
CONVENTIONS AND AGREEMENTS

CONCLUDED BY THE

UNITED STATES OF AMERICA

WITH

FOREIGN NATIONS.

TREATIES AND CONVENTIONS.

Convention between the United States of America and the Kingdom of the Netherlands, for the extradition of criminals. Concluded at Washington, June 2, 1887; ratification advised by the Senate, March 26, 1889; ratified by the President of the United States, April 17, 1889; ratified by His Majesty the King of the Netherlands, May 5, 1889; ratifications exchanged at The Hague, May 31, 1889; proclaimed, June 21, 1889.

June 3, 1897.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the Kingdom of the Netherlands for the Extradition of Criminals was concluded and signed by the respective Plenipotentiaries of the aforesaid High Contracting Parties, at the City of Washington, on the second day of June, one thousand eight hundred and eighty-seven, the original of which Convention, being in the English and Dutch languages, is word for word as follows:

Preamble.

Convention between the United States and the Netherlands for the extradition of criminals.

Overeenkomst tusschen de Vereenigde Staten en de Nederlanden tot uitlevering van misdadigers.

The United States of America and His Majesty the King of the Netherlands having judged it expedient, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, that persons charged with, or convicted of, the crimes herein-after enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude a new convention for that purpose, and have appointed as their plenipotentiaries:

De Vereenigde Staten van Amerika en Zijne Majesteit de Koning der Nederlanden, het, ter bevordering eener betere bedee-ling van het recht en ter voorkon-ning van misdrijven binnen hun wederzijdsch grond- en rechtsge-tied, nuttig geoordeeld hebbende, dat personen, beklaagd van of veroordeeld wegens de nate noe-men misdrijven, en die voort-vluchtig mochten zijn, onder zekere omstandigheden weder-keerig worden uitgeleverd, heb-ben besloten to dien einde eene nieuwe overeenkomst aan te gaan, en tot Hunne gevolmachtigden benoemd, te weten:

Contracting parties.

The President of the United States of America; Thomas F. Bayard, Secretary of State of the United States, and

De President der Vereenigde Staten van Amerika, den Heer Thomas F. Bayard, Secretaris van Staat van de Vereenigde Staten,

Plenipotentiaries.

His Majesty the King of the Netherlands; William Ferdinand Henry von Weckherlin, His Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States, who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

Reciprocal delivery of persons charged with crime.

The United States of America and His Majesty the King of the Netherlands reciprocally engage to deliver up to justice all persons convicted of or charged with any of the crimes or offences enumerated in the following article, committed within the respective jurisdiction of the United States of America, or of the Kingdom of the Netherlands, exclusive of the Colonies thereof, such persons being actually within such jurisdiction when the crime or offence was committed, who shall seek an asylum or shall be found within the jurisdiction of the other, exclusive of the Colonies of the Netherlands: Provided, That this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive so charged shall be found, would justify his apprehension and commitment for trial, if the crime or offence had been there committed.

Evidence required of criminality.

ARTICLE II.

Extraditable crimes

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

Murder, etc.

1. Murder, including infanticide; manslaughter.

Rape, bigamy, and abortion.

2. Rape, bigamy, abortion.

en Zijne Majesteit de Koning der Nederlanden, den Meer Wilhelm Ferdinand Heinrich von Weckherlin, Hoogstdeszelfs Buitengewoon Gezant en gevolmachtigd Minister bijde Vereenigde Staten, die, na elkander hunne volmachten, welke, in goeden en behoorlijken vorm zijn bevonden, te hebben medegedeeld, omtrent de navolgende artikelen zijn overeengekomen, en deze hebben vastgesteld.

ARTIKEL I.

De Vereenigde Staten van Amerika en Zijne Majesteit de Koning der Nederlanden verbinden zich wederkeerig, aan de rechterlijke autoriteiten uit te leveren alle personen, veroordeeld wegens, of beklaagd van een der in het volgend artikel genoemde strafbare feiten, gepleegd binnen het rechtsgebied van de Vereenigde Staten van Amerika, of van het Koninkrijk der Nederlanden, met uitzondering van zijne koloniën, wanneer die personen zich werkelijk binnen dat rechtsgebied bevonden toen het feit gepleegd werd, en zij eene schuilplaats zoeken of gevonden worden binnen het rechtsgebied der andere partij; met uitzondering, der Nederlandsche koloniën, met dien verstande, dat de uitlevering alleen dan zal plaats hebben, wanneer zoodanig bewijs van strafbaarheid zal zijn geleverd, als overeenkomstig de wetten der plaats, waar de veroordeelde of beklaagde vluchteling zal gevonden zijn, voldoende grond zonde opleveren tot zijne inhechtenisneming en zijne verwijzing naar de openbare terechtzitting, indien het strafbare feit daar ter plaatse ware gepleegd.

ARTIKEL II.

Overeenkomstig de bepalingen van dit verdrag, zullen worden uitgeleverd zij, die beklaagd zijn van of veroordeeld wegens een der navolgende strafbare feiten:

1°. Doodslag of moord; kinder doodslag of kindermoord.

2°. Verkrachting, dubbel huwelijk, het opzettelijk veroorza-

3. Arson.
4. Mutiny, and rebellion on shipboard by two or more passengers against the authority of the commander of the ship, or by the crew or part of the crew, against the commander or the ship's officers.

5. Burglary; or the corresponding crime in the Netherlands law under the description of thefts committed in an inhabited house by night, and by breaking in, by climbing, or forcibly.

6. The act of breaking into and entering public offices or the offices of banks, banking-houses, savings-banks, trust companies, or insurance companies, with intent to commit theft therein; and also the thefts resulting from such act.

7. Robbery; or the corresponding crime punished in the Netherlands law under the description of theft committed with violence or by means of threats.

8. Forgery, or the utterance of forged papers including the forgery or falsification of official acts of the Government or public authority or courts of justice affecting the title or claim to money or property.

9. The counterfeiting, falsifying or altering of money, whether coin or paper, or of instruments of debt created by national, state, provincial, or municipal governments, or coupons thereof, or of bank-notes, or the utterance or circulation of the same, or the counterfeiting, falsifying or altering of the seals of State.

ken van de afdrijving of den dood der vrucht van eene vrouw door haarzelve of door anderen.

3°. Opzettelijke brandstichting.

4°. Insubordinatie van een opvarende van een schip of zeevischersvaartuig; muiterij.

5°. Inbraak, of de daarmede in de Nederlandsche wet overeenkomende strafbare feiten van diefstal of poging tot diefstal gedurende den voor de nachtrust bestemden tijd, in een bewoond huis, door iemand, die zich den toegang heeft verschaft door middel van braak of inklimming, of met geweld.

6°. Het inbreken en binnentreden in openbare gebouwen, of in gebouwen toebehoorende aan banken, bankiershuizen, spaarbanken, maatschappijen van inbewaarneming of van verzekering, met het doel aldaar diefstal te plegen, alsmede diefstal onder zoodanige omstandigheden gepleegd.

7°. Roof, of het daarmede overeenkomende strafbaar feit in de Nederlandsche wet strafbaar gesteld onder de omschrijving van diefstal gepleegd met geweld of door middel van bedreiging.

8°. Valschheid in geschrift, met inbegrip van officiële stukken van de Regeering of van de administratieve of rechterlijke macht, den titel of de vordering op geldswaarden of goederen aandoende, of het opzettelijk gebruik maken van die valsche of vervalschte geschriften of stukken.

9°. Valsche munt en het opzettelijk in omloop brengen van valsche of vervalschte muntspediën of muntpapier, valschheid in geschriften, schuldbrieven of certificaten van schuld van eenigen staat, provincie of gemeente, of in de daarbij behoorende dividend- of rentebewijzen, of in bankbiljetten, en het opzettelijk gebruik maken van die valsche of vervalschte stukken, het namaken of vervalschen van van Rijkswege uitgegeven zegels.

Arson.

Mutiny, etc.

Burglary.

Breaking offices, etc., with intent to steal.

Robbery.

Forgery, etc.

Counterfeiting, etc.

- Embezzlement.** 10. Embezzlement by public officers.
11. Embezzlement by any person or persons hired or salaried, to the detriment of their employers, when the offence is subject to punishment by imprisonment by the laws of both countries.
- Destruction of vessels, etc.** 12. Destruction or loss of a vessel on the high seas, or within the jurisdiction of the party asking the extradition, caused intentionally.
- Kidnapping minors.** 13. Kidnapping of minors, defined to be the abduction or detention of a minor for any unlawful end.
- Obtaining money, etc., on false pretenses.** 14. Obtaining by false devices money, valuables or other personal property, and the purchase of the same with the knowledge that they have been so obtained, when the crimes or offences are punishable by imprisonment or other corporal punishment by the laws of both countries.
- Larceny.** 15. Larceny, defined to be the theft of effects, personal property, or money.
- Injuries to railroads, etc.** 16. Wilful and unlawful destruction or obstruction of railroads, which endangers human life.
- Complicity.** Extradition shall also be granted for complicity in any of the crimes or offences enumerated in this article, provided that the persons charged with or convicted of such complicity may be punished as accessories with imprisonment of a year or more, by the laws of both countries.
- Attempt to commit extraditable crimes.** Extradition may also be granted for the attempt to commit any of the crimes above enumerated, when such attempt is punishable with imprisonment of a year or more, by the laws of both contracting parties.
- 10°. Verduistering door ambtenaren.
- 11°. Verduistering, gepleegd in dienstbetrekking, wanneer daartegen door de wetgevingen van beide landen hechtenis of eene zwaardere straf wordt bedreigd.
- 12°. Het opzettelijk en wederrechtelijk doen zinken of stranden, vernielen of onbruikbaar maken van een schip of ander vaartuig, in volle zee, of binnen het rechtsgebied der partij, die de uitlevering vraagt.
- 13°. Wegvoering en opzettelijke onttrekking van een minderjarige aan het wettig over hem gesteld gezag, tot een wederrechtelijk doel.
- 14°. Oplichting, indien daartegen door de wetgevingen van beide landen hechtenis of eene zwaardere straf wordt bedreigd.
- 15°. Diefstal.
- 16°. Het opzettelijk en wederrechtelijk vernielen of belemmeren van spoorwegen, waardoor het leven van menschen in gevaar wordt gebracht.
- De uitlevering zal insgelijks worden toegestaan wegens medeplichtigheid aan een der in dit artikel vermelde strafbare feiten, wanneer die medeplichtigheid, volgens de wetgevingen van beide landen, met hechtenis of gevangenis van een jaar of meer gestraft kan worden.
- De uitlevering zal ook kunnen worden toegestaan wegens poging tot een der bovenvermelde strafbare feiten, wanneer die poging, volgens de wetgevingen der beide contracterende partijen, strafbaar is met hechtenis of met gevangenis van één jaar of meer.

ARTICLE III.

ARTIKEL III.

Political offences not included.

The provisions of this convention shall not apply to any crime or offence of a political character, nor to acts connected with such

De bepalingen der tegenwoordige overeenkomst zijn niet toepasselijk op staatkundige misdrijven, noch op strafbare feiten

crimes or offences; and no person surrendered under the provisions hereof shall in any case be tried or punished for a crime or offence of a political character, nor for any act connected therewith, committed previously to his extradition.

ARTICLE IV.

No person shall be tried or punished, after surrender, for any crime or offence other than that for which he was surrendered, if committed previous to his surrender, unless such crime or offence be one of those enumerated in Article II hereof.

ARTICLE V.

A fugitive criminal shall not be surrendered under the provisions hereof when, by lapse of time, he is exempt from prosecution or punishment for the crime or offence for which the surrender is asked, according to the laws of the country from which the extradition is demanded, or when his extradition is asked for the same crime or offence for which he has been tried, convicted or acquitted in that country, or so long as he is under prosecution for the same.

ARTICLE VI.

If the person whose extradition may be claimed pursuant to the stipulations hereof, be actually under prosecution for a crime or offence in the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be terminated, and until such criminal shall be set at liberty in due course of law.

met staatkundige misdrijven samenhangende, en hij, die ter zake van een der in Artikel II genoemde strafbare feiten is uitgeleverd, kan in geen geval worden vervolgd of gestraft ter zake van een staatkundig misdrijf, of van eenig strafbaar feit met een staatkundig misdrijf samenhangende, vóór zijne uitlevering gepleegd.

ARTIKEL IV.

Een uitgeleverd persoon zal niet mogen worden vervolgd of gestraft ter zake van een vóór zijne uitlevering gepleegd ander strafbaar feit dan dat, waarvoor zijne uitlevering heeft plaats gehad, ten zij dat feit vermeld zij in Artikel II dezer overeenkomst.

Trials to be only for offences for which extradited.

ARTIKEL V.

De uitlevering zal geen plaats hebben indien de vervolging of de straf, ter zake van het strafbare feit, waarvoor de uitlevering wordt aangevraagd, verjaard is naar de wetgeving van het land, waaraan de uitlevering wordt aangevraagd, of wanneer de aanvraag geschiedt op grond van hetzelfde feit, waarvoor de opgeëischte persoon, in het land, waaraan de uitlevering wordt aangevraagd, heeft terechtstaan, en ter zake waarvan hij aldaar veroordeeld, van rechtsvervolging ontslagen of vrijgesproken is, of zoolang hij ter zake van hetzelfde feit aldaar wordt vervolgd.

Fugitives not to be surrendered when exempt by lapse of time.

ARTIKEL VI.

Indien de persoon, wiens uitlevering krachtens de bepalingen dezer overeenkomst kan worden aangevraagd ter zake van een strafbaar feit, vervolgd wordt of veroordeeld is in het land, waarheen hij gevlucht is, zal zijne uitlevering kunnen worden uitgesteld totdat de vervolging zal zijn afgelopen, of totdat hij van rechtsvervolging ontslagen of vrijgesproken zal zijn.

Persons under prosecution in country where found.

Persons claimed by
two or more countries.

ARTICLE VII.

If the person claimed by one of the parties hereto shall also be claimed by one or more powers, pursuant to treaty provisions on account of crimes committed within their jurisdiction, such criminal shall be delivered in preference, in accordance with that demand which is the earliest in date.

ARTICLE VIII.

Neither country
bound to deliver its
own citizens.

Neither of the contracting parties shall be bound to deliver up, under the stipulations of this convention, its own citizens or subjects.

ARTICLE IX.

Expenses.

The expenses of the arrest, detention, examination and transportation of the accused shall be paid by the government which has preferred the demand for extradition.

ARTICLE X.

Delivery of articles
in possession of fugi-
tives.

All articles found in the possession of the fugitive criminal at the time of his arrest, which were obtained through the commission of the act of which he is convicted or with which he is charged, or which may be material as evidence in making proof of the crime, shall, so far as practicable according to the laws or practice in the respective countries, be delivered up with his person at the time of surrender. Nevertheless, the rights of third parties, with regard to all such articles, shall be duly respected.

ARTICLE XI.

Requisitions.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the contracting parties. In the event of the absence of such agents from the country, or its seat of government, requisi-

ARTIKEL VII.

Indien de persoon, wiens uitlevering door eene van beide contracteerende partijen is aangevraagd, door een of meer andere Staten krachtens bestaande verdragen wordt opgeëischt op grond van strafbare feiten, binnen het rechtsgebied dier Staten gepleegd, zal zijne uitlevering bij voorkeur worden toegestaan aan den Staat, die het eerst de aanvraag gedaan heeft.

ARTIKEL VIII.

Geene van beide contracteerende partijen is, krachtens de tegenwoordige overeenkomst, verplicht tot uitlevering harer eigene onderdanen.

ARTIKEL IX.

De kosten, voortvloeiende uit de aanhouding, de gevangenhouding, het gerechtelijk onderzoek en het vervoer der beklagden, komen ten laste der Regeering, die de aanvraag om uitlevering gedaan heeft.

ARTIKEL X.

Al de goederen, op het oogenblik zijner aanhouding in het bezit vanden voortvluchtige gevonden, welke verkregen zijn door middel van het plegen van het feit, waarvoor hij veroordeeld, of waarvan hij beklagd is, of die als bewijs- of overtuigingsstukken kunnen dienen, zullen, voor zoover de wetten of het gebruik in de wederzijdsche landen zulks toelaten, te gelijk met den opgeëischte aan den opeischenden Staat worden overgegeven, met eerbiediging nogtans van rechten van derden op zoodanige goederen.

ARTIKEL XI.

De uitlevering zal worden aangevraagd door de wederzijdsche diplomatieke agenten der contracteerende partijen. In geval van afwezigheid dier agenten buiten's lands of van de plaats waar de zetel der Regeering ge-

tion may be made by consular officers.

When the person whose extradition shall have been asked, shall have been convicted of the crime, a copy of the sentence of the court in which he may have been convicted, authenticated under its seal and accompanied by an attestation of the official character of the judge by the proper authority, shall be furnished.

If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued, shall be produced, authenticated as above provided, with such other evidence or proof as may be deemed competent in the case.

If, after an examination, it shall be decided, according to the law and evidence, that extradition is due pursuant to this convention, the fugitive shall be surrendered according to the forms of law prescribed in such cases.

vestigd is, kunnen de aanvragen geschieden door de consulaire ambtenaren.

In geval de persoon, wiens uitlevering wordt aangevraagd, ter zake van het strafbaar feit is veroordeeld, zal een behoorlijk gelegaliseerd afschrift worden overgelegd van het vonnis van veroordeling, vergezeld van eene verklaring der bevoegde overheid nopens het officiël karakter van den rechter, die het vonnis heeft uitgesproken. In geval de aangeëischte persoon alleen beklaagd is, zal een behoorlijk gelegaliseerd afschrift worden overgelegd van het bevel van gevangenneming in het land, waar het feit gepleegd is, alsmede eveneens behoorlijk gelegaliseerde afschriften der processen-verbaal van getuigenverhoor, op grond waarvan het bevel van gevangenneming is uitgevaardigd, vergezeld van zoodanige andere bewijsstukken als ter zake dienende kunnen worden geacht. Indien, na onderzoek, beslist zal zijn, dat overeenkomstig de wet en de bewijsstukken, de uitlevering krachtens deze overeenkomst moet worden toegestaan, zal de voortvluchtige worden uitgeleverd, met inachtname der vormen bij de wet voorgeschreven.

Copy of sentence if convicted.

Copy of warrant, etc., if charged.

Delivery.

ARTICLE XII.

ARTIKEL XII.

It shall be lawful for any competent judicial authority of the United States of America, upon production of a certificate issued by the Secretary of State that request has been made by the Government of the Netherlands for the provisional arrest of a person convicted or accused of the commission therein of a crime extraditable under this convention, and upon legal complaint that such crime has been so committed, to issue his warrant for the apprehension of such person. But if the formal requisition for surrender with the documentary proofs hereinbefore prescribed be not made as aforesaid, by the diplomatic agent of the demanding government, or, in his absence, by a consular officer there-

Iedere bevoegde rechterlijke overheid van de Vereenigde Staten van Amerika zal, op vertoon eener verklaring, afgegeven door den Secretaris van Staat, ten blijk dat door de Regeering van Nederland het verzoek gedaan is tot voorloopige aanhouding van een persoon die veroordeld is wegens, of beklaagd is van een aldaar gepleegd strafbaar feit, waarvoor door de tegenwoordige overeenkomst uitlevering wordt toegestaan, en op eene aanklacht in rechten wegens bedoeld strafbaar feit, gerechtigd zijn een bevel uit te vaardigen tot aanhouding van dien persoon. Maar indien de formeele aanvraag niet, onder overlegging der hierboven voorgeschreven bewijsstukken, zooals hierboven gezegd is, ge-

Preliminary arrest in the United States.

Discharge on failure to make formal requisition in forty days.

of, within forty days from the date of the commitment of the person convicted or accused, the prisoner shall be discharged from custody.

Preliminary arrest
in Netherlands.

And it shall be lawful for any competent judicial authority of the Netherlands, upon production of a certificate issued by the Minister of Foreign Affairs that request has been made by the Government of the United States for the provisional arrest of a person convicted or accused of the commission therein of a crime extraditable under this convention, to issue his warrant for the apprehension of such person. But if the formal requisition for surrender with the documentary proofs hereinbefore prescribed be not made as aforesaid by the diplomatic agent of the demanding government, or, in his absence, by a consular officer thereof, within forty days from the date of the arrest of the person convicted or accused, the prisoner shall be discharged from custody.

Discharge on failure
to make formal requisition
in forty days.

daan wordt door den diplomatieken agent der Regeering van wie de aanvraag uitgaat, of, in diens afwezigheid, door eenen consulair ambtenaar dier Regeering, binnen veertig dagen, te rekenen van den dag, waarop de beklagde naar de openbare terechtzitting verwezen is, zal de aangehouden persoon in vrijheid worden gesteld.

En iedere bevoegde rechterlijke overheid van Nederland zal, op vertoon eener verklaring, afgegeven door den Minister van Buitenlandsche Zaken, ten blijke dat door de Regeering der Vereenigde Staten van Amerika het verzoek gedaan is tot voorloopige aanhouding van een persoon, die veroordeeld is wegens, of beklagd is van een aldaar gepleegd strafbaar feit, waarvoor door de tegenwoordige overeenkomst uitlevering wordt toegestaan, gerechtigd zijn een bevel uit te vaardigen tot aanhouding van dien persoon. Maar, indien de formeele aanvraag niet, onder overlegging der hierboven voorgeschreven bewijsstukken, zoo als hierboven gezegd is, gedaan wordt door den diplomatieken agent de Regeering van wie de aanvraag uitgaat, of, in diens afwezigheid, door eenen consulair ambtenaar dier Regeering, binnen veertig dagen, te rekenen van den dag, waarop de beklagde naar de openbare terechtzitting verwezen is, zal de aangehouden persoon in vrijheid worden gesteld.

ARTICLE XIII.

ARTIKEL XIII.

Effect.

The present convention shall take effect on the twentieth day after its promulgation in the manner prescribed by the laws of the respective countries. On the same day the Convention entered into by the two contracting parties on the 22d day of May, 1880, shall be abrogated and annulled. But the present Convention shall be held to apply to crimes enumerated in the former convention and committed prior to its abrogation and annulment. And as to other crimes, the present con-

Former convention
abrogated.

De tegenwoordige overeenkomst zal in werking treden op den twintigsten dag na hare afkondiging in de vormen bij de wetten der respectieve landen voorgeschreven. Op denzelfden dag zal de op 22 Mei 1880 tuschen de contracteerende partijen gesloten overeenkomst vervallen.

De tegenwoordige overeenkomst zal echter gerekend worden toepasselijk te zijn op de strafbare feiten in de vorige overeenkomst vermeld, welke vóór het vervallen daarvan zijn begaan.

vention shall not be held to operate retroactively.

After the present convention shall have gone into operation, it shall continue until one of the two parties shall give to the other six months' notice of its desire to terminate it.

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

In testimony whereof the respective plenipotentiaries have signed the present convention, in duplicate, and have hereunto affixed their seals.

Done at the City of Washington the second day of June in the year of our Lord, one thousand eight hundred and eighty-seven.

T. F. BAYARD. [SEAL.]

W. F. H. VON WECKHERLIN. [SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at The Hague, on the thirty-first day of May, one thousand eight hundred and eighty-nine;

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention to be made public, to the end that the same, and every article and 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 21st day of June in the year of our Lord, one thousand, eight hundred and eighty-nine, [SEAL.] and of the Independence of the United States the one hundred and thirteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

En wat andere strafbare feiten betreft, zal de tegenwoordige overeenkomst niet geacht worden terugwerkende kracht te hebben.

Te rekenen van hare inwerking-treding, zal de tegenwoordige overeenkomst van kracht blijven tot zes maanden nadat zij door eene van beide Regeeringen zal zijn opgezegd. Deze overeenkomst zal worden bekrachtigd, en de bekrachtigen er van zullen zoo spoedig mogelijk te Washington of te 's Gravenhage worden uitgewisseld.

Ten blijke waarvan de wederzijdsche gevolmachtigden de tegenwoordige overeenkomst in dubbel hebben onderteekend, en van hun zegel voorzien.

Gedaan te Washington den 2^{en} Juni in het jaar onzes Heeren één duizend acht honderd en zeven en tachtig.

Continuance.

Exchange of ratifications.

Ratification.

Proclamation.

December 6, 1888.

Agreement between the United States of America and the Kingdom of Denmark to submit to arbitration the claim of Carlos Butterfield and Company against the Government of Denmark. Concluded at Copenhagen December 6, 1888; ratification advised by the Senate February 11, 1889; ratified by the President of the United States April 23, 1889; ratified by the King of Denmark April 13, 1889; ratifications exchanged at Washington May 23, 1889; proclaimed May 24, 1889.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas an Agreement between the United States of America and the Kingdom of Denmark to submit to arbitration the claim of Carlos Butterfield and Company against the Government of Denmark for indemnity for the seizure and detention of the steamer Ben Franklin and the barque Catherine Augusta by the authorities of the Island of St. Thomas, of the Danish West India Islands, and for other wrongs, was concluded and signed by the respective Plenipotentiaries of the aforesaid High Contracting Parties in the city of Copenhagen, on the sixth day of December, eighteen hundred and eighty-eight, the original of which Agreement, being in the English and Danish languages, is word for word as follows:

Contracting parties.

Whereas the Government of the United States of America has heretofore presented to the Kingdom of Denmark the claim of Carlos Butterfield and Company, of which Carlos Butterfield now deceased was the surviving partner, for an indemnity for the seizure and detention of the two vessels, the steamer Ben Franklin and the Barque Catherine Augusta, by the authorities of the Island of St. Thomas of the Danish West India Islands in the years 1854 and 1855; for the refusal of the ordinary right to land cargo for the purpose of making repairs; for the injuries resulting from a shot fired into one of the vessels; and for other wrongs:

Whereas the said Governments have not been able to arrive at a conclusive settlement thereof: and

Whereas each of the parties hereto has entire confidence in the

Eftersom de amerikanske forenede Staters Regjering tidligere har forelagt Kongeriget Danmark det af Carlos Butterfield og C.^o, af hvilket Firma den nu afdøde Carlos Butterfield var overlevende Medindehaver, fremsatte Krav paa en Skadesløsholdelse for Dampskibet Ben Franklins og Barkskibet Catherine Augustas Beslaglæggelse og Tilbageholdelse ved Övrighederne paa Öen St. Thomas, en af de dansk vestindiske Öer, i Aarene 1854 og 1855; for Nægtelsen af den almindelige Ret til at landsætte Lading i det Öjemed at foretage Reparationer; for de Beskadigelser, de vare en Følge af et Skud affyret mod et af Skibene; og for andre Forurettelser:

Eftersom de nævnte Regjeringer ikke have været i Stand til at komme til en endelig Afgjørelse deraf; og

Eftersom enhver af de kontraherende Parter har fuldstændig

learning, ability and impartiality of Sir Edmund Monson, Her British Majesty's Envoy extraordinary and Minister plenipotentiary in Athens,

Now therefore the undersigned, Rasmus B. Anderson, Minister Resident of the United States of America at Copenhagen, and Baron O. D. Rosenörn-Lehn, Royal Danish Minister of Foreign Affairs, duly empowered thereto by their respective Governments have agreed upon the stipulations contained in the following Articles:

ARTICLE I.

The said claim of Carlos Butterfield and Company shall be referred to the said Sir Edmund Monson, Her British Majesty's Envoyextraordinary and Minister plenipotentiary in Athens, as sole arbitrator thereof in conformity with the conditions hereinafter expressed; to which end the High Contracting Parties agree to communicate to him in writing their common desire to commit the matter to his arbitration.

ARTICLE II.

The Arbitrator shall receive in evidence before him duly certified copies of all documents, records, affidavits, or other papers heretofore filed in support of or against the claim in the proper department of the respective Governments, copies of which shall at the same time be furnished to the other Government. Each Government shall file its evidence before the arbitrator within seventy-five days after its receipt of notice of his acceptance of the position conferred upon him.

Each party shall be allowed seventy-five days thereafter to file with the arbitrator a written argument. The arbitrator shall render his award within sixty days after the date at which the arguments of both parties shall have been received.

Tillid til Hendes Britiske Majestæts overordentlige Gesandt og befuldmægtigede Minister i Athen, Sir Edmund Monsons Lærdom, Dygtighed og Upartiskhed, Saa ere nu de undertegnede Baron O. D. Rosenörn-Lehn, Hans Majestæt Kongen af Danmarks Udenrigsminister, og Rasmus B. Anderson, de amerikanske forenede Staters Ministerresident i Kjöbenhavn, behørigt befuldmægtigede dertil af deres respective Regjeringer, komne overens om de i følgende Artikler indeholdte Bestemmelser:

ARTIKEL I.

Det nævnte af Carlos Butterfield og Co. fremsatte Krav skal henvises til den nævnte Sir Edmund Monson, Hendes Britiske Majestæts overordentlige Gesandt og befuldmægtigede Minister i Athen, som eneste Voldgiftsmand i Sagen overensstemmende med de nedenfor udtalte Betingelser, til hvilken Ende de Høje Contraherende Parter ere enige om at meddele ham skriftligt deres fælles Önske om at overgive Sagen til Afgjörelse af ham ved Voldgift.

ARTIKEL II.

Voldgiftsmanden skal modtage som Bevismidler behørigt bekræftede Afskrifter af alle de Dokumenter, Memorandumer, beedigede Forklaringer eller andre Aktstykker, som hidtil ere fremkomne til Stötte for Kravet eller mod det i vedkommende Departement i de respektive Regjeringer; Gjenparter heraf skulle samtidigt meddeles den anden Regjering. Enhveraf Regjeringerne skal indgive sine Bevismidler til Voldgiftsmanden inden fem og halvfjerdesindstyve Dage efter dens Modtagelse af Efterretning om, at han modtager det ham overdragne Hverv.

Enhver af Parterne skal have fem og halvfjerdesindstyve Dage derefter til at indgive til Voldgiftsmanden en skriftlig Fremstilling. Voldgiftsmanden skal afsige sin Kjendelse inden tredsindstyve Dage efter den Dag paa hvilken han vil have modtaget begge Parter Fremstillinger.

Plenipotentiaries.

Claim of Carlos Butterfield and Company referred to British Minister at Athens, as arbitrator.

Evidence to be submitted.

Arguments.

ARTICLE III.

ARTIKEL III.

Expenses.

The expenses of such arbitration, which shall include the compensation of a clerk at the rate of not more than two hundred dollars a month, should the arbitrator request such aid, shall be borne by the two Governments jointly in equal moieties.

Udgifterne ved saadan Voldgift, med Indbefattelse af Godtgjorelse til en Skriver til et Beløb, som dog ikke maa overstige to Hundrede Dollars maanedligt, for det Tilfælde at Voldgiftsmanden maatte begjære saadan Hjælp, skulle bæres af de to Regjeringer i Fællesskab, med Halvdelen af hver.

ARTICLE IV.

ARTIKEL IV.

Decision to be accepted as final.

The High Contracting Parties agree to accept the decision of the arbitrator as final and conclusive and to abide by and perform the same in good faith and without unnecessary delay.

De Høje Contraherende Parter ere enige om at modtage Voldgiftsmandens Kjendelse som endelig og afgjørende samt at blive staaende ved og udføre den i god Tro og uden unødvendigt Ophold.

ARTICLE V.

ARTIKEL V.

Exchange of ratifications.

This agreement shall be ratified by each Government and the ratifications exchanged at Washington as soon as possible.

Denne Overenskomst skal ratificeres af hver af Regjeringerne, og Ratifikationerne skulle udveksles i Washington saa snart som muligt.

In witness whereof the respective Plenipotentiaries have signed and sealed the present Agreement in duplicate in the English and Danish languages.

Til Bekræftelse heraf have de respektive Befuldmægtigede undertegnet nærværende Overenskomst i dobbelt Exemplar paa det engelske og det danske Sprog, samt paatrykt den deres Segl.

Done at Copenhagen, this sixth day of December in the year of Our Lord, one thousand eight hundred and eighty-eight.

Givet i Kjöbenhavn, den sjette December i Herrens Aar Atten Hundrede og Otto og Firesindstyve.

R. B. ANDERSON [SEAL]
O. D. ROSENÖRN LEHN [SEAL]

O. D. ROSENÖRN-LEHN
R. B. ANDERSON

Ratification.

And whereas the said Agreement has been duly ratified on both parts and the respective ratifications of the same were exchanged at the City of Washington on the twenty-third day of May eighteen hundred and eighty-nine;

Proclamation.

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Agreement to be made public, to the end that the same and every article and 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 of America to be affixed.

Done at the City of Washington this 24th day of May, in the year of our Lord, one thousand eight hundred and eighty-nine, and of [SEAL] the Independence of the United States the one hundred and thirteenth.

BENJ. HARRISON.

By the President:
JAMES G. BLAINE,
Secretary of State.

Convention between the United States of America and the United States of Mexico to revive the provisions of the Convention of July 29, 1882, to survey and relocate the boundary line west of the Rio Grande and to extend the time fixed in Article VIII of the said convention. Concluded at Washington, February 18, 1889; ratification advised by the Senate, March 26, 1889; ratified by the President of the United States of America, April 30, 1889; ratified by the President of the United States of Mexico, August 4, 1889; ratifications exchanged at Washington, October 12, 1889; proclaimed, October 14, 1889.

February 18, 1889.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the United States of Mexico, to revive the provisions of the Convention of July 29, 1882, to survey and relocate the existing boundary line between the two countries west of the Rio Grande and to extend the time fixed in Article VIII of the said Convention for the completion of the work in question, was signed by their respective Plenipotentiaries at the City of Washington on the eighteenth day of February, one thousand, eight hundred and eighty-nine, the original of which Convention, being in the English and Spanish languages, is word for word as follows:

Preamble.

Vol. 22, p. 966.

Convention between the United States of America and the United States of Mexico, to revive the provisions of the Convention of July 29, 1882, to survey and relocate the existing boundary line between the two countries west of the Rio Grande, and to extend the time fixed in Article VIII of the said Convention for the completion of the work in question.

Convencion entre los Estados Unidos de América y los Estados Unidos Mexicanos, para renovar las estipulaciones de la Convencion de 29 de Julio de 1882, que tiene por objeto reconocer y demarcar de nuevo la línea divisoria entre los dos países, al poniente del Rio Bravo del Norte, y para prorogar el plazo fijado por el Artículo VIII de dicha Convencion para la conclusion de dichos trabajos.

Convention to extend the time for boundary survey.

Whereas the provisions of the Convention between the United States of America and the United States of Mexico, signed at Washington on the twenty-ninth of July, one thousand eight hundred and eighty-two, to survey and relocate the existing boundary between the two countries west of the Rio Grande, so far as they relate to Article VIII of said Convention, have not been carried out through delays in the

Por cuanto las prevenciones de la Convencion entre los Estados Unidos de América y los Estados Unidos Mexicanos, firmada en Washington el 29 de Julio de 1882, para reconocer y demarcar de nuevo la línea divisoria existente entre los dos países, al poniente del Rio Bravo del Norte, en cuanto se refieren al artículo VIII de dicha Convencion, no se han llevado á cabo, por causa de dilaciones ocurridas en el nom-

Preamble.

appointment of the Commission to undertake the work ;

And whereas, by the Additional Article to the said Convention, signed at Washington, the fifth of December, one thousand eight hundred and eighty-five, the time fixed in Article VIII of the said Convention of July 29, 1882, was extended for a period of eighteen months from the expiration of the term stipulated in said Article VIII ;

And whereas, the said additional period of time, as so extended, has expired without the appointment of the Commission in question, and the said Convention has accordingly ceased to be in force pursuant to the provisions of Article VIII thereof ;

Contracting parties.

And whereas, it is the wish and understanding of the United States and Mexico that the provisions of the said Convention of July 29, 1882, shall be revived and continued in force and effect until the completion of the work for which it was originally negotiated, they have appointed for this purpose, their respective Plenipotentiaries, to wit :

Plenipotentiaries.

The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America, and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico in Washington,

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

ARTICLE I.

In view of the fact that the original Convention of July 29, 1882, between the United States and Mexico, providing for the resurvey of their boundary line, has elapsed by reason of the failure of the two governments to provide for its further extension

bramiento de la Comision que deberá ejecutar los trabajos :

Y por cuanto, por el Artículo adicional á la expresada Convencion, que fué firmado en Washington el cinco de Diciembre de mil ochocientos ochenta y cinco, el plazo fijado en el Artículo VIII de dicha Convencion de 29 de Julio de 1882, se extendió por un período de diez y ocho meses contados desde la expiracion del término estipulado en el expresado Artículo VIII ;

Y por cuanto el referido período adicional, así prorogado, ha expirado sin que la Comision de que se trata hubiese sido nombrada, y la expresada Convencion ha cesado, por lo mismo, de estar en vigor, conforme á las prevenciones del Artículo VIII de la misma ;

Y por cuanto los Estados Unidos de América y los Estados Unidos Mexicanos desean y estipulan que las prevenciones de dicha Convencion de 29 de Julio de 1882, deben hacerse revivir y continuar vigentes hasta la conclusion de los trabajos, para cuya ejecucion fué originalmente negociada, han nombrado con este objeto sus respectivos Plenipotenciarios, á saber :

El Presidente de los Estados Unidos de América á Thomas F. Bayard, Secretario de Estado de los Estados Unidos de América, y

El Presidente de los Estados Unidos Mexicanos á Matias Romero, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos Mexicanos en Washington ;

Quienes, despues de haberse canjeado sus respectivos plenos poderes y de encontrarlos en buena y debida forma, han acordado y concluido los siguientes artículos :

ARTÍCULO I.

En vista del hecho de que la Convencion primitiva de 29 de Julio de 1882, entre los Estados Unidos de América y los Estados Unidos Mexicanos, que dispuso el nuevo reconocimiento de su línea divisoria, ha terminado por razon de que los dos gobiernos dejaron

before the 3d day of January 1889, as contemplated by the Additional Article to that Convention, of December 5, 1885, it is hereby mutually agreed and expressly understood by and between the contracting parties hereto, that the said Convention of July 29, 1882, and every article and clause thereof, are hereby revived and renewed as they stood prior to January 3, 1889.

de proveer á su próroga ulterior antes del 3 de Enero de 1889, segun se estipuló en el artículo adicional á la misma Convencion, que fué firmado el 5 de Diciembre de 1885, se conviene por la presente, y se entenderá así expresamente por las dos partes contratantes, en que la expresada Convencion de 29 de Julio de 1882, y todos los artículos y cláusulas de la misma, se hacen revivir y se renuevan tales como estaban antes del dia 3 de Enero de 1889.

Vol. 25, p. 1391.

ARTICLE II.

The time fixed in Article VIII of the Convention concluded at Washington, July 29, 1882, between the United States of America and the United States of Mexico, to establish an international boundary commission for the purpose of resurveying and relocating the existing boundary line between the two countries west of the Rio Grande, as provided for in said Convention, and which was extended for eighteen months from the expiration of the term fixed in Article VIII of the said Convention of July 29, 1882, is hereby further extended for a period of five years from the date of the exchange of ratifications hereof.

This Convention shall be ratified by the contracting parties in conformity with their respective constitutions and its ratifications shall be exchanged at Washington as soon as possible.

In faith whereof, we, the undersigned, in virtue of our respective full powers, have signed the present Convention, in duplicate, and have thereunto affixed our respective seals.

Done at the City of Washington, the 18th day of February, in the year of our Lord one thousand eight hundred and eighty-nine.

T. F. BAYARD. [SEAL.]
M. ROMERO. [SEAL.]

ARTÍCULO II.

El plazo fijado en el Artículo VIII de la Convencion concluida en Washington el 29 de Julio de 1882, entre los Estados Unidos de América y los Estados Unidos Mexicanos, para establecer una Comision Internacional de límites que de nuevo reconozca y demarque la línea divisoria existente entre los dos países al poniente del Rio Bravo del Norte, segun se estipuló en dicha Convencion, cuyo plazo se extendió por diez y ocho meses, contados desde la expiration del término fijado en el artículo VIII de la expresada Convencion de 29 de Julio de 1882, se prorogar de nuevo, por la presente, por un período de cinco años contados desde la fecha del cange de ratificaciones de la misma.

Esta Convencion será ratificada por las partes contratantes de conformidad con sus respectivas Constituciones, y las ratificaciones serán cangeadas en Washington tan pronto como fuere posible.

En testimonio de lo cual, los infrascritos, en virtud de nuestros respectivos plenos poderes, hemos firmado la presente Convencion, por duplicado, y le hemos fijado nuestros respectivos sellos.

Hecho en la ciudad de Washington el 18 de Febrero del año del Señor de mil ochocientos ochenta y nueve.

Time extended for five years.

Exchange of ratifications.

Ratification.

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington, on the twelfth day of October, one thousand eight hundred and eighty-nine;

Proclamation.

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

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

Done at the City of Washington, this 14th day of October, in the year of our Lord, one thousand eight hundred and eighty-nine, and of the Independence of the United States the one hundred and fourteenth.

[SEAL.]

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,

Secretary of State.

General act by and between the United States of America, the Empire of Germany, and the United Kingdom of Great Britain and Ireland, providing for the neutrality and autonomous government of the Samoan Islands. Concluded at Berlin June 14, 1889; ratification advised by the Senate February 4, 1890; ratified by the President February 21, 1890; ratifications exchanged at Berlin April 12, 1890; assented to by Samoa April 19, 1890; proclaimed May 21, 1890.

June 14, 1889.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a General Act, providing for the neutrality and autonomous government of the Samoan Islands, was concluded and signed at the City of Berlin, on the fourteenth day of June, eighteen hundred and eighty-nine, by the Plenipotentiaries of the United States of America, of the Empire of Germany and of the United Kingdom of Great Britain and Ireland, the original of which General Act, being in the English language, is word for word as follows :

Preamble.

The President of the United States of America, His Majesty the Emperor of Germany, King of Prussia, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India,

Declaring parties.

Wishing to provide for the security of the life, property and trade of the citizens and subjects of their respective Governments residing in, or having commercial relations with the Islands of Samoa; and desirous at the same time to avoid all occasions of dissension between their respective Governments and the Government and people of Samoa, while promoting as far as possible the peaceful and orderly civilization of the people of these Islands have resolved, in accordance with the invitation of the Imperial Government of Germany, to resume in Berlin the Conference of Their Plenipotentiaries which was begun in Washington on June 25, 1887; and have named for Their present Plenipotentiaries the following :

Preamble.

The President of the United States of America :

Plenipotentiaries.

Mr. John A. Kasson,
Mr. William Walter Phelps,
Mr. George H. Bates;

His Majesty the Emperor of Germany, King of Prussia :

Count Bismarck, Minister of State, Secretary of State for Foreign Affairs,

Baron von Holstein, Actual Privy Councillor of Legation,

Dr. Krauel, Privy Councillor of Legation ;

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India :

Sir Edward Baldwin Malet, Her Majesty's Ambassador to the Emperor of Germany, King of Prussia,

Charles Stewart Scott, Esquire, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Swiss Confederation,

Joseph Archer Crowe, Esquire, Her Majesty's Commercial Attaché for Europe,

who, furnished with full powers which have been found in good and due form, have successively considered and adopted :

First ; A Declaration respecting the independence and neutrality of the Islands of Samoa, and assuring to their respective citizens and subjects equality of rights in said Islands, and providing for the immediate restoration of peace and order therein.

Second ; A Declaration respecting the modification of existing treaties, and the assent of the Samoan Government to this Act.

Third ; A Declaration respecting the establishment of a Supreme Court of Justice for Samoa, and defining its jurisdiction.

Fourth ; A Declaration respecting titles to land in Samoa, restraining the disposition thereof by natives, and providing for the investigation of claims thereto and for the registration of valid titles.

Fifth ; A Declaration respecting the Municipal District of Apia, providing a local administration therefor and defining the jurisdiction of the Municipal Magistrate.

Sixth ; A Declaration respecting taxation and revenue in Samoa.

Seventh ; A Declaration respecting arms and ammunition, and intoxicating liquors, restraining their sale and use.

Eighth ; General Dispositions.

Article I.

ARTICLE I.

Declaration.

A Declaration respecting the independence and neutrality of the Islands of Samoa, and assuring to the respective citizens and subjects of the Signatory Powers equality of rights in said Islands; and providing for the immediate restoration of peace and order therein.

Samoan Islands neutral territory.

It is declared that the Islands of Samoa are neutral territory in which the citizens and subjects of the Three Signatory Powers have equal rights of residence, trade and personal protection. The Three Powers recognize the independence of the Samoan Government and the free right of the natives to elect their Chief or King and choose their form of Government according to their own laws and customs. Neither of the Powers shall exercise any separate control over the Islands or the Government thereof.

Samoan independence.

Malietoa Laupepa recognized as King.

It is further declared, with a view to the prompt restoration of peace and good order in the said Islands, and in view of the difficulties which would surround an election in the present disordered condition of their Government, that Malietoa Laupepa, who was formerly made and appointed King on the 12th day of July 1881, and was so recognized by the Three Powers, shall again be so recognized hereafter in the exercise of such authority, unless the Three Powers shall by common accord otherwise declare ; and his successor shall be duly elected according to the laws and customs of Samoa.

Article II.

ARTICLE II.

Declaration.

A Declaration respecting the modification of existing treaties, and the assent of the Samoan Government to this Act.

Treaties subordinate to this act.

Considering that the following provisions of this General Act can not be fully effective without a modification of certain provisions of the treaties heretofore existing between the Three Powers, respectively, and the Government of Samoa, it is mutually declared that in every case where the provisions of this Act shall be inconsistent with any provision of such treaty or treaties, the provisions of this Act shall prevail.

Assent of Samoa.

Considering further, that the consent of the Samoan Government is requisite to the validity of the stipulations hereinafter contained, the Three Powers mutually agree to request the assent of the Samoan Government to the same, which, when given, shall be certified in writing to each of the Three Governments through the medium of their respective Consuls in Samoa.

ARTICLE III.

Article III.

A Declaration respecting the establishment of a Supreme Court of Justice for Samoa and defining its jurisdiction.

Declaration.

SECTION 1. A Supreme Court shall be established in Samoa to consist of one Judge, who shall be styled Chief Justice of Samoa, and who shall appoint a Clerk and a Marshal of the Court; and record shall be kept of all orders and decisions made by the Court, or by the Chief Justice in the discharge of any duties imposed on him under this Act. The Clerk and Marshal shall be allowed reasonable fees to be regulated by order of the Court.

Supreme Court, etc., established.

SECTION 2. With a view to secure judicial independence and the equal consideration of the rights of all parties, irrespective of nationality, it is agreed that the Chief Justice shall be named by the Three Signatory Powers in common accord; or, failing their agreement, he may be named by the King of Sweden and Norway. He shall be learned in law and equity, of mature years, and of good repute for his sense of honour, impartiality and justice.

Appointment of Chief Justice.

His decision upon questions within his jurisdiction shall be final. He shall be appointed by the Samoan Government upon the certificate of his nomination as herein provided. He shall receive an annual salary of six thousand dollars (\$6,000.00) in gold, or its equivalent, to be paid the first year in equal proportions by the Three Treaty Powers, and afterward out of the revenues of Samoa apportioned to the use of the Samoan Government, upon which his compensation shall be the first charge. Any deficiency therein shall be made good by the Three Powers in equal shares.

Salary, etc.

The powers of the Chief Justice, in case of a vacancy of that office from any cause, shall be exercised by the President of the Municipal Council, until a successor shall be duly appointed and qualified.

SECTION 3. In case either of the four Governments shall at any time have cause of complaint against the Chief Justice for any misconduct in office, such complaint shall be presented to the authority which nominated him, and, if in the judgment of such authority there is sufficient cause for his removal, he shall be removed. If the majority of the Three Treaty Powers so request, he shall be removed. In either case of removal, or in case the office shall become otherwise vacant, his successor shall be appointed as hereinbefore provided.

Complaints.

SECTION 4. The Supreme Court shall have jurisdiction of all questions arising under the provisions of this General Act; and the decision or order of the Court thereon shall be conclusive upon all residents of Samoa. The court shall also have appellate jurisdiction over all Municipal Magistrates and officers.

Jurisdiction of Supreme Court.

SECTION 5. The Chief Justice is authorized at his own discretion, and required upon written request of either party litigant, to appoint assessors, one of the nationality of each litigant, to assist the Court, but without voice in the decision.

Assessors.

SECTION 6. In case any question shall hereafter arise in Samoa respecting the rightful election or appointment of King or of any other Chief claiming authority over the Islands; or respecting the validity of the powers which the King or any Chief may claim in the exercise of his office, such question shall not lead to war but shall be presented for decision to the Chief Justice of Samoa, who shall decide it in writing, conformably to the provisions of this Act and to the laws and customs of Samoa not in conflict therewith; and the Signatory Governments will accept and abide by such decision.

Election of King.

SECTION 7. In case any difference shall arise between either of the Treaty Powers and Samoa which they shall fail to adjust by mutual accord, such difference shall not be held cause for war, but shall be

Differences between Samoa and Treaty Powers.

referred for adjustment on the principles of justice and equity to the Chief Justice of Samoa, who shall make his decision thereon in writing.

Recommendations
as to laws, etc.

SECTION 8. The Chief Justice may recommend to the Government of Samoa the passage of any law which he shall consider just and expedient for the prevention and punishment of crime and for the promotion of good order in Samoa outside the Municipal District and for the collection of taxes without the District.

Transfer of suits to
Supreme Court.

SECTION 9. Upon the organization of the Supreme Court there shall be transferred to its exclusive jurisdiction

1. All civil suits concerning real property situated in Samoa and all rights affecting the same.

2. All civil suits of any kind between natives and foreigners or between foreigners of different nationalities.

3. All crimes and offences committed by natives against foreigners or committed by such foreigners as are not subject to any consular jurisdiction; subject however to the provisions of section 4 Article V defining the jurisdiction of the Municipal Magistrate of the District of Apia.

Practice and pro-
cedure.

SECTION 10. The practice and procedure of Common Law, Equity and Admiralty, as administered in the courts of England, may be—so far as applicable—the practice and procedure of this Court; but the Court may modify such practice and procedure from time to time as shall be required by local circumstances. The Court shall have authority to impose, according to the crime, the punishment established therefor by the laws of the United States, of England, or of Germany, as the Chief Justice shall decide most appropriate; or, in the case of Native Samoans and other Natives of the South Sea Islands, according to the laws and customs of Samoa.

Consular juris-
diction not affected.

SECTION 11. Nothing in this article shall be so construed as to affect existing consular jurisdiction over all questions arising between masters and seamen of their respective national vessels; nor shall the Court take any ex post facto or retroactive jurisdiction over crimes or offences committed prior to the organization of the Court.

Article IV.

ARTICLE IV.

Declaration.

A Declaration respecting titles to land in Samoa and restraining the disposition thereof by natives; and providing for the investigation of claims thereto, and for the registration of valid titles.

Alienation of lands
by natives prohibited.

SECTION 1. In order that the native Samoans may keep their lands for cultivation by themselves and by their children after them, it is declared that all future alienation of lands in the Islands of Samoa to the citizens or subjects of any foreign country, whether by sale, mortgage or otherwise shall be prohibited, subject to the following exceptions:

Exceptions.

(a) Town lots and lands within the limits of the Municipal District as defined in this Act may be sold or leased by the owner for a just consideration when approved in writing by the Chief Justice of Samoa;

(b) Agricultural lands in the Islands may be leased for a just consideration and with carefully defined boundaries for a term not exceeding forty (40) years when such lease is approved in writing by the Chief Executive Authority of Samoa and by the Chief Justice.

But care shall be taken that the agricultural lands and natural fruit lands of Samoans shall not be unduly diminished.

Commission to set-
tle land claims.

SECTION 2. In order to adjust and settle all claims by aliens of titles to land or any interest therein in the Islands of Samoa, it is declared that a Commission shall be appointed to consist of three (3) impartial and competent persons, one to be named by each of the Three Treaty Powers; to be assisted by an officer to be styled

“Natives’ Advocate,” who shall be appointed by the Chief-Executive of Samoa with the approval of the Chief Justice of Samoa.

Each Commissioner shall receive during his necessary term of service, a compensation at the rate of three hundred dollars per month and his reasonable fare to and from Samoa. The reasonable and necessary expenses of the Commission for taking evidence and making surveys (such expenses to be approved by the Chief Justice) shall also be paid, one third by each of the Treaty Powers.

The compensation of the Natives’ Advocate shall be fixed and paid by the Samoan Government.

Each Commissioner shall be governed by the provisions of this Act; and shall make and subscribe an oath before the Chief Justice that he will faithfully and impartially perform his duty as such Commissioner.

SECTION 3. It shall be the duty of this Commission, immediately upon their organization, to give public notice that all claims on the part of any foreigner to any title or interest in lands in Samoa must be presented to them, with due description of such claim and all written evidence thereof, within four months from such notice for the purpose of examination and registration; and that all claims not so presented will be held invalid and forever barred; but the Chief Justice may allow a reasonable extension of time for the production of such evidence when satisfied that the claimant has after due diligence been unable to produce the same within the period aforesaid. This notice shall be published in Samoa in the German, English and Samoan Languages as directed by the Commission.

Commission to give notice to present claims, etc.

The labours of the Commission shall be closed in two years, and sooner if practicable.

SECTION 4. It shall be the duty of the Commission to investigate all claims of foreigners to land in Samoa, whether acquired from natives or from aliens, and to report to the Court in every case the character and description of the claim, the consideration paid, the kind of title alleged to be conveyed, and all the circumstances affecting its validity.

Investigation and report.

They shall especially report

(a) Whether the sale or disposition was made by the rightful owner or native entitled to make it.

(b) Whether it was for a sufficient consideration.

(c) The identification of the property affected by such sale or disposition.

SECTION 5. The Commission whenever the case requires it shall endeavour to effect a just and equitable compromise between litigants. They shall also report to the Court whether the alleged title should be recognized and registered or rejected, in whole or in part, as the case may require.

Compromises.

SECTION 6. All disputed claims to land in Samoa shall be reported by the Commission to the Court, together with all the evidence affecting their validity; and the Court shall make final decision thereon in writing, which shall be entered on its record.

Disputed claims to be reported to Court.

Undisputed claims and such as shall be decided valid by the unanimous voice of the Commission shall be confirmed by the Court in proper form in writing, and be entered of record.

Confirmation of undisputed claims.

SECTION 7. The Court shall make provision for a complete registry of all valid titles to land in the Islands of Samoa which are or may be owned by foreigners.

SECTION 8. All lands acquired before the 28th day of August 1879—being the date of the Anglo-Samoan Treaty—shall be held as validly acquired, but without prejudice to rights of third parties, if purchased from Samoans in good faith, for a valuable consideration, in a regular and customary manner. Any dispute as to the fact or regularity of such sale shall be examined and determined by the Commission, subject to the revision and confirmation of the Court.

Lands acquired prior to 28th August, 1879.

- Title by prescription.** SECTION 9. The undisputed possession and continuous cultivation of lands by aliens for ten years or more, shall constitute a valid title by prescription to the lands so cultivated, and an order for the registration of the title thereto may be made.
- Confirmation of imperfect titles.** SECTION 10. In cases where land acquired in good faith has been improved or cultivated upon a title which is found to be defective, the title may be confirmed in whole or in part upon the payment by the occupant to the person or persons entitled thereto of an additional sum to be ascertained by the Commission and approved by the Court as equitable and just.
- Claims to be rejected.** SECTION 11. All claims to land, or to any interest therein, shall be rejected and held invalid in the following cases :
 (a) Claims based upon mere promises to sell, or options to buy.
 (b) Where the deed, mortgage or other conveyance contained at the time it was signed no description of the land conveyed sufficiently accurate to enable the Commission to define the boundaries thereof.
 (c) Where no consideration is expressed in the conveyance, or if expressed has not been paid in full to the grantor, or if the consideration at the time of the conveyance was manifestly inadequate and unreasonable.
 (d) Where the conveyance whether sale, mortgage or lease was made upon the consideration of a sale of fire arms or munitions of war, or upon the consideration of intoxicating liquors, contrary to the Samoan law of October 25, 1880, or contrary to the Municipal Regulations of January 1, 1880.
- Appointment of native commission.** SECTION 12. The Land Commission may at its discretion through the Local Government of the District in which the disputed land is situated appoint a native Commission to determine the native grantor's right of ownership and sale ; and the result of that investigation, together with all other facts pertinent to the question of validity of title, shall be laid before the Commission to be by them reported to the Court.

Article V.

ARTICLE V.

Declaration.

A Declaration respecting the Municipal District of Apia, providing a local administration therefor, and defining the jurisdiction of the Municipal Magistrate.

Municipal District of Apia.
Boundaries.

SECTION 1. The Municipal District of Apia is defined as follows : Beginning at Vailoa, the boundary passes thence westward along the coast to the mouth of the River Fuluasa ; thence following the course of the river upwards to the point at which the Alafuala road crosses said river ; thence following the line of said road to the point where it reaches the River Vaisinago ; and thence in a straight line to the point of beginning at Vailoa—embracing also the waters of the Harbour of Apia.

Council.

SECTION 2. Within the aforesaid District shall be established a Municipal Council, consisting of six members and a President of the Council, who shall also have a vote.

Qualifications.

Each member of the Council shall be a resident of the said District and owner of real estate or conductor of a profession or business in said District which is subject to a rate or tax not less in amount than \$5 per ann.

Election districts.

For the purpose of the election of members of the Council, the said District shall be divided into two, or three, electoral districts from each of which an equal number of Councillors shall be elected by the taxpayers thereof qualified as aforesaid, and the members elected from each electoral district shall have resided therein for at least six months prior to their election.

It shall be the duty of the Consular Representatives of the Three Treaty Powers to make the said division into electoral districts as

soon as practicable after the signing of this act. In case they fail to agree thereon, the Chief Justice shall define the electoral districts. Subsequent changes in the number of Councillors or the number and location of electoral districts may be provided for by municipal ordinance.

The councillors shall hold their appointment for a term of two years and until their successors shall be elected and qualified. Term.

In the absence of the President the Council may elect a Chairman "pro tempore."

Consular Officers shall not be eligible as Councillors, nor shall Councillors exercise any Consular functions during their term of office. Ineligibles.

SECTION 3. The Municipal Council shall have jurisdiction over the Municipal District of Apia so far as necessary to enforce therein the provisions of this Act which are applicable to said District, including the appointment of a Municipal Magistrate and of the necessary subordinate officers of justice and of administration therein; and to provide for the security in said District of person and property, for the assessment and collection of the revenues therein as herein authorized; and to provide proper fines and penalties for the violation of the laws and ordinances which shall be in force in said District and not in conflict with this Act, including sanitary and police regulations. They shall establish pilot charges, port dues, quarantine and other regulations of the port of Apia, and may establish a local postal system. They shall also fix the salary of the Municipal Magistrate and establish the fees and charges allowed to other civil officers of the District, excepting Clerk and Marshal of the Supreme Court. Jurisdiction of Council.

All ordinances, resolutions and regulations passed by this Council before becoming law shall be referred to the Consular Representatives of the Three Treaty Powers sitting conjointly as a Consular Board, who shall either approve and return such regulations or suggest such amendments as may be unanimously deemed necessary by them. Approval of ordinances by Consular Board.

Should the Consular Board not be unanimous in approving the regulations referred to them, or should the amendments unanimously suggested by the Consular Board not be accepted by a majority of the Municipal Council, then the regulations in question shall be referred for modification and final approval to the Chief Justice of Samoa.

SECTION 4. The Municipal Magistrate shall have exclusive jurisdiction in the first instance over all persons irrespective of nationality in case of infraction of any law, ordinance, or regulation passed by the Municipal Council in accordance with the provisions of this Act, provided that the penalty does not exceed a fine of two hundred dollars or imprisonment for a longer term than 180 days. Municipal Magistrate. Jurisdiction.

In cases where the penalty imposed by the Municipal Magistrate shall exceed a fine of twenty dollars or a term of ten days imprisonment an appeal may be taken to the Supreme Court.

SECTION 5. The President of the Municipal Council shall be a man of mature years, and of good reputation for honour, justice and impartiality. He shall be agreed upon by the Three Powers; or, failing such agreement, he shall be selected from the nationality of Sweden, The Netherlands, Switzerland, Mexico or Brazil, and nominated by the Chief Executive of the nation from which he is selected, and appointed by the Samoan Government upon certificate of such nomination. President of Council Selection.

He may act under the joint instruction of the Three Powers, but shall receive no separate instruction from either. He shall be guided by the spirit and provisions of this General Act, and shall apply himself to the promotion of the peace, good order and civilization of Samoa. He may advise the Samoan Government when occasion requires, and shall give such advice when requested by the King, but

always in accordance with the provisions of this Act, and not to the prejudice of the rights of either of the Treaty Powers.

Salary.

He shall receive an annual compensation of five thousand dollars (\$5,000.00), to be paid the first year in equal shares by the Three Treaty Powers, and afterward out of that portion of Samoan revenues assigned to the use of the Municipality, upon which his salary shall be the first charge.

Duties.

He shall be the Receiver and Custodian of the revenues accruing under the provisions of this Act, and shall render quarterly reports of his receipts and disbursement to the King, and to the Municipal Council.

He shall superintend the Harbour and Quarantine regulations, and shall, as the Chief Executive officer be in charge of the administration of the laws and ordinances applicable to the Municipal District of Apia.

Election.

SECTION 6. The Chief Justice shall, immediately after assuming the duties of his office in Samoa, make the proper order or orders for the election and inauguration of the local government of the Municipal District, under the provisions of this Act. Each Member of the Municipal Council, including the President, shall, before entering upon his functions, make and subscribe before the Chief Justice an oath, or affirmation that he will well and faithfully perform the duties of his office.

Article VI.

ARTICLE VI.

Declaration.

A Declaration respecting Taxation and Revenue in Samoa.

Port of Apia to be sole port of entry.

SECTION 1. The Port of Apia shall be the port of entry for all dutiable goods arriving in the Samoan Islands; and all foreign goods, wares and merchandise landed on the Islands shall be there entered for examination; but coal and naval stores which either Government has by treaty reserved the right to land at any harbour stipulated for that purpose are not dutiable when imported as authorized by such treaty, and may be there landed as stipulated without such entry or examination.

Naval stores of treaty powers.

Duties on imports, etc.

SECTION 2. To enable the Samoan Government to obtain the necessary revenue for the maintenance of government and good order in the Islands, the following duties, taxes and charges may be levied and collected, without prejudice to the right of the native government to levy and collect other taxes in its discretion upon the natives of the Islands and their property, and with the consent of the Consuls of the Signatory Powers upon all property outside the Municipal District, provided such tax shall bear uniformly upon the same class of property, whether owned by natives or foreigners.

Schedule A. Import duties.

A.—Import Duties.

	Doll. c.
1. On ale and porter and beer per dozen quarts.....	.50
2. On spirits, per gallon.....	2.50
3. On wine except sparkling, per gallon.....	1.00
4. On sparkling wines per gallon.....	1.50
5. On tobacco per lb.....	.50
6. On cigars per lb.....	1.00
7. On sporting arms, each.....	4.00
8. On gunpowder per lb.....	.25
9. Statistical duty on all merchandise and goods imported, except as aforesaid, ad valorem.....	2 p. c.

Schedule B. Export duties.

B.—Export Duties.

On copra	}	ad valorem.....	}	2½ p. c.
On cotton				1½ p. c.
On coffee				2 p. c.

C.—Taxes to be annually levied.

	Doll. c.
1. Capitation tax on Samoans and other Pacific Islanders not included under No. 2, per head.....	1.00
2. Capitation tax on colored plantation laborers, other than Samoans, per head.....	2.00
3. On boats, trading and others (excluding native canoes and native boats carrying only the owner's property) each.....	4.00
4. On firearms, each.....	2.00
5. On dwelling houses (not including the dwelling houses of Samoan natives) and on land and houses used for commercial purposes, ad valorem..	1 p.c.
6. Special taxes on traders as follows:	
Class I. On stores of which the monthly sales are \$2,000 or more, each store.....	100.00
Class II. Below \$2,000 and not less than \$1,000.....	48.00
Class III. Below \$1,000 and not less than \$500.....	38.00
Class IV. Below \$500 and not less than \$250.....	24.00
Class V. Below \$250.....	12.00

Schedule C.
Annual taxes.

D.—Occasional taxes.

1. On trading vessels exceeding 100 tons burden, calling at Apia, at each call.....	10.00
2. Upon deeds of real estate, to be paid before registration thereof can be made, and, without payment of which, title shall not be held valid, upon the value of the consideration paid.....	½ p.c.
3. Upon other written transfers of property, upon the selling price..... Evidence of the payment of the last two taxes may be shown by lawful stamps affixed to the title paper, or otherwise by the written receipt of the proper tax collector.	1 p.c.
4. Unlicensed butchers in Apia shall pay upon their sales.....	1 p.c.

Schedule D.
Occasional taxes.

E.—License taxes.

No person shall engage as proprietor or manager in any of the following professions or occupations except after having obtained a License therefor, and for such License the following tax shall be paid in advance:

	Doll.
Tavern keeper.....	10 per month.
Attorney, barrister or solicitor.....	60 per annum.
Doctor of medicine or dentistry.....	30 " "
Auctioneer or commission agent.....	40 " "
Baker.....	12 " "
Banks or companies for banking.....	60 " "
Barber.....	6 " "
Blacksmith.....	5 " "
Boat-builder.....	6 " "
Butcher.....	12 " "
Cargo-boat or lighter.....	6 " "
Carpenter.....	6 " "
Photographer or artist.....	12 " "
Engineer.....	12 " "
" assistants.....	6 " "
" apprentices.....	8 " "
Hawker.....	1 " "
Pilot.....	24 " "
Printing press.....	12 " "
Sailmaker.....	6 " "
Shipbuilder.....	6 " "
Shoemaker.....	6 " "
Land surveyor.....	6 " "
Tailor.....	6 " "
Waterman.....	6 " "
Salesmen, book keepers, clerks, paid not less than \$75 a month....	3 " "
Same when paid over \$75 a month.....	6 " "
White laborers and domestics per head.....	5 " "
Factory hands and independent workmen.....	5 " "

Schedule E.
License taxes.

SECTION 3. Of the revenues paid into the Treasury the proceeds of the Samoan capitation tax, of the license taxes paid by native Samoans, and of all other taxes which may be collected without the Municipal District, shall be for the use and paid out upon the order of the Samoan Government. The proceeds of the other taxes, which

Disposition of revenues.

are collected in the Municipal District exclusively, shall be held for the use and paid out upon the order of the Municipal Council to meet the expenses of the Municipal Administration as provided by this Act.

Currency standard. SECTION 4. It is understood that "Dollars" and "Cents," terms of money used in this Act, describe the standard money of the United States of America, or its equivalent in other currencies.

Article VII.

ARTICLE VII.

Declaration. *A declaration respecting arms and ammunition, and intoxicating liquors, restraining their sale and use.*

Importation of arms, etc., forbidden. SECTION 1. *Arms and ammunition.* The importation into the Islands of Samoa of arms and ammunition by the natives of Samoa, or by the citizens or subjects of any foreign country, shall be prohibited except in the following cases :

Exceptions. (a) Guns and ammunition for sporting purposes, for which written license shall have been previously obtained from the President of the Municipal Council.

(b) Small arms and ammunition carried by travelers as personal appanage.

The sale of arms and ammunition by any foreigner to any native Samoan subject or other Pacific Islander resident in Samoa is also prohibited.

Forfeiture. Arms for Samoan Government. Any arms or ammunition imported or sold in violation of these provisions shall be forfeited to the Government of Samoa. The Samoan Government retains the right to import suitable arms and ammunition to protect itself and maintain order ; but all such arms and ammunition shall be entered at the Customs (without payment of duty) and reported by the President of the Municipal Council to the Consuls of the Three Treaty Powers.

Further restrictions. The Three Governments reserve to themselves the future consideration of the further restrictions which it may be necessary to impose upon the importation and use of fire-arms in Samoa.

Intoxicating liquor traffic forbidden. SECTION 2. *Intoxicating Liquors.* No spirituous, vinous or fermented liquors, or intoxicating drinks whatever, shall be sold, given or offered to any native Samoan, or South Sea Islander resident in Samoa, to be taken as a beverage.

Penalties. Adequate penalties, including imprisonment, for the violation of the provisions of this Article shall be established by the Municipal Council for application within its jurisdiction ; and by the Samoan Government for all the Islands.

Article VIII.

ARTICLE VIII.

Declaration.

General dispositions.

Duration of Act. SECTION 1. The provisions of this Act shall continue in force until changed by consent of the Three Powers. Upon the request of either Power after three years from the signature hereof, the Powers shall consider by common accord what ameliorations, if any, may be introduced into the provisions of this General Act. In the meantime any special amendment may be adopted by the consent of the Three Powers with the adherence of Samoa.

Exchange of ratifications. SECTION 2. The present General Act shall be ratified without unnecessary delay, and within the term of ten months from the date of its signature.

In the meantime the Signatory Powers respectively engage themselves to adopt no measure which may be contrary to the dispositions of the said Act.

Each Power further engages itself to give effect in the meantime to all provisions of this Act which may be within its authority prior to the final ratification.

Ratifications shall be exchanged by the usual diplomatic channels of communication.

The assent of Samoa to this General Act shall be attested by a certificate thereof signed by the King and executed in triplicate, of which one copy shall be delivered to the Consul of each of the Signatory Powers at Apia for immediate transmission to his Government.

Done in triplicate at Berlin this fourteenth day of June, one thousand eight hundred and eighty-nine.

JOHN A. KASSON.
 WM. WALTER PHELPS.
 GEO. H. BATES.
 H. BISMARCK.
 HOLSTEIN.
 R. KRAUEL.
 EDWARD B. MALET.
 CHARLES S. SCOTT.
 J. A. CROWE.

And whereas the said General Act has been duly ratified by the Governments of the Signatory Powers and the respective ratifications of the same were deposited in the archives of the Imperial German Government, at the City of Berlin, on the 12th day of April, one thousand, eight hundred and ninety;

Ratification.

And whereas the Government of Samoa has assented to the said General Act, as is attested by a certificate signed in triplicate at Apia on the 19th day of April one thousand eight hundred and ninety by His Majesty Malietoa, King of Samoa;

Assent of Samoa.

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said General Act to be made public, to the end that the same, and every article and clause 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 21st day of May, in the year of our Lord one thousand eight hundred and ninety, and [SEAL] of the Independence of the United States the one hundred and fourteenth.

BENJ. HARRISON.

By the President:
 JAMES G. BLAINE,
Secretary of State.

July 12, 1889.

Extradition Convention between the United States of America and Her Britannic Majesty, supplementary to the Tenth Article of the Treaty concluded between the same High Contracting Parties on the ninth day of August, 1842. Concluded at Washington, July 12, 1889; ratification advised (with amendments) by the Senate February 18, 1890; ratified by the President of the United States February 25, 1890; ratified by Her Britannic Majesty, March 8, 1890; ratifications exchanged at London, March 11, 1890; proclaimed March 25, 1890.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble

Whereas an Extradition Convention between the United States of America and the United Kingdom of Great Britain and Ireland, supplementary to the Tenth Article of the Treaty concluded between the same High Contracting Parties, on the ninth day of August, 1842, was concluded and signed by their respective Plenipotentiaries, on the twelfth day of July, 1889, the original of which Convention, as amended by the Senate of the United States and being in the English language, is word for word as follows :

Public Treaties, vol. 18, pt. 2, p. 320.

Extradition convention.

Extradition Convention between the United States of America and Her Britannic Majesty, supplementary to the Tenth Article of the Treaty, concluded between the same High Contracting Parties on the ninth day of August, 1842.

Preamble.

Whereas by the Tenth Article of the Treaty concluded between the United States of America and Her Britannic Majesty on the ninth day of August, 1842, provision is made for the extradition of persons charged with certain crimes ;

And Whereas it is now desired by the High Contracting Parties that the provisions of the said article should embrace certain crimes not therein specified, and should extend to fugitives convicted of the crimes specified in the said Article and in this Convention ;

The said High Contracting Parties have appointed as their Plenipotentiaries to conclude a Convention for this purpose, that is to say :

Plenipotentiaries.

The President of the United States of America, James G. Blaine, Secretary of State of the United States ;

And Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland, Sir Julian Pauncefote, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Honorable Order of the Bath, and Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty to the United States ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :

ARTICLE I.

The provisions of the said Tenth Article are hereby made applicable to the following additional crimes :

1. Manslaughter, when voluntary.
2. Counterfeiting or altering money; uttering or bringing into circulation counterfeit or altered money.

Additional extraditable crimes.

Voluntary manslaughter.
Counterfeiting, etc.

3. Embezzlement; larceny; receiving any money, valuable security, or other property, knowing the same to have been embezzled, stolen, or fraudulently obtained.

Embezzlement, larceny, etc.

4. Fraud by bailee, banker, agent, factor, trustee, or director or member or officer of any company, made criminal by the laws of both countries.

Fraudulent breach of trust.

5. Perjury, or subornation of perjury.

Perjury.

6. Rape; abduction; child-stealing; kidnapping.

Rape, etc.

7. Burglary; house-breaking or shop-breaking.

Burglary, etc.

8. Piracy by the law of nations.

Piracy.

9. Revolt, or conspiracy to revolt by two or more persons on board a ship on the high seas, against the authority of the master; wrongfully sinking or destroying a vessel at sea, or attempting to do so; assaults on board a ship on the high seas, with intent to do grievous bodily harm.

Mutiny and crimes on high seas.

10. Crimes and offences against the laws of both countries for the suppression of slavery and slave-trading.

Slave trade.

Extradition is also to take place for participation in any of the crimes mentioned in this Convention or in the aforesaid Tenth Article, provided such participation be punishable by the laws of both countries.

Complicity.

ARTICLE II.

A fugitive criminal shall not be surrendered, if the offence in respect of which his surrender is demanded be one of a political character, or if he proves that the requisition for his surrender has in fact been made with a view to try or punish him for an offence of a political character.

No surrender for political offences.

No person surrendered by either of the High Contracting Parties to the other shall be triable or tried, or be punished for any political crime or offence, or for any act connected therewith, committed previously to his extradition.

No person surrendered to be tried for political offence.

If any question shall arise as to whether a case comes within the provisions of this Article, the decision of the authorities of the government in whose jurisdiction the fugitive shall be at the time shall be final.

Decision by country of asylum, final.

ARTICLE III.

No person surrendered by or to either of the High Contracting Parties shall be triable or be tried for any crime or offence, committed prior to his extradition, other than the offence for which he was surrendered, until he shall have had an opportunity of returning to the country from which he was surrendered.

No person surrendered to be tried for other than offence for which extradited.

ARTICLE IV.

All articles seized which were in the possession of the person to be surrendered at the time of his apprehension, whether being the proceeds of the crime or offence charged, or being material as evidence in making proof of the crime or offence, shall, so far as practicable, and if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place. Nevertheless, the rights of third parties with regard to the articles aforesaid shall be duly respected.

Articles on fugitive to be given up with fugitive.

ARTICLE V.

If the individual claimed by one of the two High Contracting Parties, in pursuance of the present Convention, should also be claimed by one or several other Powers on account of crimes or offences com-

Person claimed by other powers.

mitted within their respective jurisdictions, his extradition shall be granted to that State whose demand is first received.

The provisions of this Article, and also of Articles II to IV, inclusive, of the present Convention, shall apply to surrender for offences specified in the aforesaid Tenth Article, as well as to surrender for offences specified in this Convention.

ARTICLE VI.

Extradition to be in conformity with law of surrendering State.

The extradition of fugitives under the provisions of this Convention and of the said Tenth Article shall be carried out in the United States and in Her Majesty's dominions, respectively, in conformity with the laws regulating extradition for the time being in force in the surrendering States.

ARTICLE VII.

Applicable to persons whose sentences have not been executed.

The provisions of the said Tenth Article and of this Convention shall apply to persons convicted of the crimes therein respectively named and specified, whose sentence therefor shall not have been executed.

Copy of sentence, etc., to be produced.

In case of a fugitive criminal alleged to have been convicted of the crime of which his surrender is asked, a copy of the record of the conviction and of the sentence of the court before which such conviction took place, duly authenticated, shall be produced, together with the evidence proving that the prisoner is the person to whom such sentence refers.

ARTICLE VIII.

Not to apply to prior crimes, etc.

The present convention shall not apply to any of the crimes herein specified which shall have been committed, or to any conviction which shall have been pronounced, prior to the date at which the Convention shall come into force.

ARTICLE IX.

Exchange of ratifications.

This Convention shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

Continuance.

It shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties, and shall continue in force until one or the other of the High Contracting parties shall signify its wish to terminate it and no longer.

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

Done in duplicate at the city of Washington, this twelfth day of July, 1889.

[SEAL.]
[SEAL.]

JAMES G. BLAINE.
JULIAN PAUNCEFOTE.

Ratification.

And whereas the said Convention has been duly ratified on both parts and the respective ratifications of the same were exchanged at the City of London, on the 11th day of March one thousand eight hundred and ninety:

Proclamation.

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention, as amended, to be made public, to the end that the same, and every article and 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 25th day of March, in the year of our Lord one thousand eight hundred and ninety, and of [SEAL.] the Independence of the United States the one hundred and fourteenth.

BENJ. HARRISON

By the President:

JAMES G. BLAINE,
Secretary of State.

APPENDIX.

[For convenient reference article X of the Treaty of August 9, 1842, is herewith reprinted.]

TREATY TO SETTLE AND DEFINE BOUNDARIES; FOR THE FINAL SUPPRESSION OF THE AFRICAN SLAVE TRADE; AND FOR THE GIVING UP OF CRIMINALS FUGITIVE FROM JUSTICE.

Concluded at Washington, August 9, 1842; Ratifications exchanged at London, October 13, 1842; Proclaimed November 10, 1842.

* * * * *

ARTICLE X.

It is agreed that the United States and Her Britannic Majesty shall, upon mutual requisitions by them, or their Ministers, officers, or authorities, respectively made, deliver up to justice, all persons who, being charged with the crime of murder, or assault with intent to commit murder, or piracy, or arson, or robbery, or forgery, or the utterance of forged paper, committed within the jurisdiction of either, shall seek an asylum, or shall 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 apprehension and commitment for trial, if the crime or offence had there been committed: And the respective judges and other magistrates of the two Governments, shall have power, jurisdiction, and authority, upon complaint made under oath, to issue a warrant for the apprehension of the fugitive or person so charged, that he may be brought before such judges or other magistrates, respectively, to the end that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge it shall be the duty of the examining judge or magistrate, to certify the same to the proper executive authority, that a warrant may issue for the surrender of such fugitive.—The expense of such apprehension and delivery shall be borne and defrayed by the party who makes the requisition, and receives the fugitive.

ARTICLE XI.

* * * The tenth article shall continue in force until one or the other of the parties shall signify its wish to terminate it, and no longer.

March 1, 1889.

Convention between the United States of America and the United States of Mexico to facilitate the carrying out of the principles contained in the treaty of November 12, 1884, and to avoid the difficulties occasioned by reason of the changes which take place in the bed of the Rio Grande and that of the Colorado River. Signed at Washington, March 1, 1889; ratification advised May 7, 1890; ratified by the President of Mexico October 31, 1889; ratified by the President of the United States December 6, 1890; ratifications exchanged December 24, 1890; proclaimed December 26, 1890.

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 to facilitate the carrying out of the principles contained in the treaty of November 12, 1884, between the same High Contracting Parties and to avoid the difficulties occasioned by reason of the changes which take place in the bed of the Rio Grande and that of the Colorado River, in that portion thereof where they serve as a boundary between the two Republics, was concluded and signed by the respective Plenipotentiaries of the aforesaid High Contracting Parties at the city of Washington, on the first day of March, one thousand eight hundred and eighty-nine, the original of which Convention, being in the English and Spanish languages, and as amended by the Senate of the United States is word for word as follows:

Contracting parties.

The United States of America and the United States of Mexico, desiring to facilitate the carrying out of the principles contained in the treaty of November 12th, 1884, and to avoid the difficulties occasioned by reason of the changes which take place in the bed of the Rio Grande and that of the Colorado River, in that portion thereof where they serve as a boundary between the two Republics, have resolved to conclude a treaty for the attainment of these objects, and have appointed as their respective Plenipotentiaries:

Los Estados Unidos de América y los Estados Unidos Mexicanos, deseando facilitar la ejecución de los principios contenidos en el tratado de doce de Noviembre de mil ochocientos ochenta y cuatro, y evitar las dificultades ocasionadas con motivo de los cambios que tienen lugar en el cauce de los rios Bravo del Norte y Colorado, en la parte que sirven de límite entre las dos Repúblicas, han resuelto concluir un tratado que satisfaga estos objetos, y han nombrado sus respectivos Plenipotenciarios:

The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America; and

The President of the United States of Mexico, Matias Romero, envoy extraordinary and minister plenipotentiary of the United States of Mexico, at Washington;

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

ARTICLE I.

All differences or questions that may arise on that portion of the frontier between the United States of America and the United States of Mexico where the Rio Grande and the Colorado Rivers form the boundary line, whether such differences or questions grow out of alterations or changes in the bed of the aforesaid Rio Grande and that of the aforesaid Colorado River, or of works that may be constructed in said rivers, or of any other cause affecting the boundary line, shall be submitted for examination and decision to an International Boundary Commission, which shall have exclusive jurisdiction in the case of said differences or questions.

ARTICLE II.

The International Boundary Commission shall be composed of a Commissioner appointed by the President of the United States of America, and of another appointed by the President of the United States of Mexico, in accordance with the constitutional provisions of each country, of a Consulting Engineer, appointed in the same manner by each Government, and of such Secretaries and Interpreters as either Government may see fit to add to its Commission. Each Government separately shall fix the salaries and emoluments of the members of its Commission.

El Presidente de los Estados Unidos de América, á Thomas F. Bayard, Secretario de Estado de los Estados Unidos de América; y

El Presidente de los Estados Unidos Mexicanos, á Matias Romero, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos Mexicanos, en Washington;

Quienes, despues de haberse mostrado sus respectivos plenos poderes, y encontrádoslos en buena y debida forma, han convenido en los artículos siguientes:

ARTÍCULO I.

Todas las diferencias ó cuestiones que se susciten en la parte de la frontera entre los Estados Unidos de América y los Estados Unidos Mexicanos, en que sirven de línea divisoria los rios Bravo del Norte y Colorado, ya sea que provengan de alteraciones ó cambios en el lecho de los expresados rios Bravo del Norte y Colorado, ya de obras que se construyan en los mismos; ó ya de cualquiera otro motivo que afecte á la línea fronteriza, se someterán al examen y decision de una Comision Internacional de Límites, la cual tendrá jurisdiccion exclusiva sobre dichas diferencias ó cuestiones.

ARTÍCULO II.

La Comision Internacional de Límites se compondrá de un Comisionado nombrado por el Presidente de los Estados Unidos de América y otro nombrado por el Presidente de los Estados Unidos Mexicanos, conforme á las prescripciones constitucionales de cada país; de un Ingeniero Consultor, nombrado en la misma forma por cada Gobierno, y de los Secretarios é Intérpretes que cada Gobierno crea conveniente agregar á su respectiva Comision. Cada Gobierno fijará separadamente los sueldos y emolumentos de los miembros de su Comision.

Plenipotentiaries.

All differences as to boundary to be submitted to International Boundary Commission.

International Boundary Commission. Formation.

ARTICLE III.

ARTÍCULO III

Sittings of Commission.

The International Boundary Commission shall not transact any business unless both Commissioners are present. It shall sit on the frontier of the two contracting countries, and shall establish itself at such places as it may determine upon; it shall, however, repair to places at which any of the difficulties or questions mentioned in this convention may arise, as soon as it shall have been duly notified thereof.

La Comisión Internacional de Límites no podrá funcionar sino cuando estuvieren presentes los dos Comisionados. Residirá precisamente en la frontera de los dos países contratantes y se establecerá en los lugares que ella determinare; pero se trasladará sin dilación á los lugares en que ocurra cualquiera de las dificultades ó cuestiones mencionadas en la presente convencion, tan luego como se le haga la notificación correspondiente.

ARTICLE IV.

ARTÍCULO IV.

Changes in course of Rio Grande and Colorado Rivers to be notified to Commission.

When, owing to natural causes, any change shall take place in the bed of the Rio Grande or in that of the Colorado River, in that portion thereof wherein those rivers form the boundary line between the two countries, which may affect the boundary line, notice of that fact shall be given by the proper local authorities on both sides to their respective Commissioners of the International Boundary Commission, on receiving which notice it shall be the duty of the said Commission to repair to the place where the change has taken place or the question has arisen, to make a personal examination of such change, to compare it with the bed of the river as it was before the change took place, as shown by the surveys, and to decide whether it has occurred through avulsion or erosion, for the effects of Articles I and II of the convention of November 12th, 1884; having done this, it shall make suitable annotations on the surveys of the boundary line.

Cuando, por causas naturales, ocurriere alguna alteración en el cauce del rio Bravo del Norte ó del rio Colorado, en la parte en que estos rios sirven de límite entre los dos países, que afecte la línea divisoria, se notificará este hecho por la autoridad local respectiva de uno ú otro lado, al Comisionado respectivo de la Comisión Internacional de Límites, la cual tendrá obligación, al recibir ese aviso, de trasladarse al lugar del cambio ó cuestion; examinará personalmente el cambio indicado; lo comparará con el cauce que seguia el rio ántes de que este cambio tuviera lugar, segun aparezca de los planos respectivos, y decidirá si se ha verificado por avulsion ó corrosion, para los efectos de los artículos I y II de la convencion de doce de Noviembre de mil ochocientos ochenta y cuatro, haciendo las anotaciones correspondientes en los planos de la línea divisoria.

Vol. 24, p. 1012.

ARTICLE V.

ARTÍCULO V.

Works changing channels of the rivers.

Whenever the local authorities on any point of the frontier between the United States of America and the United States of Mexico, in that portion in which the Rio Grande and the Colorado River form the boundary between the two countries, shall think that works are being constructed,

Siempre que la autoridad local de cualquier punto de la frontera entre los Estados Unidos de América y los Estados Unidos Mexicanos, en la parte en que los rios Bravo del Norte y Colorado sirven de límite á los dos países, creyere que se están construyendo obras en cualquiera de estos rios,

in either of those rivers, such as are prohibited by Article III of the convention of November 12, 1884, or by Article VII of the treaty of Guadalupe Hidalgo of February 2, 1848, they shall so notify their respective Commissioners, in order that the latter may at once submit the matter to the International Boundary Commission, and that said Commission may proceed, in accordance with the provisions of the foregoing article, to examine the case, and that it may decide whether the work is among the number of those which are permitted, or of those which are prohibited by the stipulations of those treaties.

The Commission may provisionally suspend the construction of the works in question pending the investigation of the matter, and if it shall fail to agree on this point, the works shall be suspended, at the instance of one of the two Governments.

ARTICLE VI.

In either of these cases, the Commission shall make a personal examination of the matter which occasions the change, the question or the complaint, and shall give its decision in regard to the same, in doing which it shall comply with the requirements established by a body of regulations to be prepared by the said Commission and approved by both Governments.

ARTICLE VII.

The International Boundary Commission shall have power to call for papers and information, and it shall be the duty of the authorities of each of the two countries to send it any papers that it may call for, relating to any boundary question in which it may have jurisdiction in pursuance of this convention.

The said Commission shall have power to summon any witnesses whose testimony it may think proper to take, and it shall be the duty of all persons thus summoned to appear before the

que sean de las prohibidas por el artículo III de la Convención de doce de Noviembre de mil ochocientos ochenta y cuatro, ó por el artículo VII del tratado de Guadalupe Hidalgo de dos de Febrero de mil ochocientos cuarenta y ocho, lo notificará al Comisionado respectivo, para que este someta, desde luego, el punto á la Comisión Internacional de Límites, y esta proceda, conforme á las prescripciones del artículo precedente, á examinar el caso, y decida si la obra es de las permitidas ó de las prohibidas por las estipulaciones de aquellos tratados.

La Comisión podrá suspender, provisionalmente, la construcción de las obras en cuestión, mientras se examina el asunto, y si no se pusiere de acuerdo sobre este punto, se suspenderán las obras á petición de uno de los dos Gobiernos.

ARTÍCULO VI.

En cualquiera de estos casos, la Comisión hará un exámen personal del asunto que motivare el cambio, cuestion ó queja, y dará su fallo respecto del mismo; para lo cual observará los requisitos que establezca un reglamento formado por la misma Comisión y aprobado por los dos Gobiernos.

Examination by Commission.

ARTÍCULO VII.

La Comisión Internacional de Límites tendrá facultad de pedir documentos é informes, y las autoridades de cada uno de los dos países tendrán el deber de enviarle cualesquiera documentos que ella les pida, referentes á cualquiera cuestion de límites en que tenga jurisdicción conforme á esta Convención.

Commission to send for papers, etc.

La misma Comisión tendrá facultad de citar á los testigos cuyas declaraciones crea conveniente tomar, y las personas citadas tendrán el deber de comparecer ante la misma y de dar

Taking testimony.

same and to give their testimony, which shall be taken in accordance with such by-laws and regulations as may be adopted by the Commission and approved by both Governments. In case of the refusal of a witness to appear, he shall be compelled to do so, and to this end the Commission may make use of the same means that are used by the courts of the respective countries to compel the attendance of witnesses, in conformity with their respective laws.

ARTICLE VIII.

If both Commissioners shall agree to a decision, their judgment shall be considered binding upon both Governments, unless one of them shall disapprove it within one month reckoned from the day on which it shall have been pronounced. In the latter case, both Governments shall take cognizance of the matter, and shall decide it amicably, bearing constantly in mind the stipulation of Article XXI of the Treaty of Guadalupe Hidalgo of February 2, 1848.

Divided opinions.

The same shall be the case when the Commissioners shall fail to agree concerning the point which occasions the question, the complaint or the change, in which case each Commissioner shall prepare a report, in writing, which he shall lay before his Government.

ARTICLE IX.

This convention shall be ratified by both parties, in accordance with the provisions of their respective constitutions, and the ratifications thereof shall be exchanged at Washington as speedily as possible, and shall be in force from the date of the exchange of ratification for a period of five years.

Signatures.

In testimony whereof the undersigned Plenipotentiaries have signed and sealed it.

sus declaraciones, las cuales se tomarán de conformidad con las leyes y reglamentos que adopte la Comisión y aprueben ambos Gobiernos. En caso de que algun testigo se rehuse á comparecer, se le obligará á ello, usando al efecto la Comisión de los mismos arbitrios que tengan los tribunales del país respectivo para hacer comparecer testigos, de acuerdo con sus respectivas leyes.

ARTÍCULO VIII.

Si ambos Comisionados estuvieren de acuerdo en una resolución, su fallo se considerará obligatorio para ambos Gobiernos, á no ser que alguno de ellos lo desaprobare, dentro de un mes contado desde el día en que se pronuncie. En este ultimo caso, ambos Gobiernos se avocarán el conocimiento del asunto y lo decidirán amistosamente, en la forma que les pareciere justificada y conveniente, teniendo siempre presente la estipulación del Artículo XXI del tratado de Guadalupe Hidalgo de dos de Febrero de mil ochocientos cuarenta y ocho.

Otro tanto sucederá cuando los Comisionados no se pongan de acuerdo respecto del punto que motiva la question, queja ó cambio, en cuyo caso cada Comisionado formulará un dictamen por escrito que presentará á su respectivo Gobierno.

ARTÍCULO IX.

La presente Convencion será ratificada por ambas partes, de acuerdo con sus respectivos procedimientos constitucionales, y las ratificaciones se cangearán en Washington tan pronto como fuere posible y permanecerá en vigor por un periodo de cinco años, contados desde la fecha del canje de ratificaciones.

En testimonio de lo cual los Plenipotenciarios infrascritos la han firmado y sellado.

Done in duplicate, in the city of Washington, in the English and Spanish languages, on the 1st day of March one thousand eight hundred and eighty-nine.

Hecha por duplicado, en la ciudad de Washington, en las lenguas inglesa y española, el dia primero de Marzo de mil ochocientos ochenta y nueve.

T. F. BAYARD. [SEAL.]

M. ROMERO. [SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the same were exchanged at the City of Washington on the twenty-fourth day of December, one thousand eight hundred and ninety;

Ratification.

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention to be made public, as amended, to the end that the same and every article and clause 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 26th day of December, in the year of our Lord, one thousand eight hundred and [SEAL] ninety and of the Independence of the United States of America the one hundred and fifteenth.

BENJ HARRISON

By the President :

JAMES G. BLAINE

Secretary of State.

July 5, 1890.

Convention between the United States of America and other powers concerning the formation of an international union for the publication of customs tariffs; certain regulations for the execution of said convention, and certain final declarations. Signed at Brussels July 5, 1890; ratification advised by the Senate December 13, 1890; ratified by the President December 17, 1890; proclaimed December 17, 1890.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas a Convention between the United States of America and other Powers concerning the formation of an International Union for the publication of Customs Tariffs, certain Regulations for the execution of the said Convention, and certain Final Declarations were concluded and signed by the respective Plenipotentiaries of the High Contracting Parties aforesaid, at the City of Brussels, on the fifth day of July one thousand eight hundred and ninety, the originals of which Convention, Regulations and Final Declarations, being in the French language, are word for word as follows :

[Translation made in Washington.]

Convention concernant la Création d'une Union Internationale pour la Publication des Tarifs Douaniers entre

Convention concerning the formation of an International Union for the publication of Customs Tariffs, to which the following States are Parties :

Contracting parties.

La République Argentine, l'Autriche - Hongrie, la Belgique, la Bolivie, le Chili, l'État Indépendant du Congo, la République de Costa-Rica, le Danemark et ses Colonies, l'Espagne et ses Colonies, les États-Unis d'Amérique, la France et ses Colonies, la Grande-Bretagne et diverses Colonies anglaises, l'Inde Britannique, le Dominion du Canada, les Colonies de l'Australie de l'Ouest, du Cap de Bonne Espérance, de Natal, de la Nouvelle-Galles du Sud, de la Nouvelle-Zélande, de Queensland, de Tasmanie, de Terre-Neuve et de Victoria, la Grèce, le Guatemala, la République de Haïti, l'Italie et ses Colonies, le Mexique, le Nicaragua, le Paraguay, les Pays-Bas et leurs Colonies, le Pérou, le Portugal et ses Colonies, la Roumanie, la Russie, le Salvador, le Royaume de Siam, la Suisse, la Turquie, l'Uruguay et le Venezuela.

The Argentine Republic, Austria-Hungary, Belgium, Bolivia, Chili, the Independent State of the Congo, the Republic of Costa Rica, Denmark and her colonies, France and her colonies, Great Britain and sundry British colonies, British India, the Dominion of Canada, the colonies of West Australia, the Cape of Good Hope, Natal, New South Wales, New Zealand, Queensland, Tasmania, Newfoundland and Victoria, Greece, Guatemala, the Republic of Hayti, Italy and her colonies, Mexico, the Netherlands and their colonies, Nicaragua, Paraguay, Peru, Portugal and her colonies, Roumania, Russia, Salvador, the Kingdom of Siam, Spain and her colonies, Switzerland, Turkey, the United States of America, Uruguay and Venezuela.

Les soussignés, dûment autorisés, ont, sous réserve d'approbation, arrêté la convention suivante:

ARTICLE 1^{er}. Il est formé entre les pays ci-dessus énumérés et tous les pays qui, dans la suite, adhéreront à la présente convention, une association sous le titre de "Union internationale pour la publication des Tarifs douaniers."

ART. 2. Le but de l'Union est de publier, à frais communs, et de faire connaître, aussi promptement et aussi exactement que possible, les Tarifs douaniers des divers États du globe et les modifications que ces tarifs subiront dans la suite.

ART. 3. A cette fin, il sera créé à Bruxelles un Bureau international chargé de la traduction et de la publication de ces Tarifs ainsi que des dispositions législatives ou administratives qui y apporteront des modifications.

ART. 4. Cette publication se fera dans un recueil intitulé: "Bulletin international des douanes (organe de l'Union internationale pour la publication des Tarifs douaniers)." On adoptera à cet effet les langues commerciales les plus usitées.

ART. 5. Le personnel du Bureau international sera nommé par les soins du Ministère des Affaires Étrangères de Belgique, qui fera les avances de fonds nécessaires et veillera à la marche régulière de l'Institution.

ART. 6. Dans la correspondance adressée par le Bureau international aux Gouvernements adhérents on fera usage de la langue française.

ART. 7. Un rapport sur les travaux et la gestion financière du Bureau international sera adressé chaque année aux Gouvernements adhérents.

ART. 8. Le budget annuel des dépenses du Bureau international est fixé au chiffre maximum de 125,000 francs.

En outre, un capital de 50,000

The undersigned, being duly authorized, have concluded the following convention, subject to the approval of their Governments:

ARTICLE 1. An association under the title of "International Union for the publication of Customs Tariffs" shall be formed by the countries above enumerated, and by all such as may hereafter adhere to the present convention.

ART. 3. The object of the Union is to publish, at the common expense, and to make known, as speedily and accurately as possible, the customs tariffs of the various States of the globe and the modifications that may, in future, be made in those tariffs.

ART. 3. To this end, an International Bureau shall be organized at Brussels, whose duty it shall be to cause these tariffs, together with such legislative or executive provisions as may introduce modifications therein, to be translated and published.

ART. 4. This publication shall be made in a collection entitled: "International Customs Bulletin (organ of the International Union for the publication of Customs Tariffs)." The Commercial languages most in use shall be adopted for this purpose.

ART. 5. The persons composing the International Bureau shall be appointed through the agency of the Ministry of Foreign Affairs of Belgium, which shall advance the necessary funds and see that the institution is properly managed.

ART. 6. In communications addressed by the International Bureau to the adhering Governments, the French language shall be used.

ART. 7. A report concerning the labors and the financial condition of the International Bureau shall be annually addressed to the adhering Governments.

ART. 8. The annual budget of the expenditures of the International Bureau shall be fixed at the maximum of 125,000 francs.

The sum of 50,000 francs shall

International Union for the publication of customs tariffs, formed.

Object.

Bureau at Brussels established.

Bulletin to be published.

Bureau officers.

Correspondence to be in French.

Annual reports.

Annual expense.

Expense of organization.

francs sera mis, la première année, à la disposition du Ministre des Affaires Étrangères de Belgique pour les frais d'installation du Bureau.

Apportionment.

Les États et Colonies qui useraient ultérieurement de la faculté d'adhésion prévue à l'article 14 auront à payer leur quote-part de cette somme de 50,000 francs, sur la base de répartition fixée par l'article 9.

Withdrawals.

Les États et Colonies qui se retireraient de l'Union à l'expiration du premier terme de sept années perdront leur droit de copropriété dans le fonds commun.

Division in case of liquidation.

En cas de liquidation, le fonds commun sera partagé entre les États et Colonies de l'Union, d'après la base de répartition fixée par l'article 9.

Contributions.

ART. 9. En vue de déterminer équitablement la part contributive des États contractants, ceux-ci sont répartis, à raison de l'importance de leur commerce respectif, en six classes intervenant chacune dans la proportion d'un certain nombre d'unités, savoir:

Classification of countries.

1^{re} classe. Pays dont le commerce se monte régulièrement à plus de 4 milliards de francs: 55 unités.

2^e classe. Pays dont le commerce se monte régulièrement de 2 à 4 milliards de francs: 40 unités.

3^e classe. Pays dont le commerce se monte régulièrement de 500 millions à 2 milliards de francs: 25 unités.

4^e classe. Pays dont le commerce se monte régulièrement de 100 à 500 millions de francs: 20 unités.

5^e classe. Pays dont le commerce se monte régulièrement de 50 à 100 millions de francs: 15 unités.

6^e classe. Pays dont le commerce est régulièrement inférieur à 50 millions de francs: 5 unités.

Reduction to countries whose language is not used.

ART. 10. Pour les pays dont la langue ne sera pas employée par le Bureau international, les chiffres ci-dessus seront respective-

be placed, the first year, at the disposal of the Minister of Foreign Affairs of Belgium, to enable him to meet the expenses of the organization of the Bureau.

Such States and colonies as may hereafter avail themselves of the privilege of adhering, for which provision is made in article 14, shall pay their quotas of the said sum of 50,000 francs, on the basis of apportionment fixed in article 9.

States and colonies withdrawing from the Union at the expiration of the first term of seven years shall forfeit their rights as joint owners of the common fund.

In case of a liquidation, the common fund shall be divided among the States and colonies forming the Union on the basis of apportionment fixed by article 9.

ART. 9. With a view to the equitable adjustment of the quotas of the contracting States, those States shall be divided, according to the amount of their commerce, into six classes, the quota payable by each of which shall be in the proportion of a certain number of units, to wit:

1st class. Countries whose commerce regularly amounts to upwards of four thousand millions of francs: 55 units.

2nd class. Countries whose commerce regularly amounts to from two to four thousand millions of francs: 40 units.

3d class. Countries whose commerce regularly amounts to from five hundred millions to two thousand millions of francs: 25 units.

4th class. Countries whose commerce regularly amounts to from one hundred to five hundred millions of francs: 20 units.

5th class. Countries whose commerce regularly amounts to from fifty to one hundred millions of francs: 15 units.

6th class. Countries whose commerce regularly amounts to less than 50 millions of francs: 5 units.

ART. 10. In the case of countries whose language is not used by the International Bureau, the above figures shall be reduced

ment diminués des deux cinquièmes. Ils seront donc réduits :

Pour la 1^{re} classe à 33 unités.

“ “ 2^e “ à 24 “
 “ “ 3^e “ à 15 “
 “ “ 4^e “ à 12 “
 “ “ 5^e “ à 9 “
 “ “ 6^e “ à 3 “

two-fifths, respectively. The following reductions shall therefore be made :

The quota of the first class shall be reduced to 33 units.

The quota of the second class shall be reduced to 24 units.

The quota of the third class shall be reduced to 15 units.

The quota of the fourth class shall be reduced to 12 units.

The quota of the fifth class shall be reduced to 9 units.

The quota of the sixth class shall be reduced to 3 units.

ART. 11. Le total de la dépense annuelle, divisé par la somme des unités attribuées aux différents États contractants, en exécution des dispositions qui précèdent, donnera l'unité de dépense. Il suffira de multiplier celle-ci par le nombre d'unités assigné à chacun de ces États pour connaître le montant de sa contribution dans les frais du Bureau international.

ART. 11. The sum total of the annual expenditure, divided by the sum of the units assigned to the various contracting States, in pursuance of the foregoing provisions, shall give the unit of expenditure. This unit, multiplied by the number of units assigned to each of these States, shall show the amount of the quota payable by it for the support of the International Bureau.

Division of expenses.

ART. 12. A l'effet de mettre l'Institution à même de rédiger le *Bulletin international des douanes* aussi exactement que possible, les Parties contractantes lui enverront, directement et sans retard, deux exemplaires :

ART. 12. In order to enable the Institution to edit the International Customs Bulletin as accurately as possible, the contracting parties shall send it, directly and without delay, two copies :

Documents to be forwarded by each country.

(a) de leur loi douanière et de leur tarif douanier, mis soigneusement à jour ;

(a) of their customs law and their customs tariff, carefully brought up to date.

(b) de toutes les dispositions qui y apporteront dans la suite des modifications ;

(b) of all provisions that shall ultimately modify said law and tariff.

(c) des circulaires et instructions que lesdits Gouvernements adresseront à leurs bureaux de douane concernant l'application du tarif ou la classification des marchandises, et qui peuvent être rendues publiques ;

(c) of the circulars and instructions that shall be addressed by the said Governments to their custom-houses concerning the application of the tariff or the classification of goods, and that can be made public.

(d) de leurs traités de commerce, conventions internationales et lois intérieures qui ont un rapport direct avec les tarifs douaniers en vigueur.

(d) of their treaties of commerce, international conventions and domestic laws having a direct bearing upon the existing tariffs.

ART. 13. Un règlement d'exécution ayant la même force obligatoire que la présente Convention déterminera le mode de publication du *Bulletin de l'Union* et tout ce qui est relatif au budget du Bureau international et à l'organisation intérieure du service.

ART. 13. A set of regulations providing for the execution of this convention, having the same force as the convention itself, shall determine the manner of publication of the Bulletin of the Union in everything relating to the budget of the International Bureau and to the internal organization of the service.

Regulations for publishing the Bulletin. Post, p. 1524.

Accession of other countries.

ART. 14. Les États et Colonies qui n'ont point pris part à la présente convention seront admis à y accéder ultérieurement.

ART. 14. The States and colonies that have not yet taken part in this convention shall have the privilege of acceding thereto hereafter.

Notices.

L'accession sera notifiée par écrit au Gouvernement belge qui la fera connaître à tous les autres Gouvernements contractants. L'accession emportera de plein droit adhésion à toutes les clauses et admission à tous les avantages stipulés dans la présente convention.

Notice of accession shall be given, in writing, to the Belgian Government, which shall, in turn, communicate such notice to all the other contracting Governments. Accession shall imply adhesion to all the clauses contained in, and the enjoyment of all advantages provided for, by this convention.

Date of taking effect.

ART. 15. La présente Convention sera mise à exécution le 1^{er} avril 1891 et elle restera en vigueur pendant sept ans.

ART. 15. This convention shall go into operation on the first day of April, 1891, and shall remain in force for seven years.

Continuance.

Si, douze mois avant l'expiration des sept premières années, la présente convention n'a pas été dénoncée, l'Union subsistera pendant un nouveau terme de sept années et ainsi de suite, de sept en sept ans.

If, twelve months before the expiration of the first seven years, no notice of a desire for the cessation of the effects of this convention shall have been given, the Union shall continue to exist for seven years longer, and so on, in periods of seven years each.

Denunciation.

La dénonciation sera adressée au Gouvernement belge. Elle n'aura d'effet qu'à l'égard du pays qui l'aura faite, la convention restant exécutoire pour les autres pays de l'Union.

Notice of a desire for the cessation of the effects of this convention shall be addressed to the Belgian Government. Such notice shall have no effect save as regards the country giving it, and the convention shall remain in force so far as the other countries of the Union are concerned.

Improvements.

Les Gouvernements pourront introduire dans la présente convention, de commun accord et en tout temps, les améliorations qui seraient jugées utiles ou nécessaires.

The Governments shall at all times be at liberty to make in this convention, by mutual agreement, such improvements as may be deemed expedient or necessary.

Signatures.

En foi de quoi, les soussignés ont signé la présente convention et y ont apposé leur cachet.

In testimony whereof, the undersigned have signed this Convention, and have thereunto affixed their seals.

Fait à Bruxelles, le 5 Juillet mil huit cent quatre vingt dix.

Done at Brussels, July the fifth, one thousand eight hundred and ninety.

Pour la République Argentine,
[SEAL.] CARLOS CALVO Y CAP-
DEVILA.

For the Argentine Republic,
CARLOS CALVO Y CAP-
DEVILA.

Pour l'Autriche-Hongrie,
[SEAL.] EPERJESY.

For Austria-Hungary,
EPERJESY.

Pour la Belgique,
[SEAL.] LAMBERMONT.
[SEAL.] LEON BIEBUYCK.
[SEAL.] KEBERS.

For Belgium,
LAMBERMONT,
LEON BIEBUYCK,
KEBERS.

Pour la Bolivie,
[SEAL.] JOAQUIN CASO.

For Bolivia,
JOAQUIN CASO.

Pour le Chili,
[SEAL.] N. PEÑA VICUÑA.

For Chili,
N. PEÑA VICUÑA.

Pour l'État Indépendant du Congo, [SEAL.] EDM. VAN EETVELDE.	For the Independent State of the Congo, EDM. VAN EETVELDE.
Pour la République de Costa Rica, [SEAL.] MANUEL M. DE PERALTA.	For the Republic of Costa Rica, MANUEL M. DE PERALTA.
Pour le Danemark et ses Colonies, [SEAL.] SCHACK DE BROCKDORFF.	For Denmark and her Colonies, SCHACK DE BROCKDORFF.
Pour l'Espagne et ses Colonies, [SEAL.] J. G. de AGÜERA.	For Spain and her Colonies, J. G. DE AGÜERA.
Pour les États-Unis d'Amérique, [SEAL.] EDWIN H. TERRELL— <i>ad referendum.</i>	For the United States of America, EDWIN H. TERRELL— <i>ad referendum.</i>
Pour la France et ses Colonies, [SEAL.] A. BOURÉE.	For France and her Colonies, A. BOURÉE.
Pour la Grande-Bretagne et diverses Colonies anglaises, [SEAL.] MARTIN GOSSELIN, [SEAL.] A. E. BATEMAN.	For Great Britain and sundry British Colonies, MARTIN GOSSELIN, A. E. BATEMAN.
Pour l'Inde Britannique, [SEAL.] MARTIN GOSSELIN, [SEAL.] A. E. BATEMAN.	For British India, MARTIN GOSSELIN, A. E. BATEMAN.
Pour le Dominion du Canada, [SEAL.] CHARLES TUPPER.	For the Dominion of Canada, CHARLES TUPPER.
Pour l'Australie de l'Ouest,	For West Australia,
Pour le Cap de Bonne Espérance, [SEAL.] MARTIN GOSSELIN, [SEAL.] A. E. BATEMAN.	For the Cape of Good Hope, MARTIN GOSSELIN, A. E. BATEMAN.
Pour Natal, [SEAL.] MARTIN GOSSELIN, [SEAL.] A. E. BATEMAN.	For Natal, MARTIN GOSSELIN, A. E. BATEMAN.
Pour la Nouvelle-Galles du Sud, [SEAL.] SAUL SAMUEL.	For New South Wales, SAUL SAMUEL.
Pour la Nouvelle-Zélande, [SEAL.] FRANCIS DILLON BELL.	For New Zealand, FRANCIS DILLON BELL.
Pour le Queensland,	For Queensland,
Pour la Tasmanie, [SEAL.] MARTIN GOSSELIN, [SEAL.] A. E. BATEMAN.	For Tasmania, MARTIN GOSSELIN, A. E. BATEMAN.
Pour Terre-Neuve, [SEAL.] MARTIN GOSSELIN, [SEAL.] A. E. BATEMAN.	For Newfoundland, MARTIN GOSSELIN, A. E. BATEMAN.
Pour Victoria, [SEAL.] GRAHAM BERRY.	For Victoria, GRAHAM BERRY.
Pour la Grèce, [SEAL.] P. MULLE.	For Greece, P. MULLE.
Pour le Guatémala, [SEAL.] ALEXIS CAPOUILLET.	For Guatemala, ALEXIS CAPOUILLET.
Pour la République de Haïti, [SEAL.] G. DE DEKEN.	For the Republic of Hayti, G. DE DEKEN.
Pour l'Italie et ses Colonies, [SEAL.] J. DE RENZIS.	For Italy and her Colonies, J. DE RENZIS.
Pour le Mexique, [SEAL.] EDM. VAN DEN WYN-GAERT.	For Mexico, EDM. VAN DEN WYN-GAERT.
Pour le Nicaragua, [SEAL.] J. F. MEDINA.	For Nicaragua, J. F. MEDINA.

Pour le Paraguay, [SEAL.] HENRI OOSTENDORP.	For Paraguay, HENRI OOSTENDORP.
Pour les Pays-Bas et leurs Colonies, [SEAL.] H. TESTA.	For the Netherlands and their Colonies, H. TESTA,
[SEAL.] L. E. UYTENHOOVEN.	L. E. UYTENHOOVEN.
Pour le Pérou, [SEAL.] JOAQUIN LEMOINE.	For Peru, JOAQUIN LAMOINE.
Pour le Portugal et ses Colonies, [SEAL.] HENRIQUE DE MACEDO PEREIRA CONTINHO.	For Portugal and her Colonies, HENRIQUE DE MACEDO PEREIRA CONTINHO,
[SEAL.] AUGUSTO CESAR FERREIRA DE MESQUITA.	AUGUSTO CESAR FERREIRA DE MESQUITA.
Pour la Roumanie, [SEAL.] J. VACARESCO.	For Roumania, J. VACARESCO.
Pour la Russie, [SEAL.] G. KAMENSKY.	For Russia, G. KAMENSKY.
Pour le Salvador, [SEAL.] EMILE ELOY.	For Salvador, EMILE ELOY.
Pour le Siam, [SEAL.] FREDERICK VERNEY.	For Siam, FREDERICK VERNEY.
Pour la Suisse, [SEAL.] E. PACCAUD.	For Switzerland, E. PACCAUD.
Pour la Turquie, [SEAL.] ET. CARATHÉODORY.	For Turkey, ET. CARATHÉODORY.
Pour l'Uruguay, [SEAL.] FCO. SUSVIELA GUARCH.	For Uruguay, FCO. SUSVIELA GUARCH.
Pour le Venezuela, [SEAL.] LUIS LOPEZ MENDEZ.	For Venezuela, LUIS LOPEZ MENDEZ.

Regulations.

Règlement d'Exécution de la Convention instituant un Bureau international pour la publication des Tarifs Douaniers.

Ante, p. 1521.

[Article 13 de la Convention.]

Bulletin to be printed in German, English, Spanish, French and Italian.

ARTICLE 1^{er}. Le *Bulletin international des douanes* sera publié en cinq langues, savoir : en Allemand, en Anglais, en Espagnol, en Français et en Italien.

Translations into other languages.

ART. 2. Chaque État faisant partie de l'Union a la faculté de faire traduire et de publier à ses frais tout ou partie du *Bulletin* dans telle langue qu'il trouve utile, pourvu que ce ne soit pas l'une des langues adoptées par le Bureau international.

Publication of extracts.

Chacun des États de l'Union aura de même le droit de faire reproduire de simples extraits de tarifs ou, exceptionnellement, des

Regulations for the execution of the Convention creating an International Bureau for the publication of Customs Tariffs.

[Art. 13 of the Convention.]

ARTICLE 1. The international Customs Bulletin shall be published in five languages, viz: German, English, Spanish, French and Italian.

ARTICLE 2. Each State belonging to the Union shall have the privilege of causing to be translated and publishing at its own expense, the whole or any part of the Bulletin in any language that it may see fit, provided that such language be not one of those adopted by the International Bureau.

Each of the States of the Union shall likewise have the right to reproduce mere extracts from tariffs, or, by way of exception, por-

parties du *Bulletin*, soit dans un organe officiel local, soit dans ses documents parlementaires.

Il est entendu d'ailleurs que chaque État reste libre comme par le passé de publier dans la langue originale ou en traduction tous les tarifs douaniers, pourvu que le texte publié ne soit pas l'œuvre même du Bureau international.

ART. 3. Le Bureau international s'engage à apporter les plus grands soins dans la traduction des lois de douane et des publications officielles interprétatives de ces lois, mais il est entendu que les Gouvernements intéressés n'assument pas de responsabilité quant à l'exactitude de ces traductions et qu'en cas de contestation le texte original sera leur seul guide.

Un avertissement dans ce sens sera imprimé en note et en caractères gras au bas de la première page de chaque livraison.

ART. 4. Le format du *Bulletin* sera déterminé par le Bureau.

ART. 5. Chaque Gouvernement fera connaître en quelle langue, parmi celles adoptées par le Bureau international, il désire recevoir les exemplaires du *Bulletin* qui représenteront sa part d'intervention dans les frais de l'institution.

Un Gouvernement pourra prendre un certain nombre d'exemplaires en une langue et le restant en d'autres langues.

ART 6. Le Bureau international ne peut fournir d'abonnements qu'aux Gouvernements des pays faisant partie de l'Union.

ART. 7. Le montant de la contribution proportionnelle de chaque État lui est rendu en abonnements au *Bulletin de l'Union*, calculés au pris de 15 francs chacun.

ART. 8. Les dépenses sont calculées approximativement comme suit:

	Francs.
(a) Traitement des fonctionnaires et employés du Bureau international, y compris un supplément de traitement de 15 %.....	75,000
(b) Frais d'impression et d'envoi du <i>Bulletin de l'Union</i>	30,000

tions of the *Bulletin*, either in a local official organ or in its parliamentary documents.

It is understood moreover, that each State is to be at liberty, as has hitherto been the case, to publish all the tariffs in the original language or in a translation, provided that the text published be not the work of the International Bureau.

ARTICLE 3. The International Bureau pledges itself to take the utmost care in the translation of the customs laws and of the official publications that serve to interpret said laws, but it is understood that the Governments interested assume no responsibility with regard to the accuracy of these translations, and that, in case of dispute, the original text shall be their sole guide.

A notice to this effect shall be printed in large type at the foot of the first page of each number.

ARTICLE 4. The size of the *Bulletin* shall be determined by the Bureau.

ARTICLE 5. Each Government shall make known in which of the languages adopted by the International Bureau it desires to receive the copies of the *Bulletin* which are to be furnished to it in return for the amount payable by it for the support of the institution.

Any government may take a certain number of copies in one language, and the remainder in other languages.

ARTICLE 6. The International Bureau can supply the *Bulletin* to no Governments save those belonging to the Union.

ARTICLE 7. The amount of the quota payable by each State shall be returned to it in subscriptions to the *Bulletin* of the Union, computed at the rate of 15 francs each.

ARTICLE 8. The expenditures are computed approximately as follows:

	Francs.
(a) Salaries of the officers and employés of the International Bureau, including an addition thereto of 15 per cent.....	75,000
(b) Cost of printing and sending the <i>Bulletin</i> of the Union....	30,000

Independent publications.

No responsibility for accuracy.

Size.

Notice of language desired for *Bulletins*.

Supplied only to Union.

Subscriptions.

Estimate of expenses.

(c) Location et entretien du local affecté au Bureau international, chauffage, éclairage, fournitures, frais de bureau, etc.....	20,000
Total.....	125,000

(c) Rent and keeping in order of the building occupied by the International Bureau, fuel, light, material, office expenses, etc.....	20,000
Total	125,000

Organization.

ART. 9. Le Ministre des Affaires Étrangères de Belgique est chargé de prendre les mesures nécessaires pour l'organisation et le fonctionnement du Bureau international, en restant dans les limites tracées par la Convention et par le présent Règlement.

ARTICLE 9. It shall be the duty of the Minister of Foreign Affairs of Belgium to take such measures as may be necessary for the organization of the International Bureau, and for putting it in working order, keeping within the limits fixed by the Convention and by these regulations.

Use of balance authorized.

ART. 10. Le chef du Bureau international est autorisé, sous l'approbation du Ministre des Affaires Étrangères de Belgique, à reporter sur l'exercice en cours les sommes non employées de l'exercice écoulé. Ces sommes serviront, le cas échéant, à constituer un fonds de réserve destiné à parer aux dépenses imprévues. Ladite réserve ne pourra, en aucun cas, dépasser 25,000 francs. Le surplus permettra éventuellement d'abaisser le prix de l'abonnement au *Bulletin*, sans accroissement du nombre d'exemplaires garanti par les États contractants; cet excédent pourra servir aussi à couvrir les frais qu'occasionnerait l'adjonction d'une nouvelle langue de traduction à celles énumérées à l'article 1^{er}.

ARTICLE 10. The Superintendent of the International Bureau is hereby authorized, subject to the approval of the Minister of Foreign Affairs of Belgium, to use, during the current fiscal year, such sums, appropriated for the past year, as may not have been then used. These sums shall, the case arising, go to form a reserve fund for the payment of contingent expenses. The said reserve shall in no case exceed 25,000 francs. The surplus will, perhaps, render it possible to reduce the price of subscription to the Bulletin, without increasing the number of copies guaranteed by the contracting States; this surplus may also serve to meet the expense that would be occasioned by the addition of a new language to those enumerated in article 1.

Cette dernière mesure ne pourra se réaliser qu'avec l'assentiment unanime des États et Colonies faisant partie de l'Union.

This last measure shall not be carried out without the unanimous consent of the States and Colonies belonging to the Union.

Date.

Fait à Bruxelles, le 5 Juillet mil huit cent quatre vingt dix, pour être annexé à la Convention en date de ce jour.

Done at Brussels, July the 5th, one thousand eight hundred and ninety, to be appended to the Convention of this day's date.

Signatures.

Pour la République Argentine,
CARLOS CALVO Y CAPDEVILA.
Pour l'Autriche-Hongrie,
EPERJESY.
Pour la Belgique,
LAMBERMONT,
LÉON BIEBUYCK,
KEBERS.
Pour la Bolivie,
JOAQUIN CASO.

For the Argentine Republic,
CARLOS CALVO Y CAPDEVILA.
For Austria-Hungary,
EPERJESY,
For Belgium,
LAMBERMONT,
LEON BIEBUYCK,
KEBERS.
For Bolivia,
JOAQUIN CASO.

Pour le Chili, N. PEÑA VICUÑA.	For Chili, N. PEÑA VICUÑA.
Pour l'État Indépendant du Congo, EDM. VAN EETVELDE.	For the Independent State of the Congo, EDM. VAN EETVELDE.
Pour la République de Costa Rica, MANUEL M. DE PERALTA.	For the Republic of Costa Rica, MANUEL M. DE PERALTA.
Pour le Danemark et ses Colonies, SCHACK DE BROCKDORFF.	For Denmark and her Colonies, SCHACK DE BROCKDORFF.
Pour l'Espagne et ses Colonies, J. G. DE AGÜERA.	For Spain and her Colonies, J. G. DE AGÜERA.
Pour les États-Unis d'Amérique, EDWIN H. TERRELL— <i>ad referendum.</i>	For the United States of America, EDWIN H. TERRELL— <i>ad referendum.</i>
Pour la France et ses Colonies, A. BOURÉE.	For France and her Colonies, A. BOURÉE.
Pour la Grande-Bretagne et diverses Colonies anglaises, MARTIN GOSSELIN, A. E. BATEMAN.	For Great Britain and sundry British Colonies, MARTIN GOSSELIN, A. E. BATEMAN.
Pour l'Inde Britannique, MARTIN GOSSELIN, A. E. BATEMAN.	For British India, MARTIN GOSSELIN, A. E. BATEMAN.
Pour le Dominion du Canada, CHARLES TUPPER.	For the Dominion of Canada, CHARLES TUPPER.
Pour l'Australie de l'Ouest.	For West Australia,
<hr/>	
Pour le Cap de Bonne-Espérance, MARTIN GOSSELIN, A. E. BATEMAN.	For the Cape of Good Hope, MARTIN GOSSELIN. A. E. BATEMAN.
Pour Natal, MARTIN GOSSELIN, A. E. BATEMAN.	For Natal, MARTIN GOSSELIN, A. E. BATEMAN.
Pour Terre-Neuve, MARTIN GOSSELIN, A. E. BATEMAN.	For Newfoundland, MARTIN GOSSELIN, A. E. BATEMAN.
Pour la Nouvelle-Galles du Sud, SAUL SAMUEL.	For New South Wales, SAUL SAMUEL.
Pour la Nouvelle-Zélande, FRANCIS DILLON BELL.	For New Zealand, FRANCIS DILLON BELL.
Pour le Queensland,	For Queensland,
<hr/>	
Pour la Tasmanie, MARTIN GOSSELIN, A. E. BATEMAN.	For Tasmania, MARTIN GOSSELIN, A. E. BATEMAN.
Pour Terre-Neuve, MARTIN GOSSELIN, A. E. BATEMAN.	For Newfoundland, MARTIN GOSSELIN, A. E. BATEMAN.
Pour Victoria, GRAHAM BERRY.	For Victoria, GRAHAM BERRY.
Pour la Grèce, P. MULLE.	For Greece, P. MULLE.
Pour le Guatémala, ALEXIS CAPOUILLET.	For Guatemala, ALEXIS CAPOUILLET.
Pour la République de Haïti, G. DE DEKEN.	For the Republic of Hayti, G. DE DEKEN.

Pour l'Italie et ses Colonies, J. DE RENZIS,	For Italy and her Colonies, J. DE RENZIS.
Pour le Mexique, EDM. VAN DEN WYNGAERT.	For Mexico, EDM. VAN DEN WYNGAERT.
Pour le Nicaragua, J. F. MEDINA.	For Nicaragua, J. F. MEDINA.
Pour le Paraguay, HENRI OOSTENDORP.	For Paraguay, HENRI OOSTENDORP.
Pour les Pays-Bas et leurs Colonies, H. TESTA, L. E. UYTENHOOVEN.	For the Netherlands and their Colonies, H. TESTA, L. E. UYTENHOOVEN.
Pour le Pérou, JOAQUIN LEMOINE,	For Peru, JOAQUIN LEMOINE.
Pour le Portugal et ses Colonies, HENRIQUE DE MACEDO PEREIRA CONTINHO. AUGUSTO CESAR FERREIRA DE MESQUITA.	For Portugal and her Colonies, HENRIQUE DE MACEDO PEREIRA CONTINHO. AUGUSTO CESAR FERREIRA DE MESQUITA.
Pour la Roumanie, J. VACARESCO.	For Roumania, J. VACARESCO.
Pour la Russie, G. KAMENSKY.	For Russia, G. KAMENSKY.
Pour le Salvador, EMILE ELOY.	For Salvador, EMILE ELOY.
Pour le Siam, FREDERICK VERNEY.	For Siam, FREDERICK VERNEY.
Pour la Suisse, E. PACCAUD.	For Switzerland, E. PACCAUD.
Pour la Turquie, ET. CARATHÉODORY.	For Turkey, ET. CARATHÉODORY.
Pour l'Uruguay, F. CO. SUSVIELA GUARCH.	For Uruguay, F. CO. SUSVIELA GUARCH.
Pour le Venezuela, LUIS LOPEZ MENDEZ.	For Venezuela, LUIS LOPEZ MENDEZ.

PROCÈS-VERBAL DE SIGNATURES.

FINAL DECLARATIONS.

Final declarations.

Les délégués soussignés, réunis ce jour à l'effet de procéder à la signature de la Convention et du Règlement concernant l'institution d'une Union internationale pour la publication des tarifs douaniers, ont échangé les déclarations suivantes :

1° En ce qui concerne la classification des pays de l'Union au point de vue de leur part contributive aux frais du Bureau international (art. 9, 10 et 11 de la Convention):

Les délégués déclarent que, pour toute la durée de la Convention, les pays adhérents seront rangés dans les classes suivantes et auront à intervenir respective-

The undersigned delegates, having met this day for the purpose of signing the Convention and regulations providing for the formation of an International Union for the publication of customs tariffs, have exchanged the following declarations:

1. As regards the classification of the countries of the Union according to the quotas payable by them for the support of the International Bureau (arts 9, 10, and 11 of the Convention):

The delegates declare that, so long as the Convention shall remain in force, the adhering countries shall be classified as follows, and that the quotas payable by

Arrangement of classification.

ment dans la proportion du nombre d'unités indiqué ci-après.

them shall be in proportion to the number of units stated below:

PREMIÈRE CLASSE.		FIRST CLASS.	
	Unités.		Units.
Angleterre et ses Colonies non spécialement dénommées ci-après . . .	55	England and her Colonies not specially hereinafter mentioned . . .	55
Belgique	55	Belgium	55
États-Unis d'Amérique	55	France and her Colonies	55
France et ses Colonies	55	Netherlands and their Colonies	33
Pays-Bas et leurs Colonies	33	Russia	33
Russie	33	United States of America	55
DEUXIÈME CLASSE.		SECOND CLASS.	
Autriche-Hongrie	24	Austria-Hungary	24
Espagne et ses Colonies	40	British India	40
Inde Britannique	40	Italy and her Colonies	40
Italie et ses Colonies	40	Spain and her Colonies	40
TROISIÈME CLASSE.		THIRD CLASS.	
Argentine (République)	25	Argentine Republic	25
Bésil	15	Brazil	15
Canada	25	Canada	25
Danemark et ses Colonies	15	Denmark and her Colonies	15
Nouvelle-Galles du Sud	25	New South Wales	25
Portugal et ses Colonies	15	Portugal and her Colonies	15
Suisse	25	Switzerland	25
Turquie	15	Turkey	15
Victoria	25	Victoria	25
QUATRIÈME CLASSE.		FOURTH CLASS.	
Cap de Bonne-Espérance	20	Cape of Good Hope	20
Chili	20	Chili	20
Colombie	20	Colombia	20
Egypte	12	Ecuador	20
Equateur	20	Egypt	12
Grèce	12	Greece	12
Japon	12	Japan	12
Mexique	20	Mexico	20
Nouvelle-Zélande	20	New Zealand	20
Perse	12	Persia	12
Queensland	20	Queensland	20
Roumanie	12	Roumania	12
Uruguay	20	Uruguay	20
Venezuela	20	Venezuela	20
CINQUIÈME CLASSE.		FIFTH CLASS.	
Bolivie	15	Bolivia	15
Costa-Rica	15	Costa Rica	15
Guatemala	15	Guatemala	15
Haïti	15	Hayti	15
Natal	15	Natal	15
Pérou	15	Peru	15
Serbie	9	Servia	9
Siam	9	Siam	9
Sud-Africaine (République)	9	South African Republic	9
SIXIÈME CLASSE.		SIXTH CLASS.	
Australie de l'Ouest	5	Australia (West)	5
Dominicaine (République)	5	Dominican Republic	5
État Indépendant du Congo	3	Honduras (Republic)	5
Honduras (République)	5	Independent State of Congo	3
Nicaragua	5	Newfoundland	5
Paraguay	5	Nicaragua	5
Salvador	5	Paraguay	5
Tasmanie	5	Salvador	5
Terre-Neuve	5	Tasmania	5

Quant aux chiffres des cotisations qui ont figuré dans le tableau de répartition des frais, arrêté le 26 février 1890, ils sont

As to the amounts of the quotas that have appeared in the table of apportionment, they are reproduced below by way of in-

Contributions from each State.

reproduits ci-après à titre de *renseignement*, la contribution de chaque État ne pouvant être déterminée d'une façon absolument précise que lorsque toutes les adhésions seront devenues définitives. Il est entendu toutefois qu'en aucun cas ces chiffres ne pourront subir de majoration pendant la durée de la Convention.

formation, as the contribution of each State can not be determined with absolute precision until all the adhesions shall have become definitive. It is nevertheless, understood that these figures shall in no case be increased while this convention remains in force.

Tables

	Somme à payer.	Contre-valeur en abonnements.		Amount payable.	Number of subscriptions.
PREMIÈRE CLASSE.			FIRST CLASS.		
Angleterre et ses colonies non spécialement dénommées ci-après	6883	456	England and her Colonies not specially hereinafter mentioned	6883	456
Belgique	6883	456	Belgium	6883	456
États-Unis d'Amérique	6883	456	France and her Colonies	6883	456
France et ses colonies	6883	456	Netherlands and their Colonies	4100	274
Pays-Bas et leurs colonies	4100	274	Russia	4100	274
Russie	4100	274	United States of America	6883	456
DEUXIÈME CLASSE.			SECOND CLASS.		
Autriche-Hongrie	2982	199	Austria-Hungary	2982	199
Espagne et ses colonies	4970	332	British India	4970	332
Inde Britannique	4970	332	Italy and her Colonies	4970	332
Italie et ses colonies	4970	332	Spain and her Colonies	4970	332
TROISIÈME CLASSE.			THIRD CLASS.		
Argentine (République)	3106	207	Argentine Republic	3106	207
Brésil	1863	124	Brazil	1863	124
Canada	3106	207	Canada	3106	207
Danemark et ses colonies	1863	124	Denmark and her Colonies	1863	124
Nouvelle-Galles du Sud	3106	207	New South Wales	3106	207
Portugal et ses colonies	1863	124	Portugal and her Colonies	1863	124
Suisse	3106	207	Switzerland	3106	207
Turquie	1863	124	Turkey	1863	124
Victoria	3106	207	Victoria	3106	207
QUATRIÈME CLASSE.			FOURTH CLASS.		
Cap de Bonne-Espérance	2485	166	Cape of Good Hope	2485	166
Chili	2485	166	Chili	2485	166
Colombie	2485	166	Colombia	2485	166
Égypte	1491	100	Ecuador	2485	166
Équateur	2485	166	Egypt	1491	100
Grèce	1491	100	Greece	1491	100
Japon	1491	100	Japan	1491	100
Mexique	2485	166	Mexico	2485	166
Nouvelle-Zélande	2485	166	New Zealand	2485	166
Perse	1491	100	Persia	1491	100
Queensland	2485	166	Queensland	2485	166
Roumanie	1491	100	Roumania	1491	100
Uruguay	2485	166	Uruguay	2485	166
Venezuela	2485	166	Venezuela	2485	166
CINQUIÈME CLASSE.			FIFTH CLASS.		
Bolivie	1863	124	Bolivia	1863	124
Costa-Rica	1863	124	Costa Rica	1863	124
Guatemala	1863	124	Guatemala	1863	124

	Somme à payer.	Contre-valeur en abonnements.		Amount payable.	Number of subscriptions.
CINQUIÈME CLASSE—continuation.			FIFTH CLASS—continued.		
Haiti	1863	124	Hayti.....	1863	124
Natal	1863	124	Natal.....	1863	124
Pérou	1863	124	Peru.....	1863	124
Serbie	1118	75	Servia.....	1118	75
Siam	1118	75	Siam.....	1118	75
Sud-Africaine (République)	1118	75	South African Republic.....	1118	75
SIXIÈME CLASSE.			SIXTH CLASS.		
Australie de l'Ouest.....	621	42	Australia (West).....	621	42
Dominicaine (République).....	621	42	Dominican Republic.....	621	42
État Indépendant du Congo.....	372	25	Honduras (Republic).....	621	42
Honduras (République).....	621	42	Independent State of the Congo	372	25
Nicaragua.....	621	42	Newfoundland.....	621	42
Paraguay.....	621	42	Nicaragua.....	621	42
Salvador.....	621	42	Paraguay.....	621	42
Tasmanie.....	621	42	Salvador.....	621	42
Terre-Neuve.....	621	42	Tasmanie.....	621	42

2°. En ce qui concerne le paiement des cotisations échéant aux parties contractantes:

Les délégués déclarent qu'il s'effectuera à Bruxelles dans le courant du premier trimestre de chaque exercice et en monnaies ayant cours légal en Belgique.

3°. En ce qui concerne la mise à exécution de la Convention, fixée au 1^{er} avril 1891:

Les délégués déclarent qu'elle sera précédée, si possible, d'une notification d'adhésion définitive de la part des Gouvernements intéressés; que, néanmoins, cette formalité n'est pas indispensable et que l'on maintiendra sur la liste des adhérents les pays signataires de la présente Convention qui, à la date du 1^{er} avril 1891, n'auraient pas exprimé formellement l'intention de se retirer.

En foi de quoi, les délégués respectifs ont signé le présent procès-verbal.

Fait à Bruxelles, le 5 Juillet mil huit cent quatre-vingt dix.

Pour la République Argentine,
CARLOS CALVO Y CAP-DEVILA.

Pour l'Autriche-Hongrie,
EPERJESY.

2. As regards the payment of the quotas of the contracting parties:

The delegates declare that it shall take place at Brussels during the first quarter of each fiscal year in coin that is a legal tender in Belgium.

3. As regards the date at which the Convention is to go into operation, which has been fixed at April 1st, 1891:

The delegates declare that it shall, if possible, be preceded by a notification of definite adhesion on the part of the Governments interested; that this formality is, nevertheless, not indispensable, and that the countries by whose representatives this Convention has been signed shall be kept on the list of adherents unless they shall, on or before April 1st, 1891, have formally expressed the intention of withdrawing.

In testimony whereof, the delegates have affixed their signatures to these final declarations.

Done at Brussels, July the 5th, one thousand eight hundred and ninety.

For the Argentine Republic,
CARLOS CALVO Y CAP-DEVILA.

For Austria-Hungary,
EPERJESY.

Payment of quotas.

Notification of adhesion.

Signatures.

Pour la Belgique, LAMBERMONT, LÉON BIEBUYCK, KEBERS.	For Belgium, LAMBERMONT, LEON BIEBUYCK, KEBERS.
Pour la Bolivie, JOAQUIN CASO.	For Bolivia, JOAQUIN CASO.
Pour le Chili, N. PEÑA VICUÑA.	For Chili, N. PEÑA VICUÑA.
Pour l'État Indépendant du Congo, EDM. VAN EETVELDE.	For the Independent State of the Congo, EDM. VAN EETVELDE.
Pour la République de Costa-Rica, MANUEL M. DE PERALTA.	For the Republic of Costa Rica, MANUEL M. DE PERALTA.
Pour le Danemark et ses Colonies, SCHACK DE BROCKDORFF.	For Denmark and her Colonies, SCHACK DE BROCKDORFF.
Pour l'Espagne et ses Colonies, J. G. DE AGÜERA.	For Spain and her Colonies, J. G. DE AGÜERA.
Pour les États-Unis d'Amérique, EDWIN H. TERRELL— <i>ad referendum.</i>	For the United States of America, EDWIN H. TERRELL— <i>ad referendum.</i>
Pour la France et ses Colonies, A. BOURÉE.	For France and her Colonies, A. BOURÉE.
Pour la Grande-Bretagne et diverses Colonies anglaises, MARTIN GOSSELIN, A. E. BATEMAN.	For Great Britain and sundry British Colonies, MARTIN GOSSELIN, A. E. BATEMAN.
Pour l'Inde Britannique, MARTIN GOSSELIN, A. E. BATEMAN.	For British India, MARTIN GOSSELIN, A. E. BATEMAN.
Pour le Dominion du Canada, CHARLES TUPPER.	For the Dominion of Canada, CHARLES TUPPER.
Pour l'Australie de l'Ouest.	For West Australia,
Pour la Cap de Bonne-Espérance, MARTIN GOSSELIN, A. E. BATEMAN.	For the Cape of Good Hope, MARTIN GOSSELIN, A. E. BATEMAN.
Pour Natal, MARTIN GOSSELIN, A. E. BATEMAN.	For Natal, MARTIN GOSSELIN, A. E. BATEMAN.
Pour la Nouvelle-Galles du Sud, SAUL SAMUEL.	For New South Wales, SAUL SAMUEL.
Pour la Nouvelle-Zélande, FRANCIS DILLON BELL.	For New Zealand, FRANCIS DILLON BELL.
Pour le Queensland,	For Queensland,
Pour la Tasmanie, MARTIN GOSSELIN, A. E. BATEMAN.	For Tasmania, MARTIN GOSSELIN, A. E. BATEMAN.
Pour Terre-Neuve, MARTIN GOSSELIN, A. E. BATEMAN.	For Newfoundland, MARTIN GOSSELIN, A. E. BATEMAN.
Pour Victoria, GRAHAM BERRY.	For Victoria, GRAHAM BERRY.
Pour la Grèce, P. MULLE.	For Greece, P. MULLE.
Pour le Guatémala, ALEXIS CAPOUILLET.	For Guatemala, ALEXIS CAPOUILLET.

Pour la République de Haïti, G. DE DEKEN.	For the Republic of Hayti, G. DE DEKEN.
Pour l'Italie et ses Colonies, J. DE RENZIS.	For Italy and her Colonies, J. DE RENZIS.
Pour le Mexique, EDM. VAN DE WYN- GAERT.	For Mexico, EDM. VAN DEN WYN- GAERT.
Pour le Nicaragua, J. F. MEDINA.	For Nicaragua, J. F. MEDINA.
Pour le Paraguay, HENRI OOSTENDORF.	For Paraguay, HENRI OOSTENDORP.
Pour les Pays-Bays et leurs Co- lonies, H. TESTA, L. E. UYTENHOOVEN.	For the Netherlands and their Colonies, H. TESTA, L. E. UYTENHOOVEN.
Pour le Pérou, JOAQUIN LEMOINE.	For Peru, JOAQUIN LEMOINE.
Pour le Portugal et ses Colonies, HENRIQUE DE MACEDO PEREIRA CONTINHO, AUGUSTO CESAR FER- REIRA DE MESQUITA.	For Portugal and her Colonies, HENRIQUE DE MACEDO PEREIRA CONTINHO, AUGUSTO CESAR FER- REIRA DE MESQUITA.
Pour la Roumanie, J. VACARESCO.	For Roumania, J. VACARESCO.
Pour la Russie, G. KAMENSKY,	For Russia, G. KAMENSKY.
Pour le Salvador, EMILE ELOY.	For Salvador, EMILE ELOY.
Pour le Siam, FREDERICK VERNEY.	For Siam, FREDERICK VERNEY.
Pour la Suisse, E. PACCAUD.	For Switzerland, E. PACCAUD.
Pour la Turquie, ET. CARATHÉODORY.	For Turkey, ET. CARATHÉODORY.
Pour l'Uruguay, FCO. SUSVIELA GUARCH.	For Uruguay, FCO. SUSVIELA GUARCH.
Pour le Venezuela, LOUIS LOPEZ MENDEZ.	For Venezuela, LUIS LOPEZ MENDEZ.

And whereas the said Convention, Regulations and Final Declara-
tions, have been duly ratified by the President of the United States
of America, by and with the advice and consent of the Senate thereof;

Ratification.

And whereas it is provided by Article 15 of the said Convention,
that it shall go into operation on the first day of April, one thousand
eight hundred and ninety-one;

Now, therefore, be it known that I, Benjamin Harrison, President
of the United States of America, have caused the said Convention,
Regulations and Final Declarations to be made public, to the end
that the same and every article and clause 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 hereunto affixed.

Done at the City of Washington, this 17th day of December, in
the year of our Lord one thousand eight hundred and
[SEAL.] ninety and of the Independence of the United States of
America the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE

Secretary of State.

May 7, 1888.

Convention between the United States of America and the Republic of Colombia for the extradition of criminals. Signed at Bogotá May 7, 1888; ratification, with amendments, advised by the Senate March 26, 1889; ratification, with amendments proposed by Colombia, advised February 27, 1890; ratified by the President of the United States March 12, 1890; ratified by the President of Colombia October 30, 1890; ratifications exchanged at Bogotá November 12, 1890; proclaimed February 6, 1891.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas a convention for the extradition of criminals between the United States of America and the Republic of Colombia was concluded and signed, by their respective Plenipotentiaries, at the City of Bogotá, on the seventh day of May, 1888, the original of which Convention, as amended by the Senate of the United States, and being in the English and Spanish languages, is word for word as follows :

Convention, for the reciprocal extradition of criminals, between the United States of America, and the Republic of Colombia.

Contracting parties.

The President of the United States of America, and the President of the Republic of Colombia, with the view of facilitating the administration of justice and to insure the suppression of crimes, which may be committed within the territories and jurisdictions of the two countries and the perpetrators of which may attempt to escape punishment by leaving one country, and taking refuge in the other, have agreed to conclude a convention establishing rules for the reciprocal extradition of persons accused or convicted of the crimes hereinafter enumerated.

And they have for that purpose authorized and empowered their respective Plenipotentiaries, to wit :

Plenipotentiaries.

The President of the United States of America, John G. Walker, Chargé d'Affaires *ad interim*, and the President of the Republic of Colombia, Vicente Restrepo, Minister of Foreign Affairs, who after communicat-

El Presidente de la República de Colombia, y el Presidente de los Estados Unidos de América, con la mira de facilitar la administración de justicia, y de asegurar la represión de los delitos que puedan cometerse en los territorios de las dos Naciones, y cuyos responsables intenten eludir la pena huyendo del un país y refugiándose en el otro, han resuelto celebrar una Convención en que se establezcan reglas precisas, fundadas en perfecta reciprocidad, para la extradición de los acusados ó condenados por los delitos que se especificarán:

En consecuencia, nombraron con tal objeto sus respectivos Plenipotenciarios, á saber :

El Presidente de la República de Colombia á Vicente Restrepo, Ministro de Relaciones Exteriores, y el Presidente de los Estados Unidos de América á John G. Walker, Encargado de Negocios *ad interim*, los cuales, despues de

ing to each other their respective full powers, which are found to be in due form, have agreed upon the following articles:

ARTICLE I.

The Government of the United States of America, and the Government of the Republic of Colombia, under the restrictions and limitations hereinafter contained, agree to deliver, reciprocally, all persons accused, or convicted, as principals or accessories, of any of the crimes mentioned in Article II of this Convention, committed within territories or jurisdiction of the one and who are found within the territories or jurisdiction of the other Government.

ARTICLE II.

The crimes for which extradition is to be reciprocally accorded, are as follows:

1. Murder and attempts to commit murder, by assault, poison or otherwise.

2. Counterfeiting, or altering money, or knowingly uttering or bringing into circulation counterfeit or altered money; counterfeiting or altering certificates or coupons of public indebtedness, bank notes or other instruments of public credit; or knowingly uttering or circulating the same.

3. Forgery, or altering, or uttering what is forged or altered.

4. Embezzlement, being the criminal misapplication of public or private funds, documents or property; or the funds, documents or property of municipal or other corporations, held in trust by a public officer, or as a fiduciary agent, or as a confidential employé.

5. Robbery.

6. Burglary, defined to be the breaking into or entering, either in day or night time, the house, office or other building of a government, corporation or private person, with the intent of committing a felony therein.

7. Perjury, or the subornation of perjury.

haberse comunicado sus plenos poderes y hallándolos en la forma debida, han convenido en lo siguiente :

ARTÍCULO I.

El Gobierno de la República de Colombia y el Gobierno de los Estados Unidos de América, con las restricciones que adelante se expresarán, convienen en entregarse recíprocamente todas las personas sindicadas ó convictas como autores principales ó como cómplices de cualquiera de los delitos enumerados en el Artículo II de esta Convención, cometidos dentro de la jurisdicción del uno, las cuales se encuentren dentro de la jurisdicción del otro Gobierno.

Reciprocal delivery of persons charged with crime.

ARTÍCULO II

Los delitos por los cuales se concede recíprocamente la extradición, son los siguientes:

1. Homicidio calificado y tentativa de cometerlo por agresión, envenenamiento ó de otro modo.

2. Falsificación ó alteración de la moneda, ó emisión ó circulación á sabiendas de moneda falsa ó alterada; falsificación de certificados ó de cupones de la deuda pública, de billetes de banco ó de otros documentos de crédito público, ó la emisión ó circulación de los mismos á sabiendas.

3. Imitación, ó alteración ó emisión de lo que ya está imitado ó alterado.

4. Malversación de caudales públicos ó particulares, documentos ó intereses; ó de los caudales, documentos ó intereses de corporaciones municipales ó de otro género, confiados á un empleado público, á un agente fiduciario ó á una persona de confianza.

5. Robo.

6. Escalamiento, consistente en la ruptura, ó en la entrada, de día ó de noche, á alguna casa, oficina ú otro cualquiera edificio de algún gobierno, corporación ó individuo particular con propósito de cometer algun delito.

7. Perjurio ó instigación á perjurio.

Extraditable crimes
Post, p. 1537.

Murder, etc.

Counterfeiting, etc.

Forgery, etc.

Embezzlement.

Robbery.

Burglary.

Perjury.

Rape.	8. Rape.
Arson.	9. Arson.
Piracy.	10. Piracy, as defined by the Law of Nations.
Murder, etc., on the high seas.	11. Murder, manslaughter, or assault with intent to kill, on the high seas, on board of vessels sailing under the flag of the demanding party.
Malicious destruction of railways, etc.	12. Malicious destruction, or attempted destruction, of railways, bridges, tramways, vessels, dwellings, public edifices, or other buildings, when the act endangers human life.

8. Rapto.
9. Incendio.
10. Piratería, como la define el Derecho de gentes.
11. Homicidio calificado ó simple, ó agresión con intento de matar en alta mar, á bordo de los buques que naveguen bajo el pabellón de la parte demandante.
12. La destrucción maliciosa, ó la tentativa de destrucción de ferrocarriles, puentes, tranvías, embarcaciones, habitaciones, edificios públicos, ó cualesquiera otras construcciones, siempre que el hecho ponga en peligro la vida de los hombres.

ARTICLE III.

Copy of warrant if arrest to be produced.

When the extradition of a criminal, charged or convicted of any of the foregoing offenses, is demanded, it must be supported by the production of a duly authenticated warrant of arrest, made in accordance with the laws of the country making the demand, and the depositions upon which it is based.

Copy of sentence if convicted.

If the person whose extradition is demanded has already been convicted, the demand must be accompanied by a duly authenticated copy of the sentence of the court in which he was convicted, and with the attestation of the proper executive authority; the latter of which must be certified by the Minister or Consul of the Government upon which the demand is made.

ARTICLE IV.

Persons under prosecution in country where found.

If the person demanded be held for trial in the country on which the demand is made, it shall be optional with the latter to grant extradition, or to proceed with the trial: Provided, that unless the trial shall be for the crime for which the fugitive is claimed, the delay shall not prevent ultimate extradition.

ARTICLE V.

Political offenses not included.

If it be made to appear that the extradition is sought with the view of trying or punishing the person demanded for an offense

ARTÍCULO III.

Cuando se solicite la extradición de un individuo acusado de cualquiera de los crímenes ó delitos ya expresados, la petición deberá estar apoyada en la órden legalizada del arresto, extendida conforme á las leyes del país que la hace y en las disposiciones en que se basa. Si el individuo, cuya extradición se exige, hubiere sido ya convicto, la solicitud habrá de estar acompañada de la respectiva copia auténtica de la sentencia del Tribunal por la cual se le declaró convicto, y con la atestación del correspondiente empleado ejecutivo, documento que estará revestido de la legalización del Ministro ó Cónsul del Gobierno ante el cual se hace la petición.

ARTÍCULO IV.

Si la persona pedida se hallare sometida á juicio en el país al cual se pide, queda al Gobierno de éste último la opción de conceder la extradición ó continuar el juicio, y en esta suposición el aplazamiento no ha de impedir posterior extradición por estar el individuo reclamado sometido á juicio por un delito idéntico.

ARTÍCULO V.

Si apareciere que la extradición se solicita con el propósito de someter á juicio y castigar á un individuo por una falta de carácter

of a political character, surrender shall not take place; nor shall any person surrendered be tried or punished for a political offense, committed previously to extradition, or for any offense other than that for which extradition was granted.

ARTICLE VI.

The requisition for extradition shall be made through the diplomatic agents of the contracting parties, or in the event of the absence of these from the country or from the seat of government, by superior consular officers. The fugitive shall be surrendered only on such evidence of criminality as would justify his arrest and trial under the laws of the country where he is found, had the crime been there committed.

ARTICLE VII.

On being informed by telegraph, or other written communication, through the diplomatic channel, that a lawful warrant has been issued, by a competent authority, upon probable cause, for the arrest of a fugitive criminal, charged with any of the crimes enumerated in Article II of this Convention, and on being assured, through the same source, that a request for the surrender of such criminal is about to be made, in accordance with the provisions of this Convention, each government will endeavor to procure, so far as it lawfully may, the personal arrest of such criminal, and may keep him in safe custody, for a reasonable time, not exceeding three months, to await the production of the documents, upon which the claim for extradition is founded.

ARTICLE VIII.

When a person is extradited under the formalities prescribed in this Convention, all documents and other objects, which may tend to establish his guilt, may be delivered to the demanding

político, no tendrá lugar la entrega. Tampoco será juzgado ó castigado ningún individuo cuya entrega se haya efectuado por faltas políticas, cometidas antes de la extradición, ni por otro delito que aquél que se alegó para exigir la extradición.

ARTÍCULO VI.

La solicitud de extradición se hará por medio de los Agentes diplomáticos de las partes contratantes, y en el caso de hallarse éstos ausentes del país ó de la Capital, por los empleados consulares superiores. El prófugo no podrá ser entregado sino en tanto que las pruebas de su culpabilidad sean tales que justificarian el arresto y el seguimiento de causa conforme á las leyes del país en que se le halle, si en ese país hubiera cometido el delito.

ARTÍCULO VII.

Al recibirse informe por parte telegráfico ó por otra comunicación escrita por el conducto diplomático, de que se ha dictado alguna providencia legal por autoridades competentes, sustentada en causa probable, para el arresto de un reo prófugo, complicado en alguno ó algunos de los delitos enumerados en el Artículo II de esta Convención, y al tener seguridad por el mismo órgano de que se solicitará el arresto del mismo reo, de acuerdo con los términos de esta Convención, cada Gobierno procurará, en cuanto legalmente le sea posible, el arresto personal de dicho reo, y lo podrá tener custodiado por un tiempo razonable, que no ha de exceder de tres meses, hasta la presentación de los documentos en que se funde la reclamación de extradición.

ARTÍCULO VIII.

Cuando una persona fuere entregada segun las formalidades prescritas en esta Convención, todos los documentos y los demas objetos que de alguna manera tiendan á probar su culpabilidad,

Requisitions.

Preliminary arrest.

Ante, p. 1535.

Documents, etc., to be delivered with person to demanding Government.

Government, as well as all money or effects which he may have or may have had in his possession or subject to his control, the unlawful possession or taking of which constitutes the offense, in whole or in part, for which his extradition is requested.

podrán ser entregados al Gobierno reclamante, así como también todo el dinero y efectos que tuviere en su poder ó se hallaren bajo su dependencia, efectos cuya posesión ilegal constituya el delito, en todo ó en parte, por el cual se solicita la extradición.

ARTICLE IX.

ARTÍCULO IX.

Information to Government of foreigner of either country.

In case a person, who is equally a foreigner in the United States of America and in the Republic of Colombia, takes refuge in either country, after having committed any of the foregoing crimes, within one or the other jurisdiction, extradition can be accorded only after the Government, or its Representative, of which the criminal is a citizen or subject, has been duly informed, and afforded an opportunity to file objections to the extradition.

En caso que se solicite la extradición de una persona que sea igualmente extranjera en la República de Colombia y en los Estados Unidos de América, aquella no se concederá mientras el Gobierno ó el Representante del país del cual es dicho criminal ciudadano ó súbdito, haya tenido oportunidad de hacer objeciones á la extradición.

ARTICLE X.

ARTÍCULO X.

Neither country bound to deliver its citizens.

Neither of the high contracting parties shall be bound to deliver up its own citizens, under the stipulations of this Convention.

Ninguna de las altas partes contratantes será obligada á entregar sus propios ciudadanos según las estipulaciones de esta Convención.

ARTICLE XI.

ARTÍCULO XI.

Indebtedness not to prevent extradition.

The fact that the person whose extradition is demanded, has contracted obligations of which extradition would hinder the performance, shall be no bar to his extradition.

El hecho de que la persona cuya extradición se demanda tenga contraídas obligaciones cuyo cumplimiento hubiera de ser impedido por la extradición, no será obstáculo para efectuar esta.

ARTICLE XII.

ARTÍCULO XII.

Expenses.

The expenses of the arrest, detention, examination and transportation of the accused shall be paid by the Government requesting the extradition.

Los gastos de captura, detención, exámen y conducción del individuo acusado, seran pagados por el Gobierno que pida la extradición.

ARTICLE XIII.

ARTÍCULO XIII.

Effect.

The present Convention shall commence to be effective sixty days after the exchange of ratifications thereof, but offenses committed, anterior to that time, shall furnish no grounds for a demand for extradition. For the termi-

La presente Convención entrará en vigor sesenta dias despues del cambio de las ratificaciones ; pero los delitos cometidos con anterioridad á ese tiempo, no quedarán comprendidos en los casos de extradición. Si alguna de las

Notice of termination.

nation of this convention twelve months notice must be given by either of the high contracting parties.

This Convention shall be ratified, and the ratifications exchanged in the City of Bogotá, as soon as possible.

In faith whereof, we, the Plenipotentiaries of the United States of America, and of the Republic of Colombia, have signed and sealed these presents, in the City of Bogotá, this seventh day of May in the year of Our Lord one thousand eight hundred and eighty eight.

altas partes contratantes desearé hacer cesar esta Convención, deberá comunicarlo á la otra con doce meses de anticipación.

Esta Convención será ratificada y las ratificaciones canjeadas en la ciudad de Bogotá tan pronto como sea posible.

En fé de lo cual, nosotros, los Plenipotenciarios de la República de Colombia y de los Estados Unidos de América, hemos firmado y sellado las presentes en la ciudad de Bogotá, el día siete de Mayo del año de Nuestro Señor mil ochocientos ochenta y ocho.

Exchange of ratifications.

[SEAL.] JOHN G. WALKER.
[SEAL.] VICENTE RESTREPO.

[SEAL.] VICENTE RESTREPO.
[SEAL.] JOHN G. WALKER.

Signatures.

And whereas the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at the City of Bogotá, on the twelfth day of November, 1890 ;

Ratification.

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention to be made public, as amended, to the end that the same and every article and clause 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 6th day of February in the year of our Lord one thousand eight hundred and ninety one, and of the Independence of the United States the one hundred and fifteenth.

BENJ HARRISON

[SEAL.]
By the President :
JAMES G. BLAINE
Secretary of State

