mail to the other any correspondence for foreign countries in transit through the country to which the mail is sent. Each department to give the other lists of foreign countries to which, &c.

Such lists shall also indicate the foreign countries with which registered correspondence may be exchanged in the open mails between the respective offices and the conditions thereof.

# ARTICLE IX.

The respective exchange offices shall mark in *red ink*, in the upper left corner of the address of prepaid letters sent for transit in the open mail, the amount of the postage due for exterior service to the country through which the same are forwarded, and in the same manner, but in *black ink*, shall mark the amount due for postage to the forwarding office upon the unpaid letters so sent in transit. Marks for paid and unpaid postage.

# ARTICLE X.

Letters originating in or destined for foreign countries, sent in the open mails through the United States or through Denmark, and which are insufficiently paid, shall be transmitted as wholly unpaid, and no account taken between the two administrations of the amount prepaid; but letters and other correspondence originating in foreign countries, and addressed to the United States or to Denmark, respectively, on which the foreign and international postage charges are fully prepaid, shall, when forwarded through the mails of either country to the other, be delivered in the country of destination free of charge. Insufficiently paid letters to be marked unpaid.

# ARTICLE XI.

The letters and all registered articles mutually returned as not deliverable shall be accompanied by a statement exhibiting the number of ordinary letters, and the number and addresses of the registered articles so returned, and the aggregate amount reclaimed thereon from the dispatch- Letters and registered articles returned.

ing office, which statement shall be verified and acknowledged as early as practicable.

Expense of transit of unpaid correspondence.

The expense of transit of unpaid correspondence which has been transmitted by either administration in closed mails, and which shall be returned to the dispatching office as not deliverable, shall be deducted from the original amount charged for transit, upon a declaration of the amount by the office claiming the reduction.

No charge will be made by either administration for the transit of correspondence returned as not deliverable.

#### ARTICLE XII.

Misdirected and missent correspondence.

All correspondence wrongly addressed or missept shall be returned without delay by the receiving office to the exchange office which dispatched it. The receiving office shall also correct accordingly, in the column of verification, the original entries of the letter-bill relating to such correspondence. The articles of a like nature addressed to persons who have changed their residence shall be mutually forwarded, charged with the rate that would have been paid at the first destination, or returned for the amount, if any, originally charged against the receiving office.

#### ARTICLE XIII.

Letter-bills to state number of single rates, &c.

The dispatching exchange office shall state on the letter-bills to the intermediate exchange offices the exact number of single rates of letters, or weight, if required, and the total weight of the other correspondence, which shall be dispatched in closed mails.

#### ARTICLE XIV.

Accounts to be established on what basis.

It is understood that the accounts between the two offices shall be established on the respective letter-bills in the proper money of the dispatching office; but the international postages on the unpaid or insufficiently paid letters shall be computed in the money of the receiving country. In entering the foreign charges on the letter-bill in the money of the dispatching office, the cent of the United States and  $1\frac{1}{2}$  skilling of Denmark shall be taken as equivalents.

Equivalents in money.

#### ARTICLE XV.

Quarterly accounts.

The quarterly accounts shall be prepared by the respective postal administrations, and shall be based upon the acknowledgments of receipt. A recapitulation of these accounts, showing the definitive results alike for the debit and credit, shall be prepared by the United States office, and shall then be transmitted, with the accounts on which it is based, for the examination of the post-office of Denmark.

#### ARTICLE XVI.

Accounts as to international postages.

It is understood that so long as no accounts are kept between the Post-office departments of the two countries of the international postages on the correspondence exchanged between them, so much of the preceding articles as relates to the preparation and adjustment of the postal accounts shall not be taken to include or comprise the international postages in such adjustment.

Forms.

The forms for accounting such postages shall be arranged by mutual agreement whenever either office shall claim accounts of the international postages, to be kept and settled as provided in Article IX. of the convention. But the amounts of postage, or other tax for exterior service accru-

ing to, or reclaimed by, either department as well as any sum or sums advanced by one country for and on account of the other, shall, nevertheless, be stated and settled quarterly in the manner hereinbefore prescribed.

ARTICLE XVII.

These detailed regulations shall be ratified on the part of the United States by the Postmaster-General, and on the part of Denmark by the Royal Director-General of Posts. Regulations, by whom to be ratified.

Done at Copenhagen, in duplicate original, this 7th day of November, 1871, and at Washington this 1st day of December, 1871.

[SEAL.]

JNO. A. J. CRESWELL,  
*Postmaster-General.*

[SEAL.]

DANNESKJOLD SAMSÖE.

POST-OFFICE DEPARTMENT  
OF THE  
UNITED STATES OF AMERICA. }

A.  
(See p. 908.)

{ CORRESPONDENCE  
WITH  
DENMARK.

LETTER-BILL, No. \_\_\_\_\_

For the mails dispatched from \_\_\_\_\_ to \_\_\_\_\_, via \_\_\_\_\_ sent  
the \_\_\_\_\_, 18 ; arrived the \_\_\_\_\_, 18 .

No. of the items of account.			Statement by the United States office.		Verification by the Danish office.			
	Single weight.	Single rate.	No. of single rates.	Amounts.		No. of single rates.	Amounts.	
				Dolls.	Cts.		Dolls.	Cts.
TABLE I. — <i>International correspondence.</i> (Including registered articles, postage only.)								
1	Letters fully prepaid . . . . .		—	—	—	—	—	—
2	Letters wholly unpaid . . . . .		—	—	—	—	—	—
3	No. of single rates . . . . .		—	—	—	—	—	—
4	Letters insufficiently paid. {		—	Rd.	Sk.	—	Rd.	Sk.
5	Amount prepaid . . . . .			—	—		—	—
	Amount deficient . . . . .		—	—	—	—	—	—
Total No. of single international rates . . . . .			—	—	—	—	—	—
6	Journals . . . (whether fully prepaid or partially paid.)		—	Dolls.	Cts.	—	Dolls.	Cts.
	Other prints . . . The total amount prepaid			—	—		—	—
	Samples . . . is . . . . .		—	—	—	—	—	—
TABLE II. — <i>Extra-national correspondence.</i> (Including registered articles, postage only.)								
7	Letters originating in the United States for foreign countries beyond Denmark.	Unpaid (wholly or in part)	No. of international rates . . . . .	—	—	—	—	—
8		Fully prepaid	No. of international rates . . . . .	—	—	—	—	—
9			Foreign postage to account for to Denmark . . . . .	—	—	—	—	—
10	Letters originating in foreign countries and passing in transit through the United States.	Fully prepaid.	No. of international rates . . . . .	—	—	—	—	—
11		Addressed to Denmark.	No. of international rates . . . . .	—	—	—	—	—
12			Unpaid (wholly or in part.)	Foreign postage to account for to United States . . . . .	—	—	—	—
13		Addressed to countries beyond Denmark.	No. of international rates . . . . .	—	—	—	—	—
14	Fully prepaid.		Foreign postage to account for to Denmark . . . . .	—	—	—	—	
15	No. of international rates . . . . .		—	—	—	—	—	
16		Unpaid (wholly or in part.)	Foreign postage to account for to United States . . . . .	—	—	—	—	—
Total number of single rates in transit . . . . .			—	—	—	—	—	—
17	Prepaid journals, other prints, samples, &c., originating in the United States, addressed to countries beyond Denmark; or originating beyond the United States and addressed to Denmark and to countries beyond Denmark.		Total amount of the international postage . . . . .	—	—	—	—	—
18			Total amount of foreign postage to account for to Denmark . . . . .	—	—	—	—	—
19	Unpaid newspapers, prints, and patterns of merchandise, originating in foreign countries, and passing in transit through the United States.		Total amount of the international postage . . . . .	—	—	—	—	—
20			Amount of foreign postage due to the United States, . . . . .	—	—	—	—	—



[Translation.]

THE ROYAL DANISH  
DIRECTORY  
GENERAL OF POSTS.B.  
(See p. 908.){ EXCHANGE WITH THE  
UNITED STATES  
POST DEPARTMENT.

## LETTER-BILL, No. \_\_\_\_\_

The mail sent from \_\_\_\_\_ to \_\_\_\_\_, via \_\_\_\_\_ (dispatched  
\_\_\_\_\_, 18 ; received \_\_\_\_\_, 18 .)

No. of the items of account.					Single weight. Grams.	Single rate. Sk.	Statement by the Danish office.			Verification by the United States office.				
							No. of single rates.	Amounts.		No. of single rates.	Amounts.			
								Rd.	Sk.		Rd.	Sk.		
TABLE I. — <i>International correspondence.</i> (Including registered articles, postage only.)														
1	Letters fully prepaid . . . . .													
2	Letters wholly unpaid . . . . .													
3	Letters insufficiently paid. { No. of single rates . . . . . Amount prepaid . . . . . Amount deficient . . . . .													
4														
5														
Total No. of single international rates . . . . .														
6	Journals . . . . .				Fully or partially prepaid. The total prepaid amount . . . . .									
	Other prints . . . . .													
	Samples . . . . .													
TABLE II. — <i>Extra-national correspondence.</i> (Including registered articles, postage only.)														
7	Letters originating in Denmark for countries beyond the United States.	Unpaid (wholly or in part)	No. of international rates . . . . .											
8				Fully prepaid	No. of international rates . . . . .									
9						Foreign postage to account for to the United States . . . . .								
10	Letters originating in foreign countries in transit through Denmark.	Addressed to the United States.	Fully prepaid.	No. of international rates . . . . .										
11					Unpaid (wholly or in part.)	No. of international rates . . . . .								
12							Foreign postage to account for to Denmark . . . . .							
13	Addressed to countries beyond the United States.	Fully prepaid.	No. of international rates . . . . .											
14				Foreign postage to account for to the United States . . . . .										
15					No. of international rates . . . . .									
16	Unpaid (wholly or in part.)	Foreign postage to account for to Denmark . . . . .												
Total number of single rates in transit . . . . .														
17	Prepaid journals, other prints, samples, &c., originating in Denmark for countries beyond the United States, or originating in countries beyond Denmark to the United States and countries beyond the United States.			Total amount of the international postage . . . . .										
18					Foreign postage to account for to the United States . . . . .									
19	Unpaid journals, other prints, and samples, originating in foreign countries, and in transit through Denmark.			Total amount of international postage . . . . .										
20					Foreign postage to account for to Denmark . . . . .									
TABLE III. — <i>Of register fees.</i>														
21	Total number of registered fees and registered articles herewith . . . . .													
22	Amount of supplementary fees on same due to countries beyond the United States to account for to the United States . . . . .													





POST-OFFICE DEPARTMENT  
OF  
THE UNITED STATES. }

C.  
(See p. 908.)

{ CORRESPONDENCE  
WITH THE  
DANISH POST-OFFICE.

Descriptive list of the letters and other registered articles contained in the mail sent by the United States office of exchange of — to the Danish office of exchange of — the —, 18 .

Number.	Nature of the registered articles.	Origin.	To whom addressed.	Destination.	Amount of the supplementary registration fees to pay to the Danish office on registered articles destined for foreign countries.	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
Total number of the registered articles to be carried to Article 21 of the letter-bill . . . . .						
Total amount to be carried to Article 22 of the letter-bill . . . . .						

Certified by ———.

Verified by ———.

(TRANSLATION.)

THE ROYAL DANISH  
DIRECTORY-GENERAL OF POSTS. }

D.  
(See p. 908.)

{ CORRESPONDENCE WITH THE UNITED  
STATES POST OFFICE DEPARTMENT.

Descriptive list of the letters and other registered articles contained in the mail sent by the Danish office of exchange of — to the United States office of exchange of — the —, 18 .

Number.	Nature of the registered articles.	Origin.	To whom addressed.	Destination.	Amount of the supplementary registration fees to pay to the United States office on registered articles destined for foreign countries.	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
Total number of registered articles to be carried to Article 21 of letter-bill . .						
Total amount to be carried to Article 22 of letter-bill . . . . .						

Certified by ———.

Verified by ———.

*Convention between the United States and the Austro-Hungarian Empire. Nov. 25, 1871.*  
*Trade-marks. Concluded November 25, 1871; Exchanged April 22,*  
*1872; Proclaimed June 1, 1872.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

## A PROCLAMATION.

WHEREAS a convention between the United States of America and His Majesty the Emperor of Austria and Hungary, relating to the protection of trade-marks, was signed at Vienna by their respective plenipotentiaries on the twenty-fifth day of November, in the year of our Lord one thousand eight hundred and seventy-one, the original of which convention, in the English, Hungarian, and German languages, is, word for word, as follows:—

Preamble.

The United States of America and His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, desiring to secure in their respective territories a guarantee of property in trade-marks, have resolved to conclude a special convention for this purpose, and have named as their Plenipotentiaries:

Az 'Eszakamerikai egyesült Államok egyrészlől és O Felsége az austriai császár, Csehország királya s. a. t. és Magyarország apostoli királya másrészlől az iparvédelmek által ovott tulajdonjogot területeiken kölcsönösen biztosítani óhajtván, e végre külön egyezmény kötését határozták el, és meghatalmazottaikká nevezték ki és pedig:

Die Vereinigten Staaten von Nord-Amerika und Seine Majestät der Kaiser von Oesterreich, König von Böhmen, etc., und Apostolischer König von Ungarn, von dem Wunsche besetzt, in ihren bezüglichen Gebieten das durch Handelsmarken verbürgte Eigenthumsrecht zu sichern, haben beschlossen, eine besondere Convention zu diesem Zwecke abzuschliessen, und zu ihren Bevollmächtigten ernannt, nämlich:

The President of the United States of America, John Jay, their Envoy Extraordinary and Minister Plenipotentiary from the United States of America to His Imperial and Royal Apostolic Majesty; and His Majesty the Emperor of Austria and Apostolic King of Hungary, the Count Julius Andrassy of Csik Szent Király and Kraszna Horka, His Majesty's Privy Counsellor and Minister of the Imperial House and of Foreign Affairs, Grand Cross of the Order of St. Stephen, &c., &c., &c., who have agreed to sign the following articles:

Az Amerikai egyesült Államok elnöke Jay János urat az egyesült államok rendkívüli követét és meghatalmazott ministert. O császári és apostoli királyi Felségénél.

O Felsége az austriai császár és Magyarország apostoli királya Csik-szent királyi és krasznahorkai Andrassy Gyula grófot, titkos tanácsosát, a császári ház és a külügyek közös miniszterét, a Szent-István-Rend nagykeresztését, s. t. b., s. t. b., kik következő aláírandó czikkeiben állapodtak meg:

Der Präsident der Vereinigten Staaten von Amerika den Herrn John Jay, ausserordentlichen Gesandten und bevollmächtigten Minister der Vereinigten Staaten von Amerika bei Seiner Kaiserlichen und Königlichen Apostolischen Majestät;

Seine Majestät der Kaiser von Oesterreich und Apostolische König von Ungarn den Grafen Julius Andrassy von Csik-Szent-Kiraly und Kraszna-Horka, Allerhöchst Ihren geheimen Rath, Minister des Kaiserlichen Hauses und gemeinsamen Minister des Aeussern, Grosskreuz des St. Stephan-Ordens, etc., etc., welche übereingekommen sind die nachfolgenden Artikel zu unterzeichnen.

### ARTICLE I.

Every reproduction of trade-marks which, in the

### I CZIKK.

A két szerződő fél barmelyikének országaiban vagy

### ARTIKEL I.

Jede Reproduction von Handelsmarken, welche in of trade-marks

used in the one country, &c., forbidden in the other country.

countries or territories of the one of the contracting parties, are affixed to certain merchandise to prove its origin and quality, is forbidden in the countries or territories of the other of the contracting parties, and shall give to the injured party ground for such action or proceedings to prevent such reproduction, and to recover damages for the same, as may be authorized by the laws of the country in which the counterfeit is proven, just as if the plaintiff were a citizen of that country.

Exclusive right to use trade-marks, not to continue longer than, &c.

The exclusive right to use a trade-mark for the benefit of citizens of the United States in the Austro-Hungarian Empire, or of citizens of the Austro-Hungarian Monarchy in the territory of the United States, cannot exist for a longer period than that fixed by the law of the country for its own citizens.

If trade-mark has become public property, it shall be free to all.

If the trade-mark has become public property in the country of its origin, it shall be equally free to all in the countries or territories of the other of the two contracting parties.

## ARTICLE II.

Owners of trade-marks wishing to secure their rights, &c., to deposit copies, &c.

If the owners of trade-marks, residing in the countries or territories of the one of the contracting parties, wish to secure their rights in the countries or territories of the other of the contracting parties, they must deposit duplicate copies of those marks in the Patent-office at Washington, and in the Chambers of Commerce and Trade in Vienna and Pesth.

## ARTICLE III.

When the arrangement takes effect, and how long to continue;

The present arrangement shall take effect ninety days after the exchange of ratifications, and shall continue in force for ten years from this date.

In case neither of the

területein tilos oly iparvédjegyeknek utánzása, melyek a másik szerződő fél országaiban vagy területein bizonyos arucikkekre származásuk és minőségük igazolása végett alkalmaztatnak és ezen tilalom áthágása a sértett félnek jogot ad az utánzás meggátolása valamint a kártérítés eszközölése végett azon kereset vagy eljárás megindítására, melyet megenged a törvényhozás azon államban, hol a hamisítás bebizonyított, épúgy, mintha a panaszló ezen állam polgára lenne.

Bizonyos iparvédjegy használatára való kizárólagos jog nem illetheti az egyesült államok polgárait az osztrák-magyar monarchiában vagy az osztrák-magyar birodalom polgárait az egyesült államok területein hosszabb időre mint a milyenre azt az illető állam törvényei saját polgárai számára megállapítják.

Ha az iparvédjegy azon államban honnan származik, köztulajdonná vált, olyanná lesz az a másik szerződő fél országaiban vagy területein is.

## II CZIKK.

Ha az iparvédjegyek a két szerződő fél bármelyikének országaiban vagy területein lakó tulajdonosai jogait a másik szerződő fél területein biztosítani óhajlják, be kell terjeszteniök ezen jegyek másolatát két példányban a szabadalmi hivatalnál Washingtonban és az ipar és kereskedelmi kamaráknál Pesten és Bécsben.

## III CZIKK.

Jelen egyezmény hatályba lép kilenczven nappal a jóváhagyási okmányoknak kicserélése után és ezen időtől kezdve tíz évig marad hatályban. Ha tizenkét hónappal ezen határidő

den Ländern oder Gebieten des einen der kontrahierenden Theile an gewissen Waaren als Beweis ihrer Herkunft und Qualität angebracht sind, ist in den Ländern oder Gebieten des andern der kontrahierenden Theile verboten, und soll dem beschädigten Theile Grund zu solcher Klage oder zu solchem Verfahren behufs Verhinderung einer solchen Nachmachung sowie zur Erlangung von Schadenersatz geben, als durch die Gesetze jenes Staates, in welchem die Fälschung bewiesen wurde, gerechtfertigt erscheinen möchte, gerade so, als wenn der Kläger ein Staatsangehöriger dieses Landes wäre.

Das ausschliessliche Recht des Gebrauches einer Handelsmarke zu Gunsten von Bürgern der Vereinigten Staaten in der österreichisch-ungarischen Monarchie oder eines Staatsangehörigen der österreichisch-ungarischen Monarchie im Gebiete der Vereinigten Staaten, kann für keinen längern als jenen Zeitraum bestehen, welchen die Gesetze des Landes für ihre eigenen Bürger feststellen.

Wenn die Handelsmarke im Lande ihres Ursprungs allgemeines Eigentum geworden ist, soll sie in den Ländern oder Gebieten des andern der beiden kontrahierenden Theile gleichfalls allgemein freigegeben sein.

## ARTIKEL II.

Wenn die in den Ländern oder Gebieten des einen der kontrahierenden Theile wohnenden Besitzer von Handelsmarken wünschen, ihre Rechte in den Ländern oder Gebieten des andern der kontrahierenden Theile zu sichern, so müssen sie im Privilegien-Amte zu Washington und bei den Handels- und Gewerbekammern in Wien und Pest Kopien von diesen Marken in duplo hinterlegen.

## ARTIKEL III.

Das gegenwärtige Uebereinkommen soll neunzig Tage nach dem Austausch der Ratifikationen in Wirksamkeit treten, und soll zehn Jahre von diesem Zeitpunkte an in Kraft

high contracting parties gives notice of its intention to discontinue this convention twelve months before its expiration, it shall remain in force one year from the time that either of the high contracting parties announces its discontinuance.

letelte előtt a szerződő felek egyike sem nyilvánítaná a szerződés hatályának megszüntetése iránti szándokát, ez mindkét félre nézve azon időtől kezdve, melyben egyik szerződő fél annak megszüntét kijelenti még egy évig marad hatályban.

bleiben. Im Falle keiner gives notice. der beiden hohen kontrahirenden Theile zwölf Monate vor dem Erlöschen der Convention ihre Absicht kundgiebt, dieselbe ausser Wirksamkeit treten zu lassen, so soll sie ein Jahr lang von der Zeit an, als einer der hohen kontrahirenden Theile ihr Erlöschen bekannt giebt, in Kraft bleiben.

ARTICLE IV.

The ratifications of this present convention shall be exchanged at Vienna within twelve months, or sooner, if possible.

In faith whereof the respective Plenipotentiaries have signed the present convention as well in English as in German and Hungarian, and have affixed thereto their respective seals.

Done at Vienna the twenty-fifth day of November, in the year of our Lord one thousand eight hundred and seventy-one, in the ninety-sixth year of the Independence of the United States of America, and in the twenty-third year of the reign of His Imperial and Royal Apostolic Majesty.

[L. s.] JOHN JAY.  
[L. s.] ANDRÁSSY.

IV CZIKK.

Jelen egyezmény jóváhagyási okmányai tizenkét hónap alatt vagy ha lehetséges előbb is kicserélendők Bécsben.

Ezek hiteletül az illető meghatalmazottak jelen szerződést angol valamint magyar és német nyelven kiállítva irták alá és pecsétjeikkel látták el.

Kelt Bécsben az ezer nyolczszáz hetvenegyedik évi november hó huszonötödik nappán az amerikai egyesült államok önállóságának kilenczven hatodik és az O császári és apostoli királyi Felsége uralkodásának huszon harmadik évében.

JOHN JAY.  
ANDRÁSSY.

ARTIKEL IV.

Die Ratifikationen der Ratifications to gegenwärtigen Convention be exchanged sollen in Wien innerhalb where and when. zwölf Monaten, oder, wenn möglich, früher, ausgetauscht werden.

Urkund dessen haben die bezüglichen Bevollmächtigten gegenwärtige Convention sowohl in englischer als in deutscher und ungarischer Sprache unterzeichnet und ihre Siegel begedruckt.

So geschehen zu Wien am fünfundzwanzigsten November, im Jahre unseres Herrn eintausend achthundert und einundsiebzig, im sechsundneunzigsten Jahre der Unabhängigkeit der Vereinigten Staaten von Amerika, und im dreiundzwanzigsten Jahre der Regierung seiner Kaiserlichen und Königlich Apostolischen Majestät.

[L. s.] JOHN JAY.  
[L. s.] ANDRÁSSY.

And whereas the said convention has been duly ratified on both parts, Exchange of and the respective ratifications of the same were exchanged at Vienna on ratification. the twenty-second day of April last:

Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and part thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof. Proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this first day of June, in the year of our Lord one thousand eight hundred and seventy-two, and of the independence of the United States of America the ninety-sixth.

[SEAL.]

By the President:

HAMILTON FISH, *Secretary of State.*

U. S. GRANT.



*Convention between the United States and the German Empire. Respecting Consuls and Trade-marks. Signed December 11, 1871; Exchanged April 29, 1872; Proclaimed June 1, 1872.* Dec. 11, 1871.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

## A PROCLAMATION.

WHEREAS a convention between the United States of America and the German Empire, relating to the rights, privileges, immunities, and duties of consuls, and to the protection of trade-marks, was signed at Berlin on the eleventh day of December, in the year of our Lord one thousand eight hundred and seventy-one, by their respective plenipotentiaries; Preamble.

And whereas a protocol thereto was signed by the said plenipotentiaries on the twenty-ninth day of April last; which convention and protocol, in the English and German languages, are, word for word, as follows:

The President of the United States of America, and his Majesty the Emperor of Germany, King of Prussia, in the name of the German Empire, led by the wish to define the rights, privileges, immunities, and duties of the respective consular agents, have agreed upon the conclusion of a consular convention, and for that purpose have appointed their plenipotentiaries, namely:

The President of the United States of America, George Bancroft, Envoy Extraordinary and Minister Plenipotentiary from the said States, near his Majesty the Emperor of Germany; his Majesty the Emperor of Germany, King of Prussia, Bernhard König, his Privy Councillor of Legation, who have agreed to and signed the following articles:

### ART. I.

Each of the contracting parties agrees to receive from the other consuls-general, consuls, vice-consuls, and consular agents, in all its ports, cities, and places, except those where it may not be convenient to

Der Praesident der Vereinigten Staaten von Amerika, und Seine Majestaet der Deutsche Kaiser, Koenig von Preussen, im Namen des Deutschen Reiches, von dem Wunsche geleitet, die Rechte, Privilegien, Immunitaeten und Verpflichtungen der beiderseitigen consularischen Agenten festzustellen, sind uebereingekommen, einen Consular-Vertrag abzuschliessen und haben zu diesem Behufe zu Ihren Bevollmaechtigten ernannt, naemlich:

Der Praesident der Vereinigten Staaten von Amerika, den ausserordentlichen Gesandten und bevollmaechtigten Minister der gedachten Staaten bei Seiner Majestaet dem Deutschen Kaiser, George Bancroft; Seine Majestaet der Deutsche Kaiser, Koenig von Preussen, Allerhoechstihren Geheimen Legationsrath, Bernhard Koenig, welche die folgenden Artikel vereinbart und unterzeichnet haben:

### ART. 1.

Jeder der Vertragenden Theile willigt eine, General-Consuln, Consuln, Vice-Consuln und Consular-Agenten des anderen Theiles in allen seinen Haefen, Staedten und Plaetzen zuzulassen, mit Ausnah-

Consuls, &c.,  
to be received.

recognize such officers. This reservation, however, shall not apply to one of the contracting parties without also applying to every other power.

## ART. II.

Form of reception. The consuls-general, consuls, vice-consuls, or consular agents, shall be reciprocally received and recognized, on the presentation of their commissions, in the forms established in their respective countries. The necessary exequatur for the exercise of their functions shall be furnished to them free of charge, and, on the exhibition of this instrument, they shall be admitted at once, and without difficulty, by the territorial authorities, federal, State, or communal, judicial, or executive, of the ports, cities, and places of their residence and district, to the enjoyment of the prerogatives reciprocally granted. The government that furnishes the exequatur reserves the right to withdraw the same on a statement of the reasons for which it has thought proper to do so.

Exequatur;

may be withdrawn.

## ART. III.

Consuls, &c., to enjoy all rights, privileges, &c.;

if not citizens, to be free from arrest, taxes, &c., except, &c.

The respective consuls-general, consuls, vice-consuls, or consular agents, as well as their chancellors and secretaries, shall enjoy in the two countries all privileges, exemptions, and immunities which have been granted, or may in future be granted, to the agents of the same rank of the most favored nation. Consular officers, not being citizens of the country where they are accredited, shall enjoy, in the country of their residence, personal immunity from arrest or imprisonment except in the case of crimes, exemption from military billetings and contributions, from military

me derjenigen Orte wo es nicht angemessen erscheinen sollte, solche Beamte anzuerkennen. Dieser Vorbehalt soll jedoch auf keinen der vertragenden Theile angewendet werden, ohne jeder anderen Macht gegenueber ebenfalls Anwendung zu finden.

## ART. 2.

Die General - Consuls, Consuls, Vice-Consuls oder Consular-Agenten sollen, nach Vorlegung ihrer mit Beobachtung der in ihren bezuglichen Laendern bestehenden Foermlichkeiten ausgefertigten Bestallung, gegenseitig zugelassen und anerkannt werden. Das zur Ausuebung ihrer Amtsverrichtungen erforderliche Exequatur soll ihnen kostenfrei ertheilt werden und nach Vorweisung dieser Urkunde sollen dieselben sofort und unbeanstandet von den Landesbehoerden in den Haefen, Staedten und Plaetzen ihres Amtssitzes und Amtsbezirks, dieselben seien Bundes-, Staats- oder Gemeinde - Behoerden, Gerichts- oder Verwaltungs - Behoerden, zum Genusse der ihnen gegenseitig zugesicherten Vorrechte zugelassen werden. Die das Exequatur ertheilende Regierung behaelt sich das Recht vor, dieses Exequatur zurueckzunehmen und zwar unter Darlegung der Gruende, aus denen sie fuer angemessen erachtet hat so zu handeln.

## ART. 3.

Die resp. General-Consuls, Consuls, Vice-Consuls oder Consular-Agenten, sowohl als deren Kanzler und Secretaire, sollen in beiden Laendern alle Vorrechte, Befreiungen und Immunitaeten geniessen, welche den Beamten desselben Ranges der meistbeguenstigten Nation bewilligt sind oder in Zukunft bewilligt werden. Consular-Beamte, welche nicht Angehoerige des Landes sind, wo sie beglaubigt sind, sollen in dem Lande, wo sie ihren Sitz haben, persoenliche Immunitaet von Verhaftung oder Gefangenhaltung geniessen, ausgenommen im Falle von Verbrechen; sie



service of every sort, and other public duties, and from all direct or personal or sumptuary taxes, duties, and contributions, whether federal, State, or municipal. If, however, the said consular officers are or become owners of property in the country in which they reside or engage in commerce, they shall be subject to the same taxes and imposts, and to the same jurisdiction, as citizens of the country, property-holders, or merchants. But under no circumstances shall their official income be subject to any tax. Consular officers who engage in commerce shall not plead their consular privileges to avoid their commercial liabilities. Consular officers of either character shall not in any event be interfered with in the exercise of their official functions, further than is indispensable for the administration of the laws of the country.

## ART. IV.

Consuls-general, consuls, vice-consuls, and consular agents may place over the outer door of their offices, or of their dwellings, the arms of their nation, with the proper inscription indicative of the office. And they may also hoist the flag of their country on the consular edifice, except in places where a legation of their country is established.

They may also hoist their flag on board any vessel employed by them in port for the discharge of their duty.

## ART. V.

The consular archives shall be at all times inviolable, and under no

sollen ferner von Militair-Einquartierung und Contributionen, von Waffendiensten aller Art und von anderen oeffentlichen Dienstleistungen, sowie von allen directen oder persoelichen oder Luxus-Abgaben, Leistungen und Beitraegen, dieselben seien Bundes, Staats- oder Gemeinde-Abgaben, frei sein. Wenn aber die gedachten Consular-Beamten in dem Lande, wo sie ihren Amtssitz haben, Grundeigenthuemer sind oder werden, oder Handelsgeschaefte betreiben, so sollen sie denselben Abgaben und Auflagen und demselben gerichtlichen Verfahren unterworfen sein, wie die Grundbesitzer oder Kaufleute, welche Angehoerige des Landes sind. Unter keinen Umstaenden jedoch soll das Einkommen von ihrem Amte irgend einer Abgabe unterliegen. Consular-Beamte, welche kaufmaennische Geschaefte betreiben, sollen nicht auf ihre Consular-Vorrechte sich berufen duerfen, um sich ihren kaufmaennischen Verbindlichkeiten zu entziehen. Consular-Beamte jedweden Characters sollen in keinem Falle in der Ausuebung ihrer amtlichen Verrichtungen weiter gestoert werden, als zur Handhabung der Landesgesetze unvermeidlich ist.

[The word "property" means real estate. See *Post*, p. 932.]

Consuls &c., engaging in commerce, not to avoid commercial liabilities;

## ART. 4.

General-Consuln, Consuln, Vice-Consuln und Consular Agenten koennen ueber dem aeußern Eingange ihrer Amtsräume oder ihrer Wohnungen das Wappen ihrer Nation mit einer ihr Amt bezeichnenden Inschrift anbringen. Auch duerfen sie die Flagge ihres Landes auf dem Consulat-Gebäude aufziehen, ausgenommen in solchen Plaetzen, wo sich eine Gesandtschaft ihres Landes befindet.

Desgleichen koennen sie ihre Flagge auf jedem Fahrzeuge aufziehen, dessen sie sich im Hafen bei Ausuebung ihrer Dienstverrichtungen bedienen.

## ART. 5.

Die Consular-Archive sollen jederzeit unverletzlich sein und un-

Consular archives inviolable

pretence whatever shall the local authorities be allowed to examine or seize the papers forming part of them. When, however, a consular officer is engaged in other business, the papers relating to the consulate shall be kept in a separate enclosure.

Offices and dwellings of consuls missi inviolable;

but not to be used as places of asylum.

The offices and dwellings of consuls missi who are not citizens of the country of their residence shall be at all times inviolable. The local authorities shall not, except in the case of the pursuit for crimes, under any pretext invade them. In no case shall they examine or seize the papers there deposited. In no event shall those offices or dwellings be used as places of asylum.

#### ART. VI.

If consul, &c., die, who to exercise the functions of the office.

In the event of the death, prevention, or absence of consuls-general, consuls, vice-consuls, and consular agents, their chancellors or secretaries, whose official character may have previously been made known to the respective authorities in Germany or in the United States, may temporarily exercise their functions, and, while thus acting, they shall enjoy all the rights, prerogatives, and immunities granted by this convention to the incumbents.

#### ART. VII.

Vice-consuls and consular agents.

Consuls-general and consuls may, with the approbation of their respective governments, appoint vice-consuls and consular agents in the cities, ports, and places within their consular jurisdiction. These officers may be citizens of Germany, of the United States, or any other country. They shall be furnished with a commission by the consul who appoints them and under whose orders they are to act,

ter keinem Vorwande soll es den Landesbehoerden erlaubt sein, die Papiere, welche zu diesen Archiven gehoeren zu durchsuchen oder mit Beschlag zu belegen. Betreibt ein Consular-Beamter nebenbei Geschaeft, so sollen die auf das Consulat bezueglichen Papiere unter abgesondertem Verschluss aufbewahrt werden.

Die Amtsräume und Wohnungen der Berufs-Consuln (consules missi), welche nicht Angehörige des Landes sind, wo sie ihren Sitz haben, sollen jederzeit unverletzlich sein. Die Landesbehoerden sollen, soweit es sich nicht um Verfolgung von Verbrechen handelt, unter keinem Vorwande dort eindringen. In keinem Falle dürfen sie die daselbst niedergelegten Papiere durchsuchen oder in Beschlag nehmen. Unter keinen Umständen dürfen diese Amtsräume oder Wohnungen als Asylorte benutzt werden.

#### ART. 6.

Im Falle des Todes, der Verhinderung oder Abwesenheit der General-Consuln, Consuln, Vice-Consuln und Consular-Agenten dürfen deren Kanzler oder Secrétaire, wenn ihr amtlicher Character zuvor zur Kenntniss der betreffenden deutschen oder amerikanischen Behoerden gebracht worden ist, zeitweilig deren Amtsverrichtungen ausüben, und sie sollen waehrend dieser Amtsfuehrung alle Rechte, Vorrechte und Immunitaeten geniessen, welche durch diese Uebereinkunft den Titularen zugesichert sind.

#### ART. 7.

Die General-Consuln und Consuln sollen, mit Genehmigung ihrer resp. Regierungen, Vice-Consuln und Consular-Agenten in den Staedten, Haefen und Plaetzen innerhalb ihres Consularbezirks bestellen dürfen. Diese Beamten koennen Angehörige Deutschlands oder der Vereinigten Staaten oder eines anderen Landes sein. Es soll ihnen von dem Consul, der sie bestellt und un-

or by the government of the country which he represents. They shall enjoy the privileges stipulated for consular officers in this convention, subject to the exceptions specified in Article III.

## ART. VIII.

Consuls-general, consuls, vice-consuls, and consular agents shall have the right to apply to the authorities of the respective countries, whether federal or local, judicial or executive, within the extent of their consular district, for the redress of any infraction of the treaties and conventions existing between the two countries, or of international law; to ask information of said authorities, and to address said authorities to the end of protecting the rights and interests of their countrymen, especially in cases of the absence of the latter; in which cases such consuls, etc., shall be presumed to be their legal representatives. If due notice should not be taken of such application, the consular officers aforesaid, in the absence of a diplomatic agent of their country, may apply directly to the government of the country where they reside.

## ART. IX.

Consuls-general, consuls, vice-consuls, or consular agents of the two countries, or their chancellors, shall have the right, conformably to the laws and regulations of their country —

1. To take at their office or dwelling, at the residence of the parties, or on board of vessels of their own nation, the depositions of the captains and crews, of passengers on board of them, of merchants, or

ter dessen Befehlen sie zu fungiren haben, oder von der Regierung des Landes, welche derselbe vertritt, eine Bestallung ertheilt werden. Sie sollen in dieser Ueber-einkunft zu Gunsten der Consular-Beamten bedungenen Vorrechte geniessen, vorbehaltlich der in Art. 3 aufgeführten Ausnahmen.

## ART. 8.

General-Consuln, Consuln, Vice-Consuln und Consular-Agenten sollen das Recht haben, Behufs der Abhülfe irgend einer Verletzung der zwischen beiden Laendern bestehenden Verträge und Uebereinkünfte oder des Voelkerrechts, an die in ihrem Amtsbezirke fungirenden Behoerden des bezueglichen Landes, dieselben seien Bundes- oder Landes-Behoerden, Gerichts- oder Verwaltungs-Behoerden, sich zu wenden, Auskunft von den gedachten Behoerden zu verlangen und an dieselben Anträge zum Schutz der Rechte und Interessen ihrer Landsleute zu richten, insbesondere in Faellen der Abwesenheit dieser letzteren, in welchen Faellen die Consuln u. s. w. als die gesetzlichen Vertreter der Abwesenden angesehen werden sollen. Falls ein solches Ansuchen die gebuehrende Beachtung nicht faende, sollen die vorgedachten Consular-Beamten, falls ein diplomatischer Vertreter ihres Landes nicht anwesend sein sollte, sich unmittelbar an die Regierung des Landes, wo sie ihren Sitz haben, wenden duerfen.

Consuls, &c., may apply to local authorities for redress, and for information;

if notice thereof is not taken, application may be made to government.

## ART. 9.

General-Consuln, Consuln, Vice-Consuln oder Consular-Agenten der beiden Laender oder deren Kanzler sollen, soweit sie nach den Gesetzen und Verordnungen ihres Landes dazu befugt sind, das Recht haben,

Consuls, &c., may take depositions;

1. In ihren Amtraeumen oder Wohnungen, in den Wohnungen der Betheiligten oder am Bord der Nationalschiffe, die Erklaerungen der Schiffsfuehrer, der Schiffsmannschaften der Schiffspassagiere, von

any other citizens of their own country.

may verify papers, wills, &c., of their countrymen;

[The word "property" means real estate. See *Post*, p. 932.]

such papers under official seal to be received, &c.

2. To receive and verify unilateral acts, wills, and bequests of their countrymen, and any and all acts of agreement entered upon between citizens of their own country, and between such citizens and the citizens or other inhabitants of the country where they reside; and also all contracts between the latter, provided they relate to property situated or to business to be transacted in the territory of the nation by which the said consular officers are appointed.

All such acts of agreement and other instruments, and also copies and translations thereof, when duly authenticated by such consul-general, consul, vice-consul, or consular agent under his official seal, shall be received by public officials and in courts of justice as legal documents, or as authenticated copies, as the case may be, and shall have the same force and effect as if drawn up or authenticated by competent public officers of one or the other of the two countries.

#### ART. X.

If a citizen of either country dies in the other without, &c., nearest consul to be notified;

who may represent, heirs, &c.

See p. 932.

In case of the death of any citizen of Germany in the United States, or of any citizen of the United States in the German Empire, without having in the country of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest consular officer of the nation to which the deceased belongs of the circumstance, in order that the necessary information may be immediately forwarded to parties interested.

Kaufleuten, oder sonstigen Angehörigen ihres Landes entgegenzunehmen;

2. Einseitige Rechtsgeschäfte und letztwillige Verfügungen ihrer Landsleute, imgleichen Verträge, welche zwischen Angehörigen ihres eigenen Landes sowie zwischen diesen und Angehörigen oder anderen Einwohnern des Landes ihres Amtssitzes geschlossen werden, aufzunehmen und zu beglaubigen; nicht minder alle Verträge zwischen Personen der letzteren Kategorie, soweit solche Verträge auf ein im Gebiete der Nation, von welcher die gedachten Consular-Beamten bestellt sind, belegenes Grundeigenthum, oder auf ein daselbst abzuschliessendes Geschäft sich beziehen.

Alle solche Verträge und andere Urkunden, sowie Abschriften und Uebersetzungen davon, sollen, wenn sie von dem General-Consul, Consul, Vice-Consul oder Consular-Agenten gehörig beglaubigt und mit dessen Amtssiegel versehen sind, von den öffentlichen Beamten und den Gerichtshöfen als öffentliche Urkunden, beziehungsweise als beglaubigte Uebersetzungen oder Abschriften angesehen werden und sie sollen dieselbe Kraft und Wirkung haben als wenn sie von den kompetenten öffentlichen Beamten des einen oder des anderen der beiden Länder aufgenommen oder beglaubigt wären.

#### ART. 10.

Im Falle, dass ein Angehöriger des Deutschen Reichs in den Vereinigten Staaten, oder dass ein Angehöriger der Vereinigten Staaten im Deutschen Reiche sterben sollte, ohne in dem Lande seines Ablebens bekannte Erben oder von ihm ernannte Testamentsvollstrecker zu hinterlassen, so sollen die kompetenten Landesbehörden den nächsten Consular-Beamten der Nation, welcher der Verstorbene angehörte, von diesem Umstande alsbald in Kenntniss setzen, damit die erforderliche Benachrichtigung den theiligten Parteien unverzüglich uebermittelt werde.

The said consular officer shall have the right to appear personally or by delegate in all proceedings on behalf of the absent heirs or creditors, until they are duly represented.

In all successions to inheritances citizens of each of the contracting parties shall pay in the country of the other such duties only as they would be liable to pay, if they were citizens of the country in which the property is situated or the judicial administration of the same may be exercised.

## ART. XI.

Consuls-general, consuls, vice-consuls, and consular agents of the two countries are exclusively charged with the inventoring and the safe-keeping of goods and effects of every kind left by sailors or passengers on ships of their nation, who die either on board ship or on land, during the voyage or in the port of destination.

## ART. XII.

Consuls-general, consuls, vice-consuls, and consular agents shall be at liberty to go either in person or by proxy on board vessels of their nation admitted to entry and to examine the officers and crews, to examine the ships' papers, to receive declarations concerning their voyage, their destination, and the incidents of the voyage; also to draw up manifests and lists of freight, to facilitate the entry and clearance of their vessels, and finally to accompany the said officers or crews before the judicial or administrative authorities of the country, to assist them as their interpreters or agents.

The judicial authorities and custom-house officials shall in no case

Der gedachte Consular-Beamte soll das Recht haben, persönlich, oder durch einen Beauftragten, bei allen Amtshandlungen fuer die abwesenden Erben oder Glaebiger aufzutreten, bis diese einen Bevollmaechtigten ernannt haben.

In allen Erbfaellen sollen die Angehoerigen eines jeden der contrahirenden Theile in dem Gebiete des andern Theiles nur diejenigen Abgaben entrichten, welche sie entrichten muessten, wenn sie Angehoerige desjenigen Landes waeren, in welchem der Nachlass sich befindet oder die gerichtliche Verwaltung desselben stattfindet.

## ART. 11.

Den General-Consuln, Consuln, Vice-Consuln und Consular-Agenten der beiden Laender steht ausschliesslich die Inventarisirung und Sicherstellung der Gueter und Gegenstaende jeder Art zu, welche von Schiffsleuten oder Schiffspassagieren auf Schiffen ihrer Nationalitaet hinterlassen sind, sei es, dass diese Personen am Bord der Schiffe, oder am Lande, waehrend der Fahrt, oder im Bestimmungshafen sterben.

Consuls to take charge of effects left by deceased sailors or passengers.

## ART. 12.

Die General-Consuln, Consuln, Vice-Consuln und Consular-Agenten koennen sich in Person an Bord der zum freien Verkehr zugelassenen Schiffe ihrer Nationalitaet begeben oder einen Bevollmaechtigten an Bord schicken, um die Offiziere und Mannschaften zu vernehmen, die Schiffspapiere einzusehen, die Erklaerungen ueber ihre Reise, ihren Bestimmungsort und die Zwischenfaelle waehrend der Reise entgegenzunehmen, Ladungsverzeichnisse (Manifeste) aufzunehmen, den Eingang und die Clarirung ihrer Schiffe zu foerdern, endlich, mit den gedachten Offizieren und Mannschaften vor den Gerichts- oder Verwaltungs-Behoerden des Landes zu erscheinen, um ihnen als Dolmetscher oder Agenten zu dienen.

Rights in respect to vessels of their nation admitted to entry.

Die Gerichtsbehoerden und Zollbeamten duerfen in keinem Falle

Merchant vessels not to be

searched, &c.,  
by, &c., without  
previous notice  
to consular  
officers.

proceed to the examination or search of merchant-vessels without having given previous notice to the consular officers of the nation to which the said vessels belong, in order to enable the said consular officers to be present.

They shall also give due notice to the said consular officers in order to enable them to be present at any depositions or statements to be made in courts of law or before local magistrates, by officers or persons belonging to the crew, thus to prevent errors or false interpretations which might impede the correct administration of justice. The notice to consuls, vice-consuls, or consular agents shall name the hour fixed for such proceedings. Upon the non-appearance of the said officers or their representatives, the case may be proceeded with in their absence.

Notice to name  
the hour.

#### ART. XIII.

Consuls, &c.,  
to have exclusive  
charge of the internal  
order of  
merchant vessels,  
&c.

Consuls-general, consuls, vice-consuls, or consular agents shall have exclusive charge of the internal order of the merchant-vessels of their nation, and shall have the exclusive power to take cognizance of and to determine differences of every kind which may arise, either at sea or in port, between the captains, officers, and crews, and specially in reference to wages and the execution of mutual contracts. Neither any court or authority shall, on any pretext, interfere in these differences, except in cases where the differences on board ship are of a nature to disturb the peace and public order in port, or on shore, or when persons other than the officers and crew of the vessel are parties to the disturbance.

Local authority  
to interfere  
only in cases of,  
&c.;

to aid consular  
officers.

Except as aforesaid, the local authorities shall confine themselves to the rendering of efficient aid to

zur Besichtigung oder Durchsuchung von Handelsschiffen schreiben, ohne den Consular-Beamten der Nation, welcher die gedachten Schiffe angehören, behufs ihrer etwaigen Gegenwart vorher Nachricht gegeben zu haben.

Ebenso müssen die gedachten Consular-Beamten, Behufs ihrer Anwesenheit, rechtzeitig benachrichtigt werden, wenn die Offiziere oder zur Schiffsmannschaft gehörende Personen vor den Gerichten oder Behörden des Orts Aussagen oder Erklärungen abzugeben haben, damit jedes Missverständniss und jeder Irrthum, welche einer geordneten Rechtspflege Eintrag thun könnten, vermieden wird. Die bezügliche Mittheilung an die Consuln, Vice-Consuln oder Consular-Agenten soll die fuer das Verfahren bestimmte Stunde enthalten. Beim Nichterscheinen der gedachten Beamten oder ihrer Vertreter kann in ihrer Abwesenheit in der Sache vorgegangen werden.

#### ART. 13.

Den General-Consuln, Consuln, Vice-Consuln oder Consular-Agenten steht ausschliesslich die Aufrechterhaltung der inneren Ordnung an Bord ihrer nationalen Handelsschiffe zu. Sie haben demgemäss Streitigkeiten jeder Art, sei es auf hoher See, sei es im Hafen, zwischen den Schiffsführern, Offizieren und Matrosen, zu schlichten, insbesondere Streitigkeiten, welche sich auf die Heuer und die Erfüllung sonstiger Vertragsbestimmungen beziehen. Weder ein Gerichtshof noch eine andere Behörde soll unter irgend einem Vorwande sich in solche Streitigkeiten mischen dürfen, ausser in Fällen, wenn die an Bord vorfallenden Streitigkeiten der Art sind, dass dadurch die Ruhe und öffentliche Ordnung im Hafen oder am Lande gestört wird, oder wenn andere Personen als die Offiziere und Mannschaften des Schiffes an den Unordnungen theilhaft sind.

Mit Ausnahme der vorgedachten Fälle sollen die Landesbehörden sich darauf beschränken, den Con-

the consuls, when they may ask it in order to arrest and hold all persons, whose names are borne on the ship's articles, and whom they may deem it necessary to detain. Those persons shall be arrested at the sole request of the consuls, addressed in writing to the local authorities and supported by an official extract from the register of the ship or the list of the crew, and shall be held during the whole time of their stay in the port, at the disposal of the consuls. Their release shall be granted only at the request of the consuls, made in writing.

The expenses of the arrest and detention of those persons shall be paid by the consuls.

## ART. XIV.

Consuls-general, consuls, vice-consuls, or consular agents may arrest the officers, sailors, and all other persons making part of the crews of ships-of-war or merchant-vessels of their nation, who may be guilty or be accused of having deserted said ships and vessels, for the purpose of sending them on board or back to their country.

To that end, the consuls of Germany in the United States shall apply to either the federal, State, or municipal courts or authorities; and the consuls of the United States in Germany shall apply to any of the competent authorities, and make a request in writing for the deserters, supporting it by an official extract of the register of the vessel and the list of the crew, or by other official documents, to show that the men whom they claim belong to said crew. Upon such request alone thus supported, and without the exaction of any oath from the consuls, the deserters (not being citizens of the country where the demand is made either at the time of their shipping or of their arrival in the port) shall be given up to the consuls. All aid and protection shall

suln wirksame Huelfe zu leisten, wenn diese darum nachsuchen, um diejenigen Personen zu verhaften und gefangen zu halten, deren Name in der Schiffsrolle eingetragen ist und deren Festhaltung jene fuer erforderlich erachten. Diese Personen sollen auf eine schriftliche, an die Landesbehoerden gerichtete und von einem beglaubigten Auszuge aus dem Schiffsregister oder der Musterrolle begleitete Aufforderung verhaftet, und waehrend der ganzen Zeit ihres Aufenthalts im Hafen, zur Verfuegung der Consuln festgehalten werden. Ihre Freilassung soll nur in Folge eines Ersuchsschreibens der gedachten Consuln erfolgen.

Die Kosten der Verhaftung und der Festhaltung dieser Personen sollen von den Consuln getragen werden.

Expenses of arrest, &c

## ART. 14.

Die General-Consuln, Consuln, Vice-Consuln oder Consular-Agenten koennen die Offiziere, Matrosen und alle anderen zur Mannschaft der Kriegs- oder Handelschiffe ihrer Nationalitaet gehoerigen Personen, welche der Desertion von den gedachten Schiffen schuldig oder angeklagt sind, festnehmen lassen, um dieselben an Bord oder in ihre Heimath zu senden.

Consuls, &c., may arrest deserters from vessels;

Zu diesem Zweck sollen die deutschen Consuln in den Vereinigten Staaten an die Gerichte oder Behoerden des Bundes, des Staats, oder der Gemeinde, und die Consuln der Vereinigten Staaten in Deutschland an irgend eine der competenten Behoerden bezueglich der Deserteure ein Ersuchsschreiben richten, begleitet von einem amtlichen Auszuge aus dem Schiffsregister und der Musterrolle, oder von anderen amtlichen Urkunden, welche geeignet sind zu beweisen, dass die Leute, deren Auslieferung sie verlangen, zu der gedachten Schiffsmannschaft gehoeren. Auf ein dergestalt begruendetes Ersuchen und ohne dass es einer Beeidigung von Seiten der Consuln bedarf, sollen die Deserteure (vorausgesetzt, dass dieselben weder zur

mode of procedure in such cases.

Deserters to be

taken to prison and detained for what time.

be furnished them for the pursuit, seizure, and arrest of the deserters, who shall be taken to the prisons of the country and there detained at the request and at the expense of the consuls, until the said consuls may find an opportunity of sending them away.

If, however, such opportunity should not present itself within the space of three months, counting from the day of the arrest, the deserters shall be set at liberty, and shall not again be arrested for the same cause.

#### ART. XV.

Damages suffered at sea by vessels to be settled by consuls, &c., if, &c.

In the absence of an agreement to the contrary between the owners, freighters, and insurers, all damages suffered at sea by the vessels of the two countries, whether they enter port voluntarily or are forced by stress of weather, shall be settled by the consuls-general, consuls, vice-consuls, and consular agents of the respective countries. If, however, any inhabitant of the country, or citizen, or subject of a third power, shall be interested in the matter, and the parties cannot agree, the competent local authorities shall decide.

#### ART. XVI.

Wrecked vessels and salvage, local authorities to notify.

In the event of a vessel belonging to the government, or owned by a citizen of one of the two contracting parties being wrecked or cast on shore, on the coast of the other, the local authorities shall inform the consul-general, consul, vice-consul, or consular agent of the district of the occurrence, or if there be no such consular agency, they shall inform the consul-general, consul, vice-con-

Zeit ihrer Einschiffung, noch zur Zeit ihrer Ankunft im Hafen, Angehörige des Landes sind, wo das Auslieferungs - Verlangen gestellt wird) an die Consuln ausgeliefert werden. Jede Hülfe und jeder Schutz soll denselben gewährt werden bei der Verfolgung, Ergreifung und Festhaltung der Deserteure, welche in die Gefangnisse des Landes gebracht und dort auf Ersuchen und auf Kosten der Consuln so lange festgehalten werden sollen, bis die gedachten Consuln eine Gelegenheit zu ihrer Fortsendung gefunden haben werden.

Wenn jedoch eine solche Gelegenheit innerhalb eines Zeitraumes von drei Monaten, vom Tage der Gefangennahme an gerechnet, sich nicht finden sollte, so werden die Deserteure freigelassen und aus dem naemlichen Grunde nicht wieder festgenommen werden.

#### ART. 15.

Falls nicht Verabredungen zwischen Rhedern, Befrachtern und Versicherern entgegenstehen, werden alle waehrend der Fahrt der Schiffe beider Laender erlittenen Havereien, sei es, dass die Schiffe in den Hafen freiwillig oder als Nothhafner einlaufen, von den General-Consuln, Consuln, Vice-Consuln und Consular-Agenten, der betreffenden Laender regulirt. Sollten jedoch Landesunterthanen oder Angehörige einer dritten Macht bei der Sache betheiligt sein, so muessen in Ermangelung einer guetlichen Einigung zwischen allen Betheiligten die Havereien von den Landesbehoerden regulirt werden.

#### ART. 16.

Wenn ein Regierungsschiff oder ein Schiff eines Angehörigen eines der vertragenden Theile an der Kueste des anderen Theiles Schiffbruch leidet oder strandet, so sollen die Localbehoerden den General-Consul, Consul, Vice-Consul oder Consular-Agenten des Bezirks, oder wenn ein solcher nicht vorhanden ist, den dem Orte des Unfalls naechsten General-Consul, Consul, Vice-



sul, or consular agent of the nearest district.

All proceedings relative to the salvage of American vessels wrecked or cast on shore in the territorial waters of the German Empire shall take place in accordance with the laws of Germany; and, reciprocally, all measures of salvage relative to German vessels wrecked or cast on shore in the territorial waters of the United States shall take place in accordance with the laws of the United States.

The consular authorities have in both countries to intervene only to superintend the proceedings having reference to the repair and revictualling, or, if necessary, to the sale of the vessel wrecked or cast on shore.

For the intervention of the local authorities no charges shall be made except such as in similar cases are paid by vessels of the nation.

In case of a doubt concerning the nationality of a shipwrecked vessel, the local authorities shall have exclusively the direction of the proceedings provided for in this article.

All merchandise and goods not destined for consumption in the country where the wreck takes place, shall be free of all duties.

#### ART. XVII.

With regard to the marks or labels of goods, or of their packages, and also with regard to patterns and marks of manufacture and trade, the citizens of Germany shall enjoy in the United States of America, and American citizens shall enjoy in Germany, the same protection as native citizens.

#### ART. XVIII.

The present convention shall remain in force for the space of ten years counting from the day of the exchange of the ratifications, which

Consul oder Consular-Agenten davon benachrichtigen. Alle Rettungsmassregeln bezueglich amerikanischer in den Territorial - Gewaessern des Deutschen Reichs gescheiterter oder gestrandeter Schiffe sollen nach Massgabe der deutschen Gesetze erfolgen, und umgekehrt sollen alle Rettungsmassregeln in Bezug auf deutsche in den Territorial-Gewaessern der Vereinigten Staaten gescheiterte oder gestrandete Schiffe in Gemaessheit der Gesetze der Vereinigten Staaten erfolgen.

Die Consular-Behoerden haben in beiden Laendern nur einzuschreiten, um die auf Ausbesserung oder Neu-Verproviantierung, oder eintretenden Falls auf den Verkauf des gescheiterten, oder gestrandeten Schiffes bezueglichen Massregeln zu ueberwachen.

Fuer das Einschreiten der Landesbehoerden duerfen keine anderen Kosten erhoben werden, als solche, welche in gleichem Falle die Nationalschiffe zu entrichten haben.

Ist die Nationalitaet eines verunglueckten Schiffes zweifelhaft, so sind die Landesbehoerden ausschliesslich fuer alle in dem gegenwaertigen Artikel vorgesehenen Massregeln zustaeendig.

Alle Waaren und Gueter, welche nicht zum Verbrauche in dem Lande, in welchem der Schiffbruch stattfindet, bestimmt sind, sollen frei von jeder Abgabe sein.

#### ART. 17.

In Betreff der Bezeichnung oder Etikettirung der Waaren oder deren Verpackung, der Muster und der Fabrik- oder Handelszeichen sollen die Angehoerigen Deutschlands in den Vereinigten Staaten von Amerika, und die Amerikaner in Deutschland denselben Schutz, wie die Inlaender, geniessen.

#### ART. 18.

Die gegenwaertige Uebereinkunft soll fuer die Dauer von zehn Jahren, vom Tage des Austausches der Ratifikationen an gerechnet Guel-

Consuls, &c., to intervene only, for what purpose.

Charges by local officers.

If there is doubt as to nationality of vessel.

Goods on board, except, &c., to be free of duty.

Trade-marks.

This convention to remain in force ten years, &c. Ratification;

shall be exchanged at Berlin within the period of six months.

to continue in force unless, &c.

In case neither party gives notice, twelve months before the expiration of the said period of ten years, of its intention not to renew this convention, it shall remain in force one year longer, and so on, from year to year until the expiration of a year from the day on which one of the parties shall have given such notice.

Signature.

In faith whereof the plenipotentiaries have signed and sealed this convention.

Berlin, the 11th of December, 1871.

[L. s.] GEO. BANCROFT.

The undersigned met this day in order to effect the exchange of the ratifications of the consular convention, signed on the 11th day of December, 1871, between the United States of America and Germany.

Before proceeding to this act, the undersigned Envoy Extraordinary and Minister Plenipotentiary of the United States of America declared —

The word "property" in Articles III. and IX. to mean real estate.  
*Ante*, pp. 923, 926.

1. That in accordance with the instruction given him by his government, with the advice and consent of the Senate, the expression "property," used in the English text of Articles III. and IX., is to be construed as meaning and intending "real estate;"

Article X. to apply to females as well.  
*Ante*, p. 926.

2. That, according to the laws and the Constitution of the United States, Article X. applies not only to persons of the male sex but also to persons of the female sex.

After the undersigned, President of the office of the Chancellor of the Empire, had expressed his concurrence with this declaration, the acts of ratification, found to be in good and due form, were exchanged,

and they have the same effect. Die Ratificationen sollen innerhalb sechs Monaten in Berlin ausgewechselt werden.

Wenn keine der Parteien zwölf Monate vor dem Ablauf des gedachten Zeitraumes von zehn Jahren ihre Absicht kund giebt, diese Uebereinkunft nicht zu erneuern, so soll dieselbe ein Jahr laenger in Kraft bleiben, und so fort von Jahr zu Jahr bis zum Ablauf eines Jahres nach dem Tage, an welchem eine der Parteien der anderen eine solche Absicht kund gegeben haben wird.

Zu Urkund dessen haben die Bevollmaechtigten diese Uebereinkunft unterzeichnet und besiegelt.

Berlin, den 11. December 1871.

[L. s.]

B. KOENIG.

Die Unterzeichneten waren heute zusammengetreten, um den Austausch der Ratificationen der am 11. December 1871 unterzeichneten Consular-Convention zwischen den Vereinigten Staaten von Amerika und Deutschland zu bewirken.

Bevor zu diesem Acte geschritten wurde, erklarte der unterzeichnete ausserordentliche Gesandte und bevollmaechtigte Minister der Vereinigten Staaten von Amerika:

1. Dass nach der ihm von seiner Regierung, nach Vernehmung und mit Zustimmung des Senats ertheilten Instruction, der in dem englischen Texte der Artikel 3 und 9 gebrauchte Ausdruck "property" nur in der Bedeutung von "real estate" gemeint und verstanden sei;

2. Dass nach den Gesetzen und der Verfassung der Vereinigten Staaten der Artikel 10 nicht bloss auf Personen maennlichen Geschlechts, sondern auch auf Personen weiblichen Geschlechts Anwendung finde.

Nachdem der unterzeichnete Praesident des Reichskanzler-Amtes sein Einverstaendniss mit dieser Erklaerung ausgesprochen hatte, wurden die in guter und gehoeriger Form befundenen Ratifications-Ur-

and the present protocol was in duplicate executed.

Berlin, the 29th April, 1872.  
GEO. BANCROFT.  
DELBRUECK.

kunden ausgetauscht und gegenwaertiges Protokoll in doppelter Ausfertigung vollzogen.

Berlin, den 29. April 1872.  
GEO. BANCROFT.  
DELBRUECK.

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Berlin on the twenty-ninth day of April last:

Ratification.

Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said convention and protocol to be made public, to the end that the same, and every clause and part thereof, may be observed and fulfilled with good faith by the United States, and the citizens thereof.

Proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this first day of June, in the year of our Lord one thousand eight hundred and seventy-two, and of the Independence of the United States of America the ninety-sixth.

[SEAL.]

By the President:

U. S. GRANT.

HAMILTON FISH, *Secretary of State.*



*Additional Article to Postal Convention with Switzerland.*

*Additional Articles to the Postal Convention between the Swiss Confederation and the United States of America of the 12th of October, 1867, relative to the Exchange of International Postal Orders.*

*Articles additionnels à la Convention postale entre la Confédération Suisse et les États-Unis d'Amérique du 12 Octobre 1867 relative- ment à l'échange des mandats de poste internationaux.* Feb. 23, 1872. Vol. xvi. p. 1031.

The Swiss Federal Council, represented by Mr. John Hitz, Swiss Consul-General and Political Agent at Washington, the Post-office Department of the United States, represented by Hon. Jno. A. J. Creswell, Postmaster-General, for the purpose of establishing, for the exchange of international postal orders, uniform rates of commission, capable of being more easily modified according to circumstances, have agreed, subject to the ratification of the respective authorities of the two contracting countries, upon the following:

1st. Article 5 of the Convention between the Swiss Confederation and the United States of America of the 12th of October, 1867, is replaced by the following new article:

ART. 5.

The Swiss Postal Administration is at liberty to modify, at any time whenever it may be deemed expedient, the rates of commission on orders issued in Switzerland for the United States of America, and the same right is also reserved to the Postal Administration of the United States for money orders issued in that country for transmission to Switzerland. The two Administrations shall arrange, by mutual agreement, the division of the proceeds of said commissions.

2nd. The provisions of this new Article 5 shall take effect on the 1st day of April, 1872.

Le Conseil fédéral Suisse, représenté par Mr. John Hitz, Consul-général suisse, et agent politique à Washington, le Département des Postes des États-Unis, représenté par Mr. Jno. A. J. Creswell, Chef du Département des Postes, dans l'intention d'établir pour l'échange des mandats internationaux des taxes uniformes, et se laissant plus facilement adapter aux circonstances, ont arrêté, sous réserve de ratification des autorités respectives des deux pays contractants: Contracting parties.

1°. L'article V de la Convention entre la Confédération Suisse et les États-Unis d'Amérique du 12 Octobre 1867 est remplacé par le nouvel article suivant: Article five of former convention replaced by a new article.

ART V.

L'administration des postes suisses pourra modifier en tout temps suivant qu'elle le jugera convenable les taxes des mandats émis en Suisse pour les États-Unis d'Amérique, et le même droit est aussi réservé à l'administration des postes des États-Unis pour les mandats délivrés en Amérique et destinés pour la Suisse. Les deux Administrations fixeront d'un commun accord la répartition du produit des taxes. Rates of commission on money orders may at any time be modified.

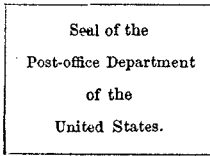
2°. Les dispositions de ce nouvel Article V entrent en vigueur le 1<sup>er</sup> Avril 1872. When new provisions take effect.

## POSTAL CONVENTION.—SWITZERLAND. FEB. 23, 1872.

Signature.

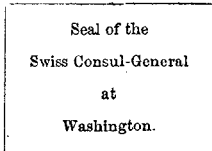
Done in duplicate, and signed in Washington, this 23d day of February, one thousand eight hundred and seventy-two.

Ainsi fait en duplicata et signé à Washington, le 23 Février mil huit cent soixante-douze.



(Signed)

JNO. A. J. CRESWELL,  
*Postmaster-General United States.*



(Signed)

JOHN HITZ,  
*Swiss Consul-General and Political Agent.*

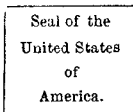
Approval.

I hereby approve the foregoing convention, and, in testimony thereof, I have caused the seal of the United States to be affixed.

(Signed)

U. S. GRANT.

By the President :



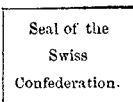
(Signed)

HAMILTON FISH,  
*Secretary of State.*

WASHINGTON, February 24th, 1872.

The Federal Council of the Swiss Confederation makes known by these presents that it has accepted and approved the foregoing convention. In testimony whereof, these presents have been signed by the President and by the Chancellor of the Swiss Confederation, and sealed with the seal of the Federal Council at Berne, the tenth of July, one thousand eight hundred and seventy-two.

In behalf of the Swiss Federal Council.



*The President of the Confederation,*  
(Signed) WELTI.

*The Chancellor of the Confederation,*  
(Signed) SCHIESS.

Le Conseil fédéral de la Confédération suisse fait savoir par les présentes qu'il a agréé et approuvé la Convention ci-dessus. En foi de quoi les présentes ont été signées par le Président et le Chancelier de la Confédération suisse, et scellées du sceau du Conseil fédéral à Berne, le dix juillet mil huit cent soixante & douze.

Au nom du Conseil fédéral suisse.

*Le Président de la Confédération,*  
WELTI.

*Le Chancelier de la Confédération,*  
SCHIESS.

*Supplement to the Detailed Regulations of the 2nd and 26th of July, 1869, for the execution of the Postal Convention between Switzerland and the United States of America of the 12th of October, 1867, in relation to the exchange of Postal Money-Orders.*

*Supplément au règlement d'exécution du 2 et 26 Juillet 1869 concernant la Convention postale entre la Suisse et les États-Unis d'Amérique du 12 Octobre 1867, en ce qui a rapport à l'échange des mandats de poste.*

Supplement to detailed regulations.

Inasmuch as the Postal Administration of the Swiss Confederation and that of the United States of America have been authorized by the Additional Articles of February 23d, 1872, to the Postal Convention of the 12th of October, 1867, to establish, as it may seem best to each, the rates of commission charged in its own country for International Postal Orders, and to arrange by common agreement for a division of the proceeds thereof, the Postal Department of the Swiss Confederation and the Post-office Department of the United States of America have agreed upon what follows:

Après que les deux administrations de poste de la Confédération Suisse et des États-Unis d'Amérique ont été autorisées par les articles additionnels du 23 Février 1872 à la Convention postale du 12 Octobre 1867 à fixer, chacun d'après son bon vouloir, les taxes de son propre pays pour les mandats de poste internationaux, et à procéder, d'un commun accord, au partage de leur produit, le Département des Postes de la Confédération Suisse et la Direction Générale des Postes des États-Unis d'Amérique ont convenu ce qui suit:

1. Each of the two Postal Administrations shall communicate to the other the rate of commissions which it may establish for international money-orders, in pursuance of the Convention above-mentioned of February 23d, 1872.

1°. Chacune des deux Administrations est tenue de communiquer à l'autre le tarif qu'elle a fixé pour les mandats internationaux en vertu de la Convention mentionnée du 23 Février 1872.

Each country to communicate to the other the rate of commission established.

2. The commissions shall always be paid in advance, and shall not, in any event, be refunded.

2°. Les taxes devront toujours être payées d'avance et ne seront, en aucun cas, restituées.

Commissions always to be paid in advance;

3. The proceeds of the commissions established as above provided shall be retained by the dispatching administration; but the Swiss Office shall pay to the Post-office Department of the United States one per cent. on the total amount of orders issued in Switzerland and transmitted to the Post-office Department of the United States; and the Postal Administration of the latter country shall make payment, at the same rate, to that of Switzerland for the total amount of orders issued in the United States and transmitted to the Swiss Office.

3°. Le produit des taxes fixées ci-dessus demeure acquis à l'Administration consignataire; par contre, l'Office de Suisse payera à l'Administration Américaine le un pour cent de la somme totale des mandats consignés en Suisse et transmis à l'Office des États-Unis; et l'Administration Américaine effectuera à celle du Suisse la même bonification pour le montant total des mandats consignés dans les États-Unis et transmis à l'Office de Suisse.

how to be disposed of;

4. The respective credits on account of commissions shall be included in the half-yearly accounts to be prepared by the Swiss Postal Administration, in conformity with

4°. Les bonifications réciproques pour taxes seront comprises dans les comptes semestriels à dresser par les soins de l'Administration des Postes suisses, conformément au \$ 6 du

credits in respect to, to be included in half-yearly accounts.

article 6 of the Detailed Regulations of the 2nd and 26th of July, 1869, in which accounts the balance of the commissions shall be adjusted and specially stated.

règlement du 2 et 26 Juillet 1869, et dans lesquels le solde des taxes sera déterminé et spécialement indiqué.

Present agreement when to take effect.

5. The present agreement is to take effect on the 1st of April, 1872, and on and after that date section 5 of the Detailed Regulations of the 2nd and 26th of July, 1869, shall be abrogated.

5°. Le présent arrangement entre en vigueur le 1 Avril 1872 et à partir de la même époque le § 5 du règlement du 2 et 26 Juillet 1869 sera abrogé.

Signature.

Signed at Washington this 23d day of February, 1872.

Ainsi fait à Washington, le 23 Février 1872.

(Signed)

JNO. A. J. CRESWELL,

*Postmaster-General of the United States.*

(Signed)

JOHN HITZ,

*Swiss Consul-General and Political Agent.*

Ratification.

The Swiss Postal Department, having been granted authority for the purpose, by a decree of the Federal Council of the Swiss Confederation of June 14th, 1872, gives, by these presents, its ratification to the foregoing regulations.

Le Département des Postes suisses, autorisé à cet effet par arrêté du Conseil fédéral de la Confédération Suisse du 14 Juin 1872, accorde par la présente sa ratification au Règlement ci-dessus.

BERNE, *July 11th*, 1872.

BERNE, *le 11 Juillet* 1872.

J. CHALLET-VENEL,  
*Federal Councilor, Chief of Postal Department.*

*Le Conseiller fédéral, Chef du Département des Postes,*  
J. CHALLET-VENEL.



## SECOND ADDITIONAL CONVENTION

May 6, 31, 1872.

*To the Convention relative to the Amelioration of the Postal Intercourse, concluded between the United States of America and the Swiss Confederation, signed at Berne October 11, 1867.*

The opportunity being offered to the postal administrations of the United States of America and of Switzerland, to introduce an exchange of closed mails via Bremen or Hamburg at lower transit rates than those now in force by the British-Belgian route, the governments of the United States of America and of Switzerland have resolved to open the new routes above mentioned to the correspondence of the two countries under the following conditions :

### ARTICLE 1.

The letters from the United States of America for Switzerland, and *vice versa*, which the senders may desire to have transmitted via Bremen or Hamburg, shall be chargeable with the following rates : Rates of letter postage via Bremen or Hamburg;

1st. Eight cents per single rate for letters originating in the United States.

2d. Forty centimes per single rate for letters originating in Switzerland.

For letters unpaid or insufficiently paid are reserved the extra charges provided by Article 7 of the convention of October 11, 1867.

### ARTICLE 2.

All letters from the United States of America for Switzerland, and *vice versa*, for which the senders shall not have requested transmission via Bremen or Hamburg, [or in open mails via France,] shall continue to be sent in closed mails by the British-Belgian route, and subjected to the rates fixed by Article 1 of the additional convention of February 7, 1870. other letters by closed mails.

### ARTICLE 3.

In case future abatements in transit expenses admit of a reduction in the present rates on letters exchanged between the United States and Switzerland, the postal administrations of the two contracting countries are authorized to fix, by common accord, the respective reduced rates and to take the necessary measures to place them to the profit of the public of the two countries. Reduction of rates of letter postage.

### ARTICLE 4.

The present convention, which shall be considered as a second supplement to the convention of October 11, 1867, shall enter into operation July 1, 1872. This convention to take effect when.

Done in duplicate and signed in Washington the sixth day of May, one thousand eight hundred and seventy-two, and in Berne the thirty-first day of May, one thousand eight hundred and seventy-two. Signature.

[SEAL.]

JNO. A. J. CRESWELL,

*Postmaster General of the United States.*

The Federal Department of Posts and Telegraphs.

[SEAL.]

F. CHALLET VENEL.

Approval.

I hereby approve the foregoing convention, and in testimony thereof I have caused the seal of the United States to be affixed.

U. S. GRANT.

By the President:

HAMILTON FISH,

*Secretary of State.*

WASHINGTON, May 6th, 1872.

[SEAL.]

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[Translation.]

The Federal Council of the Swiss Confederation makes known by these presents:

That it has approved and consented to the above convention. In faith of which the present have been signed by the President and the Chancellor of the Swiss Confederation, and sealed with the seal of the Federal Council, at Berne, the tenth of July, one thousand eight hundred and seventy-two.

In the name of the Swiss Federal Council.

*The President of the Confederation,*

[SEAL.]

WELTS.

*The Chancellor of the Confederation,*

SCHIESS.

*Convention between the United States of America and Denmark. Naturalization. Concluded July 20, 1872; Ratified January 22, 1873; Ratifications exchanged March 14, 1873; Proclaimed April 15, 1873.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. January 22, 1873

## A PROCLAMATION.

Whereas a convention between the United States of America and His Majesty the King of Denmark, relative to the naturalization of citizens and subjects of the two countries, was concluded and signed at Copenhagen by their respective plenipotentiaries on the twentieth day of July, 1872, the original of which convention, being in the English and Danish languages, is word for word as follows:

The United States of America and His Majesty the King of Denmark being desirous to regulate the citizenship of the citizens of the United States of America who have emigrated, or who may emigrate, from the United States of America to the Kingdom of Denmark, and of Danish subjects who have emigrated, or who may emigrate, from the Kingdom of Denmark to the United States of America, have resolved to conclude a convention for that purpose, and have named as their plenipotentiaries; that is to say, the President of the United States of America: Michael J. Cramer, minister resident of the United States of America at Copenhagen; and His Majesty the King of Denmark: Otto Ditlev Baron Rosenörn-Lehn, commander of Danebrog and Danebrogsmand, chamberlain, His Majesty's minister for foreign affairs, &c., &c., &c.;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles, to wit:

### ARTICLE I.

Citizens of the United States of America who have become, or shall become, and are, naturalized, according to law, within the Kingdom of Denmark as Danish subjects, shall be held by the United

I det Øiemed nærmere at bestemme, hvilken statsborgerlig Stilling der skal tillægges danske Undersaatter, som ere udvandrede eller fremtidig maatte udvandre til de Forenede Stater af Amerika, saavelsom disse Staters Borgere, som ere udvandrede eller maatte udvandre til Danmark, have Hans Majestæt Kongen af Danmark og de Forenede Stater af Amerika besluttet at indgaae en Convention, og have derfor udnævnt til Deres Befuldmægtigede: Hans Majestæt Kongen af Danmark: Allerhöestsammes Udenrigsminister, Kammerherre Otto Ditlev Baron Rosenörn-Lehn, commandeur af Danebrog og Danebrogsmand, etc., etc., etc., og Præsidenten for de Forenede Stater af Amerika Herr Dr. phil. Michael J. Cramer, de Forenede Staters Ministerresident i Kjöbenhavn, hvilke, efter gjensidig Meddelelse af deres respective Fuldmagter, som befandtes at være i god og rigtig Form, ere komne overeens om og have afsluttet følgende Artikler:

### ARTIKEL 1.

Danske Undersaatter, der ere blevne eller fremtidig maatte blive naturaliserede som amerikanske Borgere i Overeensstemmelse med de i de Forenede Stater gjældende Love, skulle af Kongeriget Dan-

When citizens of the United States are to be treated as citizens of Denmark.

States of America to be in all respects and for all purposes Danish subjects, and shall be treated as such by the United States of America.

When Danish subjects are to be treated as citizens of the United States.

In like manner, Danish subjects who have become, or shall become, and are, naturalized, according to law, within the United States of America as citizens thereof, shall be held by the Kingdom of Denmark to be in all respects and for all purposes as citizens of the United States of America, and shall be treated as such by the Kingdom of Denmark.

#### ARTICLE II.

Provision as to restoration to citizenship in the original country.

If any such citizen of the United States, as aforesaid, naturalized within the Kingdom of Denmark as a Danish subject, should renew his residence in the United States, the United States government may, on his application, and on such conditions as that government may see fit to impose, readmit him to the character and privileges of a citizen of the United States, and the Danish government shall not, in that case, claim him as a Danish subject on account of his former naturalization.

In like manner, if any such Danish subject, as aforesaid, naturalized within the United States as a citizen thereof, should renew his residence within the Kingdom of Denmark, His Majesty's government may, on his application, and on such conditions as that government may think fit to impose, readmit him to the character and privileges of a Danish subject, and the United States government shall not, in that case, claim him as a citizen of the United States on account of his former naturalization.

#### ARTICLE III.

A citizen of one country naturalized in the other, renewing his residence in the

If, however, a citizen of the United States, naturalized in Denmark, shall renew his residence in the former country without the intent to return

mark i enhver Henseende og i enhver Retning ansees som Statsborgere i de Forenede Stater af Amerika og behandles som saadanne.

Paa samme Maade skulle Borgere af de Forenede Stater af Amerika, som ere blevne eller fremtidig maatte blive naturaliserede som danske Undersaatter i Overensstemmelse med de i Danmark gjældende Love, af de Forenede Stater af Amerika i enhver Henseende og i enhver Retning ansees som danske Undersaatter og behandles som saadanne.

#### ARTIKEL 2.

Dersom en saadan dansk Underaat, der er bleven naturaliseret som Borger i de Forenede Stater, atter tager Ophold i Kongeriget Danmark, kan Hans Majestæt Kongen af Danmarks Regjering, efter hans derom fremsatte Begjæring og paa saadanne Vilkaar, som den maatte finde passende at bestemme, gjengive ham hans Egenkab og Rettigheder som dansk Undersaat, og de Forenede Staters Regjering skal i saa Fald ikke paa Grund af hans tidligere Naturalisation kunne gjøre Paastand paa, at han skal behandles som Borger af de Forenede Stater.

Naar en Borger af de Forenede Stater, der i Kongeriget Danmark er bleven naturaliseret som dansk Borger atter tager Ophold i de Forenede Stater, kan disses Regjering ligeledes efter hans derom fremsatte Begjæring og paa saadanne Vilkaar, som den maatte finde passende at bestemme, gjengive ham hans Egenkab og Rettigheder som Borger af de Forenede Stater, og skal den danske Regjering i saa Fald ikke paa Grund af hans tidligere Naturalisation kunne gjøre Paastand paa, at han skal behandles som dansk Undersaat.

#### ARTIKEL 3.

Dersom imidlertid en dansk Undersaat, der er bleven naturaliseret i de Forenede Stater, paany tager Ophold i Danmark uden at have

to that in which he was naturalized, he shall be held to have renounced his naturalization.

In like manner, if a Dane, naturalized in the United States, shall renew his residence in Denmark without the intent to return to the former country, he shall be held to have renounced his naturalization in the United States.

The intent not to return may be held to exist when a person naturalized in the one country shall reside more than two years in the other country.

## ARTICLE IV.

The present convention shall go into effect immediately on or after the exchange of the ratifications, and shall continue in force for ten years. If neither party shall have given to the other six months' previous notice of its intention then to terminate the same, it shall further remain in force until the end of twelve months after either of the contracting parties shall have given notice to the other of such intention.

## ARTICLE V.

The present convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the King of Denmark, and the ratifications shall be exchanged at Copenhagen as soon as may be, within eight months from the date hereof.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at Copenhagen, the twentieth day of July, in the year of our Lord one thousand eight hundred and seventy-two.

MICHAEL J. CRAMER.

[SEAL.]

O. D. ROSENÖRN-LEHN.

[SEAL.]

til Hensigt at vende tilbage til de Forenede Stater, skal han ansees for at have opgivet den dersteds erhvervede Naturalisation.

original country without the intent to return, renounces his naturalization.

Paa samme Maade skal en Borger af de Forenede Stater, der er bleven naturaliseret i Danmark, ansees for at have opgivet sin erhvervede Naturalisation, naar han paany tager Ophold i de Forenede Stater uden at have til Hensigt at vende tilbage til Danmark.

Hensigten til ikke at vende tilbage skal antages at være tilstede, naar en Person, der er naturaliseret i det ene Land, opholder sig længe end to Aar i det andet.

When the intent not to return is held to exist.

## ARTIKEL 4.

Nærværende Convention skal træde i Kraft umiddelbart ved Udvexlingen af Ratificationerne og skal forblive gjældende i 10 Aar. Dersom ingen af Parterne 6 Maaneder forinden har tilkjendegivet den anden sin Hensigt da at ophæve Conventionen, forbliver den fremdeles gjældende til Udløbet af 12 Maaneder, efterat den ene Part har givet den anden denne sin Hensigt tilkjende.

When convention takes effect, and how long to continue.

## ARTIKEL 5.

Nærværende Convention skal ratificeres af Hans Majestæt Kongen af Danmark og af Præsidenten for de Forenede Stater af Amerika med Senatets Raad og Samtykke, og Ratificationerne skulle udvexles i Kjöbenhavn, saasnart som muligt i Løbet af 8 Maaneder fra Dags Dato at regne.

When to be ratified.

Til Bekræftelse heraf have de respective Befulmægtigede undertegnet denne Convention og paa trykt samme deres Segl.

Signatures

Givet i Kjöbenhavn den 20de Juli i Herrens Aar Eet Tusinde Otte Hundrede og To og Halvfjerds.

O. D. ROSENÖRN-LEHN.

[SEGL.]

MICHAEL J. CRAMER.

[SEGL.]

**Ratification.** And whereas the said convention has been duly ratified on both parts, and the respective ratifications were exchanged at Copenhagen, on the 14th day of March, 1873, by Michael J. Cramer, minister resident of the United States of America at Copenhagen, and Otto Ditlev Rosenörn-Lehn, Commander of Danebrog and Danebrogsmand, chamberlain, His Majesty's minister for foreign affairs, &c., &c., &c., on the part of their respective governments :

**Proclaimed.** Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 15th day of April, in the year of our Lord one thousand eight hundred and seventy-three, and  
[SEAL.] of the Independence of the United States of America the ninety-seventh.

U. S. GRANT.

By the President :

HAMILTON FISH,  
*Secretary of State.*

*Postal Convention between the United States and Newfoundland.*

Nov. 13, 1872.

The undersigned, being thereunto duly authorized by their respective governments, have agreed upon the following articles, establishing and regulating the exchange of correspondence between the United States of America and Newfoundland:

ARTICLE 1.

There shall be an exchange of mails between the United States of America and Newfoundland by such means of transportation as are now, or shall hereafter be, established with the approval of the respective Post Departments of the two countries, comprising letters, newspapers, books, printed matter of every kind, and patterns or samples of merchandise originating in either country and addressed to and deliverable in the other country.

Exchange of mails and mail matter.

ARTICLE 2.

The post-offices of Boston and New York shall be the exchange-offices on the side of the United States, and the post-office of Saint John's shall be the sole office of exchange on the side of Newfoundland, for all mails transmitted between the two countries under this arrangement; and all mail-matter transmitted in either direction, between the respective offices of exchange, shall be forwarded in closed bags or pouches under seal, addressed to the corresponding exchange-office. Each mail shall be accompanied by a letter or post-bill, showing in separate columns the number of letters, newspapers, and other articles embraced therein, and the postages thereon.

Exchange of- fices.

Mail matter in closed bags, &c.

ARTICLE 3.

No accounts shall be kept between the Post Departments of the two countries upon the international correspondence, written or printed, exchanged between them, but each department shall retain to its own use all the postages which it collects thereon.

No accounts. Each country to retain what it collects.

The single rate of international letter-postage, in full, to destination, shall be six cents on each letter weighing half an ounce (15 grams) or less, and an additional rate of six cents for each additional weight of half an ounce (15 grams) or fraction thereof, the prepayment of which shall be compulsory at the office of mailing in either country.

Rates of letter postage;

The United States post-office shall levy and collect to its own use a postage-charge of two cents on each newspaper mailed in the United States and addressed to Newfoundland; and a postage-charge of two cents for each two ounces, or fraction thereof, on pamphlets, periodicals, books, other articles of printed matter, and patterns or samples of merchandise addressed to or received from Newfoundland.

of newspaper, &c., postage.

The post-office of Newfoundland shall levy and collect to its own use a postage-charge of two cents on each newspaper mailed in Newfoundland and addressed to the United States, and the established rates of domestic postage chargeable in Newfoundland, on pamphlets, periodicals, books, other articles of printed matter, and patterns or samples of merchandise addressed to or received from the United States.

Every international letter or newspaper shall be plainly stamped with the words "Paid all," in red ink, by the dispatching-office of exchange, and shall be delivered free of any charge whatever in the country of destination.

Letters, &c., how stamped.

Newspapers, and all other kinds of printed matter, shall be subject to the laws and regulations of each country, respectively, in regard to their liability to be rated with letter-postage when containing written matter, or for any other cause specified in said laws and regulations, as well as in regard to their liability to customs duty under the revenue laws.

## ARTICLE 4.

Exchange in  
open mails.

The two Post-Departments shall establish by agreement, and in conformity with arrangements in force at the time, the conditions upon which the two offices may reciprocally exchange in open mails the correspondence originating in or destined to other foreign countries to which they may respectively serve as intermediaries.

Either country forwarding or receiving such correspondence through the open mails of the other, shall account to such other country for such postage rates as are chargeable thereon, for exterior service, by its laws and regulations, or the requirements of its foreign postal arrangements.

## ARTICLE 5.

Registered let-  
ters.

The two Post Departments may, by mutual agreement, provide for the transmission of registered letters in the mails exchanged between the two countries, and may settle by agreement between them all measures of detail and arrangements required to carry this convention into execution, and may modify the same in like manner, from time to time, as the exigencies of the service may require.

## ARTICLE 6.

Dead letters.

Dead letters which cannot be delivered, from whatever cause, shall be mutually returned without charge, monthly, or more frequently, as the regulations of the respective offices will permit.

## ARTICLE 7.

Convention  
when to go into  
operation.

This convention shall come into operation the first day of December, 1872, and shall be terminable at any time on a notice, by either party, of six months.

Signature.

Done in duplicate and signed at Washington the twentieth day of November, and at Saint John's the thirteenth day of November, one thousand eight hundred and seventy-two.

[SEAL.]

J. W. MARSHALL,  
*Acting Postmaster-General.*

[SEAL.]

JOHN DELANY,  
*Postmaster-General.*

Approval.

I hereby approve the foregoing convention, and, in testimony thereof, I have caused the seal of the United States to be affixed.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*  
WASHINGTON, November 20, 1872.

[SEAL.]



## ADDITIONAL ARTICLE

*To the Treaty of 8th of May, 1871, between the United States and Her Britannic Majesty. Relating to the Sessions of the Commissioners under the Twelfth Article of said Treaty. Concluded January 18, 1873; Ratified February 28, 1873; Ratifications exchanged April 10, 1873; Proclaimed April 15, 1873.* Jan. 18, 1873

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

## A PROCLAMATION.

WHEREAS an additional article to the treaty between the United States and Her Britannic Majesty of the 8th of May, 1871, relating to the sessions of the commissioners provided for by the twelfth article of the said treaty, was concluded and signed at Washington by their respective plenipotentiaries on the 18th day of January, 1873, the original of which additional article is word for word as follows: Preamble.  
Ante, pp. 867, 868.

*Additional Article to the Treaty between the United States and Her Britannic Majesty of the 8th of May, 1871.*

Whereas, pursuant to the XIIth article of the treaty between the United States and Her Britannic Majesty of the 8th of May, 1871, it was stipulated that the commissioners therein provided for should meet at Washington; but whereas it has been found inconvenient in the summer season to hold those meetings in the city of Washington: In order to avoid such inconvenience, the President of the United States has invested Hamilton Fish, Secretary of State, with full power, and Her Britannic Majesty has invested the Right Honourable Sir Edward Thornton, one of Her Majesty's most honourable Privy Council, Knight Commander of the most honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States, with like power; who having met and examined their respective powers, which were found to be in proper form, have agreed upon the following

## ADDITIONAL ARTICLE.

It is agreed that the sessions of the commissioners provided for by the twelfth article of the treaty between the United States and Her Britannic Majesty of the 8th of May, 1871, need not be restricted to the city of Washington, but may be held at such other place within the United States as the commission may prefer. Additional article.  
Sessions of the commissioners may be held at such place within the United States as the commission may prefer.

The present additional article shall be ratified, and the ratifications shall be exchanged at Washington as soon as possible thereafter.

In witness whereof we, the respective plenipotentiaries, have signed the same and have hereunto affixed our respective seals. Additional article, when to be ratified.  
Signature.

Done in duplicate at the city of Washington, the eighteenth day of January, in the year of our Lord one thousand eight hundred and seventy-three.

[SEAL.]  
[SEAL.]

HAMILTON FISH.  
EDWD. THORNTON.

And whereas the said additional article has been duly ratified on both parts, and the respective ratifications were exchanged at Washington on the tenth day of April, 1873, by Hamilton Fish, Secretary of State of the Exchange of ratifications.

Proclamation.

United States, and the Right Honourable Sir Edward Thornton, one of Her Britannic Majesty's most honourable Privy Council, Knight Commander of the most honourable Order of the Bath, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States, on the part of their respective governments: Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, have caused the said additional article to be made public, to the end that the same and every clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this fifteenth day of April, in the year of our Lord one thousand eight hundred and seventy-three, and [SEAL.] of the Independence of the United States of America the ninety-seventh.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*