

BRUNSWICK AND LÜNEBURG.

BRUNSWICK AND LÜNEBURG, 1854.

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND HIS HIGHNESS THE DUKE OF BRUNSWICK AND LÜNEBURG, CONCLUDED AT WASHINGTON AUGUST 21, 1854; RATIFICATION ADVISED BY SENATE, WITH AMENDMENT, MARCH 3, 1855; RATIFIED BY PRESIDENT JULY 10, 1855; RATIFICATIONS EXCHANGED AT WASHINGTON JULY 23, 1855; PROCLAIMED JULY 30, 1855.

August 21, 1854.

[The duchy of Brunswick and Lüneburg became a state of the North German Union by the constitution of the latter, which took effect July 1, 1867.]

The President of the United States of America and His Highness the Duke of Brunswick and Lüneburg, animated by the desire to secure and extend by an amicable convention the relations happily existing between the two countries, have, to this effect, appointed as their Plenipotentiaries, to wit:

Contracting parties.

The President of the United States of America, William L. Marcy, Secretary of State of the United States; and His Highness the Duke of Brunswick and Lüneburg, Dr. Julius Samson, his said Highness' Consul at Mobile, Alabama;

Negotiators.

Who, after the exchange of their full powers, found in good and due form, have agreed upon and signed the following articles:

ARTICLE I.

The citizens of each one of the high contracting parties shall have power to dispose of their personal property, within the jurisdiction of the other, subject to the laws of the State or country where the domicile is, or the property is found, either by testament, donation, or ab intestato, or in any other manner, and their heirs, being citizens of the other party shall inherit all such personal estates, whether by testament or ab intestato, and they may take possession of the same, either personally or by attorney, and dispose of them as they may think proper, paying to the respective governments no other charges than those to which the inhabitants of the country in which the said property shall be found would be liable in a similar case; and in the absence of such heir or heirs the same care shall be taken of the property that would be taken in the like case for the preservation of the property of a citizen of the same country, until the lawful proprietor shall have had time to take measures for possessing himself of the same; and in case any dispute should arise between claimants to the same succession, as to the property thereof, the question shall be decided according to the laws, and by the judges, of the country in which the property is situated.

Disposal and inheritance of personal property.

Absent heirs.

ARTICLE II.

If by the death of a person owning real property in the territory of one of the high contracting parties such property should descend, either by the laws of the country or by testamentary disposition, to a citizen of the other party, who, on account of his being an alien, could not be permitted to retain the actual possession of such property, such term as the laws of the State or country will permit shall be allowed to him to dispose of such property, and collect and withdraw the proceeds

Devises or heirs of real estate.

thereof, without paying to the government any other charges than those which, in a similar case, would be paid by an inhabitant of the country in which such real property may be situated.

ARTICLE III.

- Duration of convention.** The present convention shall be in force for the term of twelve years from the date hereof; and further until the end of twelve months after the Government of the United States on the one part, or that of His Highness the Duke of Brunswick and Lüneburg on the other, shall have given notice of its intention of terminating the same.
- Ratifications.** This convention shall be ratified, and the ratifications shall be exchanged at Washington, within twelve months after its date, or sooner if possible.
- Signatures.** In faith whereof the respective plenipotentiaries have signed the present convention, and have thereunto affixed their seals.
- Date.** Done at Washington this twenty-first day of August, in the year of our Lord one thousand eight hundred and fifty-four, and of the Independence of the United States the seventy-ninth.

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

W. L. MARCY.
JULIUS SAMSON.