

BELGIUM.

BELGIUM, 1845.

Nov. 10, 1845. TREATY OF COMMERCE AND NAVIGATION WITH BELGIUM, CONCLUDED AT BRUSSELS NOVEMBER 10, 1845; RATIFICATION ADVISED BY SENATE MARCH 26, 1846; RATIFIED BY PRESIDENT MARCH 30, 1846; RATIFICATIONS EXCHANGED AT WASHINGTON MARCH 30, 1846; PROCLAIMED MARCH 31, 1846.

[The operation of this treaty terminated August 20, 1858, under notice given by the Belgian Government in accordance with Article XIX.]

Treaty of Commerce and Navigation between the United States of America and his Majesty the King of the Belgians.

Contracting parties.

The United States of America on the one part, and His Majesty the King of the Belgians on the other part, wishing to regulate in a formal manner their reciprocal relations of commerce and navigation, and further to strengthen, through the development of their interests respectively, the bonds of friendship and good understanding so happily established between the Governments and people of the two countries; and desiring, with this view, to conclude, by common agreement, a treaty establishing conditions equally advantageous to the commerce and navigation of both States, have, to that effect, appointed as their Plenipotentiaries, namely:

Negotiators.

The President of the United States, Thomas G. Clemson, Chargé d'Affaires of the United States of America to His Majesty the King of the Belgians; and His Majesty the King of the Belgians, M. Adolphe Dechamps, Officer of the Order of Leopold, Knight of the Order of the Red Eagle of the first class, Grand Cross of the Order of St. Michel of Bavaria, his Minister for Foreign Affairs, a member of the Chamber of Representatives;

Who, after having communicated to each other their full powers, ascertained to be in good and proper form, have agreed and concluded the following articles:

ARTICLE I.

Freedom of commerce and navigation.

There shall be full and entire freedom of commerce and navigation between the inhabitants of the two countries; and the same security and protection which is enjoyed by the citizens or subjects of each country shall be guaranteed on both sides. The said inhabitants, whether established or temporarily residing within any ports, cities, or places whatever, of the two countries, shall not, on account of their commerce or industry, pay any other or higher duties, taxes, or imposts, than those which shall be levied on citizens or subjects of the country in which they may be; and the privileges, immunities, and other favours, with regard to commerce or industry, enjoyed by the citizens or subjects of one of the two States, shall be common to those of the other

Equality of duties.

ARTICLE II.

Belgian vessels in ports of United States.

Belgian vessels, whether coming from a Belgian or a foreign port, shall not pay, either on entering or leaving the ports of the United States, whatever may be their destination, any other or higher duties of tonnage, pilotage, anchorage, buoys, light-houses, clearance, brokerage, or generally other charges whatsoever than are required from vessels of the United States in similar cases. This provision extends not

only to duties levied for the benefit of the State, but also to those levied for the benefit of provinces, cities, countries, districts, townships, corporations, or any other division or jurisdiction, whatever may be its designation.

ARTICLE III.

Reciprocally, vessels of the United States, whether coming from a port of said States or from a foreign port, shall not pay, either on entering or leaving the ports of Belgium, whatever may be their destination, any other or higher duties of tonnage, pilotage, anchorage, buoys, light-houses, clearance, brokerage, or generally other charges whatever than are required from Belgian vessels in similar cases. This provision extends not only to duties levied for the benefit of the State, but also to those levied for the benefit of provinces, cities, countries, districts, townships, corporations, or any other division or jurisdiction, whatever be its designation.

Vessels of United States in ports of Belgium.

ARTICLE IV.

The restitution by Belgium of the duty levied by the Government of the Netherlands on the navigation of the Scheldt, in virtue of the third paragraph of the ninth article of the treaty of April nineteenth, eighteen hundred and thirty-nine, is guaranteed to the vessels of the United States.

Restitution of Scheldt duty.

ARTICLE V.

Steam vessels of the United States and of Belgium, engaged in regular navigation between the United States and Belgium, shall be exempt in both countries from the payment of duties of tonnage, anchorage, buoys, and light-houses.

Certain steam-vessels exempt from duties.

ARTICLE VI.

As regards the coasting trade between the ports of either country, the vessels of the two nations shall be treated on both sides on the same footing with the vessels of the most favoured nation.

Coasting trade.

ARTICLE VII.

Articles of every description, whether proceeding from the soil, industry, or warehouses of Belgium, directly imported therefrom, into the ports of the United States, in Belgian vessels, shall pay no other or higher duties of import than if they were imported under the flag of said States.

Duties on direct imports.

And reciprocally, articles of every description directly imported into Belgium from the United States, under the flag of the said States, shall pay no other or higher duties than if they were imported under the Belgian flag.

It is well understood :

1st. That the goods shall have been really put on board in the ports from which they are declared respectively to come.

2d. That a putting in at an intermediate port, produced by uncontrollable circumstances, duly proved, does not occasion the forfeiture of the advantage allowed to direct importation.

ARTICLE VIII.

Articles of every description, imported into the United States from other countries than Belgium, under the Belgian flag, shall pay no other or higher duties whatsoever than if they had been imported under the flag of the most favoured foreign nation, other than the flag of the country from which the importation is made. And reciprocally, articles of every

Duties on indirect imports.

description imported under the flag of the United States into Belgium, from other countries than the United States, shall pay no other or higher duties whatsoever than if they had been imported under the flag of the foreign nation most favoured, other than that of the country from which the importation is made.

ARTICLE IX.

Export duties. Articles of every description, exported by Belgian vessels, or by those of the United States of America, from the ports of either country to any country whatsoever, shall be subjected to no other duties or formalities than such as are required for exportation under the flag of the country where the shipment is made.

ARTICLE X.

Premiums, drawbacks, &c. All premiums, drawbacks, or other favours of like nature, which may be allowed in the States of either of the contracting parties, upon goods imported or exported in national vessels, shall be likewise, and in the same manner, allowed upon goods imported directly from one of the two countries by its vessels into the other, or exported from one of the two countries by the vessels of the other to any destination whatsoever.

ARTICLE XI.

Salt and fisheries. The preceding article is, however, not to apply to the importation of salt, and of the produce of the national fisheries; each of the two parties reserving to itself the faculty of granting special privileges for the importation of those articles under its own flag.

ARTICLE XII.

Nationality of vessels. The high contracting parties agree to consider and to treat as Belgian vessels, and as vessels of the United States, all those which, being provided by the competent authority with a passport, sea-letter, or any other sufficient document, shall be recognized conformably with existing laws as national vessels in the country to which they respectively belong.

ARTICLE XIII.

Duties on portions of cargo remaining on board. Belgian vessels and those of the United States may, conformably with the laws of the two countries, retain on board, in the ports of both, such parts of their cargoes as may be destined for a foreign country; and such parts shall not be subjected, either while they remain on board, or upon re-exportation, to any charges whatsoever other than those for the prevention of smuggling.

ARTICLE XIV.

Warehouse charges, &c. During the period allowed by the laws of the two countries respectively for the warehousing of goods, no duties, other than those of watch and storage, shall be levied upon articles brought from either country into the other, while awaiting transit, re-exportation, or entry for consumption. Such goods shall in no case be subject to higher warehouse charges or to other formalities than if they had been imported under the flag of the country.

ARTICLE XV.

Favors granted to other nations to become common. In all that relates to duties of customs and navigation, the two high contracting parties promise, reciprocally, not to grant any favour, privilege, or immunity to any other State, which shall not instantly become

common to the citizens and subjects of both parties, respectively, gratuitously if the concession or favor to such other State is gratuitous, and on allowing the same compensation or its equivalent if the concession is conditional.

Neither of the contracting parties shall lay upon goods proceeding from the soil or the industry of the other party, which may be imported into its ports, any other or higher duties of importation or reëxportation than are laid upon the importation and reëxportation of similar goods coming from any other foreign country.

Importation and reëxportation of products.

ARTICLE XVI.

In case of shipwreck, damages at sea, or forced putting-in, each party shall afford to the vessels of the other, whether belonging to the State or to individuals, the same assistance and protection, and the same immunities, which would have been granted to its own vessels in similar cases.

Wrecked or damaged vessels.

ARTICLE XVII.

It is moreover agreed between the two contracting parties that the Consuls and Vice-Consuls of the United States in the ports of Belgium, and, reciprocally, the Consuls and Vice-Consuls of Belgium in the ports of the United States, shall continue to enjoy all the privileges, protection, and assistance usually granted to them, and which may be necessary for the proper discharge of their functions. The said Consuls and Vice-Consuls may cause to be arrested and sent back, either to their vessels or to their country, such seamen as may have deserted from the vessels of their nation. To this end they shall apply in writing to the competent local authorities, and they shall prove, by exhibition of the vessel's crew list, or other document, or, if she shall have departed, by copy of said documents, duly certified by them, that the seamen whom they claim formed part of the said crew. Upon such demand, thus supported, the delivery of the deserters shall not be refused. They shall moreover receive all aid and assistance in searching for, seizing, and arresting such deserters, who shall, upon the requisition and at the expense of the Consul or Vice-Consul, be confined and kept in the prisons of the country until he shall have found an opportunity for sending them home. If, however, such an opportunity should not occur within three months after the arrest, the deserters shall be set at liberty, and shall not again be arrested for the same cause. It is, however, understood that seamen of the country in which the desertion shall occur are excepted from these provisions, unless they be naturalized citizens or subjects of the other country.

Consuls and vice-consuls.

Deserters from vessels.

ARTICLE XVIII.

Articles of all kinds, the transit of which is allowed in Belgium, coming from or going to the United States, shall be exempt from all transit duty in Belgium, when the transportation through the Belgian territory is effected on the railroads of the State.

Transit duty.

ARTICLE XIX.

The present treaty shall be in force during ten years from the date of the exchange of the ratifications, and until the expiration of twelve months after either of the high contracting parties shall have announced to the other its intention to terminate the operation thereof; each party reserving to itself the right of making such declaration to the other at the end of the ten years above mentioned; and it is agreed, that after the expiration of the twelve months of prolongation accorded on both sides, this treaty and all its stipulations shall cease to be in force.

Duration of treaty.

ARTICLE XX.

Ratifications.	This treaty shall be ratified and the ratifications shall be exchanged at Washington within the term of six months after its date, or sooner if possible; and the treaty shall be put in execution within the term of twelve months.
Signatures.	In faith whereof the respective Plenipotentiaries have signed the present treaty, in duplicate, and have affixed thereto their seals.
Date.	Brussels, the tenth of November, eighteen hundred and forty-five. [L. S.] THOS. G. CLEMSON. [L. S.] A. DECHAMPS.

BELGIUM, 1858.

July 17, 1858. / TREATY OF COMMERCE AND NAVIGATION BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY THE KING OF THE BELGIANS, CONCLUDED AT WASHINGTON JULY 17, 1858; RATIFICATION ADVISED BY SENATE MARCH 8, 1859; RATIFIED BY PRESIDENT APRIL 13, 1859; RATIFICATIONS EXCHANGED AT WASHINGTON APRIL 16, 1859; PROCLAIMED APRIL 19, 1859.

Contracting parties.	The United States of America on the one part, and His Majesty the King of the Belgians on the other part, wishing to regulate in a formal manner their reciprocal relations of commerce and navigation, and further to strengthen, through the development of their interests, respectively, the bonds of friendship and good understanding so happily established between the Governments and people of the two countries; and desiring with this view to conclude, by common agreement, a treaty establishing conditions equally advantageous to the commerce and navigation of both States, have to that effect appointed as their Plenipotentiaries, namely:
Negotiators.	The President of the United States, Lewis Cass, Secretary of State of the United States; and His Majesty the King of the Belgians, Mr. Henri Bosch Spencer, decorated with the Cross of Iron, Chevalier of the Order of Leopold, Chevalier of the Polar Star, his Chargé d'Affaires in the United States; Who, after having communicated to each other their full powers, ascertained to be in good and proper form, have agreed to and concluded the following articles:

ARTICLE I.

Freedom of commerce and navigation.	There shall be full and entire freedom of commerce and navigation between the inhabitants of the two countries, and the same security and protection which is enjoyed by the citizens or subjects of each country shall be guaranteed on both sides. The said inhabitants, whether established or temporarily residing within any ports, cities, or places whatever of the two countries, shall not, on account of their commerce or industry, pay any other or higher duties, taxes, or imposts than those which shall be levied on citizens or subjects of the country in which they may be; and the privileges, immunities, and other favors, with regard to commerce or industry, enjoyed by the citizens or subjects of one of the two States, shall be common to those of the other.
Equality of duties.	

ARTICLE II.

Belgian vessels in ports of United States.	Belgian vessels, whether coming from a Belgian or a foreign port, shall not pay, either on entering or leaving the ports of the United States, whatever may be their destination, any other or higher duties of tonnage, pilotage, anchorage, buoys, light-houses, clearance, brokerage, or generally other charges whatsoever than are required from ves-
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sels of the United States in similar cases. This provision extends not only to duties levied for the benefit of the State, but also to those levied for the benefit of provinces, cities, countries, districts, townships, corporations, or any other division or jurisdiction, whatever may be its designation.

ARTICLE III.

Reciprocally, vessels of the United States, whether coming from a port of said States or from a foreign port, shall not pay, either on entering or leaving the ports of Belgium, whatever may be their destination, any other or higher duties of tonnage, pilotage, anchorage, buoys, light-houses, clearance, brokerage, or generally other charges whatever, than are required from Belgian vessels in similar cases. This provision extends not only to duties levied for the benefit of the State, but also to those levied for the benefit of provinces, cities, countries, districts, townships, corporations, or any other division or jurisdiction, whatever may be its designation.

Vessels of United States in ports of Belgium.

ARTICLE IV.

Steam vessels of the United States and of Belgium engaged in regular navigation between the United States and Belgium, shall be exempt in both countries from the payment of duties of tonnage, anchorage, buoys, and light-houses.

Certain steam vessels exempt from duties.

ARTICLE V.

As regards the coasting trade between the ports of either country, the vessels of the two nations shall be treated on both sides on the same footing with the vessels of the most favored nations.

Coasting trade.

ARTICLE VI.

Objects of any kind soever introduced into the ports of either of the two States under the flag of the other, whatever may be their origin and from what country soever the importation thereof may have been made, shall not pay other or higher entrance duties, nor shall be subjected to other charges or restrictions, than they would pay or be subjected to were they imported under the national flag.

No discrimination in duties on imports.

ARTICLE VII.

Articles of every description exported by Belgian vessels, or by those of the United States of America, from the ports of either country to any country whatsoever, shall be subjected to no other duties or formalities than such as are required for exportation under the flag of the country where the shipment is made.

Export duties.

ARTICLE VIII.

All premiums, drawbacks, or other favors of like nature, which may be allowed in the States of either of the contracting parties upon goods imported or exported in national vessels, shall be likewise and in the same manner allowed upon goods imported directly from one of the two countries by its vessels into the other, or exported from one of the two countries by the vessels of the other to any destination whatsoever.

Premiums, drawbacks, &c.

ARTICLE IX.

The preceding article is, however, not to apply to the importation of salt, and of the produce of the national fisheries, each of the two parties reserving to itself the faculty of granting special privileges for the importation of those articles under its own flag.

Salt and fisheries.
[See Article II, treaty of May 20, 1863, p. 56.]

ARTICLE X.

Nationality of
vessels.

The high contracting parties agree to consider and to treat as Belgian vessels, and as vessels of the United States, all those which, being provided by the competent authority with a passport, sea-letter, or any other sufficient document, shall be recognized, conformably with existing laws, as national vessels in the country to which they respectively belong.

ARTICLE XI.

Duties on por-
tions of cargoes re-
maining on board.

Belgian vessels and those of the United States may, conformably with the laws of the two countries, retain on board, in the ports of both, such parts of their cargoes as may be destined for a foreign country; and such parts shall not be subjected, either while they remain on board or upon reëxportation, to any charges whatsoever other than those for the prevention of smuggling.

ARTICLE XII.

Warehouse
charges, &c.

During the period allowed by the laws of the two countries respectively for the warehousing of goods, no duties, other than those of watch and storage, shall be levied upon articles brought from either country into the other while awaiting transit, reëxportation, or entry for consumption. Such goods shall in no case be subject to higher warehouse charges or to other formalities than if they had been imported under the flag of the country.

ARTICLE XIII.

Favors granted
to other nations to
become common.

In all that relates to duties of customs and navigation, the two high contracting parties promise, reciprocally, not to grant any favor, privilege, or immunity to any other State which shall not instantly become common to the citizens and subjects of both parties, respectively; gratuitously, if the concession or favor to such other State is gratuitous, and on allowing the same compensation, or its equivalent, if the concession is conditional.

Importation and
reëxportation of
products.

Neither of the contracting parties shall lay upon goods proceeding from the soil or the industry of the other party, which may be imported into its ports, any other or higher duties of importation or reëxportation than are laid upon the importation or reëxportation of similar goods coming from any other foreign country.

ARTICLE XIV.

Wrecked or dam-
aged vessels.

In cases of shipwreck, damages at sea, or forced putting-in, each party shall afford to the vessels of the other, whether belonging to the State or to individuals, the same assistance and protection, and the same immunities, which would have been granted to its own vessels in similar cases.

ARTICLE XV.

Consuls and vice-
consuls.

It is, moreover, agreed between the two contracting parties that the Consuls and Vice-Consuls of the United States in the ports of Belgium, and, reciprocally, the Consuls and Vice-Consuls of Belgium in the ports of the United States, shall continue to enjoy all the privileges, protection, and assistance usually granted to them, and which may be necessary for the proper discharge of their functions. The said Consuls and Vice-Consuls may cause to be arrested and sent back, either to their vessels or to their country, such seamen as may have deserted from the vessels of their nation. To this end they shall apply in writing to the

Deserters from
vessels.

competent local authorities, and they shall prove, by exhibition of the vessel's crew-list or other document, or, if she shall have departed, by copy of said documents, duly certified by them, that the seamen whom they claim formed part of the said crew. Upon such demand, thus supported, the delivery of the deserters shall not be refused. They shall, moreover, receive all aid and assistance in searching for, seizing, and arresting such deserters, who shall, upon the requisition and at the expense of the Consul or Vice-Consul, be confined and kept in the prisons of the country until he shall have found an opportunity for sending them home. If, however, such an opportunity should not occur within three months after the arrest, the deserters shall be set at liberty, and shall not again be arrested for the same cause. It is, however, understood that seamen of the country in which the desertion shall occur are excepted from these provisions, unless they be naturalized citizens or subjects of the other country.

ARTICLE XVI.

Articles of all kinds, the transit of which is allowed in Belgium, coming from or going to the United States, shall be exempt from all transit duty in Belgium, when the transportation through the Belgian territory is effected on the railroads of the State. Transit duty.

ARTICLE XVII.

The present treaty shall be in force during ten years from the date of the exchange of the ratifications, and until the expiration of twelve months after either of the high contracting parties shall have announced to the other its intention to terminate the operation thereof, each party reserving to itself the right of making such declaration to the other at the end of the ten years above mentioned; and it is agreed that, after the expiration of the twelve months of prolongation accorded on both sides, this treaty and all its stipulations shall cease to be in force. Duration of treaty.

[See Articles III and V, convention of May 20, 1863, pp. 56, 57.]

ARTICLE XVIII.

This treaty shall be ratified, and the ratifications shall be exchanged at Washington, within the term of nine months after its date, or sooner if possible. Ratifications.

In faith whereof the respective Plenipotentiaries have signed the present treaty, in duplicate, and have affixed thereto their seals, at Washington, the seventeenth of July, eighteen hundred and fifty-eight. Signatures.

[L. S.]
[L. S.]

LEW. CASS.
H. BOSCH SPENCER. Date.

BELGIUM, 1863.

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY THE KING OF THE BELGIANS RELATIVE TO IMPORT DUTIES AND CAPITALIZATION OF SCHELDT DUES, CONCLUDED AT BRUSSELS, MAY 20, 1863; RATIFICATION ADVISED BY SENATE FEBRUARY 26, 1864; RATIFIED BY PRESIDENT MARCH 5, 1864; RATIFICATIONS EXCHANGED AT BRUSSELS JUNE 24, 1864; PROCLAIMED NOVEMBER 18, 1864. May 20, 1863.

The President of the United States of America on the one side, His Majesty the King of the Belgians on the other side, having deemed it advantageous to complete, by new stipulations, the treaty of commerce and navigation entered into by the United States and Belgium on the seventeenth day of July, eighteen hundred and fifty-eight, have resolved to make a convention in addition to that arrangement, and have appointed for their Plenipotentiaries, namely: Contracting parties.

Negotiators.

The President of the United States, Henry Shelton Sanford, a citizen of the United States, their Minister Resident near His Majesty the King of the Belgians; His Majesty the King of the Belgians, the Sieur Charles Rogier, Grand Officer of the Order of Leopold, decorated with the Iron Cross, Grand Cross of the Order of the Ernestine Branch of Saxony, of the Polar Star of St. Maurice and St. Lazarus, of Our Lady of the Conception of Villa-Vicosa, of the Legion of Honour, of the White Eagle, &c., a member of the Chamber of Representatives, his Minister of Foreign Affairs:

Who, after having communicated to each other their full powers, found to be in good and proper form, have agreed upon the following articles:

ARTICLE I.

Tonnage dues,
pilottage, &c.

[See Article III,
treaty of July 20,
1863, p. 58.]

From and after the day when the capitalization of the duties levied upon navigation in the Scheldt shall have been secured by a general arrangement—

- 1st. The tonnage dues levied in Belgian ports shall cease;
- 2d. Fees for pilotage in Belgian ports and in the Scheldt, in so far as it depends on Belgium, shall be reduced twenty per centum for sailing vessels, twenty-five per centum for vessels in tow, thirty per centum for steam vessels;
- 3d. Port dues and other charges levied by the city of Antwerp shall be throughout reduced.

ARTICLE II.

Salt.

[See Article IX,
treaty of 1858, p.
53.]

In derogation to the ninth article of the treaty of the seventeenth of July, eighteen hundred and fifty-eight, the flag of the United States shall be assimilated to that of Belgium for the transportation of salt.

ARTICLE III.

Import duties.

The tariff of import duties resulting from the treaty of the first of May, eighteen hundred and sixty-one, between Belgium and France, is extended to goods imported from the United States, on the same conditions with which it was extended to Great Britain by the treaty of the twenty-third of July, eighteen hundred and sixty-two.

[See Article V.]

The reduction made by the treaties entered into by Belgium with Switzerland on the eleventh of December, eighteen hundred and sixty-two, with Italy on the ninth of April, eighteen hundred and sixty-three, with the Netherlands on the twelfth of May, eighteen hundred and sixty-three, and also with France on the twelfth of May, eighteen hundred and sixty-three, shall be equally applied to goods imported from the United States.

It is agreed that Belgium shall also extend to the United States the reductions of import duties which may result from her subsequent treaties with other powers.

ARTICLE IV.

Capitalization of
the Scheldt dues.

The United States, in view of the proposition made by Belgium to regulate, by a common accord, the capitalization of the Scheldt dues, consents to contribute to this capitalization under the following conditions:

- a. The capital sum shall not exceed thirty-six millions of francs.
- b. Belgium shall assume for its part one-third of that amount.
- c. The remainder shall be apportioned among the other States, pro rata to their navigation in the Scheldt.
- d. The proportion of the United States, to be determined in accordance with this rule, shall not exceed the sum of two millions seven hundred and seventy-nine thousand two hundred francs.

e. The payment of the said proportion shall be made in ten annual installments of equal amount, which shall include the capital and the interest on the portion remaining unpaid at the rate of four per centum.

The first installment shall be payable at Brussels, on the first day of April, eighteen hundred and sixty-four, or immediately after the Congress of the United States shall have made the requisite appropriation. In either event, the interest shall commence to run on the date of the first of April, eighteen hundred and sixty-four, above mentioned.

The Government of the United States reserves the right of anticipating the payment of the proportion of the United States.

The above-mentioned conditions for the capitalization of the Scheldt dues shall be inserted in a general treaty, to be adopted by a conference of the maritime States interested, and in which the United States shall be represented.

[See Protocol to treaty of July 20, 1863, pp. 60, 61.]

ARTICLE V.

The Articles I and IV of the present additional convention shall be perpetual; and the remaining articles shall, together with the treaty of commerce and navigation made between the high contracting parties on the seventeenth of July, eighteen hundred and fifty-eight, have the same force and duration as the treaties mentioned in Article III.

Duration of convention.

The ratifications thereof shall be exchanged with the least possible delay.

Ratifications.

In faith whereof the respective Plenipotentiaries have signed the present convention, and have affixed thereto their seals.

Signatures.

Made in duplicate, and signed at Brussels the twentieth day of May, eighteen hundred and sixty-three.

Date.

[L. S.]
[L. S.]

H. S. SANFORD.
CH. ROGIER.

Declaration annexed to the additional convention signed this day between the United States and Belgium:

Declaration annexed.

The Plenipotentiary of the United States having required that the attributions of the Consuls of the United States in Belgium should become the object of farther stipulations, and it having been impracticable to complete in season the examination of the said stipulations, it is agreed that the Belgian Government will continue that examination with the sincere intent to come to an agreement as early as may be possible.

Consular convention.

[See convention of Dec. 5, 1863, pp. 62-66.]

Done at Brussels, in duplicate, the twentieth of May, eighteen hundred and sixty-three.

H. S. SANFORD.
CH. ROGIER.

BELGIUM, 1863.

TREATY BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY THE KING OF THE BELGIANS FOR EXTINGUISHMENT OF THE SCHELDT DUES, CONCLUDED AT BRUSSELS JULY 20, 1863; RATIFICATION ADVISED BY SENATE FEBRUARY 26, 1864; RATIFIED BY PRESIDENT MARCH 5, 1864; RATIFICATIONS EXCHANGED AT BRUSSELS JUNE 24, 1864; PROCLAIMED NOVEMBER 18, 1864.

July 20, 1863.

The United States of America and His Majesty the King of the Belgians, equally desirous of liberating forever the navigation of the Scheldt from the dues which encumber it, to assure the reformation of the maritime taxes levied in Belgium, and to facilitate thereby the development of trade and navigation, have resolved to conclude a treaty to complete the convention signed on the twentieth of May, eighteen hundred and sixty-three, between the United States and Belgium, and have appointed as their Plenipotentiaries, namely:

Contracting parties.

Negotiators.

The President of the United States of America, Henry Shelton Sanford, a citizen of the United States, their Minister Resident to His Majesty the King of the Belgians; and His Majesty the King of the Belgians, M. Charles Rogier, Grand Officer of the Order of Leopold, decorated with the Iron Cross, &c., &c., his Minister of Foreign Affairs;

Who, after having exchanged their full powers, found to be in good and due form, have agreed upon the following articles :

ARTICLE I.

Extinguishment of the Scheldt dues.

The high contracting parties take note of, and record :

[See Annex, pp. 59, 60.]

1st. The treaty concluded on the twelfth of May, eighteen hundred sixty-three, between Belgium and the Netherlands, which will remain annexed to the present treaty, and by which His Majesty the King of the Netherlands renounces forever the dues established upon navigation in the Scheldt and its mouths, by the third paragraph of the 9th article of the treaty of the 19th of April, eighteen hundred and thirty-nine, and His Majesty the King of the Belgians engages to pay the capital sum of the redemption of those dues, which amount to 17,141,640 florins.

Extinguishment applies to all flags.

2d. The declaration made in the name of His Majesty the King of the Netherlands on the fifteenth of July, eighteen hundred and sixty-three, to the Plenipotentiaries of the high contracting parties, that the extinguishment of the Scheldt dues, consented to by his said Majesty, applies to all flags; that these dues can never be reëstablished under any form whatsoever; and that this suppression shall not affect in any manner the other provisions of the treaty of the nineteenth of April, eighteen hundred and thirty-nine, declaration which shall be considered inserted in the present treaty, to which it shall remain also annexed.

[See Protocol, pp. 60, 61.]

ARTICLE II.

Declaration of King of Belgium.

His Majesty the King of the Belgians makes, for what concerns him, the same declaration as that which is mentioned in the second paragraph of the preceding article.

ARTICLE III.

Tonnage dues, pilotage, and local taxes.

It is well understood that the tonnage dues suppressed in Belgium, in conformity with the convention of the twentieth of May, eighteen hundred sixty-three, cannot be reëstablished, and that the pilotage dues and local taxes reduced under the same convention cannot be again increased.

[See Article I, treaty of May 20, 1863, p. 56.]

The tariff of pilotage dues and of local taxes at Antwerp, shall be the same for the United States as those which are set down in the protocols of the conference at Brussels.

ARTICLE IV.

Proportion of the United States.

In regard to the proportion of the United States in the capital sum of the extinguishment of the Scheldt dues, and the manner, place, and time of the payment thereof, reference is made by the high contracting parties to the convention of the twentieth of May, eighteen hundred and sixty-three.

[See Article IV treaty of May 20, 1863, p. 56.]

ARTICLE V.

Execution of engagements.

The execution of the reciprocal engagements contained in the present treaty is made subordinate, in so far as is necessary, to the formalities and rules established by the constitutional laws of the high contracting parties.

ARTICLE VI.

It is well understood that the provisions of Article III will only be obligatory with respect to the State which has taken part in, or those which shall adhere to, the treaty of this day, the King of the Belgians reserving to himself expressly the right to establish the manner of treatment as to fiscal and customs regulations of vessels belonging to States which shall not be parties to this treaty.

Application of Article III.

ARTICLE VII.

The present treaty shall be ratified, and the ratifications thereof shall be exchanged at Brussels with the least possible delay.

Ratifications.

In faith whereof the respective Plenipotentiaries have signed the same in duplicate, and affixed thereto their seals.

Signatures.

Done at Brussels, the twentieth day of July, eighteen hundred and sixty-three.

Date.

[L. S.]
[L. S.]

H. S. SANFORD.
CH. ROGIER.

[Translation.]

Treaty of May 12, 1863, between Belgium and the Netherlands, annexed to the treaty of July 20, 1863.

Treaty between Belgium and the Netherlands.

His Majesty the King of the Belgians and His Majesty the King of the Netherlands, having come to an agreement upon the conditions of the redemption, by capitalization, of the dues established upon the navigation of the Scheldt and of its mouths, by paragraph 3 of the 9th article of the treaty of the 19th April, 1839, have resolved to conclude a special treaty on this subject, and have appointed for their plenipotentiaries, namely :

His Majesty the King of the Belgians, M. Aldephonse Alexander Felix, Baron du Jardin, Commander of the Order of Leopold, decorated with the Iron Cross, Commander of the Lion of the Netherlands, Chevalier Grand Cross of the Oaken Crown, Grand Cross and Commander of several other orders, his Envoy Extraordinary and Minister Plenipotentiary near to His Majesty the King of the Netherlands ; His Majesty the King of the Netherlands, Messrs. Paul Vander Maesen de Sombreff, Chevalier Grand Cross of the Order of the Nichan Iftihar of Tunis, his Minister of Foreign Affairs, M. Jean Rudolphe Thorbecke, Chevalier Grand Cross of the Order of the Lion of the Netherlands, Grand Cross of the Order of Leopold of Belgium, and of many other orders, his Minister of Interior, and M. Gerard Henri Betz, his Minister of Finance ;

Plenipotentiaries.

Who, after having exchanged their full powers, found in good and due form, have concluded upon the following articles :

ARTICLE I.

His Majesty the King of the Netherlands renounces forever, for the sum of 17,140,640 florins of Holland, the dues levied upon the navigation of the Scheldt and of its mouths, by virtue of paragraph 3 of Article IX of the treaty of 19th April, 1839.

Scheldt dues.

ARTICLE II.

This sum shall be paid to the Government of the Netherlands by the Belgian Government, at Antwerp, or at Amsterdam, at the choice of the latter, the franc calculated at 47½ cents of the Netherlands, as follows :

Payment by Belgium.

One-third immediately after the exchange of ratifications, and the two other thirds in three equal instalments, payable on the 1st May, 1864, 1st May, 1865, and 1st May, 1866. The Belgian Government may anticipate the above-named payments.

ARTICLE III.

When dues shall cease to be levied. From and after the payment of the first instalment of one-third, the dues shall cease to be levied by the Government of the Netherlands. The sums not immediately paid shall bear interest at the rate of 4 per cent. per annum, in favor of the treasury of the Netherlands.

ARTICLE IV.

Treaty engagements. It is understood that the capitalization of the dues shall not in any way affect the engagements by which the two States are bound, in what concerns the Scheldt, by treaties in force.

ARTICLE V.

Pilotage dues. The pilotage dues now levied on the Scheldt are reduced 20 per cent. for sailing vessels, 25 per cent. for towed vessels, and 30 per cent. for steam vessels. It is, moreover, agreed that the pilotage dues on the Scheldt can never be higher than the pilotage dues levied at the mouths of the Meuse.

ARTICLE VI.

Ratifications. The present treaty shall be ratified, and the ratifications shall be exchanged at the Hague within four months, or earlier if possible. In faith whereof the Plenipotentiaries above named have signed the same and affixed their seals.

Done at the Hague, the 12th May, 1863.

[L. s.]	BARON DU JARDIN.
[L. s.]	P. VANDER MAESEN DE SOMBREFF.
[L. s.]	THORBECKE.
[L. s.]	BETZ.

[Translation.]

July 15, 1863.

Protocol of July 15, 1863, annexed to the treaty of July 20, 1863.

Protocol.

The Plenipotentiaries undersigned, having come together in conference to determine the general treaty relative to the redemption of the Scheldt dues, and having judged it useful, before drawing up this arrangement in due form, to be enlightened with respect to the treaty concluded the 12th of May, 1863, between Belgium and Holland, have resolved, to this end, to invite the Minister of the Netherlands to take a place in the conference.

Declaration of the Minister of the Netherlands.

Extinguishment of the Scheldt dues perpetual.

The Plenipotentiary of the Netherlands presented himself in response to this invitation, and made the following declaration :

“The undersigned, Envoy Extraordinary and Minister Plenipotentiary of his Majesty the King of the Netherlands, declares, in virtue of the special powers which have been delivered to him, that the extinguishment of the Scheldt dues, consented to by his August Sovereign in the treaty of the 12th May, applies to all flags; that these dues can never be reestablished in any form whatsoever; and that this extinguishment

shall not affect in any way the other provisions of the treaty of the 19th April, 1839."

"BARON GERICKE D'HERWYNEN.
"BRUSSELS, July 15, 1863."

Note has been taken and record made of this declaration, which shall be inserted in or annexed to the general treaty.

Record of declaration.

Done at Brussels, the 15th July, 1863.

Signatures; date.

L. S.	BARON GERICKE D'HERWYNEN.
L. S.	BARON DE HUGEL.
L. S.	J. T. DO AMARAL.
L. S.	M. CARVALLO.
L. S.	P. BILLE BRAHE.
L. S.	D. COELLO DE PORTUGAL.
L. S.	H. S. SANFORD.
L. S.	MALARET.
L. S.	HOWARD DE WALDEN ET SEAFORD.
L. S.	VON. HODENBERG.
L. S.	CTE. DE MONTALTO.
L. S.	MAN. YRIGOYEN.
L. S.	V ^{TE} . DE SEISAL.
L. S.	SAVIGNY.
L. S.	ORLOFF.
L. S.	ADALBERT MANSBACH.
L. S.	C. MUSURUS.
L. S.	GEFFEKEN.
L. S.	CH. ROGIER.
L. S.	BN. LAMBERMONT.

BELGIUM, 1868.

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY THE KING OF THE BELGIANS RELATIVE TO NATURALIZATION. CONCLUDED AT BRUSSELS NOVEMBER 16, 1868; RATIFICATION ADVISED BY SENATE APRIL 12, 1869; RATIFIED BY PRESIDENT APRIL 18, 1869; RATIFICATIONS EXCHANGED AT BRUSSELS JULY 10, 1869; PROCLAIMED JULY 30, 1869.

Nov. 16, 1868.

The President of the United States of America and His Majesty the King of the Belgians, led by the wish to regulate the citizenship of those persons who emigrate from the United States of America to Belgium, and from Belgium to the United States of America, have resolved to make a convention on this subject, and have appointed for their Plenipotentiaries, namely:

Contracting parties.

The President of the United States of America, Henry Shelton Sanford, a citizen of the United States, their Minister Resident near His Majesty the King of the Belgians; and His Majesty the King of the Belgians, the Sieur Jules Vander Stichelen, Grand Cross of the Order of the Dutch Lion, &c., &c., his Minister of Foreign Affairs;

Negotiators.

Who, after having communicated to each other their full powers, found to be in good and proper form, have agreed upon the following articles:

ARTICLE I.

Citizens of the United States who may or shall have been naturalized in Belgium will be considered by the United States as citizens of Belgium; reciprocally, Belgians who may or who shall have been naturalized in the United States will be considered by Belgium as citizens of the United States.

Who to be deemed naturalized citizens.

ARTICLE II.

Offenses committed before naturalization.

Citizens of either contracting party, in case of their return to their original country, can be prosecuted there for crimes or misdemeanors committed before naturalization, saving to them such limitations as are established by the laws of their original country.

ARTICLE III.

Obligation of military service.

Naturalized citizens of either contracting party who shall have resided five years in the country which has naturalized them cannot be held to the obligation of military service in their original country, or to incidental obligation resulting therefrom, in the event of their return to it, except in cases of desertion from organized and embodied military or naval service, or those that may be assimilated thereto by the laws of that country.

ARTICLE IV.

Recovery of original citizenship.

Citizens of the United States naturalized in Belgium shall be considered by Belgium as citizens of the United States when they shall have recovered their character as citizens of the United States, according to the laws of the United States. Reciprocally, Belgians naturalized in the United States shall be considered as Belgians by the United States when they shall have recovered their character as Belgians according to the laws of Belgium.

ARTICLE V.

Duration of convention.

The present convention shall enter into execution immediately after the exchange of ratifications, and shall remain in force for ten years. If, at the expiration of that period, neither of the contracting parties shall have given notice six months in advance of its intention to terminate the same, it shall continue in force until the end of twelve months after one of the contracting parties shall have given notice to the other of such intention.

ARTICLE VI.

Ratifications.

The present convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate, and by His Majesty the King of the Belgians, with the consent of Parliament; and the ratifications shall be exchanged at Brussels within twelve months from the date hereof, or sooner if possible.

Signatures.

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

Date.

Made in duplicate at Brussels, the sixteenth of November, one thousand and eight hundred and sixty-eight.

[L. S.]
[L. S.]

H. S. SANFORD.
JULES VANDER STICHELEN.

BELGIUM, 1868.

Dec. 5, 1868.

CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY THE KING OF THE BELGIANS, CONCLUDED AT BRUSSELS DECEMBER 5, 1868; RATIFICATION ADVISED BY SENATE APRIL 12, 1869; RATIFIED BY PRESIDENT APRIL 13, 1869; RATIFICATIONS EXCHANGED AT BRUSSELS JULY 8, 1869; EXCHANGE OF RATIFICATIONS CONSENTED TO BY SENATE MARCH 2, 1870; PROCLAIMED MARCH 7, 1870.

Contracting parties.

The President of the United States of America and His Majesty the King of the Belgians, recognizing the utility of defining the rights, privileges, and immunities of consular officers in the two countries, deem it

expedient to conclude a consular convention for that purpose. Accordingly, they have named :

The President of the United States of America, Henry Shelton Sanford, a citizen of the United States, their Minister Resident near His Majesty the King of the Belgians; and His Majesty the King of the Belgians, the Sieur Jules Vander Stichelen, Grand Cross of the Order of the Dutch Lion, etc., etc., etc., his Minister of Foreign Affairs;

Negotiators.

Who, after having communicated to each other their full powers, found to be in good and proper form, have agreed upon the following articles :

ARTICLE I.

Each of the high 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 recognize such officers. This reservation, however, shall not apply to one of the high contracting parties without also applying to every other power.

Consular officers.

ARTICLE II.

Consular officers, on the presentation of their commissions in the forms established in their respective countries, shall be furnished with the necessary exequatur free of charge, and on the exhibition of this instrument they shall be permitted to enjoy the rights, prerogatives, and immunities granted by this convention.

Exequaturs.

ARTICLE III.

Consular officers, citizens of the State by which they are appointed, shall be exempt from arrest except in the case of offences which the local legislation qualifies as crimes, and punishes it as such; from military billetings, from service in the militia or in the national guard, or in the regular army; and from all taxation, federal, State, or municipal. If, however, they are citizens of the State where they reside, or own property, or engage in business there, they shall be liable to the same charges of all kinds as other citizens of the country, who are merchants or owners of property.

Exemptions.

ARTICLE IV.

No consular officer who is a citizen of the State by which he was appointed, and who is not engaged in business, shall be compelled to appear as a witness before the courts of the country where he may reside. When the testimony of such a consular officer is needed, he shall be invited in writing to appear in court, and if unable to do so, his testimony shall be requested in writing, or be taken orally, at his dwelling or office.

Exemption as witnesses.

It shall be the duty of said consular officer to comply with this request without any delay which can be avoided.

In all criminal cases contemplated by the sixth article of the amendments to the Constitution of the United States, whereby the right is secured to persons charged with crimes to obtain witnesses in their favor, the appearance in court of said consular officer shall be demanded, with all possible regard to the consular dignity and to the duties of his office. A similar treatment shall also be extended to United States Consuls in Belgium, in the like cases.

Appearance in court.

ARTICLE V.

Consuls General, Consuls, Vice-Consuls, and Consular Agents may place over the outer door of their offices, or of their dwelling-houses, the arms of their nation, with this inscription, "Consulate, or Vice-Con-

Flags, inscriptions, &c.

shlate, or Consular Agency" of the United States, or of Belgium, etc., etc. And they may also raise the flag of their country on their offices or dwelling-houses, except in the capital of the country, when there is a legation there.

ARTICLE VI.

Inviolability of archives.

The consular offices and dwellings shall be at all times inviolable. The local authorities shall not, under any pretext, invade them. In no case shall they examine or seize the papers there deposited. In no case shall those offices or dwellings be used as places of asylum. When, however, a consular officer is engaged in other business, the papers relating to the consulate shall be kept separate.

ARTICLE VII.

Rights of Acting Consuls, &c.

In the event of the death, incapacity, 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 Department of State at Washington, or to the Minister for Foreign Affairs in Belgium, may temporarily exercise their functions, and while thus acting they shall enjoy all the rights, prerogatives, and immunities granted to the incumbents.

ARTICLE VIII.

Rights of 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 the United States, of Belgium, or other foreigners. They shall be furnished with a commission by the Consul who appoints them, and under whose orders they are to act. They shall enjoy the privileges stipulated for consular officers in this convention, subject to the exceptions specified in Articles III and IV.

ARTICLE IX.

Complaint to local or national authorities.

Consuls General, Consuls, Vice-Consuls, and Consular Agents may complain to the authorities of the respective countries, whether federal or local, judicial or local, judicial or executive, within their consular district, of any infraction of the treaties and conventions between the United States and Belgium, or for the purpose of protecting the rights and interest of their countrymen. If the complaint should not be satisfactorily redressed, 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.

ARTICLE X.

Power to take depositions, verify papers, &c.

Consuls General; Consuls, Vice-Consuls, and Consular Agents may take at their offices, at the residence of the parties, at their private residence, or on board ship, the depositions of the captains and crews of vessels of their own country, of passengers on board of them, and of any other citizen of their nation. They may also receive at their offices, conformably to the laws and regulations of their country, all contracts between the citizens of their country and the citizens or other inhabitants of the country where they reside, and even all contracts between the latter, provided they relate to property situated or to business to be transacted in the territory of the nation to which said consular officer may belong. Copies of such papers and official documents of every kind, whether in the original, copies, or translation duly authenticated and legalized by the Consuls General, Consuls, Vice-Consuls, and Consular Agents, and sealed with their official seal, shall be received as legal documents in courts of justice throughout the United States and Belgium.

ARTICLE XI.

Consuls General, Consuls, Vice-Consuls, and Consular Agents shall have exclusive charge of the internal order of the merchant vessels of their nation, and shall alone take cognizance of differences which may arise, either at sea or in port, between the captains, officers, and crews, without exception, particularly in reference to the adjustment of wages and the execution of contracts. Neither the federal, State, or municipal authorities or courts in the United States, nor any court or authority in Belgium shall, on any pretext, interfere in these differences.

Settlement of
disputes between
masters and crews.

ARTICLE XII.

The respective Consuls General, Consuls, Vice-Consuls, and Consular Agents may arrest the officers, sailors, and all other persons making part of the crew 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 the United States in Belgium may apply to any of the competent authorities; and the consuls of Belgium in the United States may apply in writing to either the federal, State, or municipal courts or authorities, and make a request in writing for the deserters, supporting it by the exhibition of the register of the vessel and list of the crew, or by other official documents, to show that the persons claimed belong to the said crew.

Deserters from
vessels.

Upon such request alone, thus supported, and without the exaction of any oath from the consular officers, the deserters, not being citizens of the country where the demand is made at the time of their shipping, shall be given up. All the necessary aid and protection shall be furnished for the search, pursuit, seizure, and arrest of the deserters, who shall even be put and kept in the prisons of the country, at the request and expense of the consular officers, until there may be an opportunity for sending them away. If, however, such an opportunity should not present itself within the space of three months, counting from the day of the arrest, the deserter shall be set at liberty, nor shall he be again arrested for the same cause.

ARTICLE XIII.

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 where they reside. 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.

Settlement of
damages suffered
at sea.

ARTICLE XIV.

All proceedings relative to the salvage of American vessels wrecked upon the coasts of Belgium, and of Belgian vessels wrecked upon the coasts of the United States, shall be directed by Consuls General, Consuls, and Vice-Consuls of the two countries, respectively, and, until their arrival, by the respective Consular Agents, wherever an agency exists. In the places and ports where an agency does not exist, the local authorities, until the arrival of the Consul in whose district the wreck may have occurred, and who shall immediately be informed of the occurrence, shall take all necessary measures for the protection of persons and the preservation of property. The local authorities shall not otherwise interfere than for the maintenance of order, the protection of the interests of the salvors, if they do not belong to the crews that have

Salvage.

been wrecked, and to carry into effect the arrangements made for the entry and exportation of the merchandise saved. It is understood that such merchandise is not to be subjected to any custom-house charges, unless it be intended for consumption in the country where the wreck may have taken place.

ARTICLE XV.

Residents dying
intestate.

In case of the death of any citizen of the United States in Belgium, or of a citizen of Belgium in the United States, without having any known heirs or testamentary executor by him appointed, the competent local authorities shall inform the Consuls or Consular Agents of the nation to which the deceased belongs of the circumstance, in order that the necessary information may be immediately forwarded to parties interested.

ARTICLE XVI.

Duration of con-
vention.

The present convention shall remain in force for the space of ten years, counting from the day of the exchange of the ratifications, which shall be made in conformity with the respective constitutions of the two countries, and exchanged at Brussels within the period of six months, or sooner if possible. In case neither party gives notice, twelve months after 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.

Ratifications.

Signatures.

In faith whereof the respective Plenipotentiaries have signed this convention, and have hereunto affixed their seals.

Date.

Done at Brussels, in duplicate, the fifth day of December, eighteen hundred and sixty-eight.

[L. S.]
[L. S.]

H. S. SANFORD.
JULES VANDER STICHELEN.

June 1, 1869.

Protocol additional to the convention between the United States and Belgium, signed 5 December, 1868.

Extension of
time for exchange
of ratifications.

The Plenipotentiaries of the President of the United States and of His Majesty the King of the Belgians, foreseeing that the exchange of ratifications cannot be made within the delay prescribed, by reason of circumstances independent of the will of the high contracting parties, have met this day, and have agreed to prolong the delay for two months.

Date.

Done at Brussels, the 1st of June, 1869.

[L. S.]
[L. S.]

H. S. SANFORD.
JULES VANDER STICHELEN.

BELGIUM, 1868.

Dec. 20, 1868.

ADDITIONAL ARTICLE TO THE TREATY OF COMMERCE AND NAVIGATION OF JULY 17, 1858, BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY THE KING OF THE BELGIANS, RELATIVE TO TRADE-MARKS; CONCLUDED AT BRUSSELS DECEMBER 20, 1868; RATIFICATION ADVISED BY SENATE APRIL 12, 1869; RATIFIED BY PRESIDENT APRIL 18, 1869; RATIFICATIONS EXCHANGED AT BRUSSELS JUNE 19, 1869; PROCLAIMED JULY 30, 1869.

Contracting par-
ties.

The President of the United States of America and His Majesty the King of the Belgians, deeming it advisable that there should be an additional article to the treaty of commerce and navigation between them

of the 17th July, 1858, have for this purpose named as their Plenipotentiaries, namely:

The President of the United States, Henry Shelton Sanford, a citizen of the United States, their Minister Resident near His Majesty the King of the Belgians; and His Majesty the King of the Belgians, the Sieur Jules Vander Stichelen, Grand Cross of the Order of the Dutch Lion, &c., &c., &c., his Minister of Foreign Affairs;

Negotiators.

Who, after having communicated to each other their full powers, have agreed to and signed the following:

ADDITIONAL ARTICLE.

The high contracting parties, desiring to secure complete and efficient protection to the manufacturing industry of their respective citizens, agree that any counterfeiting in one of the two countries of the trade-marks affixed in the other on merchandise to show its origin and quality, shall be strictly prohibited, and shall give ground for an action of damages in favor of the injured party, to be prosecuted in the courts of the country in which the counterfeit shall be proven.

Counterfeiting trade-marks prohibited.

The trade-marks in which the citizens of one of the two countries may wish to secure the right of property in the other, must be lodged, to wit: the marks of citizens of the United States at Brussels, in the Office of the Clerk of the Tribunal of Commerce; and the marks of Belgian citizens at the Patent Office in Washington.

Deposit of copies.

It is understood that if a trade-mark has become public property in the country of its origin it shall be equally free to all in the other country.

When trade-mark becomes public property.

This additional article shall have the same duration as the before-mentioned treaty of the 17th July, 1858, to which it is an addition. The ratifications thereof shall be exchanged in the delay of six months, or sooner if possible.

Duration of article.

In faith whereof the respective Plenipotentiaries have signed the same, and affixed thereto their seals.

[See Article XVII, treaty of 1858, p. 55.]
Signatures.

Done at Brussels, in duplicate, the 20th of December, 1868.

[L. S.]
[L. S.]

H. S. SANFORD.
JULES VANDER STICHELEN.

Date.