
TREATIES AND CONVENTIONS

CONCLUDED BY THE

UNITED STATES OF AMERICA

WITH

FOREIGN NATIONS.

TREATIES AND CONVENTIONS.

Convention between the United States of America and the United States of Mexico extending for one year from December 24, 1895, the duration of the convention of March 1, 1889. Signed at Washington October 1, 1895; ratification advised by the Senate December 17, 1895; ratified by the President December 20, 1895; ratified by the President of Mexico November 5, 1895; ratifications exchanged at Washington December 21, 1895; proclaimed December 21, 1895.

October 1, 1895.

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 extending for a period of one year from December 24, 1895, the duration of the Convention between the two high Contracting Parties of March 1, 1889 concerning the water boundary between the two countries, was concluded and signed by their respective plenipotentiaries at the city of Washington on the first day of October 1895, the original of which Convention, being in the English and Spanish languages is word for word as follows:

Preamble.
Vol. 26, p. 1512.
Post, p. 857.

Whereas the United States of America and the United States of Mexico desire to comply fully with the provisions of the Convention concluded and signed at Washington, March 1, 1889, to facilitate the carrying out of the principles contained in the Convention of November 12, 1884, between the two High Contracting Parties, and to avoid the difficulties occasioned by reason of the changes which take place in the beds of the Rio Grande and Colorado River in that portion thereof where they serve as a boundary line between the two Republics;

And whereas the time fixed by Article IX of the Convention of March 1, 1889, will expire December 24, 1895;

And whereas the two High Contracting Parties deem it expedient to agree upon an extension of the

Deseando los Estados Unidos de América y los Estados Unidos Mexicanos dar pleno cumplimiento á las estipulaciones de la Convención concluida y firmada en Washington el 1° de Marzo de 1889 para facilitar la ejecucion de los principios contenidos en el Tratado de 12 de Noviembre de 1884, firmado entre las dos Altas Partes contratantes, y evitar las dificultades ocasionadas con motivo de los cambios que tienen lugar en el cance de los rios Bravo del Norte y Colorado en aquellas de sus partes que sirven de límite á las dos Repúblicas;

Y debiendo expirar el 24 de Diciembre de 1895 el plazo fijado por el artículo IX de la Convencion de 1° de Marzo 1889;

Y considerando conveniente las dos Altas Partes Contratantes prorogar el plazo estipulado en el Ar-

Contracting parties.

time stipulated in Article IX aforesaid, to the end that the International Boundary Commission may conclude the examination and decision of the cases submitted to it, they have appointed for this purpose their respective plenipotentiaries, to wit:

Plenipotentiaries.

The President of the United States of America, Richard Olney, 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 communicated to each other their respective full powers, found in good and true form, have agreed upon and concluded the following article:

ARTICLE.

The duration of the Convention of March 1, 1889, between the United States of America and the United States of Mexico, which, in virtue of the provisions of Article IX thereof, was to continue in force for a period of five years from the date of the exchange of its ratifications, and which will terminate December 24, 1895, is hereby extended for the period of one year from that date.

Duration of water boundary convention with Mexico extended one year.
Post, p. 858.

Ratification.

This Convention shall be ratified by the High Contracting Parties in conformity with their respective Constitutions, and its ratifications shall be exchanged at Washington as soon as possible.

Signatures.

In faith whereof, we, the undersigned, in virtue of our respective full powers, have signed this convention, in duplicate, in the English and Spanish languages, and have thereunto affixed our respective seals.

Done at the City of Washington, this first day of October, in the year of our Lord one thousand eight hundred and ninety-five.

RICHARD OLNEY [SEAL.]
M. ROMERO [SEAL.]

Exchange of ratifications.

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 twenty-first day of December, one thousand eight hundred and ninety-five;

tículo IX de dicha Convención, á fin de que la Comisión Internacional de Límites pueda concluir el exámen y decisión de los casos que se le han sometido, han nombrado con ese objeto sus respectivos Plenipotenciarios, á saber:

El Presidente de los Estados Unidos de América á Richard Olney, 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 comunicado sus respectivos plenos poderes, encontrándolos en buena y debida forma, y puestos de acuerdo entre sí, han convenido en el artículo siguiente:

ARTÍCULO ÚNICO.

La duracion de la Convencion de 1º de Marzo de 1889, firmada entre los Estados Unidos de América y los Estados Unidos Mexicanos, que, conforme á las estipulaciones de su Artículo IX, deberia permanecer vigente por el plazo de cinco años contados desde la fecha del cange de sus ratificaciones y que terminará el 24 Diciembre de 1895, se proroga por la presente por el período de un año contado desde esta última fecha.

Esta Convención sera ratificada por las dos Altas Partes Contratantes de acuerdo con sus respectivas Constituciones, y las ratificaciones secangearán en Washington tan pronto como sea posible.

En fe de lo cual, nos, los infrascritos, en virtud de nuestros respectivos plenos poderes, hemos firmado esta Convención por duplicado, en las lenguas Inglesa é Española, y hemos puesto nuestros respectivos sellos.

Hecho en la Ciudad de Washington, el dia primero de Octubre del año de Nuestro Señor mil ochocientos noventa y cinco.

Now, therefore, be it known that I, GROVER CLEVELAND, 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.

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 twenty-first day of December, in the year of our Lord one thousand eight hundred and ninety-five, and of the Independence of the United States the one hundred and twentieth.

[SEAL.]

GROVER CLEVELAND

By the President:

RICHARD OLNEY

Secretary of State.

February 8, 1896.

Convention between the United States and Great Britain, for the settlement of claims presented by Great Britain against the United States in virtue of the Convention of February 29, 1892. Concluded February 8, 1896; ratification advised by the Senate, with amendments, April 15, 1896; ratified by the President April 23, 1896; ratified by Her Britannic Majesty May 14, 1896; ratifications exchanged June 3, 1896; proclaimed June 11, 1896.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.
Vol. 27, p. 947.

Whereas, a Convention between the Governments of the United States of America and Great Britain, providing for the settlement of claims presented by Great Britain against the United States in virtue of the Convention of February 29, 1892, between the same High Contracting Parties, was concluded and signed by their respective Plenipotentiaries at the City of Washington, on the eighth day of February, 1896, which Convention, being in the English language, and as amended by the Senate of the United States, is word for word as follows:

Contracting parties.

Whereas by a Treaty between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, signed at Washington on February 29, 1892, the questions which had arisen between their respective Governments concerning the jurisdictional rights of the United States in the waters of Behring Sea, and concerning also the preservation of the fur-seal in, or habitually resorting to, the said Sea, and the rights of the citizens and subjects of either country as regards the taking of fur-seal in, or habitually resorting to, the said waters, were submitted to a Tribunal of Arbitration as therein constituted;

And whereas the High Contracting Parties having found themselves unable to agree upon a reference which should include the question of the liability of each for the injuries alleged to have been sustained by the other, or by its citizens, in connection with the claims presented and urged by it, did, by Article VIII of the said Treaty, agree that either party might submit to the Arbitrators any questions of fact involved in said claims and ask for a finding thereon, the question of the liability of either Government on the facts found to be the subject of further negotiations;

And whereas the Agent of Great Britain did, in accordance with the provisions of said Article VIII, submit to the Tribunal of Arbitration certain findings of fact which were agreed to as proved by the Agent of the United States, and the Arbitrators did unanimously find the facts so set forth to be true, as appears by the Award of the Tribunal rendered on the 15th day of August, 1893;

And whereas in view of the said findings of fact and of the decision of the Tribunal of Arbitration concerning the jurisdictional rights of the United States in Behring Sea and the right of protection or property of the United States in the fur-seals frequenting the islands of the United States in Behring Sea, the Government of the United States is desirous that in so far as its liability is not already fixed and determined by the findings of fact and the decision of said Tribunal

of Arbitration, the question of such liability should be definitely and fully settled and determined, and compensation made, for any injuries for which, in the contemplation of the Treaty aforesaid, and the award and findings of the Tribunal of Arbitration compensation may be due to Great Britain from the United States;

And whereas it is claimed by Great Britain, though not admitted by the United States, that prior to the said award certain other claims against the United States accrued in favor of Great Britain on account of seizures of or interference with the following named British sealing vessels,—to wit, the “Wanderer,” the “Winnifred,” the “Henrietta” and the “Oscar and Hattie,” and it is for the mutual interest and convenience of both the High Contracting Parties that the liability of the United States, if any, and the amount of compensation to be paid, if any, in respect of such claims and each of them should also be determined under the provisions of this Convention—all claims by Great Britain under Article V of the Modus Vivendi of April 18, 1892 for the abstention from fishing of British sealers during the pendency of said arbitration having been definitely waived before the Tribunal of Arbitration:

Vol. 27, p. 853.

The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, to the end of concluding a Convention for that purpose, have appointed as their respective Plenipotentiaries:

The President of the United States, the Honorable Richard Olney, Secretary of State; and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honorable Sir Julian Pauncefote, G. C. B., G. C. M. G., Her Majesty's Ambassador Extraordinary and Plenipotentiary to the United States;

Plenipotentiaries.

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

ARTICLE I.

The high Contracting Parties agree that all claims on account of injuries sustained by persons in whose behalf Great Britain is entitled to claim compensation from the United States and arising by virtue of the Treaty aforesaid, the award and the findings of the said Tribunal of Arbitration, as also the additional claims specified in the 5th paragraph of the preamble hereto, shall be referred to two Commissioners, one of whom shall be appointed by the President of the United States, and the other by Her Britannic Majesty, and each of whom shall be learned in the law. Appended to this Convention is a list of the claims intended to be referred.

Claims of Great Britain for fur-seal compensation referred to Commissioners.

ARTICLE II.

The two Commissioners shall meet at Victoria, in the Province of British Columbia, Canada, as soon as practicable after the exchange of the ratifications of this Convention, and, after taking an oath that they will fairly and impartially investigate the claims referred to them and render a just decision thereon, they shall proceed jointly to the discharge of their duties.

Meeting at Victoria.

The Commission shall also sit at San Francisco, California, as well as Victoria, provided either Commissioner shall so request if he shall be of opinion that the interests of justice shall so require, for reasons to be recorded on the minutes.

Sitting at San Francisco.

ARTICLE III.

The said Commissioners shall determine the liability of the United States, if any, in respect of each claim and assess the amount of compensation, if any, to be paid on account thereof—so far as they shall

Decision to be final.

be able to agree thereon—and their decision shall be accepted by the two Governments as final.

Hearings.

They shall be authorized to hear and examine, on oath or affirmation, which each of said Commissioners is hereby empowered to administer or receive, every question of fact not found by the Tribunal of Arbitration, and to receive all suitable authentic testimony concerning the same; and the Government of the United States shall have the right to raise the question of its liability before the Commissioners in any case where it shall be proved that the vessel was wholly or in part the actual property of a citizen of the United States.

Testimony.

The said Commission, when sitting at San Francisco or Victoria, shall have and exercise all such powers for the procurement or enforcement of testimony as may hereafter be provided by appropriate legislation.

ARTICLE IV.

Secretary, etc.

The Commissioners may appoint a Secretary and a clerk or clerks to assist them in the transaction of the business of the Commission.

ARTICLE V.

Report of disagreements.

In the cases, if any, in which the Commissioners shall fail to agree, they shall transmit to each Government a joint report stating in detail the points on which they differ, and the grounds on which their opinions have been formed; and any such difference shall be referred for final adjustment to an Umpire to be appointed by the two Governments jointly, or, in case of disagreement, to be nominated by the President of the Swiss Confederation at the request of the two Governments.

Umpire.

ARTICLE VI.

Filling vacancies.

In case of the death, or incapacity to serve, from sickness or any other cause, of either of the two Commissioners, or of the Umpire, if any, his place shall be filled in the manner herein provided for the original appointment.

ARTICLE VII.

Expenses.

Each Government shall provide for the remuneration of the Commissioner appointed by it.

The remuneration of the Umpire, if one should be appointed, and all contingent and incidental expenses of the Commission, or of the Umpire, shall be defrayed by the two Governments in equal moieties.

ARTICLE VIII.

Payment of award.

The amount awarded to Great Britain under this Convention on account of any claimant shall be paid by the Government of the United States to the Government of Her Britannic Majesty within six months after the amount thereof shall have been finally ascertained.

ARTICLE IX.

Ratification.

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

Signatures.

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

Done in duplicate at Washington, the eighth day of February, 1896.

RICHARD OLNEY [SEAL]
JULIAN PAUNCEFOTE [SEAL]

APPENDIX OF CLAIMS.

Appendix of claims.

Claims submitted to the Tribunal of Arbitration at Paris.

Name of vessel.	Date of seizure.	Approximate distance from land when seized.	United States vessel making seizure.
Carolina.....	Aug. 1, 1886.	75 miles.....	Corwin.
Thornton.....	Aug. 1, 1886.	70 miles.....	Corwin.
Onward.....	Aug. 2, 1886.	115 miles.....	Corwin.
Favorite.....	Aug. 2, 1886.	Warned by Corwin in about same position as Onward.	
Anna Beck.....	July 2, 1887.	66 miles.....	Rush.
W. P. Sayward.....	July 9, 1887.	59 miles.....	Rush.
Dolphin.....	July 12, 1887.	40 miles.....	Rush.
Grace.....	July 17, 1887.	96 miles.....	Rush.
Alfred Adams.....	Aug. 10, 1887.	62 miles.....	Rush.
Ada.....	Aug. 25, 1887.	15 miles.....	Bear.
Triumph.....	Aug. 4, 1887.	Warned by Rush not to enter Behring Sea.	
Juanita.....	July 31, 1889.	66 miles.....	Rush.
Pathfinder.....	July 29, 1889.	50 miles.....	Rush.
Triumph.....	July 11, 1889.	Ordered out of Behring Sea by Rush—Query as to position when warned.	
Black Diamond.....	July 11, 1889.	35 miles.....	Rush.
Lily.....	Aug. 6, 1889.	66 miles.....	Rush.
Ariel.....	July 30, 1889.	Ordered out of Behring Sea by Rush.	
Kate.....	Aug. 13, 1889. ditto.....	Rush.
Minnie.....	July 15, 1889.	65 miles.....	Rush.
Pathfinder.....	Mar. 27, 1890.	Seized in Neah Bay.....	Corwin.

Personal Claims.....	1886.
Personal Claims.....	1887.
Costs in Sayward Case.....	

ADDITIONAL CLAIMS.

Wanderer.....	1887-89.
Winifred.....	1891.
Henrietta.....	1892.
Oscar and Hattie.....	1892.

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 London on the third day of June, one thousand eight hundred and ninety-six;

Exchange of ratifications.

Now, Therefore, be it known that I, Grover Cleveland, 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 Testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 11th day of June, in the year of our Lord one thousand eight hundred and ninety-six
 [SEAL.] and of the Independence of the United States the one hundred and twentieth.

GROVER CLEVELAND

By the President:
 RICHARD OLNEY
Secretary of State.

November 22, 1894.

Treaty between the United States of America and the Empire of Japan. Commerce and navigation. Concluded at Washington, November 22, 1894; ratification advised by the Senate February 5, 1895; ratified by the President February 15, 1895; ratified by the Emperor February 27, 1895; ratifications exchanged at Washington March 21, 1895; proclaimed March 21, 1895.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas, a treaty of Commerce and Navigation between the United States of America and the Empire of Japan was concluded and signed by their respective Plenipotentiaries at the city of Washington on the 22d day of November 1894, which treaty, being amended by the Senate of the United States, and being in the English language, is word for word as follows:—

Contracting parties.

The President of the United States of America and His Majesty the Emperor of Japan, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say:

Plenipotentiaries.

The President of the United States of America, Walter Q. Gresham, Secretary of State of the United States, and His Majesty the Emperor of Japan, Jushii Shinichiro Kurino, of the Order of the Sacred Treasure, and of the Fourth Class; who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

Reciprocal freedom of trade, travel, etc.

The citizens or subjects of each of the two High Contracting Parties shall have full liberty to enter, travel, or reside in any part of the territories of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native citizens or subjects to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native citizens or subjects.

In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal

estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever which they may lawfully acquire, the citizens or subjects of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties, and rights, and shall be subject to no higher impost or charges in these respects than native citizens or subjects, or citizens or subjects of the most favored nation. The citizens or subjects of each of the Contracting Parties shall enjoy in the territories of the other entire liberty of conscience, and, subject to the laws, ordinances, and regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen, according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be paid by native citizens or subjects, or citizens or subjects of the most favored nation.

Taxes, etc., to be equal.

The citizens or subjects of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions.

Exemption from military service, etc.

ARTICLE II.

There shall be reciprocal freedom of commerce and navigation between the territories of the two High Contracting Parties.

Commerce and navigation.

The citizens or subjects of each of the High Contracting Parties may trade in any part of the territories of the other by wholesale or retail in all kinds of produce, manufactures, and merchandize of lawful commerce, either in person or by agents, singly or in partnership with foreigners or native citizens or subjects; and they may there own or hire and occupy houses, manufactories, warehouses, shops and premises which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the laws, police and customs regulations of the country like native citizens or subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the territories of the other, which are or may be opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native citizens or subjects, or citizens or subjects of the most favored nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, corporations, or establishments of any kind, other or greater than those paid by native citizens or subjects, or citizens or subjects of the most favored nation.

It is, however, understood that the stipulations contained in this and the preceding Article do not in any way affect the laws, ordinances and regulations with regard to trade, the immigration of laborers, police and public security which are in force or which may hereafter be enacted in either of the two countries.

Laws as to trade, immigration, etc., not affected.

ARTICLE III.

The dwellings, manufactories, warehouses, and shops of the citizens or subjects of each of the High Contracting Parties in the territories of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

Inviolability of dwellings, etc.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for citizens or subjects of the country.

ARTICLE IV.

No discriminating
import duties or prohibitions.

No other or higher duties shall be imposed on the importation into the territories of the United States of any article, the produce or manufacture of the territories of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the territories of His Majesty the Emperor of Japan of any article, the produce or manufacture of the territories of the United States, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the territories of either of the High Contracting Parties, into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

ARTICLE V.

Export duties.

No other or higher duties or charges shall be imposed in the territories of either of the High Contracting Parties on the exportation of any article to the territories of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two High Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like article to any other country.

ARTICLE VI.

Transit dues, etc.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories of the other exemption from all transit duties, and a perfect equality of treatment with native citizens or subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

ARTICLE VII.

Equality of vessels.

All articles which are or may be legally imported into the ports of the territories of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in vessels of the United States, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles which are or may be legally imported into the ports of the territories of the United States in vessels of the United States may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in vessels of the United States. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

Export duties.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the territories of either of the High Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese vessels or in vessels of the United States, and whatever may be the place of destination, whether a port of either of the High Contracting Parties or of any third Power.

ARTICLE VIII.

Tonnages, etc.,
charges to be equal.

No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under

whatever denomination levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the territories of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favored nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE IX.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbors or rivers of the territories of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

Port regulations.

ARTICLE X.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of the United States and Japan, respectively. It is, however, understood that citizens of the United States in the territories of His Majesty the Emperor of Japan and Japanese subjects in the territories of the United States, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the citizens or subjects of any other country.

Coasting trade limitation.

A vessel of the United States laden in a foreign country with cargo destined for two or more ports in the territories of His Majesty the Emperor of Japan, and a Japanese vessel laden in a foreign country with cargo destined for two or more ports in the territories of the United States, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and customs regulations of the two countries.

Discharging cargoes at two or more ports.

The Japanese Government, however, agrees to allow vessels of the United States to continue, as heretofore, for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata, and Ebisuminato.

American vessels in Japan.

ARTICLE XI.

Any ship-of-war or merchant vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

Shelter.

If any ship-of-war or merchant-vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul General, Consul, Vice-Consul, or Consular Agent of the district, of the occurrence, or if there be no such consular officers, they shall inform the Consul General, Consul, Vice-Consul, or Consular Agent of the nearest district.

Shipwrecks.

All proceedings relative to the salvage of Japanese vessels, wrecked or cast on shore in the territorial waters of the United States, shall

Salvage.

take place in accordance with the laws of the United States, and, reciprocally, all measures of salvage relative to vessels of the United States, wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan, shall take place in accordance with the laws, ordinances, and regulations of Japan.

Delivery of ship-wrecked vessels, etc.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls General, Consuls, Vice-Consuls, or Consular Agents upon being claimed by them within the period fixed by the laws, ordinances and regulations of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of the wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties.

Assistance of consuls.

When a vessel belonging to the citizens or subjects of one of the High Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls General, Consuls, Vice-Consuls, and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the citizens or subjects of the respective States. The same rule shall apply in case the owner, master, or other agent is present, but requires such assistance to be given.

ARTICLE XII.

Nationality of vessels.

All vessels which, according to United States law, are to be deemed vessels of the United States, and all vessels which, according to Japanese law, are to be deemed Japanese vessels, shall, for the purposes of this Treaty, be deemed vessels of the United States and Japanese vessels, respectively.

ARTICLE XIII.

Deserters from ships.

The Consuls General, Consuls, Vice-Consuls, and Consular Agents of each of the High Contracting Parties, residing in the territories of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the citizens or subjects of the country where the desertion takes place.

ARTICLE XIV.

Favored nation privileges of commerce and navigation.

The High Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favor or immunity which either High Contracting Party has actually granted, or may hereafter grant, to the Government, ships, citizens or subjects of any other State, shall be extended to the Government, ships, citizens or subjects of the other High Contracting Party, gratuitously, if the concession in favor of that other State shall have been gratuitous, and on the same or equivalent conditions if the concession shall have been conditional; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other upon the footing of the most favored nation.

ARTICLE XV.

Consular officers.

Each of the High Contracting Parties may appoint Consuls General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents, in all the

ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the High Contracting Parties without being made likewise in regard to every other Power.

The Consuls General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions, and immunities which are, or may hereafter be, granted to Consular officers of the most favored nation.

ARTICLE XVI.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories of the other the same protection as native citizens or subjects in regard to patents, trade-marks and designs, upon fulfilment of the formalities prescribed by law.

Patents, trade-marks, and designs.
Post p. 860.

ARTICLE XVII.

The High Contracting Parties agree to the following arrangement:—
The several Foreign Settlements in Japan shall, from the date this Treaty comes into force, be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan. The competent Japanese Authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements shall at the same time be transferred to the said Japanese Authorities.

Foreign settlements in Japan to cease.

When such incorporation takes place existing leases in perpetuity upon which property is now held in the said Settlements shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the Consular Authorities mentioned in the same are in all cases to be replaced by the Japanese Authorities. All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart.

Leases, etc., continued.

ARTICLE XVIII.

This Treaty shall, from the date it comes into force, be substituted in place of the Treaty of Peace and Amity concluded on the 3d day of the 3d month of the 7th year of Kayei, corresponding to the 31st day of March, 1854; the Treaty of Amity and Commerce concluded on the 19th day of the 6th month of the 5th year of Ansei, corresponding to the 29th day of July, 1858; the Tariff Convention concluded on the 13th day of the 5th month of the 2nd year of Keio, corresponding to the 25th day of June, 1866; the Convention concluded on the 25th day of the 7th month of the 11th year of Meiji, corresponding to the 25th day of July, 1878, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such Treaties, Conventions, Arrangements and Agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by Courts of the United States in Japan and all the exceptional privileges, exemptions and immunities then enjoyed by citizens of the United States as a part of, or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

Substitute for former treaties.

ARTICLE XIX.

This Treaty shall go into operation on the 17th day of July, 1899, and shall remain in force for the period of twelve years from that date.

To take effect July 17, 1899.

Termination.

Either High Contracting Party shall have the right, at any time thereafter to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine.

ARTICLE XX.

Ratification.

This Treaty shall be ratified, and the ratifications thereof shall be exchanged, either at Washington or Tokio, as soon as possible and not later than six months after its signature.

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

Signatures.

Done at the City of Washington the 22d day of November, in the eighteen hundred and ninety-fourth year of the Christian era, corresponding to the 22d day of the 11th month of the 27th year of Meiji.

WALTER Q. GRESHAM [SEAL]
SHINICHIRO KURINO. [SEAL]

Exchange of ratification.

And whereas the said Treaty has been duly ratified, as amended, on both parts and the ratifications of the two Governments were exchanged in the city of Washington on the twenty-first day of March, one thousand eight hundred and ninety-five;

Proclamation.

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Treaty, 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 set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this twenty-first day of March, in the year of our Lord one thousand eight hundred and ninety-five, [SEAL] and of the Independence of the United States of America the one hundred and nineteenth.

GROVER CLEVELAND

By the President:

W Q GRESHAM

Secretary of State.

Protocol between the United States of America and the Empire of Japan to regulate certain special matters of mutual concern, apart from the treaty of commerce and navigation of November 22, 1894, between the two Governments. Concluded at Washington November 22, 1894; proclaimed March 21, 1895.

Protocol.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, a Protocol between the United States of America and the Empire of Japan to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation of November 22, 1894, between the same High Contracting Parties, was concluded and signed by their respective Plenipotentiaries, on the 22d day of November, 1894, which Protocol, being in the English language, is word for word as follows:

PROTOCOL.

The Government of the United States of America and the Government of His Majesty the Emperor of Japan, deeming it advisable in the interests of both countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations:—

1. It is agreed by the Contracting Parties that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day the Import Tariff now in operation in Japan in respect of goods and merchandise imported into Japan by citizens of the United States shall cease to be binding. From the same date the General Statutory Tariff of Japan shall, subject to the provisions of Article IX of the Treaty of March 31, 1854, at present subsisting between the Contracting Parties, so long as said Treaty remains in force, and, thereafter, subject to the provisions of Article IV and Article XIV of the Treaty signed this day, be applicable to goods and merchandise being the growth, produce or manufacture of the Territories of the United States upon importation into Japan.

Tariff in Japan.

But nothing contained in this Protocol shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs or any other indecent or obscene articles; articles in violation of the patent, trade-mark or copy-right laws of Japan; or any other article which for sanitary reasons, or in view of public security or morals, might offer any danger.

Importations prohibited.

2. The Japanese Government, pending the opening of the country to citizens of the United States, agrees to extend the existing passport system in such a manner as to allow citizens of the United States, on the production of a certificate of recommendation from the Representative of the United States at Tokio, or from any of the Consuls of the United States at the open ports of Japan, to obtain upon application passports available for any part of the country and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office

Extension of passport system in Japan.

in Tokio, or from the Chief Authorities in the Prefecture in which an open port is situated, it being understood that the existing Rules and Regulations governing citizens of the United States who visit the interior of the Empire are to be maintained.

Ratification.

3. The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when the said Treaty is ratified the agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

Termination.

It is agreed that this Protocol shall terminate at the same time the said Treaty ceases to be binding.

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

Signatures.

Done at Washington the 22d day of November in the eighteen hundred and ninety-fourth year of the Christian era, corresponding to the 22d day of the 11th month of the 27th year of Meiji.

WALTER Q. GRESHAM [SEAL]
SHINICHIRO KURINO [SEAL]

And whereas, it was stipulated in the said Protocol that it should be submitted to the two High Contracting Parties at the same time as the said Treaty of Commerce and Navigation, and that when the said Treaty should be ratified, the agreements contained in the Protocol, should also equally be considered as approved, without the necessity of a further formal ratification;

And, whereas, the said Treaty of Commerce and Navigation, as amended, has been duly ratified on both parts, and the ratifications thereof were exchanged at the City of Washington on the 21st day of March 1895;

Proclamation.

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Protocol 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 in the City of Washington this twenty-first day March, in the year of our Lord one thousand eight hundred and ninety-five, [SEAL] and of the Independence of the United States of America the one hundred and nineteenth.

GROVER CLEVELAND

By the President:

WALTER Q. GRESHAM

Secretary of State.

Convention between the United States of America and the United States of Mexico, extending the duration of the Convention of March 1, 1889, concerning the water boundary between the two countries. Signed at Washington November 6, 1896; ratification advised by the Senate December 10, 1896; ratified by the President of Mexico December 3, 1896; ratified by the President of the United States December 15, 1896; ratifications exchanged at Washington December 23, 1896; proclaimed December 23, 1896.

November 6, 1896.

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 extending for a period of one year from December 24, 1896, the duration of the Convention between the two High Contracting Parties of March 1, 1889, concerning the water boundary between the two countries, was concluded and signed by their respective plenipotentiaries at the City of Washington on the sixth day of November, 1896, the original of which Convention, being in the English and Spanish languages, is word for word as follows:

Preamble.
Vol. 28, p. 1512.
Ante, p. 841.

Whereas the United States of America and the United States of Mexico desire to give full effect to the provisions of the Convention concluded and signed in Washington March 1, 1889, to facilitate the execution of the provisions contained in the Treaty signed by the two High Contracting Parties on the 12th of November, 1884, and to avoid the difficulties arising from the changes which are taking place in the beds of the Bravo del Norte and Colorado Rivers in those parts which serve as a boundary between the two Republics;

And whereas the period fixed by Article IX of the Convention of March 1, 1889, extended by that of October 1, 1895, expires on the 24th of December, 1896;

And whereas the two High Contracting Parties deem it expedient to extend the period fixed by Article IX of the Convention of March 1, 1889, and by the sole Article of the Convention of October 1, 1895, in order that the International Boundary Commission may be able

Deseando los Estados Unidos de América y los Estados Unidos de Mexicanos dar pleno cumplimiento á las estipulaciones de la Convención concluida y firmada en Washington el 1° de Marzo de 1889, para facilitar la ejecución de los principios contenidos en el Tratado firmado entre las dos Altas Partes Contratantes el 12 Noviembre de 1884, y evitar las dificultades ocasionadas con motivo de los cambios que tienen lugar en los cauces de los rios Bravo del Norte y Colorado, en las partes que sirven de límite á las dos Repúblicas;

Y debiendo expirar el 24 de Diciembre de 1896 el plazo fijado por el Artículo IX de la Convención de 1° de Marzo de 1889, ampliado por la de 1° de Octubre de 1895;

Y considerando conveniente las dos Altas Partes Contratantes prorrogar el plazo estipulado en el Artículo IX de la Convención de 1° de Marzo de 1889 y en el Artículo Único de la de 1° de Octubre de 1895, á fin de que la Comisión Internacional de Límites pueda concluir el

Contracting parties.

to conclude the examination and decision of the cases which have been submitted to it, they have, for that purpose, appointed their respective plenipotentiaries, to wit:

Plenipotentiaries.

The President of the United States of America, Richard Olney, 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 Article:

ARTICLE.

The duration of the Convention of March 1, 1889, signed by the United States of America and the United States of Mexico, which, according to the provisions of Article IX thereof, was to remain in force for five years, counting from the date of the exchange of its ratifications, which period was extended by the Convention of October 1, 1895, to December 24, 1896, is extended by the present Convention for the period of one year counting from this latter date.

Duration of water boundary convention extended one year.

Ante, p. 842.

Ratification.

This Convention shall be ratified by the two High Contracting Parties in conformity with their respective Constitutions, and the ratifications shall be exchanged in Washington as soon as possible.

Signatures.

In testimony whereof, we, the undersigned, by virtue of our respective powers, have signed this Convention in duplicate, in the English and Spanish languages, and have affixed our respective seals.

Done in the City of Washington on the 6th day of November of the year one thousand eight hundred and ninety-six.

examen y decisión de los casos que se le han sometido, han nombrado con ese objeto sus respectivos plenipotenciarios, á saber:

El Presidente de los Estados Unidos de América, á Richard Olney, 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 comunicado sus respectivos plenos poderes, encontrándolos en buena y debida forma, y puestos de acuerdo entre sí, han convenido en el Artículo siguiente:

ARTÍCULO UNICO.

La duración de la Convención de 1° de Marzo de 1889, firmada entre los Estados Unidos de América y los Estados Unidos Mexicanos, conforme á las estipulaciones de su Artículo IX, debería permanecer vigente por cinco años contados desde la fecha del canje de sus ratificaciones, cuyo plazo se amplió por la Convención de 1° de Octubre de 1895 hasta el 24 de Diciembre de 1896, se prorroga por la presente Convención, por el período de un año contado desde esta última fecha.

Esta Convención sera ratificada por las dos Altas Partes Contratantes de acuerdo con sus respectivas Constituciones, y las ratificaciones se canjearán en Washington tan pronto como sea posible.

En fe de lo cual, los infrascritos, en virtud de nuestros respectivos poderes hemos firmado esta Convención por duplicado, en las lenguas Inglesa é Española, y les hemos puesto nuestros respectivos sellos.

Hecho en la ciudad de Washington el dia 6th de Noviembre del año de mil ochocientos noventa y seis.

RICHARD OLNEY [SEAL]
M. ROMERO. [SEAL]

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 twenty-third day of December, one thousand eight hundred and ninety-six. Exchange of ratifications.

Now, therefore, be it known that I, Grover Cleveland, 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. 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 twenty-third day of December, in the year of our Lord one thousand eight hundred and ninety-six, and of the Independence of the United States the one hundred and twenty-first.

[SEAL.]

GROVER CLEVELAND.

By the President:

RICHARD OLNEY

Secretary of State.

January 13, 1897.

Convention between the United States of America and the Empire of Japan. Patents, trade-marks and designs. Concluded at Washington January 13, 1897; ratification advised by the Senate February 1, 1897; ratified by the President February 2, 1897; ratified by the Emperor March 6, 1897; ratifications exchanged at Tokyo March 8, 1897; proclaimed March 9, 1897.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas a Convention between the United States of America and the Empire of Japan securing immediate reciprocal protection for patents, trade-marks and designs, was concluded and signed by their respective plenipotentiaries at the City of Washington on the thirteenth day of January, one thousand eight hundred and ninety-seven, the original of which Convention being in the English language is word for word as follows:

Contracting parties.

The President of the United States of America and His Majesty the Emperor of Japan, being desirous of securing immediate reciprocal protection for patents, trade-marks and designs, have resolved to conclude a Convention for that purpose, and have appointed as their Plenipotentiaries:

Plenipotentiaries.

The President of the United States, the Honorable Richard Olney, Secretary of State of the United States; and His Majesty the Emperor of Japan, Toru Hoshi, Jushii, His Majesty's Envoy Extraordinary and Minister Plenipotentiary near the Government of the United States;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed as follows:

Protection of patents, trade-marks, and designs to be in effect. *Ante, p. 853.*

Article XVI of the Treaty of Commerce and Navigation between the United States of America and Japan concluded at Washington on the twenty-second day, the eleventh month, the twenty-seventh year of Meiji, corresponding to the twenty-second day of November, eighteen hundred and ninety-four of the Christian Era, shall have full force and effect from the date of the exchange of ratifications of this Convention.

Ratifications.

The present Convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the Emperor of Japan in the usual manner; and the ratifications shall be exchanged at Tokyo as soon as possible.

In witness whereof, the respective Plenipotentiaries have signed this Convention and have thereunto affixed their Seals.

Signatures.

Done, in duplicate original, at Washington, this thirteenth day of January in the one thousand eight hundred and ninety seventh year of the Christian Era.

RICHARD OLNEY [SEAL]
TORU HOSHI [SEAL]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged at Tokyo on the eighth day of March, one thousand eight hundred and ninety-seven;

Exchange of ratifications.

Now, therefore, be it known that I, William McKinley, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every clause 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 ninth day of March, in the year of our Lord one thousand eight hundred and ninety-seven
 [SEAL.] and of the Independence of the United States the one hundred and twenty-first.

WILLIAM MCKINLEY

By the President:

JOHN SHERMAN

Secretary of State.

