
TREATIES AND CONVENTIONS

CONCLUDED BY THE

UNITED STATES OF AMERICA

WITH

FOREIGN NATIONS.

TREATIES AND CONVENTIONS

Treaty and Protocol between the United States and Brazil for the extradition of criminals. Signed respectively at Rio de Janeiro, May 14, 1897, and May 28, 1898; ratification with amendments advised by the Senate, February 28, 1899; ratified by the President, February 13, 1903; ratified by Brazil, April 14, 1903; ratifications exchanged at Rio de Janeiro, April 18, 1903; proclaimed, April 30, 1903.

May 14, 1897.

May 28, 1898

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a treaty between the United States of America and the United States of Brazil providing for the extradition of criminals was concluded and signed by their respective Plenipotentiaries at Rio de Janeiro on the 14th day of May, one thousand eight hundred and ninety-seven, the original of which treaty, being in the English and Portuguese languages is, as amended by the Senate of the United States of America, word for word as follows:

Preamble.

Treaty of Extradition between the United States of America and the United States of Brazil.

Tratado de Extradicação entre os Estados-Unidos da America e os Estados-Unidos do Brasil.

The United States of America and the United States of Brazil, desiring to strengthen their friendly relations and to facilitate the administration of justice by the repression of crimes and offences committed in their respective territories and jurisdictions, have agreed to celebrate a treaty of extradition and have nominated for that purpose the following plenipotentiaries:

Os Estados-Unidos da America e os Estados-Unidos do Brasil, desejando estreitar as suas amigaveis relações e facilitar a administração da justiça na repressão das infracções da lei penal commettidas em seus respectivos territorios e jurisdicções, resolveram concluir um tratado de extradicação e nomearam para esse fim os seguintes plenipotenciarios:

Contracting parties.

The President of the United States of America, Mr. Thomas L. Thompson, Envoy Extraordinary and Minister Plenipotentiary near the Government of the United States of Brazil;

O Presidente dos Estados-Unidos da America o Sr. Thomas L. Thompson, Enviado Extraordinario e Ministro Plenipotenciario junto ao Governo dos Estados-Unidos do Brasil;

Plenipotentiaries.

and the President of the United States of Brazil, General Dionisio Evangelista de Castro Cerqueira, Minister of State for Foreign Relations;

e o Presidente dos Estados-Unidos do Brasil o General Dionisio Evangelista de Castro Cerqueira, Ministro de Estado das Relações Exteriores;

who having made known their respective full powers, which have been found in good form, agree upon the following articles:

os quaes, depois de se terem comunicado os seus respectivos plenos poderes, que foram achados em bôa e devida fôrma, convieram nos seguintes artigos:

ARTICLE I.

ARTIGO I.

Reciprocal delivery
of persons charged
with crimes.

The Government of the United States of America and the Government of the United States of Brazil mutually agree to deliver up the persons who, having been charged or convicted, as the authors of or accomplices in any of the crimes enumerated in the following article, committed in the jurisdiction of one of the contracting parties, seeks an asylum or be found within the territories of the other; provided, this shall only take place after such evidence of criminality as, according to the laws of the place where the person or fugitive so charged shall be found, would justify his or her apprehension and commitment for trial, if the crime had there been committed.

O Governo dos Estados-Unidos da America e o Governo dos Estados-Unidos do Brasil reciprocamente se obrigam a entregar os individuos que, estando accusados ou condemnados como autores ou complices de algum dos crimes especificados no artigo seguinte, commettido nã jurisdicção de uma das partes contractantes, procurarem refugio ou forem encontrados dentro do territorio da outra; só devendo ser effectuada a entrega mediante taes provas de criminalidade, que, segundo as leis do logar em que fôr encontrado o condemnado ou accusado, justificassem a sua prisão e julgamento si o crime nelle houvesse sido perpetrado.

ARTICLE II.

ARTIGO II.

Extraditable crimes.

Extradition shall be granted for the following crimes and offences:

Serã concedida a extradição por qualquer dos seguintes crimes:

Murder, etc.

1. Voluntary homicide, when such act is punishable in the United States of America, comprehending the crimes of poisoning and infanticide; murder; manslaughter.

1. Homicidio voluntario, quando este acto fôr punivel nos Estados-Unidos da America, comprehendendo os crimes de envenenamento e infanticidio; murder; manslaughter.

Abortion.

2. Abortion.

2. Aborto provocado.

Rape, etc.

3. Rape and other offences against chastity committed with violence.

3. Estupro e outros attentados contra o pudor, commettidos com violencia.

Bigamy.

4. Bigamy.

4. Bigamia.

Abduction.

5. Abduction, willfully and wrongfully depriving any person of natural liberty.

5. Rapto, sequestração illegal e voluntaria da liberdade natural de alguma pessoa.

Kidnaping.

6. Kidnapping or child stealing.

6. Subtracção ou occultação de creança.

Arson.

7. Arson.

7. Incendio proposital.

Piracy, etc.

8. Piracy, by statute or by the law of nations when the state in which the offender is found has no jurisdiction; revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas, against the authority of the master; to willfully and wrongfully cause shipwreck; to wrongfully and will-

8. Pirataria segundo as leis de ambos os paizes, ou segundo o direito das gentes quando o Estado em que fôr encontrado o delinquente não tenha competencia para o seu julgamento; revolta ou conluio para revolta levada a effecto por duas ou mais pessoas a bordo de embarcação no alto mar

fully collide with a vessel; to wrongfully and willfully scuttle a vessel for the purpose of sinking it; to wrongfully and willfully destroy a vessel on the high seas.

9. Wrongful and willful destruction or obstruction of railroads which endangers human life.

10. Counterfeiting, falsifying or altering money of any kind, or of legally authorized bank notes which circulate as money; to utter or to give circulation to any such counterfeited, falsified or altered money; the falsification of instruments of debt created by national, state or municipal governments, or of the coupons thereof; counterfeiting, falsifying or altering seals of the federal or state governments; to knowingly use any such instruments or papers.

11. Forgery, the utterance of forged papers; forgery or falsification of official acts of government, of public authorities, or of courts of justice, of public or private instruments; the use or the utterance of the thing forged or falsified.

12. Perjury, or to bear false witness; to suborn or bribe a witness.

13. Fraud committed by a depositor, banker, agent, broker, treasurer, director, member or employe of any company or corporation.

14. Embezzlement, consisting in the misappropriation or theft of public moneys, committed in the jurisdiction of one of the contracting parties, by a public officer or depository.

15. Embezzlement, or theft of moneys, committed by persons salaried or employed, to the detriment of those who employ them.

16. Burglary, defined to be the act of entering during the night, by breaking or climbing, the dwelling-house of another, with in-

contra a autoridade do capitão; actos voluntarios e criminosos de que resultem naufragio; abalroamento proposital; fazer aberturas no casco da embarcação com o fim de submergila; destruir embarcação no alto mar.

9. Destruição e obstrução voluntaria e illegal de estradas de ferro, que ponham em risco a vida humana.

10. Contrafacção, falsificação ou alteração de moeda de qualquer especie, ou de bilhetes de banco legalmente autorizados que circulem como moeda; emissão ou introdução na circulação de moeda contrafeita, falsificada ou alterada; falsificação de titulos da divida publica emittidos pelo Governo da União ou de qualquer dos Estados Federaes ou pelas municipalidades, de coupons de juros desses titulos; contrafacção, falsificação ou alteração de sellos publicos da União ou dos Estados; o uso consciente de qualquer desses papeis ou titulos.

11. Falsidade; emissão de papeis falsos; falsificação de actos officiaes do Governo, de autoridades publicas ou de tribunaes judiciais, de escripturas publicas ou particulares; uso ou emissão desses actos falsos.

12. Perjurio ou testemunho falso e suborno ou peita de testemunha.

13. Fraude commettida por depositario, banqueiro, agente, corretor, administrador, thesoureiro, director, membro ou empregado de alguma companhia ou sociedade anonyma.

14. Peculato, consistindo no extravio ou subtracção de dinheiros publicos practicado na jurisdicção de uma ou outra parte contractante por funcionario, ou depositario publico.

15. Extravio ou subtracção de dinheiro commettido por pessoas empregadas ou assalariadas, em detrimento daquellas que as tiverem empregado.

16. O crime de *burglary*, consistindo na acção de introduzir-se alguém durante a noite com arrombamento ou escalada na habi-

Injuries to railroads, etc.

Counterfeiting, etc.

Forgery.

Perjury.

Breach of trust, etc. Post, p. 2099.

Embezzlement of public moneys.

Embezzlement by employees.

Burglary.

tent to commit a felony; robbery, defined to be the act of feloniously and forcibly taking from another money or goods of any value, by violence, or putting in fear, and known in the Brazilian Penal Code as *roubo*.

Complicity and attempts.

17. Complicity in or attempts at the commission of any of the crimes specified in the preceding sections, provided that such complicity or attempt be punishable by the laws of the country from whence the extradition is demanded.

ARTICLE III.

No surrender for political offenses.

Extradition shall not be granted if the offence on which the surrender is demanded be of a political character, or if the fugitive prove that there is an intention to try or punish him for a political crime; nor if the circumstances on which extradition is demanded are connected with political crimes.

Decision.

The Government from which extradition is demanded will examine the circumstances, to ascertain whether the crime be of a political character, and its decision shall be definite.

Post, p. 2099.

Attempts against officials not political offenses.

The following shall not be considered political crimes when they are unconnected with political movements, and are such as constitute murder, or willful and illegal homicide, as provided for in section 1 of the preceding article:

Ante, p. 6.

Presidents and governors.

1. An attempt against the life of the President of the United States of America, or against the life of the Governor of any of the States; an attempt against the life of the President of the United States of Brazil, or against the life of the President or Governor of any of the States thereof;

Vice-Presidents, etc.

2. An attempt against the life of the Vice-President of the United States of America, or against the life of the Lieutenant-Governor of any of the States; an attempt against the life of the Vice-President of the United States of Brazil, or against the life of the Vice President or Vice Governor of any of the States thereof.

tação de outrem com intenção criminosa; o crime de *robbery*, consistindo em subtrahir, ou tirar forçada e criminosamente de alguma pessoa dinheiro ou efeitos de qualquer valor, por meio de violencia ou intimidação, ou o crime previsto pelo Código Penal Brasileiro sob a qualificação de *roubo*.

17. A cumplicidade ou a tentativa dos crimes compreendidos na precedente classificação, uma vez que ellas sejam puniveis pela legislação do paiz ao qual a extradição fôr solicitada.

ARTIGO III.

Não terá logar a extradição si o crime fôr de caracter politico ou si o fugitivo provar que ha intenção de julgal-o ou punil-o por crime politico; nem tambem será concedida por factos connexos a delictos politicos.

O Governo requerido apreciará, segundo as circumstancias, si o facto pelo qual a extradição foi reclamada tem ou não caracter politico, e a sua resolução será definitiva.

Os seguintes crimes não serão considerados de caracter politico quando não forem connexos a movimentos politicos e constitui rem os crimes de *murder* ou homicidio voluntario e illegal, classificados no n^o 1 do artigo precedente:

1. O attentado contra a vida do Presidente dos Estados-Unidos da America ou do Governador de algum dos Estados; o attentado contra a vida do Presidente dos Estados-Unidos do Brasil ou do Presidente ou Governador de algum dos Estados;

2^o. O attentado contra a vida do Vice-Presidente dos Estados-Unidos da America ou do Vice-Governador de algum dos Estados; o attentado contra a vida do Vice-Presidente dos Estados-Unidos do Brasil ou do Vice-Presidente ou Vice-Governador de algum dos Estados.

ARTICLE IV.

The person surrendered cannot be tried nor punished in the country which has obtained the extradition, nor be surrendered to a third country, for trial or punishment therein, for any crime or offence not mentioned in this treaty, nor for one committed previous to extradition, other than the crime or offence for which he was extradited, unless such person has been in either case at liberty to leave the country which has obtained the extradition for a month subsequent to trial therein.

Furthermore, such person shall not be tried nor punished for an offence or crime mentioned in this treaty committed previous to the extradition, other than the offence or crime for which he was extradited, without the consent of the Government which has surrendered such person, and the said Government shall be able to demand an exhibition of any of the documents mentioned in Article X of the present treaty.

In like manner the consent of the said Government shall be solicited if the extradition of the offender is requested by a third Government; although this shall not be necessary when the offender voluntarily requests trial or consents to punishment; or if he fails to leave the territory of the country to which he has been surrendered within the period above fixed.

ARTICLE V.

The contracting parties shall in no case be obliged to surrender their own citizens in virtue of the stipulations of the present treaty.

ARTICLE VI.

If the person shall be in course of trial, or shall have been convicted of an offence other than that for which the surrender is demanded, extradition shall only take place after the trial shall have been concluded and the sentence fulfilled.

ARTIGO IV.

O individuo entregue não poderá ser processado nem punido no paiz que tiver obtido a extradição, nem entregue a terceiro paiz, para ser ahi processado ou punido, por crime ou infracção não prevista no presente Tratado anterior á extradição e diversa daquella que motivou essa extradição, salvo si tiver tido, em um e outro caso, a liberdade de deixar novamente o paiz que obteve a extradição, durante o mez que se seguir ao seu julgamento ali.

Tambem não poderá ser processado nem punido por crime ou infracção prevista neste Tratado, anterior á extradição e diversa d'aquella que motivou essa extradição, sem o consentimento do Governo que o tiver entregado e que poderá, se julgar conveniente, exigir a exhibição de qualquer dos documentos mencionados no Artigo X do presente tratado.

Do mesmo modo será solicitado o consentimento do dito Governo si a extradição do delinquente fôr pedida por um terceiro paiz; todavia essa permissão não será necessaria quando o réo tiver pedido espontaneamente para ser julgado ou cumprir a pena ou si não tiver deixado, no prazo acima fixado, o territorio do paiz ao qual tenha sido entregue.

ARTIGO V.

As partes contractantes não são obrigadas a entregar os seus proprios cidadãos, em virtude das estipulações do presente tratado.

ARTIGO VI.

Si o individuo reclamado estiver sendo processado ou tiver sido condemnado por infracção diversa da que motivou o pedido de extradição, a sua entrega só se effectuará depois de concluido o processo e cumprida a pena.

Trial to be only for offense for which extradited.
Post, p. 2099.

Trials for previous offenses.

Post, p. 2100.
Post, p. 2097.

Persons claimed by a third Government.

Neither country bound to deliver its own citizens.

Persons under prosecution in country where found.

ARTICLE VII.

ARTIGO VII.

Persons claimed by
other countries.

When the person demanded by one of the contracting parties is also demanded by one or more powers on account of crimes and offences committed within their respective jurisdictions, extradition shall be conceded to the one whose request is first received, unless the Government to which the request is made has before agreed by treaty in case of the concurrence of requests to give preference to the country of the person's origin, to the gravity of the crime, or to the request which is of oldest date; in whichever of these cases the usual rule shall be followed.

Quando o individuo reclamado por uma das partes contractantes o fôr também por uma ou mais potencias, em razão de crimes commettidos dentro das suas respectivas jurisdicções, a extradição será concedida áquella cujo pedido tiver sido recebido em primeiro logar, salvo si o Governo requerido já se tiver obrigado por tratado, em caso de concurrencia de pedidos, a dar preferencia ao paiz de origem, á gravidade do crime, ou ao pedido que tiver data mais antiga; em qualquer desses casos seguir-se-ha a regra convencionada.

ARTICLE VIII.

ARTIGO VIII.

Limitation of time,
etc.

Extradition shall be refused when the action or sentence for which the offender is demanded shall have been extinguished by prescription, according to the law of the country to which the request is made, or when such person shall have been already tried and sentenced for the same crime.

A extradição será recusada si estiver extincta a acção ou a pena pela prescripção, segundo a lei do paiz requerido, e si o individuo reclamado já tiver sido processado e julgado pelo mesmo crime.

ARTICLE IX.

ARTIGO IX.

Disposal of articles
seized with person.
Post, p. 2100.

All articles found in the possession of the person accused and obtained through the commission of the act with which such person is charged, and may be used as evidence of the crime for which such person is demanded, shall be seized and surrendered with the person. Nevertheless, the rights of third persons to the articles so found shall be respected.

Os objectos encontrados em poder do individuo reclamado, quer sejam o producto do crime de que elle fôr accusado, quer constituam elementos de prova desse crime, serão apprehendidos e entregues conjuntamente com o individuo. Serão todavia respeitadas os direitos de terceiros sobre taes objectos.

ARTICLE X.

ARTIGO X.

Requisitions.

Requisitions for the surrender of fugitives from justice accused or convicted of any of the crimes or offences hereinbefore mentioned shall be made by the diplomatic agent of the demanding Government. In case of the absence of such agent either from the country or from the seat of Government such requisition shall be made by a superior consular officer.

Os pedidos de extradição de individuos accusados os condemnados por qualquer dos crimes ou delictos mencionados neste tratado serão feitos pelo agente diplomatico do Governo requerente. Na ausencia desse agente, quer do paiz, quer da séde do Governo, os mesmos pedidos poderão ser apresentados pelos respectivos agentes consulares mais graduados.

When the person whose surrender is requested shall have already been convicted of the crime or offence for which his extradition is demanded, the demand therefor shall be accompanied by a copy of the judgment of the court or tribunal which has pronounced it, duly signed by the judge of the court or president of the tribunal: and the signature of the judge of the court or president of the tribunal shall be authenticated by the proper executive officer, whose official character shall in turn be attested by the diplomatic agent or a superior consular officer of the Government on which the demand is made.

When the person whose surrender is asked is merely charged with the commission of any of the crimes mentioned in the present treaty, the application for extradition shall be accompanied by an authenticated copy of the warrant of arrest issued against such person by the officer duly authorized to do so; and likewise by an authenticated copy of the depositions or declarations made before such officer and setting forth the acts with which the fugitive is charged.

The extradition of fugitives under the provisions of the present treaty shall be carried out in conformity with the laws and practice for the time being in force in the state on which the demand is made, without, however, denying recourse to the writ of *habeas corpus*.

ARTICLE XI.

When the arrest and detention of a person are desired on telegraphic or other information in advance of the presentation of the formal proofs provided for in the preceding article of the present treaty, the following practice shall be observed: In the United States of America application shall be made by the diplomatic agent of Brazil, or in his absence by a superior consular officer, to the Secretary of State, for a certificate stating that request has been made by the Government of

Si o individuo reclamado já tiver sido condemnado pelo crime ou delicto por motivo do qual fôr solicitada a extradição, o pedido deverá vir acompanhado da cópia da sentença do Juiz ou tribunal que a tiver proferido, devidamente rubricada pelo Juiz ou pelo presidente do tribunal, e a assignatura do Juiz ou do presidente do tribunal tem de ser authenticada pelo competente funcionario executivo, cujo character official será por sua vez attestado pelo agente diplomatico ou pelo agente consular mais graduado do Governo requerido.

Copies of papers required.
Judgment.

Quando o individuo cuja entrega se solicitar fôr simplesmente accusado de qualquer dos crimes mencionados neste tratado, o pedido de extradição deverá vir acompanhado de cópia authenticada do mandado de prisão expedido contra elle pela autoridade competente, e bem assim de cópia authenticada dos depoimentos ou declarações feitos perante a mesma autoridade, contendo a exposição dos factos de que fôr accusado o dito individuo.

Warrant of arrest, etc.

A entrega dos criminosos a que se refere o presente tratado será feita segundo as fórmulas legaes usadas em semelhantes casos no paiz requerido, sem prejuizo do recurso de *habeas corpus*.

Proceedings.

ARTIGO XI.

Quando a prisão e detenção de um condemnado ou accusado forem solicitadas pelo telegrapho ou por outro modo antecipadamente á apresentação das provas mencionadas no artigo precedente, será observada a seguinte pratica: nos Estados-Unidos da America o agente diplomatico ou, na falta deste, o agente consular mais graduado do Brasil requisitará do Secretario de Estado um certificado em que se declare que o Governo dos Estados-Unidos do Brasil pedio a prisão provisoria de um individuo

Applications for provisional arrest.

In the United States.

the United States of Brazil for the provisional arrest of a person convicted or accused of the commission within the jurisdiction thereof, of a crime or offence extraditable under the terms of the present treaty, which, upon presentation to any competent judicial officer and upon complaint duly made that such a crime or offence has been so committed, it shall be lawful for such judicial officer to issue a warrant for the apprehension of such person; And in the United States of Brazil upon request of the Government of the United States of America, duly made through its diplomatic agent, or in his absence by a superior consular officer to the Minister for Foreign Relations; the provisional arrest shall be made of any person convicted or accused of the commission of a crime or offence extraditable under this treaty.

In Brazil.

Discharge on default of formal request.

But if the formal requisition for surrender with the formal proofs hereinbefore mentioned, be not made as aforesaid by the diplomatic agent of the demanding government, or in his absence by a superior consular officer, within sixty days from the date of the arrest of the fugitive, the prisoner shall be discharged from custody.

ARTICLE XII.

Expenses.

The expenses incurred in the arrest, detention, examination and delivery of fugitives under this treaty shall be borne by the State in whose name the extradition is sought.

ARTICLE XIII.

Effect.

The present treaty shall take effect six weeks after the exchange of ratifications, and shall continue in force six months after one of the contracting parties shall have notified the other of an intention to terminate it.

Exchange of ratifications.

It shall be ratified and the ratifications exchanged at Rio de Janeiro as soon as possible.

acusado ou condemnado por um crime ou delicto commettido no Brasil e passivel de extradição em virtude do presente tratado, e á vista desse certificado e de queixa devidamente formulada, referindo que tal crime ou delicto foi assim commettido, qualquer autoridade judiciaria competente terá a faculdade legal de expedir mandado de prisão contra aquelle individuo; e nos Estados-Unidos do Brasil, á vista de pedido devidamente feito ao Ministro das Relações Exteriores pelo Governo dos Estados-Unidos da America por intermédio do respectivo agente diplomatico ou, na falta deste, do agente consular mais graduado; effectuar-se-ha a prisão provisoria de qualquer pessoa accusada ou condemnada por crime ou delicto sujeito a extradição nos termos deste tratado.

Mas si, dentro do prazo de sessenta dias contados da prisão do fugitivo, o pedido formal de extradição, acompanhado das provas formaes mencionadas no artigo precedente, não fôr apresentado, como acima fica estipulado, pelo agente diplomatico do governo requerente ou, na sua ausencia, pelo agente consular mais graduado, o fugitivo será posto em liberdade.

ARTIGO XII.

As despesas provenientes da captura, detenção, verificação e transporte dos fugitivos a que se refere este tratado correrão por conta do Governo requerente.

ARTIGO XIII.

O presente tratado entrará em vigor seis semanas depois da troca das ratificações e continuará a produzir seus effectos até seis mezes depois que uma das partes contractantes houver notificado á outra a intenção de dal-o por findo.

Será ratificado e as ratificações trocadas no Rio de Janeiro no mais breve prazo possivel.

In witness whereof, the respective plenipotentiaries sign the above articles written in the English and Portuguese languages and hereunto affix their seals.

Done and signed in duplicate in the city of Rio de Janeiro, this 14th day of May 1897.

[SEAL.] THOMAS L. THOMPSON.

[SEAL.] DIONISIO E. DE CASTRO CERQUEIRA.

Em testemunho do que os respectivos plenipotenciarios assignam as clausulas acima estipuladas e escriptas nas linguas Ingleza e Portugueza, firmando-as com seus sellos.

Feito e assignado em duplicata na cidade do Rio de Janeiro, dos 14 de maio de 1897.

[SEAL.] THOMAS L. THOMPSON.

[SEAL.] DIONISIO E. DE CASTRO CERQUEIRA.

Signatures.

And whereas a protocol amending the said treaty in certain particulars was concluded and signed by the respective plenipotentiaries of the United States of America and the United States of Brazil, at Rio de Janeiro, on the 28th day of May, one thousand eight hundred and ninety-eight, the original of which protocol, being in the English and Portuguese languages, is word for word as follows:

PROTOCOL.

The undersigned, the Envoy Extraordinary and Minister Plenipotentiary of the United States of America and the Minister for Foreign Affairs of the Republic of the United States of Brazil, met together to-day in the Department of Foreign Affairs and being duly authorized, have agreed to modify in the manner hereinafter indicated the provisions of No. 13 of Article II, of the end of § 2 of Article III, and of the first two paragraphs of Article IV, and the wording of Article IX of the Extradition Treaty signed May 14th, 1897, for the purpose of preventing questions in the execution thereof.

ARTICLE II, No. 13.

To add in the English text after "broker" the word "manager", corresponding in the Portuguese text to the term "administrador".

ARTICLE III, § 2.

To substitute in the English text for the word "definite" the word "final".

ARTICLE IV.

To change the wording of the first paragraph of the Portuguese text to read as follows: O individuo entregue não poderá ser processado nem punido no paiz que tiver obtido a extradição nem en-

PROTOCOLLO.

Os abaixo-assignados, Enviado Extraordinario e Ministro Plenipotenciario dos Estados Unidos da America e Ministro de Estado das Relações Exteriores da Republica dos Estados Unidos do Brasil, reunidos hoje na Secretaria de Estado das Relações Exteriores, devidamente autorizados, concordaram em modificar pela fórma adiante indicada, no intuito de prevenir duvidas na sua execução, as disposições do n.º 13 do artigo II, do final do §. 2.º do artigo III, dos dois primeiros paragraphos do artigo IV e a redacção do artigo IX do Tratado de Extradicação assignado em 14 de maio de 1897.

ARTIGO II, n.º 13.

Accrescentar no texto inglez, depois de *broker*, a palavra *manager*, correspondente no texto portuguez ao termo *administrador*.

ARTIGO III, §. 2.º.

Substituir no texto inglez a palavra *definite* por *final*.

ARTIGO IV.

Alterar a redacção do primeiro paragrapho do texto portuguez nos seguintes termos: "O individuo entregue não poderá ser processado nem punido no paiz que tiver obtido a extradição nem entregue

Protocol.

Modifications.

Changes.

Ante, p. 2093.

Ante, p. 2094.

Ante, p. 2095.

tregue a terceiro paiz por crime ou infracção não prevista no presente tratado nem por crime ou infracção anterior á extradição, etc., etc.

Ante, p. 2095.

To substitute in the second paragraph of the English text the expression "may demand" for "shall be able to demand".

a terceiro paiz por crime ou infracção não prevista no presente tratado nem por crime ou infracção anterior á extradição, etc., etc."

Substituir no segundo parographo do texto inglez a expressão *shall be able to demand* por *may demand*.

ARTICLE IX.

Ante, p. 2096.

Substitute for the wording of the English text the following: "All articles found in the possession of the person accused, whether obtained through the commission of the act with which such person is charged, or whether they may be used etc., etc."

This protocol shall be submitted for approval to the Congresses of the two countries.

Done at the city of Rio de Janeiro this twenty-eighth day of May A. D. 1898.

[SEAL.] CHARLES PAGE BRYAN
[SEAL.] DIONISIO E. DE CASTRO
CERQUEIRA.

ARTIGO IX.

Substituir a redacção do texto inglez pela seguinte: "All articles found in the possession of the person accused, whether obtained through the commission of the act with which such person is charged, or whether they may be used etc., etc."

O presente protocollo será submettido á approvação dos Congressos dos dois paizes.

Feito na cidade do Rio de Janeiro aos vinte e oito dias do mez de maio de 1898.

[SEAL.] CHARLES PAGE BRYAN.
[SEAL.] DIONISIO E. DE CASTRO
CERQUEIRA.

Ratification.

And whereas the said treaty, as amended by the Senate of the United States of America, and the said protocol have been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Rio de Janeiro, on the 18th day of April, one thousand nine hundred and three;

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said treaty, as amended by the Senate of the United States of America, and the said protocol to be made public, to the end that they and their every article and clause may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In testimony whereof, I have caused the Seal of the United States of America to be hereto affixed.

[SEAL] Given under my hand at the City of Washington the thirtieth day of April, in the year of our Lord one thousand nine hundred and three, and of the Independence of the United States of America the one hundred and twenty-seventh.

THEODORE ROOSEVELT

By the President:
JOHN HAY
Secretary of State.

Naturalization treaty between the United States and the Republic of Haiti. Signed at Washington, March 22, 1902; ratification advised by the Senate, February 1, 1904; ratified by the President, March 17, 1904; ratified by Haiti, April 24, 1903; ratifications exchanged at Washington, March 19, 1904; proclaimed, March 24, 1904.

March 22, 1902.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Whereas a treaty of Naturalization between the United States of America and the Republic of Haiti was concluded and signed by their respective Plenipotentiaries at Washington, on the twenty-second day of March, one thousand nine hundred and two, the original of which treaty, being in the English and French languages, is word for word as follows:

Preamble.

The United States of America and the Republic of Haiti desiring to regulate the citizenship of those persons who may emigrate from the United States to Haiti, or from Haiti to the United States, have resolved to conclude a treaty on this subject.

Les Etats-Unis de l'Amérique du Nord et la République d'Haiti, désirant régler la nationalité des personnes qui émigrent des Etats-Unis à la République d'Haiti, et d'Haiti aux Etats-Unis, ont résolu de conclure un Traité à ce sujet.

Contracting parties.

For that purpose they have appointed their Plenipotentiaries, to-wit:

A cet effet ils ont nommé leurs Plenipotentiaires à savoir:

The President of the United States: John Hay, Secretary of State of the United States;

Le Président des Etats-Unis: Monsieur John Hay, Secrétaire d'Etat des Etats-Unis;

Plenipotentiaries.

The President of Haiti: Mr. J. N. Léger, Envoy Extraordinary and Minister Plenipotentiary of Haiti at Washington;

Le Président d'Haiti: Monsieur J. N. Léger, Envoyé Extraordinaire et Ministre Plenipotentiaire de la République aux Etats-Unis;

Who, after the mutual communication of their respective full powers, found in good and due

Lesquels, après mutuelle communication de leurs pleins pouvoirs trouvés en bonne et due

form, have agreed upon the following articles:

forme, sont convenus des articles suivants:

ARTICLE I.

Recognition of naturalization by the United States.

Citizens of the United States of America who shall have been duly naturalized as citizens of Haiti, and who shall have resided uninterruptedly in Haiti during a period of five years, shall be recognized by the United States as citizens of Haiti.

By Haiti.

Reciprocally, citizens of Haiti who shall have been duly naturalized as citizens of the United States of America, and who shall have resided uninterruptedly in the United States during a period of five years, shall be recognized by Haiti as citizens of the United States.

Effect.

This article shall apply as well to those already naturalized in either country as those hereafter naturalized.

ARTICLE I.

Les citoyens des Etats-Unis d'Amérique qui se seront dûment naturalisés citoyens d'Haiti et qui, pendant une période de cinq années, auront résidé sans interruption à Haiti, seront reconnus par les Etats-Unis comme citoyens d'Haiti.

Réciproquement les citoyens d'Haiti qui se seront dûment naturalisés citoyens des Etats-Unis d'Amérique et qui, pendant une période de cinq années, auront résidé sans interruption aux Etats-Unis, seront reconnus par Haiti comme citoyens des Etats-Unis.

Cet article s'appliquera aussi bien aux personnes déjà naturalisées qu'à celles qui pourront l'être à l'avenir.

ARTICLE II.

Renunciation of naturalization.

The person who, after having become a naturalized citizen of one of the contracting States, shall return to live in the country of his origin, without intention to return to the country where he has been naturalized, shall be considered as having renounced the nationality obtained through naturalization.

ARTICLE II.

Celui qui, après s'être fait naturaliser citoyen de l'un des Etats contractants, reviendra habiter son pays d'origine sans esprit de retour dans celui où il s'est fait naturaliser, sera considéré comme ayant renoncé à la nationalité obtenue par naturalisation.

ARTICLE III.

Intent not to return.

The intent not to return may be held to exist when the person naturalized in the one country resides more than two years in the other country.

ARTICLE III.

L'intention de ne plus retourner peut être considérée comme existant, quand la personne naturalisée dans un pays réside plus de deux années dans l'autre.

ARTICLE IV.

Offenses committed before emigration.

The naturalized citizens of either State who return to their country of origin, will be there liable to prosecution and punishment in conformity to the laws for the crimes or misdemeanors committed be-

ARTICLE IV.

Les citoyens naturalisés de l'un ou de l'autre Etat, qui retourneront dans leur pays d'origine, pourront y être poursuivis et punis conformément aux lois pour les crimes ou délits commis avant

fore their emigration and that are not covered by the statute of limitations.

leur émigration et qui ne sont pas couverts par la prescription.

ARTICLE V.

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

ARTICLE V.

La déclaration de l'intention de devenir citoyen de l'un des Etats contractants ne peut avoir l'effet d'une naturalisation.

Effect of declaration of intention.

ARTICLE VI.

The present treaty shall remain in force for ten years from the date of the exchange of ratifications; and unless one of the contracting parties shall notify the other of its intention to terminate it one year before the expiration of that period, the said treaty shall continue in force from year to year until the expiration of one year after official notice shall have been given by either of the contracting governments of a purpose to terminate it.

ARTICLE VI.

Le présent Traité demeurera en vigueur pendant une durée de dix années à partir de l'échange des ratifications; et si une année avant l'expiration de cette période l'une des Parties contractantes ne notifie à l'autre son intention d'y mettre fin, ledit Traité continuera à être en vigueur d'année en année jusqu'au terme d'une année après notification officielle faite en vue d'y mettre fin.

Duration of convention.
Post, p. 2157.

ARTICLE VII.

The present treaty shall be submitted to the approval and ratification of the respective appropriate authorities of each of the contracting parties, and the ratifications shall be exchanged at Washington as soon as possible within twelve months from the date hereof.

ARTICLE VII.

Le présent Traité sera soumis à l'approbation et à la ratification des autorités compétentes respectives de chacune des Parties contractantes et les ratifications seront échangées à Washington dans le délai de douze mois à partir de cette date ou plus tôt si faire se peut.

Ratifications.

In witness whereof, the respective Plenipotentiaries have signed the foregoing articles, and have affixed their seals.

Done in duplicate at the City of Washington, in the English and French languages this twenty-second day of March, 1902.

En foi de quoi, les Plenipotentiaires respectifs ont signé les Articles ci-dessus, et y ont apposé leurs sceaux.

Signatures.

Fait à Washington, en double expédition, en anglais et en français ce jour, vingt deux mars 1902.

JOHN HAY [SEAL]
J N LÉGER [SEAL]

And whereas the said treaty has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the nineteenth day of March, one thousand nine hundred and four;

Exchange of ratifications.

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said treaty 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 testimony 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 twenty fourth day of March, in the year of our Lord one thousand nine hundred and [SEAL] four, and of the Independence of the United States of America the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

JOHN HAY

Secretary of State.

Treaty between the United States and Spain of Friendship and General Relations. Signed at Madrid, July 3, 1902; ratification advised by the Senate, December 16, 1902; ratified by the President, February 6, 1903; ratified by Spain, March 30, 1903; ratifications exchanged at Madrid, April 14, 1903; proclaimed, April 20, 1903.

July 3, 1902.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Treaty of Friendship and General Relations between the United States of America and the Kingdom of Spain was concluded and signed by their respective Plenipotentiaries at Madrid, on the third day of July, one thousand nine hundred and two, the original of which Treaty, being in the English and Spanish languages is word for word as follows:

Preamble.

Treaty of Friendship and General Relations between the United States of America and Spain.

Tratado de Amistad y Relaciones Generales entre los Estados Unidos de America y España.

The United States of America and His Catholic Majesty the King of Spain, desiring to consolidate on a permanent basis the friendship and good correspondence which happily prevail between the two Parties, have determined to sign a Treaty of Friendship and General Relations, the stipulations whereof may be productive of mutual advantage and reciprocal utility to both Nations, and have named with this intention:

Deseando los Estados Unidos de America y Su Majestad Católica el Rey de España, consolidar de un modo permanente la buena correspondencia y amistad que felizmente reinan entre ambas Partes, han resuelto firmar un Tratado de Amistad y Relaciones Generales, cuyas estipulaciones redunden en beneficio común y utilidad recíproca de las dos Naciones, y con esta mira han nombrado:

Contracting parties.

The President of the United States of America, Bellamy Storer, a citizen of the United States, and their Envoy Extraordinary and Minister Plenipotentiary to His Catholic Majesty;

El Presidente de los Estados Unidos de América, á Bellamy Storer, ciudadano de los mismos Estados, y su Enviado Extraordinario y Ministro Plenipotenciario cerca de Su Majestad Católica;

Plenipotentiaries.

And His Catholic Majesty the King of Spain, Don Juan Manuel Sanchez y Gutierrez de Castro, Duke of Almodóvar del Rio, Marquis of Puebla de los Ynfantes, Grandee of Spain, His Most Catholic Majesty's Chamberlain, Knight Professed of the Order of Alcántara, Knight Grand Cross of the

Y Su Majestad Católica el Rey de España, á Don Juan Manuel Sanchez y Gutierrez de Castro, Duque de Almodóvar del Rio, Marqués de la Puebla de los Ynfantes, Grande de España, Gentilhombre de Cámara de Su Majestad, con Ejercicio y Servidumbre, Caballero Profeso del

Royal Order of Ysabela the Catholic, of the Legion of Honor, of the Red Eagle of Prussia, etc., etc., His Minister of State;

Habito de Alcántara, Gran Cruz de la Real Orden de Ysabel la Católica, Gran Cordón de la Legion de Honor, Gran Cruz del Aguila Roja de Prusia, etc., etc., Su Ministro de Estado;

Who having communicated to each other their Full Powers, found to be in good and due form, have agreed upon and concluded the following articles:

Los cuales despues de haberse comunicado sus Plenos Poderes, hallados en buena y debida forma, han acordado y convenido los artículos siguientes:

ARTICLE I

ARTÍCULO I

Peace and friendship.

There shall be a firm and inviolable peace and sincere friendship between the United States and its citizens on the one part, and His Catholic Majesty and the Spanish Nation on the other part, without exception of persons or places under their respective dominion.

Habrà una paz sólida é inviolable y una amistad sincera entre los Estados Unidos y sus ciudadanos de una parte y Su Majestad Católica y la Nacion española de la otra, sin excepcion de personas ó lugares, bajo su respectivo dominio.

ARTICLE II.

ARTÍCULO II

Reciprocal freedom of trade, travel, etc.

There shall be a full, entire and reciprocal liberty of commerce and navigation between the citizens and subjects of the two High Contracting Parties, who shall have reciprocally the right, on conforming to the laws of the country, to enter, travel and reside in all parts of their respective territories, saving always the right of expulsion which each Government reserves to itself, and they shall enjoy in this respect, for the protection of their persons and their property, the same treatment and the same rights as the citizens or subjects of the country or the citizens or subjects of the most favored Nation.

Habrà plena, entera y recíproca libertad de comercio y navegacion entre los ciudadanos y súbditos de las dos Altas Partes Contratantes, que tendrán recíprocamente la facultad, conformandose con las leyes del pais, de entrar, viajar y residir en todos los lugares de sus territorios respectivos, salvo siempre el derecho de expulsion que uno y otro Gobierno se reservan, y gozarán á este respecto, para la proteccion de sus personas y bienes, el mismo trato y los mismos derechos que los ciudadanos ó súbditos del pais ó los ciudadanos ó súbditos de la Nacion más favorecida.

Equality of taxes, etc.

They can freely exercise their industry or their business, as well wholesale as retail, without being subjected as to their persons or their property, to any taxes, general or local, imposts or conditions whatsoever, other or more onerous than those which are imposed or may be imposed upon the citizens or subjects of the country or the citizens or subjects of the most favored Nation.

Podrán ejercer libremente su industria ó negocio, al por mayor ó en detalle, sin estar sujetos, en lo que se refiere á sus personas ó propiedades, á otras contribuciones, generales ó locales, impuestos ó condiciones de cualquiera clase, más onerosas que las que se imponen ó impusieren á los ciudadanos ó súbditos del pais ó á los ciudadanos ó súbditos de la Nacion más favorecida.

Laws, etc., not affected.

It is, however, understood that these provisions are not intended to annul or prevent, or constitute any exception from the laws, or

Queda, sin embargo, entendido que estas estipulaciones no derogan en nada las leyes, ordenanzas y reglamentos especiales en materia

dinances and special regulations respecting taxation, commerce, health, police, and public security, in force or hereafter made in the respective countries and applying to foreigners in general.

tributaria, de comercio, sanidad, policía y seguridad pública en vigor ó que puedan regir en cada uno de los dos países y sean aplicables a los extranjeros en general.

ARTICLE III

ARTÍCULO III

Where, on the death of any person holding real property (or property not personal), within the territories of one of the Contracting Parties, such real property would, by the laws of the land, pass to a citizen or subject of the other, were he not disqualified by the laws of the country where such real property is situated, such citizen or subject shall be allowed a term of three years in which to sell the same, this term to be reasonably prolonged if circumstances render it necessary, and to withdraw the proceeds thereof, without restraint or interference, and exempt from any succession, probate or administrative duties or charges other than those which may be imposed in like cases upon the citizens or subjects of the country from which such proceeds may be drawn.

Cuando por fallecimiento del que posea por cualquier concepto, bienes inmuebles en el territorio de una de las Partes Contratantes dichos bienes debieren pasar, segun las leyes del país donde radican, á manos de un ciudadano ó súbdito de la otra, y este por la legislación del país donde se hallan situados dichos bienes inmuebles estuviese incapacitado para ello, se concederá al mencionado ciudadano ó súbdito un plazo de tres años para venderlos, prolongandose este plazo prudencialmente, si las circunstancias lo hiciesen necesario, y asimismo para retirar los productos de ellos, sin restriccion ni intervencion y exentos de todo derecho ó carga de sucesion, de testamentaria ó administrativos, que no fuesen aquellos que se impongan ó impusieren en casos similares á los ciudadanos ó súbditos del país del que se sacaren dichos productos.

Term allowed for sale of inherited real property.

The citizens or subjects of each of the Contracting Parties shall have full power to dispose of their personal property within the territories of the other, by testament, donation, or otherwise; and their heirs, legatees, and donees, being citizens or subjects of the other Contracting Party, whether resident or nonresident, shall succeed to their said personal property, and may take possession thereof either by themselves or by others acting for them, and dispose of the same at their pleasure, paying such duties only as the citizens or subjects of the country where the property lies, shall be liable to pay in like cases.

Los ciudadanos ó súbditos de cada una de las Partes Contratantes tendrán plenas facultades para disponer de sus bienes muebles en los territorios de la otra, por testamento, donación ó de otra suerte; y sus herederos, legatarios y donatarios, que sean ciudadanos ó súbditos de la otra Parte Contratante, bien residan ó no en dichos territorios, sucederán en los expresados bienes muebles, y podrán tomar posesion de los mismos, sea directamente ó por representación, y disponer de ellos á su voluntad, abonando únicamente aquellos derechos que están obligados á abonar los ciudadanos ó súbditos de la Nacion donde se hallen los bienes referidos, en casos semejantes.

Disposal of personal property.

In the event that the United States should grant to the citizens or subjects of a third Power the right to possess and preserve real estate in all the States, territories

En el evento de que los Estados Unidos concediesen á los ciudadanos ó súbditos de una tercera Potencia el derecho de poseer y conservar bienes inmuebles en todos los Esta-

Right to own real estate.

and dominions of the Union, Spanish subjects shall enjoy the same rights; and, in that case only, reciprocally, the citizens of the United States shall also enjoy the same rights in Spanish Dominions.

dos, territorios y dominios de la Union, los súbditos españoles disfrutarán de igual derecho; y solo en ese caso, reciprocamente, los ciudadanos de los Estados Unidos lo disfrutarán tambien en los dominios de Espana.

ARTICLE IV.

ARTÍCULO IV.

Freedom of worship,
etc.

The citizens or subjects of each of the two High Contracting Parties shall enjoy in the territories of the other the right to exercise their worship, and also the right to bury their respective countrymen according to their religious customs in such suitable and convenient places as may be established and maintained for that purpose, subject to the Constitution, Laws and Regulations of the respective countries.

Los ciudadanos ó súbditos de cada una de las dos Altas Partes Contratantes gozarán en los territorios de la otra del derecho de ejercer su culto, y asimismo del derecho de inhumar á sus respectivos nacionales conformandose á sus costumbres religiosas, en los lugares convenientes y apropiados que se habiliten y conserven á este efecto conforme á la Constitución, Leyes y Reglamentos de los respectivos paises.

ARTICLE V.

ARTÍCULO V.

Exemption from
military service, etc.

The citizens or subjects of each of the High Contracting Parties shall be exempt in the territories of the other from all compulsory military service, by land or sea, and from all pecuniary contributions in lieu of such, as well as from all obligatory official functions whatsoever.

Los ciudadanos ó súbditos de cada una de las Altas Partes Contratantes estarán exentos, en los territorios de la otra, de todo servicio militar obligatorio, por tierra ó mar, y de toda contribución pecuniaria impuesta en sustitucion de dicho servicio, asi como de todas las funciones oficiales obligatorias.

Compensation for
public use of vessels.

Furthermore, their vessels or effects shall not be liable to any seizure or detention for any public use without a sufficient compensation, which, if practicable, shall be agreed upon in advance.

Además, sus buques y bienes no podrán sujetarse á ningún embargo ó detención, por razon de ningún uso público, sin una compensación suficiente, que, á ser posible, deberá convenirse de antemano.

ARTICLE VI.

ARTÍCULO VI.

Legal rights.

The citizens or subjects of each of the two High Contracting Parties shall have free access to the Courts of the other, on conforming to the laws regulating the matter, as well for the prosecution as for the defense of their rights, in all the degrees of jurisdiction established by law. They can be represented by lawyers, and they shall enjoy, in this respect and in what concerns arrest of persons, seizure of property and domiciliary visits to their houses, manufactories, stores, warehouses, etc., the same rights

Los ciudadanos ó súbditos de cada una de las Altas Partes Contratantes tendrán libre acceso á los Tribunales de la otra, de conformidad con las leyes que rijan la materia, asi para la persecución como para la defensa de sus derechos en todos los grados de la jurisdicción establecida por la ley. Podrán hacerse representar por abogados y procuradores, y gozarán á este respecto y en lo concerniente al arresto de personas, embargo de bienes, visitas domiciliarias en sus casas, fábricas, tiendas y almacenes, etc., los mismos derechos y venta-

and the same advantages which are or shall be granted to the citizens or subjects of the most favored Nation.

ARTICLE VII

No higher or other duties of tonnage, pilotage, loading, unloading, lighthouse, quarantine or other similar or corresponding duties whatsoever, levied in the name or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind shall be imposed in the ports of the territories of either country than those 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, except as hereinafter provided in Article IX of this Convention.

ARTICLE VIII

All the articles which are or may be legally imported from foreign countries into ports of the United States, in United States' vessels, may likewise be imported into those ports in Spanish vessels, without being liable to any other or higher duties or charges whatsoever than if such articles were imported in United States vessels; and, reciprocally, all articles which are or may be legally imported from foreign countries into the ports of Spain, in Spanish vessels, may likewise be imported into these ports in United States vessels without being liable to any other or higher duties or charges whatsoever than if such were imported from foreign countries in Spanish vessels.

In the same manner there shall be perfect equality of treatment in regard to exportation to foreign countries, so that the same export duties shall be paid and the same

jas que estan ó fueren concedidos á los ciudadanos ó súbditos de la Nación mas favorecida.

ARTÍCULO VII.

No se impondrán en los puertos de cada uno de los dos países á los buques del otro, distintos ni mas altos derechos de tonelaje, pilotaje, carga, descarga, fero, cuarentena ú otros análogos ó similares de cualquier naturaleza que sean, ya se perciban á nombre ó en provecho del Gobierno, de los funcionarios públicos, de particulares, de corporaciones ó establecimientos de cualquier clase, que los que se impongan en iguales casos á los buques nacionales en general ó á los de la Nación mas favorecida. Esta igualdad de trato se aplicará recíprocamente á los buques respectivos, cualquiera que sea el punto ó lugar de su procedencia y el de su destino, exceptuando lo que se dispone en el Artículo IX de este Convenio.

Equality of port dues.

Post, p. 2110.

ARTÍCULO VIII.

Todos los artículos que son ó puedan ser legalmente importados de países extranjeros en los puertos de los Estados Unidos en buques de los Estados Unidos, podrán asi mismo ser importados en buques españoles sin estar sujetos á otros derechos ó cargas de cualquier clase distintos ni mas altos que los impuestos á los importados en buques de los Estados Unidos; y recíprocamente, todos los artículos que son ó pueden ser legalmente importados de países extranjeros en puertos españoles en buques españoles, podrán ser importados en dichos puertos en buques de los Estados Unidos sin estar sujetos á otros derechos ó cargas de cualquier clase, distintos ni mas elevados que los impuestos á los importados de países extranjeros en buques españoles.

Equality of imports.

De la misma manera habrá perfecta igualdad de trato respecto á la exportación á países extranjeros, por tanto se pagarán los mismos derechos de exportación y se con-

Equality of exports.

bounties and drawbacks allowed in the territories of either of the High Contracting Parties on the exportation to foreign countries of any article which is or may be legally exported from the said territories, whether such exportation shall take place in United States or in Spanish vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power.

Trade with the Philippines.

It is, however, understood that neither this article nor any other of the articles of the present Convention shall in any way affect the special treaty stipulations which exist or may hereafter exist with regard to the commercial relations between Spain and the Philippine Islands.

ARTICLE IX.

Coasting trade.

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 Spain respectively.

Discharging at different ports.

Vessels of either country shall be permitted to discharge part of their cargoes at any port open to foreign commerce in the territory of either of the High Contracting Parties, and to proceed with the remainder of their cargo to any other port or ports of the same territory open to foreign commerce, without paying other or higher tonnage dues or port charges in such cases than would be paid by national vessels in like circumstances and they shall be permitted to load in like manner at different ports in the same voyage outward.

ARTICLE X.

Shipwrecks, etc.

In cases of shipwreck, damages at sea, or forced putting in, each party shall afford to the vessels of the other, whether belonging to the State or to individuals, the same assistance and protection and

cederán las mismas primas y devoluciones de derechos en los territorios de cada una de las Altas Partes Contratantes, sobre la exportación á países extranjeros de cualquier artículo que sea ó pueda ser legalmente exportado de dichos territorios, ya se verifique por buques de los Estados Unidos ó por buques españoles y cualquiera que sea el punto de destino, ya sea un puerto de una de las Partes Contratantes, ó de una tercera Potencia.

Queda entendido, sin embargo, que ni este artículo, ni ningún otro de los del presente Convenio alterará en modo alguno las estipulaciones especiales que existen ó puedan existir respecto á las relaciones comerciales entre España y las Islas Filipinas.

ARTÍCULO IX

Se exceptúa de las disposiciones del presente Tratado el comercio de cabotaje de ambas Partes Contratantes, que se regirá por las Leyes, Ordenanzas y Reglamentos de los Estados Unidos y de España respectivamente.

Se permitirá á los buques de cada país descargar parte de su cargamento en uno de los puertos abiertos al comercio extranjero en el territorio de la otra de las Altas Partes Contratantes y continuar con el resto del cargamento á cualquier otro puerto ó puertos del mismo territorio abiertos al comercio extranjero, sin pagar otros ó más altos derechos de tonelaje ó puerto que los que pagarían en iguales circunstancias los buques nacionales, y se permitirá de igual modo cargar en diferentes puertos en el mismo viaje de salida.

ARTÍCULO X.

En los casos de naufragio, averías en el mar ó arribada forzosa, cada parte deberá conceder á los buques de la otra, ya pertenezcan al Estado ó á particulares, la misma asistencia y protección é iguales

the same immunities which would have been granted to its own vessels in similar cases.

ARTICLE XI.

All vessels sailing under the flag of the United States, and furnished with such papers as their laws require, shall be regarded in Spain as United States vessels, and reciprocally, all vessels sailing under the flag of Spain and furnished with the papers which the laws of Spain require, shall be regarded in the United States as Spanish ves-

inmidades que las concedidas á sus propios buques en casos análogos.

ARTÍCULO XI.

Todos los buques que naveguen bajo la bandera de los Estados Unidos y estén provistos de la documentación requerida por sus leyes, serán considerados en España como buques de los Estados Unidos; y reciprocamente todos los buques que naveguen bajo la bandera de España y estén provistos de la documentación requerida por las leyes de dicho país, serán considerados en los Estados Unidos como buques españoles.

Nationality of vessels.

ARTICLE XII.

The High Contracting Parties desiring to avoid all inequality in their public communications and official intercourse agree to grant to the Envoys, Ambassadors, Ministers, Chargés d'affaires and other diplomatic agents of each other, the same favors, privileges, immunities and exemptions which are granted or shall be granted to the agents of the most favored Nation, it being understood that the favors, privileges, immunities and exemptions granted by the one party to the Envoys, Ambassadors, Ministers, Chargés d'affaires, or any other diplomatic agents of the other party or to those of any other Nation, shall be reciprocally granted and extended to those of the other High Contracting Party.

ARTÍCULO XII.

Descando las Altas Partes Contratantes evitar toda desigualdad en sus comunicaciones públicas y en sus relaciones oficiales, convienen en conceder cada una á los Enviados, Embajadores, Ministros, Encargados de Negocios y demás agentes diplomáticos de la otra, los mismos favores, privilegios, inmidades y exenciones que los que haya concedido ó conceda en los sucesivo á los agentes de la Nacion más favorecida, quedando entendido que los favores, privilegios, inmidades y exenciones concedidos por una parte á los Enviados, Embajadores, Ministros, Encargados de Negocios y cualesquiera otros agentes diplomáticos de la otra, ó á los de cualquier otra Nacion, serán recíprocamente concedidos y extendidos á los de la otra Alta Parte Contratante.

Diplomatic officers.

ARTICLE XIII.

Each of the High Contracting Parties pledges itself to admit the Consuls-General, Consuls, Vice-Consuls and Consular Agents of the other in all its ports, places and cities, except where it may not be convenient to recognize such functionaries.

This reservation, however, shall not be applied by one of the High Contracting Parties to the other unless in like manner applied to all other Powers.

ARTÍCULO XIII.

Cada una de las Altas Partes Contratantes se obliga á admitir Cónsules - Generales, Cónsules, Vice-Cónsules y Agentes Consulares de la otra en todos sus puertos, lugares ó ciudades, excepto donde no considere conveniente reconocer tales funcionarios;

Esta reserva, sin embargo, no podrá aplicarse por una de las Altas Partes Contratantes á la otra, á menos que se aplique de igual manera á todas las demás Potencias.

Consular officers recognized.

ARTICLE XIV.

ARTÍCULO XIV.

Exequaturs.

Consular officers shall receive, after presenting their commissions, and according to the formalities established in the respective countries, the exequatur required for the exercise of their functions, which shall be furnished to them free of cost; and on presentation of this document, they shall be admitted to the enjoyment of the rights, privileges and immunities granted to them by this Treaty.

Los funcionarios consulares recibirán libre de gastos, despues de presentar sus patentes y según las formalidades establecidas en los respectivos países, el exequatur exigido para el ejercicio de sus funciones; y á la presentación de este documento serán admitidos al disfrute de los derechos, privilegios é inmunidades que se les concede por este Tratado.

Withdrawal of exequaturs.

The Government granting the exequatur shall be at liberty to withdraw the same on stating the reasons for which it has thought proper so to do. Notice shall be given, on producing the commission, of the extent of the district allotted to the consular officer, and subsequently of the changes that may be made in this district.

El Gobierno, al conceder el exequatur quedará en libertad para retirarle, manifestando las razones por las cuales juzga oportuno hacerlo. Al presentar la patente se hará constar la extension de la demarcación asignada al funcionario consular, y, en lo sucesivo, de los cambios que ocurran en dicha demarcación.

Consular districts.

ARTICLE XV.

ARTÍCULO XV.

Exemptions of consular officers.

All consular officers, citizens or subjects of the country which has appointed them, shall be exempted from military billetings and contributions, and shall enjoy personal immunity from arrest or imprisonment, except for acts constituting crimes or misdemeanors by the laws of the country to which they are commissioned. They shall also be exempt from all National, State, Provincial and Municipal taxes except on real estate situated in, or capital invested in the country to which they are commissioned. If, however, they are engaged in professional business, trade, manufacture or commerce, they shall not enjoy such exemption from taxes, but shall be subject to the same taxes as are paid under similar circumstances by foreigners of the most favored Nation, and shall not be entitled to plead their consular privilege to avoid professional or commercial liabilities.

Todos los funcionarios consulares, ciudadanos ó súbditos del país que los ha nombrado, estarán exentos de alojamientos militares y contribuciones, y disfrutarán de inmunidad personal en lo que respecta al arresto ó prision, excepto por actos que constituyan crímenes ó delitos, según las leyes del país en el cual estan comisionados. Estarán además exentos de toda contribución de la Nación, el Estado, la Provincia y el Municipio, excepto en lo referente á propiedad inmueble situada ó capital empleado en el país en que están nombrados. Sin embargo, si se dedican al ejercicio de una profesion, tráfico, industria ó comercio, no disfrutarán de dicha exención de contribuciones, sino que estarán sujetos á las mismas que paguen en análogas circunstancias los extranjeros de la Nación más favorecida, y no podrán alegar su privilegio consular para evitar responsabilidades profesionales ó comerciales.

ARTICLE XVI.

ARTICULO XVI.

Testimony from consular officers.

If the testimony of a consular officer, who is a citizen or subject of the State by which he was ap-

Quando fuere necesario ante los Tribunales de cada uno de los dos países el testimonio de un funciona-

pointed, and who is not engaged in business, is needed before the Courts of either country, he shall be invited in writing to appear in Court, and if unable to do so, his testimony shall be requested in writing, or be taken orally at his dwelling or office.

To obtain the testimony of such consular officer before the Courts of the country where he may exercise his functions, the interested party in civil cases, or the accused in criminal cases, shall apply to the competent judge, who shall invite the consular officer in the manner prescribed above, to give his testimony.

It shall be the duty of said consular officer to comply with this request, without any delay which can be avoided. Nothing in the foregoing part of this article, however, shall be construed to conflict with the provisions of the sixth article of the amendments to the Constitution of the United States, or with like provisions in the Constitutions of the several States, whereby the right is secured to persons charged with crimes, to obtain witnesses in their favor, and to be confronted with the witnesses against them.

ARTICLE XVII.

Consuls-General, Consuls, Vice-Consuls, and Consular Agents may place over the outer door of their office the arms of their Nation with this inscription "Consulate", "Vice-Consulate", or "Consular Agency of the United States" or "Spain".

They may also hoist the flag of their country over the house in which the Consular Office is, provided they do not reside in the Capital in which the Legation of their country is established; and also upon any vessel employed by them in port in the discharge of their official duties.

ARTICLE XVIII.

The consular offices and archives shall be at all times inviolable. The local authorities shall not be

rio consular, que sea ciudadano ó súbdito del Estado por el cual fué nombrado y que no se dedique á negocios, será invitado por escrito á comparacer ante el Tribunal, y si no puede hacerlo, se le pedirá su declaración escrita ó se le recibirá oralmente en su domicilio ú oficina.

Para obtener el testimonio de dicho funcionario consular ante los Tribunales del país en que ejerce sus funciones, la parte interesada en los asuntos civiles, ó el acusado en los criminales, lo solicitarán del Juez competente, el cual invitará al funcionario consular, de la manera antes prescrita, á prestar su declaración.

Será obligación de dicho funcionario consular atender esta invitación sin demora alguna que pueda evitarse. Sin embargo, lo prescrito en la primera parte de este artículo no podrá ser interpretado en contra de las disposiciones del artículo sexto de las reformas á la Constitución de los Estados Unidos ó de iguales disposiciones de las Constituciones de diversos Estados, por las cuales se asegura á las personas acusadas de algún delito el derecho á obtener testimonios en su favor y á ser careados con los testigos de cargo.

ARTÍCULO XVII.

Los Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes-Consulares, podrán colocar sobre la puerta exterior de su oficina las armas de su Nación con esta inscripción "Consulado", "Vice Consulado", ó "Agencia Consular de los Estados Unidos" ó "de España."

También podrán enarbolar la bandera de su país sobre la casa en que esté la Oficina Consular, cuando no residan en la Capital en que esté establecida la Legación de su país, y también en cualquier barco que empleen en el desempeño de sus funciones oficiales.

ARTÍCULO XVIII.

Las oficinas y archivos consulares serán en todo tiempo inviolables. Las autoridades locales no

Arms and flags at consulates.

Inviolability of consular archives and offices.

allowed to enter such offices under any pretext, nor shall they in any case examine or take possession of the official papers therein deposited. These offices, however, shall never serve as place of asylum.

Separation of public and private papers.

When the consular officer is engaged in trade, professional business or manufacture, the papers and archives relating to the business of the Consulate must be kept separate and apart from all others.

ARTICLE XIX.

Ad interim consular officers.

In case of death, incapacity or absence of the Consuls-General, Consuls, Vice-Consuls, and Consular Agents, their respective Chancellors or Secretaries whose official character shall have been previously made known to the Department of State at Washington or the Ministry of State in Spain, shall be permitted to discharge their functions *ad interim*, and they shall enjoy, while thus acting, the same rights, privileges and immunities as the officers whose places they fill, under the same conditions prescribed in the case of these officers.

ARTICLE XX.

Vice-consuls and consular agents.

Consuls-General and Consuls may, so far as the laws of their country allow, with the approbation of their respective Governments, appoint Vice-Consuls and Consular Agents in the cities, ports and places within their consular jurisdiction. These Agents may be selected from among citizens of the United States or among subjects of Spain or those of other countries. They shall be furnished with a regular commission and shall enjoy the privileges, rights and immunities stipulated for consular officers in this Convention, subject to the exceptions specified in articles XV and XVI.

Ante, pp. 2112, 2113.

ARTICLE XXI.

Dealings with officials.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents of the two High Contracting Par-

podrán entrar en dichas oficinas bajo ningún pretexto, ni prodrán en ningún caso examinar ó apoderarse de los documentos oficiales allí depositados. Estas oficinas, sin embargo, no servirán en ningún caso de lugar de asilo.

Cuando el funcionario consular ejerza una profesion, industria ó comercio, los documentos y archivos relativos á los asuntos del Consulado deberán tenerse separados y aparte de todos los demás.

ARTÍCULO XIX.

En caso de fallecimiento, incapacidad ó ausencia de los Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes Consulares, sus Cancilleres ó Secretarios cuyo carácter oficial haya sido previamente puesto en conocimiento del Departamento de Estado, en Washington, ó el Ministerio de Estado en España, serán admitidos á desempeñar sus funciones *ad interim*, y disfrutarán durante su gestión los mismos derechos, privilegios ó inmunidades que los funcionarios cuyas plazas desempeñan, bajo las mismas condiciones prescritas en cada caso para los mismos.

ARTÍCULO XX.

Los Cónsules-Generales y Cónsules podrán, según las leyes de su país, con la aprobación de sus respectivos Gobiernos, nombrar Vice-Cónsules y Agentes Consulares en las ciudades, puertos y lugares que estén dentro de su jurisdicción consular. Estos Agentes podrán ser escogidos entre los ciudadanos de los Estados Unidos ó los súbditos de España, ó entre los de otros países. Serán provistos de una patente en regla, y disfrutarán los privilegios, derechos é inmunidades estipulados para los funcionarios consulares en este convenio, con las excepciones especificadas en los artículos XV y XVI.

ARTÍCULO XXI

Los Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes Consulares de las dos Altas Partes

ties, shall have the right to address the authorities of the respective countries, national or local, judicial or executive, within the extent of their respective consular districts, for the purpose of complaining of any infraction of the treaties or conventions existing between the two countries, or for purposes of information, or for the protection of the rights and interests of their countrymen, whom, if absent, such consular officers shall be presumed to represent.

If such application shall not receive proper attention, such consular officers may, in the absence of the diplomatic agent of their country, apply directly to the Government of the country to which they are commissioned.

ARTICLE XXII.

Consuls-General, Consuls, Vice-Consuls, and Consular Agents of the respective countries or their deputies shall, as far as compatible with the laws of their own country, have the following powers:

1. To take at their offices, their private residence, at the residence of the parties concerned or on board ship, the depositions of the captains and crews of vessels of their own country and of passengers thereon, as well as the depositions of any citizen or subject of their own country.

2. To draw up, attest, certify and authenticate all unilateral acts, deeds and testamentary dispositions of their countrymen, as well as all articles of agreement or contracts to which one or more of their countrymen are a party.

3. To draw up, attest, certify and authenticate all deeds or written instruments which have for their object the conveyance or encumbrance of real or personal property situated in the territory of the country by which said consular officers are appointed, and all unilateral acts, deeds, testamentary dispositions, as well as articles of

Contratantes, tendrán derecho á dirigirse á las autoridades de los respectivos países, nacionales ó locales, judiciales ó ejecutivas, dentro de los límites de sus respectivas demarcaciones consulares, para reclamar contra toda infracción de los tratados ó convenios existentes entre los dos países, para obtener informes ó para proteger los derechos é intereses de sus compatriotas, de los cuales serán considerados como representantes dichos funcionarios consulares en caso de ausencia de aquellos.

Si su reclamación no es atendida, dichos funcionarios consulares podrán, en ausencia del agente diplomático de su país, reclamar directamente ante el Gobierno del país cerca del cual están nombrados.

ARTÍCULO XXII.

Los Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes Consulares de los respectivos países ó sus delegados tendrán en cuanto sea compatible con las leyes de su propio país, las siguientes facultades:

1°. Para tomar en sus oficinas, en su domicilio, en el de las partes interesadas ó á bordo de los barcos, las declaraciones de los capitanes y tripulaciones de los buques de su propio país y de los pasajeros que estén á bordo de los mismos, así como las declaraciones de cualquier ciudadano ó súbdito de su propio país.

2°. Para extender, atestiguar, certificar y legalizar toda clase de actos unilaterales, instrumentos y disposiciones testamentarias de sus compatriotas, así como cualquier artículo de convenio ó contratos en los cuales sean parte uno ó más de sus compatriotas.

3°. Para extender, atestiguar, certificar y legalizar toda clase de actos ó escrituras que tengan por objeto el traspaso ó gravamen de propiedad mueble ó inmueble situada en el territorio del país que nombra dichos funcionarios consulares, y toda clase de actos unilaterales, instrumentos y disposiciones testamentarias, así como

General consular powers.

Taking depositions.

Authentications.

Conveyances of property.

agreement or contracts relating to property situated, or business to be transacted, in the territory of the Nation by which the said consular officers are appointed; even in cases where said unilateral acts, deeds, testamentary dispositions, articles of agreement or contracts are executed solely by citizens or subjects of the country to which said consular officers are commissioned.

Effect of consular authentication.

All such instruments and documents thus executed and all copies and translations thereof when duly authenticated by such Consul-General, Consul, Vice-Consul or Consular-Agent under his official seal, shall be received as evidence in the United States and in Spain, as original documents or authenticated copies as the case may be, and shall have the same force and effect as if drawn up by and executed before a notary or public officer duly authorized in the country by which said consular officer was appointed; provided always that they have been drawn and executed in conformity to the Laws and Regulations of the country where they are intended to take effect.

ARTICLE XXIII.

Authority in shipping matters.

Consuls-General, Consuls, Vice-Consuls and Consular Agents shall have exclusive charge of the internal order of the merchant vessels of their Nation and shall alone take cognizance of differences which may arise, either at sea or in port, between the captains, officers and crews without exception, particularly in reference to the adjustment of wages and the execution of contracts. In case any disorder should happen on board of vessels of either party in the territorial waters of the other, neither the Federal, State or Municipal Authorities in the United States, nor the Authorities or Courts in Spain, shall on any pretext interfere, except when the said disorders are of such a nature as to cause or be likely to cause a breach of the peace or serious

artículos de convenio ó contratos referentes á bienes situados ó asuntos que deban realizarse en el territorio de la Nación que nombra dichos funcionarios consulares; aun en casos en que dichos actos unilaterales, instrumentos, disposiciones testamentarias y artículos de convenios ó contratos, sean otorgados solamente por ciudadanos ó súbditos del país en que estan nombrados dichos funcionarios consulares.

Todos los instrumentos y documentos mencionados, asi otorgados, y todas sus copias y traducciones, debidamente legalizadas por dicho Cónsul-General, Cónsul, Vice-Cónsul ó Agente Consular con su sello oficial, harán fé en los Estados Unidos y en España, como documentos originales ó copias auténticas, segun el caso, y tendran la misma fuerza y efecto que si hubieran sido extendidas y otorgadas ante un notario ó funcionario público debidamente autorizado en el país que nombró dicho funcionario consular, siempre con tal que hayan sido extendidos y otorgados de conformidad con las Leyes y Reglamentos del país donde deban surtir efecto.

ARTÍCULO XXIII.

Los Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes Consulares estarán exclusivamente encargados de mantener el órden interior á bordo de las naves mercantes de su Nación y serán los únicos competentes para entender en las cuestiones que puedan surgir, asi en el mar como en los puertos, entre los capitanes, los oficiales y la tripulación, sin excepci3n de ningún género, y en particular en lo relativo al ajuste de sueldos y á la ejecuci3n de los contratos. En caso de que ocurran desordenes en las naves de uno de los países en las aguas territoriales del otro, las Autoridades Federales, del Estado ó Municipales en los Estados Unidos, y las Autoridades ó Tribunales en España, no podrán, bajo ningún pretexto, intervenir, excepto cuando dichos desordenes

trouble in the port or on shore, or when in such trouble or breach of the peace, a person or persons shall be implicated not forming a part of the crew. In any other case, said Federal, State or Municipal Authorities in the United States, or Authorities or Courts in Spain, shall not interfere, but shall render forcible aid to consular officers, when they may ask it, to search for, arrest and imprison all persons composing the crew, whom they may deem it necessary to confine. Those persons shall be arrested at the sole request of the Consul addressed in writing to either the Federal, State or Municipal Authorities in the United States, or the Authorities or Courts in Spain, and supported by an official extract from the register of the ship or the list of the crew, and the prisoners shall be held during the whole time of their stay in the port at the disposal of the consular officers. Their release shall be granted at the mere request of such officers made in writing. The expenses of the arrest and detention of those persons shall be paid by the consular officers.

ARTICLE XXIV

The Consuls-General, Consuls, Vice-Consuls and Consular-Agents of the two countries may respectively cause to be arrested and sent on board or cause to be returned to their own country, such officers, seamen or others persons forming part of the crew of ships of war or merchant vessels of their Nation, who may have deserted in one of the ports of the other.

To this end they shall respectively address the competent national or local authorities in writing, and make request for the return of the deserter and furnish evidence by exhibiting the register, crew list or other official documents of the vessel, or a copy or extract therefrom, duly certified, that the persons claimed belonged to said ship's company. On such

fuesen de tal naturaleza que perturbáran ó pudieran perturbar el órden en el puerto ó en la costa, ó cuando en dicho desorden estuviera complicada una persona ó personas que no formen parte de la tripulación. En cualquier otro caso, las mencionadas Autoridades Federales, del Estado, ó Municipales en los Estados Unidos, y Autoridades ó Tribunales en España, no podrán intervenir, pero deberán prestar el debido auxilio á los funcionarios consulares cuando lo reclamen por considerar necesario buscar, detener ó prender á cualquier individuo de la tripulación. Estos individuos serán detenidos con la sola petición escrita de los Cónsules á las Autoridades Federales, del Estado ó Municipales en los Estados Unidos, ó á las Autoridades ó Tribunales en España, justificando su pretension por un extracto oficial del registro del barco ó del rol de la tripulación, y serán detenidos durante todo el tiempo de la permanencia de la nave en el puerto á disposición de los funcionarios consulares. Serán puestos en libertad á la simple petición por escrito de dichos funcionarios. Los gastos del arresto y detención deberán ser pagados por los funcionarios consulares.

ARTÍCULO XXIV.

Los Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes Consulares de los dos países, podrán acordar que sean arrestados y enviados á bordo ó repatriados, los oficiales, marineros ó demás personas que formen parte de la tripulación de buques de guerra ó mercantes de su Nación, que hayan desertado en uno de los puertos de la otra.

A este efecto se dirigirán por escrito, respectivamente, á las autoridades nacionales ó locales competentes, solicitando la entrega del desertor, y justificando con el registro del barco, rol de la tripulación ó cualquier otro documento oficial del buque, ó una copia ó extracto del mismo, debidamente certificada, que las personas reclamadas pertenecen á dicha tripula-

Aid to consular officers.

Desertions from ships.

application being made, all assistance shall be furnished for the pursuit and arrest of such deserters, who shall even be detained and guarded in the gaols of the country pursuant to the requisition and at the expense of the Consuls-General, Consuls, Vice-Consuls or Consular Agents, until they find an opportunity to send the deserters home.

If, however, no such opportunity shall be had for the space of three months from the day of the arrest, the deserters shall be set at liberty, and shall not again be arrested for the same cause. It is understood that persons who are citizens or subjects of the country within which the demand is made shall be exempted from the provisions of this article.

If the deserter shall have committed any crime or offence in the country within which he is found, he shall not be placed at the disposal of the Consul until after the proper Tribunal having jurisdiction in the case shall have pronounced sentence, and such sentence shall have been executed.

ARTICLE XXV.

Damages at sea.

In the absence of an agreement to the contrary between the owners, freighters and insurers, all damages suffered at sea by the vessels of the two countries, whether they enter port in the respective countries voluntarily, or are forced by stress of weather or other causes over which the officers have no control, shall be settled by the Consuls-General, Consuls Vice-Consuls and Consular Agents of the respective countries; in case, however, any citizen or subject of the country to which said consular officers are commissioned, or any subject of a third Power be interested and the parties cannot come to an amicable agreement, the competent local authorities shall decide.

ARTICLE XXVI.

In case of the death of a citizen or subject of one of the parties

Notice of death in one country of citizen of the other.

ción. Ante tal demanda, se prestará toda clase de auxilio para la persecución y el arresto de dichos desertores, que deberán así mismo ser detenidos y custodiados en las cárceles del país, mediante la demanda y á expensas de los Cónsules-Generales, Cónsules, Vice-Cónsules ó Agentes Consulares, hasta que se encuentre una oportunidad para repatriarlos.

Sin embargo, si no se presenta esta oportunidad en el término de tres meses desde el día del arresto, los desertores serán puestos en libertad, y no volverán á ser arrestados por la misma causa. Queda entendido que estarán exceptuados de estas disposiciones los individuos que sean ciudadanos ó súbditos del país en que se haya hecho la demanda.

Si el desertor hubiera cometido alguna falta ó delito en el país en que se encuentra, no será puesto á disposición del Cónsul hasta que el Tribunal competente para el caso haya dictado sentencia y dicha sentencia haya sido ejecutada.

ARTÍCULO XXV.

Siempre que no exista acuerdo en contrario entre los armadores, fletadores y aseguradores, todas las averías sufridas en el mar por los barcos de los dos países, sea que entren en puerto voluntariamente en los respectivos países ó que arriben á él por fuerza mayor, serán reguladas por los Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes Consulares de los respectivos países; sin embargo, en el caso de que se encontrasen interesados ciudadanos ó súbditos del país en que dichos funcionarios consulares están nombrados, ó de una tercera Potencia, y las partes no lleguen á un acuerdo amistoso, deberán decidir las autoridades locales competentes.

ARTÍCULO XXVI.

En caso de fallecimiento de un ciudadano ó súbdito de una de las

within the territories or dominion of the other, the competent local authorities shall give notice of the fact to the Consuls or Consular Agents of the Nation to which the deceased belongs, to the end that information may be at once transmitted to the parties interested.

ARTICLE XXVII.

The Consuls-General, Consuls, Vice-Consuls or Consular Agents of the respective High Contracting Parties shall have, under the laws of their country and the instructions and regulations of their own Government so far as compatible with local laws, the right of representing the absent, unknown or minor heirs, next of kin or legal representatives of the citizens or subjects of their country, who shall die within their consular jurisdiction; as well as those of their countrymen dying at sea whose property is brought within their consular district; and of appearing either personally or by delegate in their behalf in all proceedings relating to the settlement of their estate until such heirs or legal representatives shall themselves appear.

Until such appearance the said consular officers shall be permitted, so far as compatible with local laws, to perform all the duties prescribed by the laws of their country and the instructions and regulations of their own Government for the safe-guarding of the property and the settlement of the estate of their deceased countrymen.

In every case the effects and property of such deceased citizens or subjects shall be retained within the consular district for twelve calendar months by said Consuls-General, Consuls, Vice-Consuls or Consular Agents or by the legal representatives or heirs of the deceased during which time the creditors, if any, of the deceased shall have the right to present their claims and demands against the said effects and property, and

partes en los territorios ó dominios de la otra, las autoridades locales competentes deberán dar aviso del hecho al Cónsul ó Agente Consular de la Nación á que el difunto pertenecía, á fin de que se pueda informar inmediatamente á las partes interesadas.

ARTÍCULO XXVII.

Los Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes Cónsulares de las respectivas Altas Partes Contratantes, tendrán, conforme á las leyes de su país y á las instrucciones y reglamentos de su propio Gobierno, en cuanto sean compatibles con las leyes locales, el derecho de representar á los herederos ausentes, desconocidos ó menores de edad, parientes inmediatos ó representantes legales de los ciudadanos ó súbditos de su país, que mueran dentro de su jurisdicción consular; así como de aquellos de sus compatriotas que mueran en el mar, cuyos bienes sean llevados á su demarcación consular; y de comparecer personalmente, ó por medio de delegado que los represente en todos los procedimientos relativos al arreglo de sus bienes, hasta que los herederos ó representantes legales comparezcan por sí mismos.

Hasta que tenga lugar esta comparecencia podrán dichos funcionarios consulares, en cuanto sea compatible con las leyes locales, cumplir todos los deberes prescritos por las leyes de su país y las instrucciones y reglamentos de su propio Gobierno para la custodia de la propiedad y arreglo de los bienes de su difunto compatriota.

En todo caso, los efectos y bienes de los ciudadanos ó súbditos difuntos serán retenidos dentro del distrito consular durante doce meses naturales, por dichos Cónsules-Generales, Cónsules, Vice-Cónsules ó Agentes Consulares, ó por los representantes legales ó herederos del difunto, durante cuyo tiempo los acreedores de aquel, si los hubiere, tendrán derecho para presentar sus reclamaciones y demandas contra dichos efectos y

Consular officers to represent absent heirs, etc.

Protection, etc., of property.

Retention of property in consular district.

all questions arising out of such claims or demands shall be decided by the local judicial authorities in accordance with the laws of the country to which said officers are commissioned.

bienes; y todas las cuestiones que se susciten con motivo de estas reclamaciones ó demandas, se decidirán por las autoridades judiciales locales con arreglo á las leyes del país en que dichos funcionarios están nombrados.

ARTICLE XXVIII.

ARTÍCULO XXVIII.

Consular privileges,
etc.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents, as likewise the Consular Chancellors, Secretaries or Clerks of the High Contracting Parties shall reciprocally enjoy in both countries all the rights, immunities and privileges which are or may hereafter be granted to the officers of the same grade of the most favored Nation.

Los Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes Consulares, así como los Cancilleres, Secretarios ó Empleados Consulares de las Altas Partes Contratantes, disfrutarán recíprocamente en ambos países de todos los derechos, inmunidades y privilegios que estén ó fueren concedidos á los funcionarios de igual grado de la Nación más favorecida.

ARTICLE XXIX.

ARTÍCULO XXIX.

Prior treaties abro-
gated.

All treaties, agreements, conventions and contracts between the United States and Spain prior to the Treaty of Paris shall be expressly abrogated and annulled, with the exception of the Treaty signed the seventeenth of February 1834 between the two countries, for the settlement of claims between the United States of America and the Government of His Catholic Majesty, which is continued in force by the present Convention.

Quedan expresamente derogados y caducados todos los tratados, pactos, acuerdos y convenios celebrados entre los Estados Unidos y España, con anterioridad al Tratado de Paris, á excepción del firmado en diez y siete de Febrero de 1834 entre ambos países, para el arreglo de reclamaciones entre los Estados Unidos de América y el Gobierno de S. M. Católica, que continuará en vigor por el presente Convenio.

Exception.

Treaty of 1834.
Public Treaties, p.
718.

ARTICLE XXX.

ARTÍCULO XXX.

Duration.

The present Treaty of Friendship and General Relations shall remain in full force and vigor for the term of ten years from the day of the exchange of ratifications. Notwithstanding the foregoing, if neither Party notifies to the other its intention of reforming any of, or all, the articles of this Treaty, or of terminating it twelve months before the expiration of the ten years stipulated above, the said Treaty shall continue binding on both Parties beyond the said ten years, until twelve months from the time that one of the Parties notifies its intention of proceeding to its reform or of terminating it.

El presente Tratado de Amistad y Relaciones Generales continuará en toda su fuerza y vigor durante un plazo de diez años á contar desde la fecha del canje de ratificaciones. No obstante lo expuesto, si ninguna de las Partes notificase á la otra doce meses antes de expirar el plazo de diez años antes señalado, su propósito de reformar alguno ó todos los artículos del presente Tratado, ó de declararle caducado, continuará este obligando á las Partes, transcurridos los mencionados diez años, hasta doce meses después de que una de ellas notifique á la otra su propósito de reformarle ó de declararle caducado.

ARTICLE XXXI

ARTÍCULO XXXI.

The present Convention shall be ratified and the ratifications thereof shall be exchanged at the City of Madrid as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done in duplicate at Madrid this third day of July in the year of Our Lord one thousand nine hundred and two.

BELLAMY STOREE
[SEAL.]

El presente Convenio deberá ser ratificado y las ratificaciones se canjearán en Madrid tan pronto como sea posible.

En fé de lo cual los Plenipotenciarios respectivos han firmado el presente Convenio sellándolo con el sello de sus armas.

Hecho por duplicado en Madrid á tres de Julio del año mil novecientos dos.

EL DUQUE DE
ALMODÓVAR DEL RIO.
[SEAL.]

Ratification.

Signatures.

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Madrid, on the fourteenth day of April one thousand nine hundred and three;

Now, therefore, be it known that I, THEODORE ROOSEVELT, President of the United States of America, have caused the said Treaty 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 testimony whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

[SEAL] Done at the City of Washington, this twentieth day of April, in the year of our Lord one thousand nine hundred and three, and of the Independence of the United States the one hundred and twenty-seventh.

THEODORE ROOSEVELT

By the President:

JOHN HAY

Secretary of State.

Ratification.

Proclamation.

November 19, 1902.
December 2, 1902.

Convention between the United States and Greece defining the rights, privileges, and immunities of consular officers in the two countries. Signed at Athens, November 19, 1902; ratification with amendment advised by the Senate, February 16, 1903; ratified by the President, May 20, 1903; ratified by Greece, June 25, 1903; ratification exchanged at Athens, July 9, 1903; proclaimed, July 11, 1903.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas a Convention between the United States of America and His Majesty the King of the Hellenes, defining the rights, privileges and immunities of consular officers in the two countries, was concluded and signed by their respective Plenipotentiaries at Athens, on the 19th day of November, one thousand nine hundred and two, the original of which Convention, being in the English and Greek languages is, as amended by the Senate of the United States, word for word as follows:

Convention concerning the rights and privileges of Consuls.

Προξενική Σύμβασις.

Contracting parties.

The President of the United States of America and His Majesty the King of the Hellenes, being mutually desirous of defining the rights, privileges and immunities of consular officers in the two Countries, deem it expedient to conclude a consular convention for that purpose, and have accordingly named as their Plenipotentiaries:

Ὁ Πρόεδρος τῶν Ἠνωμένων Πολιτειῶν τῆς Ἀμερικῆς καὶ ἡ αὐτοῦ Μεγαλειότης ὁ Βασιλεὺς τῶν Ἑλλήνων, ἐπιθυμοῦντες ἀμοιβαίως νὰ καθορίσωσι τὰ δικαιώματα, τὰ προνόμια καὶ τὰς ἀτελείας τῶν προξένων ἐν ταῖς δυσὶ χώραις, ἔκριναν σκοπιμὸν νὰ συνάψωσιν ἐπὶ τῷ σκοπῷ τούτῳ προξενικὴν σύμβασιν καὶ διώρισαν πρὸς τοῦτο πληρεξουσίουσιν αὐτῶν.

Plenipotentiaries.

The President of the United States of America, Charles S. Francis, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Hellenes,

Ὁ μὲν Πρόεδρος τῶν Ἠνωμένων Πολιτειῶν τῆς Ἀμερικῆς τὸν Κάρολον Σ. Φράνσις, ἑκτακτικὸν αὐτοῦ Ἀπεσταλμένον καὶ Πληρεξούσιον Ἰτουργόν

His Majesty the King of the Hellenes, Alexander Th. Zaimis, Commander of the Royal Order of the Saviour, etc., President of His Council, His Minister for Foreign Affairs,

παρά τῇ Αὐτοῦ Μεγαλειότητι τῷ Βασιλεῖ τῶν Ἑλλήνων,

Ἡ δὲ Αὐτοῦ Μεγαλειότης ὁ Βασιλεὺς τῶν Ἑλλήνων τὸν Ἀλέξανδρον Θ. Ζαΐμην, Ταξιάρχην τοῦ Βασιλικοῦ Τάγματος τοῦ Σωτήρος κτλ. Πρόεδρον τοῦ Ἐπιχειρηματικοῦ Αὐτοῦ Συμβουλίου, Ἐπιχειρηματὸν Αὐτοῦ ἐπὶ τῶν Ἐξωτερικῶν,

Ὅτινες, ἀνακοινώσαντες ἄλληλοις τὰ οἰκεία αὐτῶν πληρεξούσια, εὐρέθεντα ἐν τάξει, συμφώνησαν τὰ ἐπόμενα ἄρθρα.

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

ARTICLE I.

" Ἄρθρον 1^{ον}.

Each of the high contracting parties agrees to receive from the other, consuls-general, consuls, vice-consuls and consular agents in all its ports, cities and places, except those where it may not be convenient to recognize such officers. This reservation, however, shall not apply to one of the high contracting parties without also applying to every other power.

Ἐκάτερον τῶν ὑψηλῶν συμβαλλομένων μερῶν συναινεῖ νὰ δέχεται γενικοὺς προξένους, προξένους, ὑποπροξένους καὶ προξενικοὺς πράκτορας τοῦ ἑτέρου ἐν ἅπασιν τοῖς λιμέσι, πόλεσι καὶ τόποις, πλην ἐκείνων ἐνθα ἤθελε κριθῆ ἀσύμφορος ἢ παραδοχὴ τοιούτων προξενικῶν ὑπαλλήλων. Ἐν τούτοις ἢ ἐπιφύλαξις αὕτη δὲν δύναται νὰ ἐφαρμοσθῆ ἐφ' ἐνὸς τῶν ὑψηλῶν συμβαλλομένων μερῶν ἂν μὴ ἐφαρμόζηται καὶ ἐπὶ πάσης ἑτέρας δυνάμεως.

Consular officers recognized.

ARTICLE II

" Ἄρθρον 2^{ον}.

The consuls-general, consuls, vice-consuls and consular agents of the two high contracting parties shall enjoy reciprocally, in the states of the other, all the privileges, exemptions and immunities that are enjoyed by officers of the same rank and quality of the most favored nation. The said officers, before being admitted to the exercise of their functions and the enjoyment of the immunities thereto pertaining, shall present their commissions in the forms established in their respective countries. The government of each of

Οἱ γενικοὶ πρόξενοι, πρόξενοι, ὑποπρόξενοι καὶ προξενικοὶ πράκτορες τῶν δύο ὑψηλῶν συμβαλλομένων μερῶν θέλουσιν ἀπολαύει ἀμοιβαίως ἐν ταῖς χώραις τοῦ ἑτέρου πασῶν τῶν προνομίων, ἀπαλλαγῶν καὶ ἀτελειῶν ὧν ἀπολαύουσιν οἱ ὁμόβαθοι καὶ ὁμότιμοι αὐτοῖς προξενικοὶ ὑπάλληλοι τοῦ μᾶλλον εὐνοουμένου κράτους. Οἱ εἰρημένοι ὑπάλληλοι, πρὶν ἢ δυνηθῶσι νὰ ἐνασκήσωσι τὰ ἑαυτῶν καθήκοντα καὶ ἀπολαύσωσι τῶν τούτοις παρομαρτούντων προνομίων, ὀφείλουσι

Consular privileges.

Exequaturs.

the two high contracting powers shall furnish them the necessary exequatur free of charge, and, on the exhibition of this instrument, they shall be permitted to enjoy the rights, privileges and immunities granted by this convention.

να παρουσιάσωσι τὸ δίπλωμα αὐτῶν, συντεταγμένον κατὰ τοὺς ἐν τῇ οἰκειᾷ χώρᾳ ὠρισμένους τύπους. Ἡ Κυβέρνησις ἐκατέρου τῶν ὑψηλῶν συμβαλλομένων κρατῶν θέλει παρέχει αὐτοῖς ἀνεξόδως τὸ προσήκον ἐκτελεστήριον καὶ ἐπὶ τῇ προσαγωγῇ τοῦ ἐγγράφου τούτου θέλουσιν ἀπολαύει τῶν παραχωρουμένων ἐπὶ τῆς συμβάσεως ταύτης δικαιωμάτων, προνομίων καὶ ἀτελειῶν.

ARTICLE III.

Exemptions of consular officers.

Consuls-general, consuls, vice-consuls and consular agents, citizens of the State by which they are appointed, shall be exempt from preliminary arrest, except in the case of offences which the local legislation qualifies as crimes and punishes as such; they shall be exempt from military billetings, from service in the regular army or navy, in the militia, or in the national guard; they shall likewise be exempt from all direct taxes, national, state or municipal, unless such taxes become due on account of the possession of real estate, or for interest on capital invested in the country where the said officers exercise their functions. This exemption shall not, however, apply to consuls-general, consuls, vice-consuls or consular agents engaged in any profession, business or trade; but said officers shall in such case be subject to the payment of the same taxes as would be paid by any other foreigner under the like circumstances.

" Ἀρθρον 3^{ον}.

Οἰγενικοί πρόξενοι, πρόξενοι, ὑποπρόξενοι καὶ προξενικοί πράκτορες, ὑπήκοοι τοῦ διορισαντος αὐτοὺς κράτους, δὲν δύνανται νὰ φυλακισθῶσιν εἰ μὴ ἐν περιπτώσει ἀδικήματος χαρακτηριζομένου καὶ τιμωρουμένου ὑπὸ τῆς ἐγχωρίου νομοθεσίας ὡς κακουργήματος· θέλουσιν εἶναι ἀπηλλαγμένοι τῆς παροχῆς στρατιωτικῶν καταλυμάτων, πάσης ὑπηρεσίας ἐν τῷ τακτικῷ στρατῷ ἢ ναυτικῷ, ἐν τῇ πολιτοφυλακῇ ἢ ἐν τῇ ἐθνοφρουρᾷ· θέλουσιν ἐπίσης εἶναι ἀπηλλαγμένοι πάντων τῶν ἀμέσων φόρων τοῦ κράτους, τῶν κολιτειῶν (τῆς Ἀμερικῆς) ἢ τῶν δήμων, ἐκτὸς εἰὰν οἱ φόροι οὗτοι ὀφείλονται ἕνεκα κτήσεως ἀκινήτων ἢ ἐπιβάλλονται ἐπὶ τόκων κεφαλαίου κατατεθειμένου ἐν ἡ χώρᾳ οἱ εἰρημένοι προξενικοί ὑπάλληλοι ἀσκούσι τὰ ἑαυτῶν καθήκοντα. Πλὴν ἢ ἀπαλλαγῇ αὕτη δὲν θέλει ἐφαρμοζεσθαι ἐπὶ τῶν γενικῶν προξένων, προξένων, ὑποπροξένων καὶ προξενικῶν πρακτόρων τῶν μετερχομένων ἐπάγγελμά τι, βιομηχανίαν ἢ ἐμπορίαν· ἀλλ' οἱ εἰρημένοι ὑπάλληλοι θέλουσιν ἐν τοιαύτῃ περιπτώσει καταβάλλει τοὺς αὐτοὺς φόρους οὓς ἤθελε καταβάλλει καὶ πᾶς ξένος διατελῶν ὑπὸ τοὺς ἰδίους ὄρους.

ARTICLE IV.

" Ἀρθρον 4^{ον}.

When a court of one of the two countries shall desire to receive the judicial declaration or deposition of a consul-general, consul, vice-consul or consular agent, who is a citizen of the State which appointed him and who is engaged in no commercial business, it shall request him, in writing, to appear before it; and in case of his inability to do so, it shall request him to give his testimony in writing, or shall visit his residence or office to obtain it orally.

It shall be the duty of such officer to comply with this request with as little delay as possible.

In all criminal cases the appearance in court of said consular officer shall be demanded, with all possible regard to the consular dignity and to the duties of his office.

It shall be the duty of said consular officer to comply with this request, without any delay which can be avoided. Nothing in the foregoing part of this article, however, shall be construed to conflict with the provisions of the sixth article of the amendments to the Constitution of the United States, or with like provisions in the constitutions of the several states, whereby the right is secured to persons charged with crimes, to obtain witnesses in their favor, and to be confronted with the witnesses against them.

Ἄσάκις δικαστήριον τῆς ἐτέρας τῶν δύο χωρῶν θέλει νὰ λάβῃ δικαστικὴν δῆλωσιν ἢ κατὰθεσιν γενικοῦ προξένου, προξένου, ὑποπροξένου ἢ προξενικοῦ πράκτορος, πολίτου τοῦ διορίσαντος αὐτὸν κράτους, οὐδεμίαν δ' ἐμπορίαν μετερχομένου, προσκαλεῖ αὐτὸν ἐγγράφως ὅπως προσέλθῃ ἐνώπιον αὐτοῦ· ἐν περιπτώσει δὲ κωλύματος, ζητεῖ τὴν ἔγγραφον αὐτοῦ μαρτυρίαν ἢ μεταβαίνει εἰς τὴν κατοικίαν ἢ τὸ γραφεῖον αὐτοῦ ἵνα λάβῃ ταύτην διαζώσης.

Ὁ εἰρημένος ὑπάλληλος ὀφείλει νὰ συμμορφῶται πρὸς τὴν αἴτησιν ταύτην ἐντὸς ὡς οἶόν τε βραχυτέρας προθεσμίας.

Ἐν πάσῃ ποινικῇ δίκῃ ἢ προσέλευσις τοῦ εἰρημένου προξενικοῦ ὑπαλλήλου ἐνώπιον τοῦ δικαστηρίου θέλει ζητεῖσθαι μετὰ τῆς πρὸς τὸ ἀξίωμα καὶ τὰ καθήκοντα αὐτοῦ ὀφειλομένης εὐλαβείας.

Οἱ εἰρημένοι Προξενικοὶ ὑπάλληλοι, θέλουσιν ἔχει το καθήκον νὰ συμμορφῶνται πρὸς τὴν αἴτησιν ταύτην, χωρὶς νὰ προβάλλωσιν ἀναβολὴν τινὰ, μὴ δεδικαιολογημένην. " Ἄλλως τε οὐδὲν ἐκ τῶν ἐν τῷ τελευταίῳ εἰσαφίῳ τοῦ ἄρθρου τούτου ὀριζομένων δύναται νὰ ἔλθῃ εἰς ἀντίθεσιν πρὸς τὰ προνοηθέντα διὰ τοῦ ἄρθρου 6^{ον} τῶν τροπολογιῶν τοῦ Συντάγματος τῶν Ἡνωμένων Πολιτειῶν τῆς Ἀμερικῆς ἢ πρὸς τὰ προνοηθέντα διὰ τῶν ὁμοειδῶν διατάξεων τῶν Συνταγμάτων τῶν κατὰ μέρος Πολιτειῶν, καὶ καθ' ἃ οἱ ἐπὶ κακουργήματι κατηγορούμενοι δικαιοῦνται ἵνα ἐπιτύχωσι τὴν προσαγωγὴν μαρτύρων ὑπερασπίσεως καὶ νὰ ἔλθωσιν εἰς ἀντιπαράστασιν πρὸς μάρτυρας κατηγορίας.

Testimony from consular officers.

Criminal cases.

ARTICLE V.

"Αρθρον 5^{ον}.Arms and flags at
consulates.

Consuls-general, consuls, vice-consuls and consular agents may place over the outer door of their offices the arms of their nation, with this inscription: Consulate-General, or Consulate, or Vice-Consulate, or Consular Agency of the United States or of Greece.

They may also raise the flag of their country on their offices. They may in like manner, raise the flag of their country over the boat employed by them in the port for the exercise of their functions.

Οί γενικοί πρόξενοι, πρόξενοι, ὑποπρόξενοι καὶ προξενικὸὶ πράκτορες δύνανται ν' ἀναρτῶσιν ὑπεράνω τῆς ἐξωτερικῆς θύρας τῶν γραφείων αὐτῶν, τὸν θυρεὸν τοῦ ἔθνους αὐτῶν μετὰ τῆς ἐπιγραφῆς · Γενικὸν Προξενεῖον, ἢ προξενεῖον, ἢ Ἵγποπροξενεῖον, ἢ Προξενικὸν Πρακτορεῖον τῶν Ἠνωμένων Πολιτειῶν ἢ τῆς Ἑλλάδος.

Δύνανται ὡσαύτως νὰ ὑψῶσι τὴν ἐθνικὴν σημαίαν ἐπὶ τοῦ προξενικοῦ καταστήματος. Δύνανται ὁμοίως νὰ ὑψῶσι τὴν ἐθνικὴν σημαίαν καὶ ἐπὶ τοῦ ὑπ' αὐτῶν ἐν τῷ λιμένι χρησιμοποιοιμένου πρὸς ἐνάσκησιν τῶν καθηκόντων αὐτῶν πλοίου.

ARTICLE VI.

"Αρθρον 6^{ον}.Inviolability of con-
sulates.

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

Τὰ προξενικὰ γραφεῖα ἔσονται ἐν παντὶ χρόνῳ ἀπαραβίαστα. Αἱ ἐγχώριοι ἀρχαὶ ἐπ' οὐδεμιᾷ προφάσει δύνανται νὰ εἰσχωρῶσιν εἰς αὐτὰ. Τὰ γραφεῖα ταῦτα ἐν οὐδεμιᾷ περιπτώσει δύνανται νὰ χρησιμεύωσιν ὡς ἄσυλον. Ὅταν ὁ πρόξενος μετέρχεται καὶ ἐργασίαν τινὰ, τὰ ἔγγραφα τοῦ προξενείου θέλουσι φυλάττεσθαι κεχωρισμένα.

ARTICLE VII.

"Αρθρον 7^{ον}.Ad interim consular
officers.

In the event of the death, incapacity or absence of consuls-general, consuls, vice-consuls and consular agents, their chancellors or secretaries, whose official character may have previously been made known to the Department of State at Washington or to the Ministry of Foreign Affairs in Greece, may temporarily exercise their functions, and while thus acting they shall enjoy all the

Ἐν περιπτώσει θανάτου, κωλύματος ἢ ἀπουσίας τῶν γενικῶν προξένων, προξένων, ὑποπροξένων καὶ προξενικῶν πρακτόρων οἱ γραμματεῖς αὐτῶν, ὅσων ἢ ἐπίσημος ιδιότης εἶχε προηγουμένως ἀνακοινωθῆ τῷ Ἵγπουργείῳ τῶν Ἐξωτερικῶν ἐν Οὐάσιγκτωνι ἢ τῷ Ἵγπουργείῳ τῶν Ἐξωτερικῶν ἐν Ἑλλάδι δύνανται νὰ ἐκτελῶσι προσωρινῶς τὰ καθήκοντα ἐκεί-

rights, prerogatives and immunities granted to the incumbents.

νων κατά τὴν διάρκειαν δὲ τῆς προσωρινῆς ταύτης διευθύνσεως, θέλουσιν ἀπολαύει πάντων τῶν δικαιωμάτων, προνομίων καὶ ἀτελειῶν τῶν χωρηγυμένων εἰς τοὺς προϊσταμένους τῶν θέσεων.

ARTICLE VIII.

" Ἀρθρον 8^{ον}.

Consuls-general and consuls may, so far as the laws of their country allow, with the approbation of their respective governments, appoint vice-consuls and consular agents in the cities, ports and places within their consular jurisdiction.

Οἱ γενικοὶ πρόξενοι καὶ πρόξενοι, ἐφ' ὅσον οἱ νόμοι τῆς χώρας αὐτῶν ἐπιτρέπουσι τοῦτο, δύνανται, τῇ ἐγκρίσει τῶν οικειῶν κυβερνήσεων, νὰ διορίζωσιν ὑποπρόξενους καὶ προξενικοὺς πράκτορας ἐν ταῖς πόλεσι, λιμέσι καὶ τόποις τοῖς περιλαμβανομένοις ἐντὸς τῆς προξενικῆς αὐτῶν περιφέρειας.

Vice-consuls and consular agents.

These agents may be selected from among citizens of the United States or of Greece, or those of other countries. They shall be furnished with a regular commission, and shall enjoy the privileges stipulated for consular officers in this convention, subject to the exceptions specified in articles 3 and 4.

Οἱ ὑπάλληλοι οὗτοι δύνανται νὰ ἐκλέγωνται μεταξὺ τῶν πολιτῶν τῶν Ἠνωμένων Πολιτειῶν ἢ τῆς Ἑλλάδος, ἢ μεταξὺ ὑπηκόων ἄλλων χωρῶν. Θέλουσιν ἐφοδιάζεσθαι διὰ τακτικῶν διπλωμάτων καὶ θέλουσιν ἀπολαύει τῶν διὰ τῆς συμβάσεως ταύτης ὑπὲρ τῶν προξενικῶν ὑπαλλήλων καθοριζομένων προνομίων, ὑποβαλλόμενοι εἰς τὰς ἐν τοῖς ἄρθροισι 3^ῳ καὶ 4^ῳ προσδιοριζόμενας ἐξαιρέσεις.

Art. pp. 2124, 2125.

ARTICLE IX.

" Ἀρθρον 9^{ον}.

Consuls-general, consuls, vice-consuls and consular agents shall have the right to address the administrative and judicial authorities, whether in the United States of the Union, the States or the municipalities, or in Greece, of the State, throughout the whole extent of their consular jurisdiction, in order to complain of any infraction of the treaties and conventions between the United States and Greece, and for the purpose of protecting the rights and interests of their countrymen. If the complaint should not be satisfactorily redressed, the consular offi-

Οἱ γενικοὶ πρόξενοι, πρόξενοι, ὑποπρόξενοι καὶ προξενικοὶ πράκτορες θέλουσιν ἔχει τὸ δικαίωμα νὰ ἀπευθύνωνται, ἐν μὲν ταῖς Ἠνωμέναις Πολιτεῖαις πρὸς τὰς διοικητικὰς καὶ δικαστικὰς ἀρχὰς τῆς ὀμοσπονδίας, τῶν πολιτειῶν, ἢ τῶν δήμων, ἐν δὲ τῇ Ἑλλάδι πρὸς τὰς διοικητικὰς καὶ δικαστικὰς ἀρχὰς τοῦ κράτους, καθ' ἅπασαν τὴν ἔκτασιν τῆς προξενικῆς αὐτῶν περιφέρειας, ὅπως διαμαρτύρωνται κατὰ πάσης παραβιάσεως τῶν μεταξὺ τῶν Ἠνωμένων Πολιτειῶν καὶ τῆς Ἑλλάδος ὑφισταμένων συνθηκῶν καὶ συμβάσεων, καὶ ὅπως ὑπερα-

Dealings with of
ficiels.

cers aforesaid, in the absence of a diplomatic agent of their country, may apply directly to the government of the country where they exercise their functions.

ARTICLE X.

General consular powers.
Depositions.

Consuls-general, consuls, vice-consuls and consular agents may take at their offices, at their private residence, at the residence of the parties, or on board ship the depositions of the captains and crews of vessels of their own country, of passengers on board of them, and of any other citizen of their nation. They may also receive at their offices, conformably to the laws and regulations of their country; all contracts between the citizens of their country and the citizens or other inhabitants of the country where they reside, and even all contracts between the latter, provided they relate to property situated, or to business to be transacted, in the territory of the nation to which the said consular officer may belong.

Effect of consular authentication.

Such papers and official documents, whether in the original, in copies or in translation, duly authenticated and legalized by the consuls-general, consuls, vice-consuls and consular agents, and sealed with their official seal, shall be received as legal documents in courts of justice throughout the United States and Greece.

σπίζωσι τὰ δίκαια καὶ τὰ συμφέροντα τῶν συμπολιτῶν αὐτῶν. Ἄν αἱ διαμαρτυρίαι αὐτῶν μὴ ἱκανοποιηθῶσιν, οἱ προειρημένοι προξενικοὶ ὑπάλληλοι, ἐλλείψει διπλωματικοῦ ἀντιπροσώπου τῆς ἑαυτῶν χώρας, δύνανται ν' ἀναφέρωνται ἀπ' ἐνθείας πρὸς τὴν κυβέρνησιν τῆς χώρας ἐν ἣ ἑνασκούσι τὰ καθήκοντα αὐτῶν.

Ἄρθρον 10^{ον}.

Οἱ γενικοὶ πρόξενοι, πρόξενοι, ὑποπρόξενοι καὶ προξενικοὶ πράκτορες δικαιοῦνται νὰ δέχωνται ἐν τοῖς γραφείοις αὐτῶν, ἐν ταῖς ἰδιωτικαῖς αὐτῶν κατοικίαις, ἐν ταῖς κατοικίαις τῶν ἐνδιαφερομένων ἢ ἐπὶ τῶν πλοίων τὰς καταθέσεις τῶν πλοιάρχων καὶ πληρωμάτων τῶν πλοίων τῆς ἑαυτῶν χώρας, τῶν ἐπιβατῶν καὶ παντὸς ἐτέρου πολίτου τῆς χώρας αὐτῶν. Δύνανται ὡσαύτως νὰ δέχωνται ἐν τοῖς γραφείοις αὐτῶν, συμφώνως πρὸς τοὺς νόμους καὶ κανονισμοὺς τῆς ἑαυτῶν χώρας, πάντα τὰ συμβόλαια μεταξὺ τῶν πολιτῶν τῆς χώρας αὐτῶν καὶ τῶν πολιτῶν ἢ ἄλλων κατοίκων τοῦ ἐν ᾧ ἐδρέουσι τόπου, καὶ αὐτὰ ἔτι τὰ μεταξὺ τῶν τελευταίων τούτων συμβόλαια, ἀρκεῖ τὰ συμβόλαια ταῦτα ν' ἀναφέρωνται εἰς ἰδιοκτησίαν κειμένην ἢ εἰς ὑποθέσεις διεξαχθησόμενας ἐπὶ τοῦ ἐδάφους τῆς χώρας εἰς ἣν ἀνήκουσιν οἱ εἰρημένοι προξενικοὶ ὑπάλληλοι.

Τοιαῦτα ἔγγραφα καὶ ἐπίσημοι πράξεις, εἴτε ἐν πρωτοτύπῳ, εἴτε ἐν ἀντιγράφοις ἢ μεταφράσει, δεόντως επικυρωμένα καὶ ἐπισημοποιημένα ὑπὸ τῶν γενικῶν προξένων, προξένων, ὑποπροξένων καὶ προξενικῶν πρακτόρων, ἐσφραγισμένα δὲ διὰ τῶν ἐπισημῶν αὐτῶν σφραγίδων, θέλουσιν εἶναι δεκτὰ ὡς νόμιμα ἐν τοῖς δικαστηρίοις τῶν Ἠνωμένων Πολιτειῶν καὶ τῆς Ἑλλάδος.

ARTICLE XI.

" Ἀρθρον 11^{ον}.

In the case of the death of any citizen of the United States in Greece, or of a Greek subject in the United States, without having any known heirs or testamentary executors by him appointed, the competent local authorities shall give information of the circumstance to the consular officers of the nation to which the deceased belongs, in order that the necessary information may be immediately forwarded to the parties interested.

Ἐν περιπτώσει θανάτου πολίτου τινὸς τῶν Ἠνωμένων Πολιτειῶν ἐν Ἑλλάδι ἢ Ἑλληνοῦ ὑπηκόου ἐν ταῖς Ἠνωμέναις Πολιτείαις, μὴ ἔχοντος δὲ διωρισμένους κληρονόμους ἢ ἐκτελεστάς τῆς διαθήκης αὐτοῦ γνωστούς, αἱ ἀρμόδιοι ἐγχώριοι ἀρχαὶ θέλουσιν εἰδοποιεῖ περὶ τοῦ γεγονότος τοὺς προξενικοὺς ὑπαλλήλους τῆς χώρας εἰς ἣν ἀνήκει ὁ ἀποθανὼν, ὅπως καταστῆ ἀμέσως δυνατὴ ἡ πρὸς τοὺς ἐνδιαφερομένους προσήκουσα εἰδοποίησις.

Notice of death in one country of citizen of the other.

In all that relates to the administration and settlement of estates, the consular officers of the high contracting parties shall have the same rights and privileges as those accorded in the United States of America and Greece, respectively, to the consular officers of the most favored nation.

Ἐν πᾶσι τοῖς ἀφορῶσιν εἰς τὴν διοίκησιν καὶ τὴν ἐκκαθάρισιν τῶν κληρονομιῶν, οἱ πρόξενοι τῶν ὑψηλῶν συμβαλλομένων μερῶν θέλουσιν ἔχει τὰ αὐτὰ δικαιώματα καὶ προνόμια ἅτινα παρέχονται ἐν ταῖς Ἠνωμέναις Πολιτείαις τῆς Ἀμερικῆς καὶ, κατ' ἀμοιβαίότητα, ἐν Ἑλλάδι, εἰς τοὺς προξένους τοῦ μᾶλλον ἐννοουμένου κράτους.

Settlement of estates

ARTICLE XII.

" Ἀρθρον 12^{ον}.

Consuls-general, consuls, vice-consuls and consular agents shall have exclusive charge of the internal order of the merchant vessels of their nation and shall alone take cognizance of differences which may arise either at sea or in port between the captains, officers and crews, without exception, particularly in reference to the adjustment of wages and the execution of contracts.

Οἱ γενικοὶ πρόξενοι, πρόξενοι, ὑποπρόξενοι καὶ προξενικοὶ πράκτορες εἰσὶν ἀποκλειστικῶς ἐπεφορτισμένοι τὴν διατήρησιν τῆς τάξεως ἐντὸς τῶν ἐμπορικῶν πλοίων τῆς ἑαυτῶν χώρας καὶ δικάζουσι μόνον τὰς ἀναφνομένας τυχὸν διαφορὰς εἴτε κατὰ τὸν πλοῦν εἴτε ἐν τῷ λιμένι μεταξὺ τῶν πλοιάρχων, ἀξιωματικῶν καὶ πληρωμάτων ἀνεξαιρέτως, ἰδίως δὲ τὰς ἀφορώσας εἰς τὸν κανονισμὸν τῶν μισθῶν καὶ τὴν ἐκτέλεσιν συμβολαίων.

Authority in shipping matters.

In case any disorder should happen on board of vessels of either party, in the territory or waters of the other, neither the Federal, State or Municipal Authorities or

Ὅσακις ἀταξία τις συμβῆ ἐπὶ πλοίων τοῦ ἑτέρου μέρους, ἐπὶ τοῦ ἐδάφους ἢ ἐν τοῖς ὕδασι τοῦ ἑτέρου, οὔτε ἀρχαὶ ἢ δικαστήρια τῆς ὁμοσπονδίας, τῶν πο-

Courts in the United States, nor any Court or Authority in Greece, shall on any pretext interfere except when the said disorders are of such a nature as to cause or to be likely to cause a breach of the peace or serious trouble in the port or on shore; or when, in such trouble or breach of the peace, a person or persons shall be implicated, not forming a part of the crew.

Aid to consular officers.

In any other case, said Federal, State or Municipal Authorities or Courts in the United States, or Courts or Authorities in Greece, shall not interfere but shall render forcible aid to consular officers, when they may ask it, to search, arrest and imprison all persons composing the crew, whom they may deem it necessary to confine. Those persons shall be arrested at the sole request of the consuls addressed in writing to either the Federal, State or Municipal Courts or Authorities in the United States, or to any Court or Authority in Greece, and supported by an official extract from the register of the ship or the list of the crew, and the prisoners shall be held, during the whole time of their stay in the port, at the disposal of the consular officers. Their release shall be granted at the mere request of such officers made in writing. The expenses of the arrest and detention of those persons, shall be paid by the consular officers.

λιτειῶν ἢ τῶν δῆμων ἐν ταῖς Ἠνωμέναις Πολιτείαις, οὐδὲ δικαστήριόν τι ἢ ἀρχὴ ἐν Ἑλλάδι θέλει ἐπ' οὐδεμιᾷ προφάσει ἐπεμβαίνει, ἐκτὸς ἂν αἱ εἰρημέναι ἀταξίαι εἶνε τοιαῦται ὥστε νὰ προκαλέσωσιν ἢ καταστήσωσιν ἐνδεχομένην τὴν διασάλευσιν τῆς δημοσίας τάξεως ἢ σοβαρὰν ταραχὴν ἐν τῷ λιμένι ἢ τῇ ξηρᾷ, ἢ ὅταν ἐν ταῖς ταραχαῖς ταύταις εὐρίσκωνται ἀναμεμιγμένα ἐν ἢ πλείονα πρόσωπα μὴ ἀνήκοντα εἰς τὸ πλήρωμα.

Ἐν πάσῃ ἄλλῃ περιπτώσει αἱ εἰρημένοι ἀρχαὶ καὶ δικαστήρια τῆς ὀμοσπονδίας, τῶν πολιτειῶν ἢ τῶν δῆμων ἐν ταῖς Ἠνωμέναις Πολιτείαις, ἢ τὰ δικαστήρια καὶ αἱ ἀρχαὶ ἐν Ἑλλάδι, δὲν θέλουσιν ἐπεμβαίνει, ἀλλὰ θέλουσιν παρέχει πᾶσαν συνδρομὴν εἰς τοὺς προξένους, ἐὰν οὗτοι ζητήσωσι ταύτην, ὅπως ἀνευρίσκωσι, συλλαμβάνωσι καὶ φυλακίζωσι πᾶν πρόσωπον ἀνήκον τῷ πληρώματι καθ' οὗ ἤθελε κριθῆ ἀναγκαῖον τὸ μέτρον τοῦτο. Τὰ πρόσωπα ταῦτα θέλουσιν συλλαμβάνεσθαι τῇ ἀπλῇ αἰτήσει τῶν προξενικῶν ὑπαλλήλων ἀπευθυνομένη ἐγγράφως, ἐν μὲν ταῖς Ἠνωμέναις Πολιτείαις πρὸς τὰς ἀρχὰς ἢ τὰ δικαστήρια τῆς ὀμοσπονδίας, τῶν πολιτειῶν ἢ τῶν δῆμων, ἐν Ἑλλάδι δὲ πρὸς τὰς ἀρμοδίας ἀρχὰς ἢ δικαστήρια ἐπίσημον ἀπόσπασμα τῶν βιβλίων τοῦ πλοίου ἢ τοῦ ναυτολογίου θέλει ἐκάστοτε συνοδεύει τὴν αἴτησιν ταύτην. οἱ δὲ κρατηθησόμενοι θέλουσιν, καθ' ὅλην τὴν διάρκειαν τῆς ἐν τῷ λιμένι παραμονῆς τοῦ πλοίου, τίθεσθαι εἰς τὴν διάθεσιν τῶν προξένων. Ἡ ἀποφυλάκισις αὐτῶν ἐνεργηθήσεται ἐπὶ τῇ ἀπλῇ αἰτήσει τῶν προξένων τούτων γινομένη ἐγγράφως. Αἱ δαπάναι τῆς συλ-

λήψεως καὶ τῆς κρατήσεως τῶν περὶ ὧν πρόκειται προσώπων θέλουσι καταβάλλεσθαι ὑπὸ τῶν προξένων.

ARTICLE XIII

" Ἀρθρον 13^{ον}.

The said consuls-general, consuls, vice-consuls and consular agents are authorized to require the assistance of the local authorities for the arrest, detention and imprisonment of the deserters from the ships of war and merchant vessels of their country; and for this purpose they shall apply to the competent tribunals, judges and officers and shall, in writing, demand said deserters, proving by the exhibition of the registers of the vessels, the rolls of the crews, or by other official documents, that such individuals formed part of the crews, and on this reclamation being thus substantiated the surrender shall not be refused. Such deserters, when arrested, shall be placed at the disposal of the said consuls-general, consuls, vice-consuls and consular agents, and may be confined in the public prisons at the request and cost of those who claim them, in order to be sent to the vessels to which they belonged, or to others of the same country. But if not sent back within the space of two months, reckoning from the day of their arrest, they shall be set at liberty, and shall not again be arrested for the same cause.

It is understood, however, that if the deserter should be found to have committed any crime or offence, his surrender may be delayed until the tribunal before

Οἱ εἰρημένοι γενικοὶ πρόξενοι, πρόξενοι, ὑποπρόξενοι καὶ προξενικοὶ πράκτορες δικαιούνται νὰ ζητῶσι τὴν συνδρομὴν τῶν ἐγχωρίων ἀρχῶν πρὸς σύλληψιν, κράτησιν καὶ φυλάκισιν τῶν δραπέτῶν τῶν πολεμικῶν καὶ ἐμπορικῶν πλοίων τῆς ἑαυτῶν χώρας· ἐπὶ τούτῳ δὲ θέλουσιν ἀπευθίνεσθαι πρὸς τὰ ἀρμόδια δικαστήρια, δικαστὰς καὶ ἀρχὰς καὶ θέλουσι ζητεῖ ἐγγράφως τοὺς εἰρημένους δραπέτας, ἀποδεικνύοντες διὰ τῆς ἐπιδείξεως τῶν βιβλίων τοῦ πλοίου ἢ τοῦ ναυτολογίου ἢ ἄλλων ἐπισήμων ἐγγράφων ὅτι τὰ πρόσωπα ταῦτα ἀνήκον εἰς τὰ πληρώματα, καὶ ἐπὶ τῇ αἰτήσει ταύτῃ, τῇ οὕτω δεδικαιολογημένῃ, αἱ ἐγχώριοι ἀρχαὶ δὲν θέλουσιν ἀρνεῖσθαι τὴν παράδοσιν αὐτῶν. Οἱ δραπέται οὗτοι συλλαμβανόμενοι θέλουσι τίθεσθαι εἰς τὴν διάθεσιν τῶν εἰρημένων γενικῶν προξένων, προξένων, ὑποπροξένων καὶ προξενικῶν πρακτόρων, δύνανται δὲ καὶ νὰ φυλακισθῶσιν εἰς τὰς δημοσίας φυλακὰς, αἰτήσει καὶ δαπάναις τῶν αἰτούντων αὐτοὺς προξένων, ὅπως ἀποσταλῶσιν εἰς τὰ πλοῖα εἰς ἃ ἀνήκον, ἢ εἰς ἄλλα τῆς αὐτῆς χώρας. Ἀλλ' εἰ μὴ ἀποπεμφθῶσιν ἐν διαστήματι δύο μηνῶν ἀπὸ τῆς ἡμέρας τῆς συλλήψεως αὐτῶν, θέλουσιν ἀπολύεσθαι καὶ δὲν θέλουσι συλλαμβάνεσθαι πλέον ἐπὶ τῇ αὐτῇ αἰτίᾳ.

Ἐννοεῖται ὁμως ὅτι ἂν ὁ δραπέτης διέπραξε τυχὸν κακούργημα τι ἢ πλημμέλημα, ἢ παράδοσις αὐτοῦ δύναται ν' ἀναβληθῇ μέχρις ὅτου τὸ ἐπιληφθὲν

Desertions from ships

which the case shall be depending shall have pronounced its sentence, and such sentence shall have been carried into effect.

ARTICLE XIV

Damages at sea.

In the absence of an agreement to the contrary, between the owners, freighters and insurers, all damages suffered at sea, by the vessels of the two countries, whether they enter the respective ports voluntarily or are forced by stress of weather or other cause, over which the officers have no control, shall be settled by the consuls-general, consuls, vice-consuls and consular agents of the country in which they respectively reside; in case, however, any citizen of the country in which the said officers reside, or subjects of a third power, should be interested in these damages, and the parties cannot come to an amicable agreement, the competent local authorities shall decide.

ARTICLE XV

Salvage of vessels.

All operations relative to the salvage of United States vessels wrecked upon the coasts of Greece, and of Greek vessels upon the coasts of the United States, shall be directed by the respective consuls-general, consuls, and vice-consuls of the two countries, and until their arrival, by the respective consular agents, where consular agencies exist.

Notices of shipwrecks.

In places and ports where there is no such agency, the local author-

τῆς ὑποθέσεως ταύτης δικαστήριον ἐκδώσῃ τὴν ἀπόφασιν αὐτοῦ καὶ ἡ ἀπόφασις αὕτη ἐκτελεσθῆ.

" Ἀρθρον 14^{ον}.

Ἐκτὸς ἐναντίας συμφωνίας μεταξὺ τῶν ἰδιοκτητῶν, ἐφοπλιστῶν καὶ ἀσφαλιστῶν, πᾶσαι αἱ ἀβαραὶ ἄς ὑπέστησαν ἐν θαλάσῃ τὰ πλοῖα τῶν δύο χωρῶν προσεγγίζοντα εἰς τοὺς λιμένας τῆς ἐτέρας εἴτε ἐκουσίως εἴτε βιαζόμενα ὑπὸ κακοκαιρίας ἢ ἄλλων αἰτίων, ἀνεξαρτήτων τῆς βουλήσεως τῶν κυβερνητῶν αὐτὰ, θέλουσι κανονίζεσθαι ἀμοιβαίως ὑπὸ τῶν γενικῶν προξένων, προξένων, ὑποπροξένων καὶ προξενικῶν πρακτόρων τῆς χώρας ἐν ἣ οὔτοι ἐδρεύουσι. Ἐν τούτοις ἐν περιπτώσει καθ' ἣν πολίτης τις τῆς χώρας ἐν ἣ οἱ εἰρημένοι πρόξενοι ἐδρεύουσιν ἢ ὑπήκοοι τρίτου κράτους, ἐνδιαφέρωνται εἰς τὰς εἰρημένας ἀβαρας, οἱ δὲ διάδικοι δὲν δύνανται νὰ προέλθωσιν εἰς φιλικὴν τινα συνεννόησιν, αἱ ἀρμόδιοι ἐγχώριοι ἀρχαὶ θέλουσιν ἀποφασίζει.

" Ἀρθρον 15^{ον}.

Πᾶσαι αἱ ἐργασίαι αἱ σχετικαὶ πρὸς τὴν ναυαγιαίρεσιν πλοίων τῶν Ἠνωμένων Πολιτειῶν ναυαγούντων εἰς τὰς ἀκτὰς τῆς Ἑλλάδος, καὶ ἐλληνικῶν πλοίων ναυαγούντων εἰς τὰς ἀκτὰς τῶν Ἠνωμένων Πολιτειῶν, θέλουσι διευθύνεσθαι ὑπο τῶν οἰκείων γενικῶν προξένων, προξένων καὶ ὑποπροξένων, καὶ, μέχρι τῆς τούτων ἐλευσεως, ὑπὸ τῶν οἰκείων προξενικῶν πρακτόρων, ὅπου ὑπάρχουσι προξενικὰ πρακτορεῖα.

Ἐν τοῖς τόποις καὶ λιμέσιν ἔνθα τοιαῦτα πρακτορεῖα δὲν

ities shall give immediate notice of the shipwreck to the consul of the district in which the disaster has taken place, and until the arrival of the said consul, they shall take all necessary measures for the protection of persons and the preservation of property.

The local authorities shall intervene only to preserve order, and to protect the interests of the salvors, if they do not belong to the crew of the wrecked vessel, and to secure the execution of the arrangements made for the entry and exportation of the merchandise saved. It is understood that such merchandise is not to be subjected to any custom-house charges, unless it be intended for consumption in the country in which the wreck took place.

ARTICLE XVI

Consuls-general, consuls, vice-consuls and consular agents shall be at liberty to go, either in person or by proxy, on board vessels of their nation admitted to entry and to examine the officers and crews, to examine the ship's papers, to receive declarations concerning their voyage, their destination and the incidents of the voyage; also to draw up manifests and lists of freight, to facilitate the entry and clearance of their vessels, and finally to accompany the said officers or crews before the judicial or administrative authorities of the country, to assist them as their interpreters or agents.

ὕπαρχουσιν, αἱ ἐγχώριοι ἀρχαὶ θέλουσιν εἰδοποιεῖ περὶ τοῦ ναυαγίου τὸν ἀρμόδιον πρόξενον τοῦ μέρους ἐν ᾧ συνέβη τὸ δυστύχημα, μέχρι δὲ τῆς ἀφίξεως τοῦ εἰρημένου προξένου, θέλουσι λαμβάνει τὰ προσήκοντα μέτρα πρὸς προστασίαν τῶν ἀνθρώπων καὶ διατήρησιν τῶν ναυαγίων.

Αἱ ἐγχώριοι ἀρχαὶ θέλουσιν ἐπεμβαίνει μόνον πρὸς διατήρησιν τῆς τάξεως καὶ πρὸς προστασίαν τῶν συμφερόντων τῶν ναυαγοσωστικῶν, ἂν οὗτοι μὴ ἀνήκωσιν εἰς τὸ πλήρωμα τοῦ ναυαγήσαντος πλοίου, καὶ τὴν τήρησιν τῶν γενομένων συμφωνιῶν πρὸς εἰσαγωγὴν καὶ ἐξαγωγὴν τῶν σωθέντων ἐμπορευμάτων. Ἐννοεῖται ὅτι τὰ ἐμπορεύματα ταῦτα δὲν ὑποκείνται εἰς τελωνιακὸν τινα δασμὸν, πλὴν ἐὰν προορίζωνται πρὸς κατανάλωσιν ἐν τῇ χώρᾳ ἐν ἣ συνέβη τὸ ναυάγιον.

Action of local authorities.

" Ἀρθρον 16^{ον}.

Οἱ γενικοὶ πρόξενοι, πρόξενοι, ὑποπρόξενοι καὶ προξενικοὶ πράκτορες θέλουσιν εἶναι ἐλεύθεροι νὰ ἐπιβαίνωσιν, εἴτε αὐτοὶ εἴτε δι' ἀντιπροσώπου, τῶν πλοίων τῆς ἑαυτῶν χώρας τῶν ἐλευθεροκοινωνησάντων καὶ νὰ διερωτῶσι τοὺς ἀξιωματικούς καὶ τὰ πληρώματα, νὰ ἐξετάζωσι τὰ ναυτιλιακὰ ἔγγραφα, νὰ δέχωνται τὰς περὶ τοῦ πλοῦ, τοῦ προορισμοῦ τοῦ πλοίου καὶ τῶν συμβάντων τοῦ διάπλου καταθέσεις αὐτῶν· ἐπίσης θέλουσιν εἶναι ἐλεύθεροι νὰ συντάττωσι τὰ δηλωτικά καὶ τὰς φορτωτικὰς, νὰ εὐκολύνωσι τὸν εἴσπλουν καὶ τὸν ἀπόπλουν τῶν πλοίων, καὶ τέλος νὰ συνοδεύωσι τοὺς εἰρημένους ἀξιωματικούς ἢ τὰ πληρώματα πρὸ τῶν δικαστικῶν ἢ

Authority over ship's papers, etc.

Notice to consuls of search of vessels, etc.

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

Presence of consuls in judicial proceedings.

They shall also give due notice to the said consular officers, in order to enable them to be present at any depositions or statements to be made in courts of law or before local magistrates, by officers or persons belonging to the crew, thus to prevent errors or false interpretations which might impede the correct administration of justice. The notice to consuls, vice-consuls or consular agents shall name the hour fixed for such proceedings. Upon the non-appearance of the said officers or their representatives, the case may be proceeded with in their absence.

διοικητικῶν ἀρχῶν τῆς χώρας, ὅπως χρησιμεύσωσιν αὐτοῖς ὡς διερμηνεῖς ἢ πράκτορες.

Αἱ δικαστικά καὶ ἀρχαὶ καὶ οἱ τελωνιακοὶ ὑπάλληλοι ἐν οὐδεμιᾷ περιστάσει θέλουσι προβαίνει εἰς ἐρεύνας ἢ ἐπισκέψεις ἐπὶ τῶν ἐμπορικῶν πλοίων ἀνευ προηγουμένης εἰδοποιήσεως τῶν προξένων τῆς χώρας εἰς ἣν ἀνήκουσι τὰ εἰρημένα πλοῖα, ὅπως δυνηθῶσιν οἱ περὶ ὧν πρόκειται προξένοι νὰ παραστῶσι κατὰ ταύτας.

Θέλουσιν ἐπίσης εἰδοποιεῖ τοὺς εἰρημένους προξένους ὅπως δύνωνται οὗτοι νὰ παρίστανται κατὰ πᾶσαν κατάθεσιν ἢ δῆλωσιν γινομένην ἐνώπιον τῶν δικαστηρίων ἢ τῶν ἐγχωρίων ἀρχῶν ὑπὸ ἀξιωματικῶν ἢ ἀνδρῶν ἀνηκόντων τῷ πληρώματι, ὅπως οὕτω προλαμβάνωνται λάθη ἢ ἐσφαλμένα ἐρμηνεῖαι, δυνάμενα νὰ παρακλύσωσι τὴν ὀρθὴν τῆς δικαιοσύνης ἀπονομήν. Ἡ πρὸς τοὺς προξένους, ὑποπροξένους ἢ προξενικοὺς πράκτορας εἰδοποιήσις θέλει ὀρίζεαι ἀκριβῶς τὴν ὥραν τὴν διὰ τὰς ἐνεργείας ταύτας προσδιορισθησομένην. Ἐπὶ τῇ μὴ ἐμφανίσει τῶν εἰρημένων προξένων ἢ τῶν ἀντιπροσώπων αὐτῶν, ἡ ἐνέργεια δύναται νὰ γένηται καὶ ἐν ἀπουσίᾳ αὐτῶν.

ARTICLE XVII

" Ἀρθρον 17^{ον}.

Duration.

The present convention shall remain in force for the space of ten years, counting from the day of the exchange of the ratifications, which shall be made in conformity with the respective constitutions of the two countries and exchanged at Athens as soon as possible.

Ἡ παροῦσα σύμβασις θέλει παραμείνει ἐν ἰσχύϊ ἐπὶ δέκα ἔτη ἀπὸ τῆς ἡμέρας τῆς ἀνταλλαγῆς τῶν ἐπικυρώσεων, τῆς συμβάσεως κυρουμένης συμφώνως πρὸς τὰ ὑπὸ τῶν συνταγμάτων τῶν δύο χωρῶν καθιερωμένα καὶ τῶν ἐπικυρώσεων ἀνταλλασσομένων ἐν Ἀθήναις ὅσον τὸ δυνατόν ταχύτερον.

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

This convention abrogates articles 12, 13 and 14 of the treaty of Commerce and Navigation concluded between the United States of America and Greece at London, December 10th/22d, 1837, the remaining articles of such treaty continuing in force.

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

Done at Athens the 19th/2d day
of November 1902
December

CHARLES S. FRANCIS.
(SEAL)

Ἐν περιπτώσει καθ' ἣν οὐδέ-
τερον τῶν μερῶν δηλώσῃ, δώ-
δεκα μῆνας πρὸ τῆς λήξεως τῆς
ρήθείσης δεκαετοῦς προθεσμίας,
τὴν πρόθεσιν αὐτοῦ περὶ μὴ
ἀνανεώσεως τῆς συμβάσεως
ταύτης, αὐτὴ θέλει μείνει ισχύ-
ουσα ἐπὶ ἓν εἰσέτι ἔτος καὶ οὕτω
καθεξῆς ἀπὸ ἔτους εἰς ἔτος, μέχρι
τῆς λήξεως ἔτους ἀπὸ τῆς ἡμέρας
καθ' ἣν τὸ ἕτερον τῶν μερῶν
ἤθελε προβῆ εἰς τοιαύτην τινὰ
δήλωσιν.

Ἡ σύμβασις αὕτη καταργεῖ
τὰ ἄρθρα 12, 13 καὶ 14 τῆς περὶ
ἐμπορίου καὶ ναυτιλίας συνθή-
κης τῆς συνομολογηθείσης ὑπὸ
τῶν Ἠνωμένων Πολιτειῶν τῆς
Ἀμερικῆς καὶ τῆς Ἑλλάδος ἐν
Λονδίῳ τὴν 10^{ην}/22^{ην} Δεκεμ-
βρίου 1837, τῶν λοιπῶν ἄρθρων
τῆς εἰρημένης συνθήκης παρα-
μενόντων ἐν ἰσχύϊ.

Πρὸς πίστωσιν τούτων οἱ
οἰκεῖτοι πληρεξούσιοι ὑπέγραψαν
τὴν σύμβασιν ταύτην εἰς δι-
πλοῦν καὶ ἐπέθηκαν τὰς ἑαυτῶν
σφραγίδας.

Ἐν Ἀθήναις τῇ 19^ῃ/2^ῃ ἡμέρᾳ
τοῦ Νοεμβρίου
Δεκεμβρίου 1902.

Α. Α. Θ. ΖΑΪΜΗΣ.

(T. S.)

And whereas the said Convention, as amended by the Senate of the United States, has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Athens, on the ninth day of July, one thousand nine hundred and three;

Now, therefore, be it known that I, Theodore Roosevelt, 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, as amended, may be observed and fulfilled with good faith by the United States and the citizens thereof.

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

Done at the City of Washington, this eleventh day of July, in the year of our Lord one thousand nine hundred and three
[SEAL] and of the Independence of the United States the one hundred and twenty-eighth.

By the President:

JOHN HAY
Secretary of State.

THEODORE ROOSEVELT

Prior treaty provisions abrogated.
Public Treaties, pp. 375, 376.

Signatures.

Ratification.

Proclamation.

December 11, 1902.

Commercial Convention between the United States and Cuba. Signed at Havana, December 11, 1902; ratification with amendments advised by the Senate March 19, 1903; ratified by the President, March 30, 1903; ratified by Cuba, March 30, 1903; ratifications exchanged at Washington, March 31, 1903; proclaimed, December 17, 1903.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Preamble.

WHEREAS a Convention between the United States of America and the Republic of Cuba to facilitate their commercial intercourse by improving the conditions of trade between the two countries, was concluded and signed by their respective plenipotentiaries at the City of Havana on the eleventh day of December, 1902, the original of which Convention, being in the English and Spanish languages, is, as amended by the Senate of the United States, word for word as follows:

Contracting parties.

The President of the United States of America and the President of the Republic of Cuba, animated by the desire to strengthen the bonds of friendship between the two countries, and to facilitate their commercial intercourse by improving the conditions of trade between them, have resolved to enter into a convention for that purpose, and have appointed their respective Plenipotentiaries, to-wit:—

Plenipotentiaries.

The President of the United States of America, the Honorable *General Tasker H. Bliss*:

The President of the Republic of Cuba, the Honorable *Carlos de Zaldo y Beurmann*, Secretary of State and Justice, and the Honorable *José M. García y Montes*, Secretary of the Treasury; who, after an exchange of their full powers found to be in good and due form, have, in consideration of and in compensation for the respective concessions and engagements made by each to the other as hereinafter recited, agreed and do hereby agree upon the fol-

El Presidente de los Estados Unidos de America, y el Presidente de la República de Cuba, inspirados en el deseo de estrechar los lazos de amistad entre ambos países; y con el propósito de facilitar sus relaciones comerciales, mejorando las condiciones del tráfico mercantil entre las dos naciones, han resuelto celebrar un tratado y han designado como sus respectivos Plenipotenciarios:

El Presidente de los Estados Unidos de America al Honorable *General Tasker H. Bliss*:

El Presidente de la República de Cuba al Sr. *Carlos de Zaldo y Beurmann*, Secretario de Estado y Justicia, y al Sr. *José M. García y Montes*, Secretario de Hacienda; quienes, previo el canje de sus credenciales, extendidas en debida forma, y en consideración y compensación de las respectivas concesiones y obligaciones contraídas por una y otra parte, según aquí se signa, han convenido en los siguientes artículos:

Reciprocal trade regulations.

lowing Articles for the regulation and government of their reciprocal trade, namely:—

ARTICLE I.

During the term of this convention, all articles of merchandise being the product of the soil or industry of the United States which are now imported into the Republic of Cuba free of duty, and all articles of merchandise being the product of the soil or industry of the Republic of Cuba which are now imported into the United States free of duty, shall continue to be so admitted by the respective countries free of duty.

ARTICLE II.

During the term of this convention, all articles of merchandise not included in the foregoing Article I and being the product of the soil or industry of the Republic of Cuba imported into the United States shall be admitted at a reduction of twenty per centum of the rates of duty thereon as provided by the Tariff Act of the United States approved July 24, 1897, or as may be provided by any tariff law of the United States subsequently enacted.

ARTICLE III.

During the term of this convention, all articles of merchandise not included in the foregoing Article I and not hereinafter enumerated, being the product of the soil or industry of the United States, imported into the Republic of Cuba shall be admitted at a reduction of twenty per centum of the rates of duty thereon as now provided or as may hereafter be provided in the Customs Tariff of said Republic of Cuba.

ARTICLE IV.

During the term of this convention, the following articles of mer-

ARTICULO I.

Mientras rija el presente Tratado, todos los artículos ó mercancías, que sean productos del suelo ó de la industria de los Estados Unidos, que ahora se importan en la República de Cuba libre de derechos, y todos los artículos ó mercancías que sean productos del suelo ó de la industria de la República de Cuba, que ahora se importan en los Estados Unidos libre de derechos, continuarán admitiéndose en los respectivos países libre de derechos.

ARTICULO II.

Mientras rija el presente Tratado todos los artículos ó mercancías á que no sea aplicable el precedente Artículo I y que sean productos del suelo ó de la industria de la República de Cuba, serán admitidos á su importación en los Estados Unidos con una rebaja de VEINTE (20) por ciento de los derechos de Aduanas fijados en el Arancel de los Estados Unidos, aprobado en Junio 24 de 1897, ó los que se fijen en cualquier Arancel que se promulgue en los Estados Unidos.

ARTICULO III.

Mientras rija el presente Tratado todos los artículos ó mercancías á que no sea aplicable el precedente Artículo I y respecto de los cuales no se haga mas adelante mención especial y que sean productos del suelo ó de la industria de los Estados Unidos, serán admitidos á su importación en la República de Cuba, con una rebaja de VEINTE (20) por ciento sobre los derechos fijados en el actual Arancel ó en cualquier otro que se promulgue en la República de Cuba.

ARTICULO IV.

Mientras rija el presente Tratado, los siguientes artículos ó

Free list continued.

Duties on imports from Cuba reduced 20 per cent. Vol. 30, p. 151.

Duties on imports from the United States reduced 20 per cent.

Reduction of rates on specified articles imported into Cuba.

chandise as enumerated and described in the existing Customs Tariff of the Republic of Cuba, being the product of the soil or industry of the United States imported into Cuba shall be admitted at the following respective reductions of the rates of duty thereon as now provided or as may hereafter be provided in the Customs Tariff of the Republic of Cuba:—

Schedule A.

Schedule A.

25 per cent reduction.

To be admitted at a reduction of TWENTY FIVE (25) per centum:

Machinery and apparatus of copper or its alloys or machines and apparatus in which copper or its alloys enter as the component of chief value; cast iron, wrought iron and steel, and manufactures thereof; articles of crystal and glass, except window glass; ships and water borne vessels of all kinds, of iron or steel; whiskies and brandies; fish, salted, pickled, smoked or marinated; fish or shellfish, preserved in oil or otherwise in tins; articles of pottery or earthenware now classified under Paragraphs 21 and 22 of the Customs Tariff of the Republic of Cuba.

Schedule B.

Schedule B.

30 per cent reduction.

To be admitted at a reduction of THIRTY (30) per centum:

Butter; flour of wheat; corn; flour of corn or corn meal; chemical and pharmaceutical products and simple drugs; malt liquors in bottles; non-alcoholic beverages; cider; mineral waters; colors and dyes; window glass; complete or partly made up articles of hemp, flax, pita, jute, henequen, ramie, and other vegetable fibers now classified under the paragraphs of Group 2, Class V, of the Customs Tariff of the Republic of Cuba; musical instruments; writing and printing paper, except for newspapers; cotton and manufactures thereof, except knitted goods (see Schedule C); all articles of cutlery;

mercancías, según los menciona y describe el actual Arancel de Aduanas de la República de Cuba, que sean productos del suelo ó de la industria de los Estados Unidos, serán admitidos á su importación en Cuba con las siguientes respectivas rebajas de los derechos que hoy rigen, ó en lo sucesivo se fijen en los Aranceles de Aduanas de la República de Cuba.

Clase "A"

Serán admitidos con una rebaja del VEINTE Y CINCO (25) por ciento:

Máquinas y aparatos de cobre y sus aleaciones; ó máquinas y aparatos, en que el cobre ó sus aleaciones entren como componente de mayor valor; hierro fundido y forjado y el acero y artículos manufacturados con estos metales; artículos de cristal y vidrio, exceptuando vidrio para ventanas; buques y vehículos de todas clases para trasportes por agua, siempre que sean de hierro ó acero; aguardiente (whiskies) y brandies; pescado salado, en salmuera, ahumado, ó escabechado; pescados y mariscos conservados en aceite ó cualquier otra forma, en latas; manufacturas de alfarería y barro comprendidas en las Partidas 21 y 22 del actual Arancel de la República de Cuba.

Clase "B"

Se admitirán con una rebaja del TREINTA (30) por ciento:

Mantequilla; Harina de trigo; maiz; harina de maiz ó maiz molido; productos químicos, farmacéuticos y drogas simples; cerveza en botellas; bebidas no alcohólicas; sidras; aguas minerales; colores y tintes; vidrio para ventanas; artículos confeccionados; total ó parcialmente, con cáñamo, lino, pita, yute, henequen, ramié ú otras fibras vegetales, siempre que estén comprendidas en el Grupo II, Clase V, del actual Arancel de la República de Cuba; instrumentos para música; papel, para escribir é imprimir, excepto el que se destine para la impresión de periódicos; algodón y sus manufacturas,

boots, shoes and slippers, now classified under Paragraphs 197 and 198 of the Customs Tariff of the Republic of Cuba; gold and silver plated ware; drawings, photographs, engravings, lithographs, cromolithographs, oleographs, etc., printed from stone, zinc, aluminium, or other material, used as labels, flaps, bands and wrappers for tobacco or other purposes, and all the other papers (except paper for cigarettes, and excepting maps and charts), pasteboard and manufactures thereof, now classified under Paragraphs 157 to 164 inclusive of the Customs Tariff of the Republic of Cuba; common or ordinary soaps, now classified under Paragraph 105, letters "A" and "B", of the Customs Tariff of the Republic of Cuba; vegetables, pickled or preserved in any manner; all wines, except those now classified under Paragraph 279 (a) of the Customs Tariff of the Republic of Cuba.

los tejidos conocidos por "punto de media" (Véase Clase "C"). Cuchillería; botas, zapatos, chinelas, comprendidas en las Partidas 197 y 198 del Arancel vigente hoy en la República de Cuba; artículos dorados y plateados; dibujos, fotografías, grabados, litografías, cromolitografías, oleografías, impresas en piedra, zinc, aluminio, ú otro material y que se usen como etiquetas, bofetones, bandas, y envolturas para tabaco ú otros objetos, y todos los demás papeles, cartones y sus manufacturas, clasificadas en las Partidas 157 á 164 del Arancel vigente hoy en la República de Cuba, con excepción del papel para cigarros, los mapas y cartas; jabones comunes, ú ordinarios clasificados en la Partida 105, letras "A" y "B" del Arancel de Aduanas vigente hoy en la República de Cuba; vegetales y legumbres, encurtidos ó conservados, en cualquier forma; vinos, exceptuando los clasificados en la Partida 279 "A" del Arancel de Aduanas vigente hoy en la República de Cuba.

Schedule C.

Clase "C".

Schedule C.

To be admitted at a reduction of forty (40) per centum:

Manufactures of cotton, knitted, and all manufactures of cotton not included in the preceding schedules; cheese; fruits, preserved; paper pulp; perfumery and essences; articles of pottery and earthenware now classified under Paragraph 20 of the Customs Tariff of the Republic of Cuba; porcelain; soaps, other than common, now classified under Paragraph 105 of the Customs Tariff of the Republic of Cuba; umbrellas and parasols; dextrine and glucose; watches; wool and manufactures thereof; silk and manufactures thereof; rice. cattle.

Se admitirán con una rebaja del CUARENTA (40) por ciento:

Tejidos de punto de media hechos de algodón, y todas las manufacturas de algodón no comprendidas en las clases anteriores; queso; frutas en conserva; pasta para papel; perfumería y esencias; artículos de alfarería y barro, clasificados en la Partida 20 del Arancel de Aduanas vigente hoy en la República de Cuba; porcelana; jabones finos; sombrillas y paraguas; dextrina y glucosa; relojes de bolsillo; lana y sus manufacturas; seda y sus manufacturas; arroz. ganado.

40 per cent reduction.

ARTICLE V.

ARTICULO V.

It is understood and agreed that the laws and regulations adopted, or that may be adopted, by the United States and by the Republic of Cuba, to protect their revenues

Deberá entenderse y se conviene que en las Leyes y disposiciones adoptadas ó que se adopten por los Estados Unidos y por la República de Cuba, con el propósito de pro-

No additional customs fees on imports.

and prevent fraud in the declarations and proofs that the articles of merchandise to which this convention may apply are the product or manufacture of the United States and the Republic of Cuba, respectively, shall not impose any additional charge or fees therefor on the articles imported, excepting the consular fees established, or which may be established, by either of the two countries for issuing shipping documents, which fees shall not be higher than those charged on the shipments of similar merchandise from any other nation whatsoever.

Consular fees.

ARTICLE VI.

No reduction on tobacco imported into Cuba.

It is agreed that the tobacco, in any form, of the United States or of any of its insular possessions, shall not enjoy the benefit of any concession or rebate of duty when imported into the Republic of Cuba.

ARTICLE VII.

Equal treatment of imports.

It is agreed that similar articles of both countries shall receive equal treatment on their importation into the ports of the United States and of the Republic of Cuba, respectively.

ARTICLE VIII.

Duration of preferential rates.

The rates of duty herein granted by the United States to the Republic of Cuba are and shall continue during the term of this convention preferential in respect to all like imports from other countries, and, in return for said preferential rates of duty granted to the Republic of Cuba by the United States, it is agreed that the concession herein granted on the part of the said Republic of Cuba to the products of the United States shall likewise be, and shall continue, during the term of this convention, preferential in respect to all like imports from other countries. Provided, That while this convention is in force, no sugar

Limitation of sugar duties.

tejer sus derechos de Aduana, y de impedir el fraude en las declaraciones y justificaciones referentes á que las mercancías á que este Tratado sea aplicable son productos ó manufacturas de los Estados Unidos y de la República de Cuba, respectivamente, no se impondrá un aumento de gastos por virtud de recargos de ninguna clase sobre los artículos importados, salvo los derechos consulares establecidos ó que se establezcan por cualquiera de los dos países contratantes para el despacho de los documentos de embarque, los cuales derechos nunca serán mayores que los que se cobren por embarques de mercancías similares de cualquiera otra procedencia.

ARTICULO VI.

Queda convenido que el tabaco de los Estados Unidos ó de sus posesiones insulares, en cualquiera de sus formas, no disfrutará de concesión ó ventaja alguna á su importación en la República de Cuba.

ARTICULO VII.

Queda convenido que los artículos similares de ambos países recibirán igual trato á su importación en los puertos de los Estados Unidos y de la República de Cuba, respectivamente.

ARTICULO VIII.

Mientras rija el presente Tratado los tipos de adeudo que resultan para las importaciones de la República de Cuba en los Estados Unidos por virtud de las rebajas que se estipulan en este Tratado, son, y continuarán siendo, preferenciales respecto de los artículos y mercancías similares de otros países; y en compensación de dichos derechos preferenciales concedidos á la República de Cuba por los Estados Unidos, queda convenido que las concesiones hechas por parte de la República de Cuba á los productos de los Estados Unidos también son, y continuarán siendo preferenciales respecto de los productos similares

imported from the Republic of Cuba, and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than twenty per centum of the rates of duty thereon as provided by the tariff act of the United States approved July 24, 1897, and no sugar, the product of any other foreign country, shall be admitted by treaty or convention into the United States, while this convention is in force, at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897.

de otros países. entendiéndose que —mientras esté en vigor esta Convención—ningún azúcar importado de la República de Cuba y que fuere producto del suelo ó industria de la República de Cuba, será admitido en los Estados Unidos con reducción de derechos mayor del 20% de los que para el mismo fija la Ley de Aranceles de los Estados Unidos aprobada en 24 de Julio de 1897, y—mientras esté en vigor ésta Convención —ningún azúcar que fuese producto de cualquier otro país extranjero, será admitido por tratado ó convención en los Estados Unidos con derechos inferiores á los que dispone la Ley de Aranceles de los Estados Unidos aprobada en 24 de Julio de 1897.

Vol. 30, p. 168.

ARTICLE IX.

In order to maintain the mutual advantages granted in the present convention by the United States to the Republic of Cuba and by the Republic of Cuba to the United States, it is understood and agreed that any tax or charge that may be imposed by the national or local authorities of either of the two countries upon the articles of merchandise embraced in the provisions of this convention, subsequent to importation and prior to their entering into consumption in the respective countries, shall be imposed and collected without discrimination upon like articles whencesoever imported.

ARTICLE X.

It is hereby understood and agreed that in case of changes in the tariff of either country which deprive the other of the advantage which is represented by the percentages herein agreed upon, on the actual rates of the tariffs now in force, the country so deprived of this protection reserves the right to terminate its obligations under this convention after six months' notice to the other of its intention to arrest the operations thereof.

ARTICULO IX.

A fin de mantener las mútuas ventajas concedidas en el presente Tratado por los Estados Unidos á la República de Cuba, y por la República de Cuba á los Estados Unidos, se conviene que cualquier contribución ó derecho que pudiera ser impuesto por las Autoridades nacionales ó locales, de cualquiera de los dos países, á las mercancías comprendidas en las estipulaciones de este Tratado después que sean importadas en, y antes de pasar al consumo, de cualquiera de los respectivos países, serán impuestos y recaudados sin diferencia alguna respecto de los artículos similares de otros países.

No discrimination on place of shipment.

ARTICULO X.

Queda convenido que si por modificaciones que se introduzcan en los Aranceles de cualquiera de las dos naciones contratantes, queda la otra privada de la ventaja representada por los tantos por cientos convenidos, sobre los tipos de adeudo de los Aranceles hoy vigentes, la nación que resulte privada de dicha ventaja, se reserva el derecho de dar por canceladas las obligaciones que contrae con arreglo á este Tratado, á los seis (6) meses de haber notificado á la otra su propósito de darlo por anulado.

Right reserved to terminate if tariff rates be changed.

Cuba may reopen negotiations.

And it is further understood and agreed that if, at any time during the term of this convention, after the expiration of the first year, the protection herein granted to the products and manufactures of the United States on the basis of the actual rates of the tariff of the Republic of Cuba now in force, should appear to the government of the said Republic to be excessive in view of a new tariff law that may be adopted by it after this convention becomes operative, then the said Republic of Cuba may reopen negotiations with a view to securing such modifications as may appear proper to both contracting parties.

ARTICLE XI.

The present convention shall be ratified by the appropriate authorities of the respective countries, and the ratifications shall be exchanged at Washington, District of Columbia, United States of America, as soon as may be before the thirty-first day of January, 1903, and the convention shall go into effect on the tenth day after the exchange of ratifications, and shall continue in force for the term of five (5) years from date of going into effect, and from year to year thereafter until the expiration of one year from the day when either of the contracting parties shall give notice to the other of its intention to terminate the same.

Effect.

This convention shall not take effect until the same shall have been approved by the Congress.

Signatures.

In witness whereof we, the respective Plenipotentiaries, have signed the same in duplicate, in English and Spanish, and have affixed our respective seals, at Havana, Cuba, this eleventh day of December, in the year one thousand nine hundred and two.

TASKER H. BLISS [SEAL.]
CARLOS DE ZALDO [SEAL.]
JOSÉ M. GARCÍA MONTES
[SEAL.]

Y así mismo, ha de entenderse y por el presente se conviene, que si en cualquier tiempo, mientras rija el presente Tratado, siempre que haya transcurrido un (1) año de estar en vigor, la protección que se concede á los productos y mercancías de los Estados Unidos, basada en los actuales tipos de adeudo del Arancel hoy vigente en la República de Cuba, resultase excesiva, á juicio del Gobierno de la República de Cuba, por haberse adoptado en ésta un nuevo Arancel, después de estar en vigor este Tratado, la expresada República de Cuba podrá iniciar negociaciones, con el propósito de que se hagan aquellas modificaciones que se estimen justas y equitativas por ambas partes contratantes.

ARTICULO XI.

El presente Tratado será ratificado por las autoridades competentes de los respectivos países, y las ratificaciones serán cangeadas en Washington, Distrito de Columbia, Estados Unidos de América, tan pronto como sea posible, antes del treinta y uno de Enero de mil novecientos tres; empezando á regir el décimo día después del cange de las ratificaciones, y continuará vigente por el término de CINCO (5) años á contar desde el día que empiece á regir, y después de año en año hasta que una de las partes contratantes notifique á la otra su propósito de darlo por terminado: en este caso el Tratado sólo estará vigente hasta que haya transcurrido un año desde la fecha de dicha notificación.

Esta Convención no empezará á regir hasta que no haya sido aprobada por el Congreso.

En fé de lo cual los respectivos Plenipotenciarios lo firman y sellan por duplicado, en Español y en Inglés, en la Habana, Cuba, el día Once de Diciembre de mil novecientos dos.

TASKER C. BLISS [SEAL.]
CARLOS DE ZALDO [SEAL.]
JOSÉ M. GARCÍA MONTES
[SEAL.]

AND WHEREAS by the terms of the said Convention it is provided that the ratifications thereof should be exchanged at the City of Washington as soon as may be before the thirty-first day of January, 1903, which period was by a Supplementary Convention signed by the respective plenipotentiaries of the two countries on January 26, 1903, extended to the thirty-first day of March, 1903;

Exchange of ratifications.

Post. p. 2145.

AND WHEREAS the said Convention of December 11, 1902, as amended by the Senate of the United States, and the said Supplementary Convention of January 26, 1903, have been duly ratified on both parts and the ratifications of the two Governments were exchanged in the City of Washington on the thirty-first day of March, 1903;

AND WHEREAS by its resolution of March 19, 1903, the Senate of the United States added at the end of Article XI of the said Convention of December 11, 1902, the following amendment:

“This Convention shall not take effect until the same shall have been approved by the Congress”;

Approval by Congress.

AND WHEREAS the Congress gave its approval to the said Convention by an Act approved December 17, 1903, entitled “An Act To carry into effect a convention between the United States and the Republic of Cuba, signed on the eleventh day of December, in the year nineteen hundred and two”, which Act is word for word as follows:

Reciprocity act. Ante. p. 3.

“Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the President of the United States shall receive satisfactory evidence that the Republic of Cuba has made provision to give full effect to the Articles of the convention between the United States and the Republic of Cuba, signed on the eleventh day of December, in the year nineteen hundred and two, he is hereby authorized to issue his proclamation declaring that he has received such evidence, and thereupon on the tenth day after exchange of ratifications of such convention between the United States and the Republic of Cuba, and so long as the said convention shall remain in force, all articles of merchandise being the product of the soil or industry of the Republic of Cuba, which are now imported into the United States free of duty, shall continue to be so admitted free of duty, and all other articles of merchandise being the product of the soil or industry of the Republic of Cuba imported into the United States shall be admitted at a reduction of twenty per centum of the rates of duty thereon, as provided by the tariff Act of the United States, approved July twenty-fourth, eighteen hundred and ninety-seven, or as may be provided by any tariff law of the United States subsequently enacted. The rates of duty herein granted by the United States to the Republic of Cuba are and shall continue during the term of said convention preferential in respect to all like imports from other countries: *Provided*, That while said convention is in force no sugar imported from the Republic of Cuba, and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than twenty per centum of the rates of duty thereon, as provided by the tariff Act of the United States, approved July twenty-fourth, eighteen hundred and ninety-seven, and no sugar the product of any other foreign country shall be admitted by treaty or convention into the United States while this convention is in force at a lower rate of duty than that provided by the tariff Act of the United States approved July twenty-fourth, eighteen hundred and ninety-seven: *And provided further*, That nothing herein contained shall be held or construed as an admission on the part of the House of Representatives that customs duties can be changed otherwise than by an Act of Congress, originating in said House.

“SEC. 2. That so long as said convention shall remain in force, the laws and regulations adopted, or that may be adopted by the United

States to protect the revenues and prevent fraud in the declarations and proofs, that the articles of merchandise to which said convention may apply are the product or manufacture of the Republic of Cuba, shall not impose any additional charge or fees therefor on the articles imported, excepting the consular fees established, or which may be established, by the United States for issuing shipping documents, which fees shall not be higher than those charged on the shipments of similar merchandise from any other nation whatsoever; that articles of the Republic of Cuba shall receive, on their importation into the ports of the United States, treatment equal to that which similar articles of the United States shall receive on their importation into the ports of the Republic of Cuba; that any tax or charge that may be imposed by the national or local authorities of the United States upon the articles of merchandise of the Republic of Cuba, embraced in the provisions of said convention, subsequent to importation and prior to their entering into consumption into the United States, shall be imposed and collected without discrimination upon like articles whencesoever imported."

AND WHEREAS satisfactory evidence has been received by the President of the United States that the Republic of Cuba has made provision to give full effect to the articles of the said convention;

Proclamation.

NOW, THEREFORE, be it known that I, Theodore Roosevelt, President of the United States of America, in conformity with the said Act of Congress, do hereby declare and proclaim the said Convention, as amended by the Senate of the United States; to be in effect on the tenth day from the date of this my proclamation.

WHEREFORE I have caused the said Convention, as amended by the Senate of the United States, to be made public to the end that the same and every clause thereof, as amended, may be observed and fulfilled with good faith by the United States and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington, this 17th day of December in the year of our Lord one thousand nine hundred and three and [SEAL] of the Independence of the United States the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

JOHN HAY
Secretary of State.

Supplementary Convention between the United States and Cuba extending the time within which may be exchanged the ratifications of the Commercial Convention signed on December 11, 1902. Signed at Washington, January 26, 1903; ratification advised by the Senate, February 16, 1903; ratified by the President, March 30, 1903; ratified by Cuba, March 30, 1903; ratifications exchanged at Washington, March 31, 1903; proclaimed, December 17, 1903.

January 26, 1903.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Supplementary Convention between the United States of America and the Republic of Cuba, extending the time within which may be exchanged the ratifications of the Commercial Convention signed at Habana, December 11, 1902, was concluded and signed by their respective Plenipotentiaries at Washington, on the twenty-sixth day of January, one thousand nine hundred and three, the original of which Supplementary Convention, being in the English and Spanish languages is, word for word as follows:

Preamble.
Ante, p. 2136.

The President of the United States of America and the President of the Republic of Cuba considering it expedient to prolong the period within which, by Article XI of the Commercial Convention, signed by their respective plenipotentiaries at Habana on December 11, 1902, the exchange of ratifications of the said Convention shall take place, have for that purpose appointed their respective Plenipotentiaries, namely:

The President of the United States of America, John Hay, Secretary of State of the United States of America; and

The President of Cuba, Gonzalo de Quesada, Envoy Extraordinary and Minister Plenipotentiary to the United States;

Who, after having communicated each to the other their respective full powers which were found to be in good and due form, have agreed upon the following

El Presidente de los Estados Unidos de América y el Presidente de la República de Cuba considerando conveniente ampliar el plazo dentro del cual, según el Artículo XI del Tratado comercial firmado por sus respectivos plenipotenciarios en la Habana, el día 11 de Diciembre de 1902, debe tener lugar el canje de las ratificaciones del referido Tratado, han nombrado con este objeto sus respectivos Plenipotenciarios, á saber:

El Presidente de los Estados Unidos de América, á John Hay, Secretario de Estado de los Estados Unidos de América; y

El Presidente de Cuba á Gonzalo de Quesada, Enviado Extraordinario y Ministro Plenipotenciario en los Estados Unidos;

Quienes, después de haber canjeado sus respectivos plenos poderes, los que encontraron en buena y debida forma, convinieron en el siguiente Artículo adicional

Contracting parties.

Plenipotenciaries.

additional and amendatory article to be taken as a part of said Convention:

y de modificación que será considerado como parte de dicho Tratado:

SOLE ARTICLE.

ARTÍCULO ÚNICO.

Ratification time extended.

The respective ratifications of the said Convention shall be exchanged as soon as possible, and within two months from January 31, 1903.

Las respectivas ratificaciones de dicho Tratado serán canjeadas tan pronto como sea posible, y dentro de los dos meses á contar desde el dia 31 de Enero de 1903.

Signatures.

Done in duplicate at Washington this twenty-sixth day of January A. D. 1903.

Hecho por duplicado en Washington, este dia veinte y seis de Enero de 1903, A. D.

JOHN HAY [SEAL]
GONZALO DE QUESADA [SEAL]

Exchange of ratifications.

And whereas the said Supplementary Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the thirty-first day of March, one thousand nine hundred and three;

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Supplementary Convention to be made public, to the end that the sole article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

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

Done at the City of Washington, this seventeenth day of [SEAL] December, in the year of our Lord one thousand nine hundred and three, and of the Independence of the United States the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

JOHN HAY
Secretary of State.

Treaty between the United States and the Republic of Guatemala for the mutual extradition of fugitives from justice. Signed at Washington, February 27, 1903; ratification advised by the Senate, March 11, 1903; ratified by the President, July 8, 1903; ratified by Guatemala, June 12, 1903; ratifications exchanged at Washington, July 16, 1903; proclaimed, July 17, 1903.

February 27, 1903.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and Guatemala providing for the mutual extradition of fugitives from justice was concluded and signed by their respective Plenipotentiaries at Washington, on the twenty-seventh day of February, one thousand nine hundred and three, the original of which Convention, being in the English and Spanish languages, is word for word as follows:

Preamble.

The United States of America and the Republic of Guatemala, being desirous to confirm their friendly relations and to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice between the United States of America and the Republic of Guatemala, and have appointed for that purpose the following Plenipotentiaries:

Los Estados Unidos de América y la República de Guatemala, deseando confirmar sus amistosas relaciones y promover la causa de la justicia, han resuelto celebrar un tratado para la extradición de los prófugos de la justicia entre los Estados Unidos de América y la República de Guatemala, y han nombrado al efecto los siguientes Plenipotenciarios:

Contracting parties.

The President of the United States of America, John Hay, Secretary of State of the United States, and

El Presidente de los Estados Unidos de América, al Señor John Hay, Secretario de Estado de los Estados Unidos, y

Plenipotentiaries.

The President of Guatemala, Señor Don Antonio Lazo Arriaga, Envoy Extraordinary and Minister Plenipotentiary of Guatemala to the United States:

El Presidente de Guatemala, al Señor Don Antonio Lazo Arriaga, Enviado Extraordinario y Ministro Plenipotenciario de Guatemala en los Estados Unidos:

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:

Quienes, después de comunicarse sus respectivos Plenos Poderes, que encontraron en buena y debida forma, han acordado y concluido los artículos siguientes:

ARTICLE I.

ARTÍCULO I.

The Government of the United States and the Government of Guatemala mutually agree to de-

El Gobierno de los Estados Unidos y el Gobierno de Guatemala convienen en entregarse

Reciprocal delivery of persons charged with crimes.

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

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 or offences:

Murder, etc. 1. Murder, comprehending the crimes known as parricide, assassination, poisoning, and infanticide; assault with intent to commit murder; manslaughter, when voluntary.

Mutilation. 2. Mayhem and any other wilful mutilation causing disability or death.

Injuries to railroads, etc. 3. The malicious and unlawful destruction or attempted destruction of railways, trains, bridges, vehicles, vessels, and other means of travel, or of public edifices and private dwellings, when the act committed shall endanger human life.

Rape. 4. Rape.

Bigamy. 5. Bigamy.

Arson. 6. Arson.

Crimes committed at sea. 7. Crimes committed at sea:

Piracy. (a) Piracy, by statute or by the law of nations.

Destroying vessels. (b) Wrongfully sinking or destroying a vessel at sea, or attempting to do so.

Revolt. (c) Revolt, or conspiracy to revolt, by two or more persons on board a ship on the

mútuamente las personas que, habiendo sido acusadas, como autores ó cómplices, de alguno de los delitos especificados en el artículo siguiente, cometido dentro de la jurisdicción de una de las Partes Contratantes, ó sentenciadas por tal delito, busquen asilo ó sean encontradas en el territorio de la otra; siempre que ello se haga en virtud de pruebas tales de culpabilidad que, según las leyes del lugar donde el prófugo ó la persona acusada se encuentre, habría mérito para su aprehensión y enjuiciamiento, si allí se hubiera cometido el delito.

ARTÍCULO II.

Conforme á las cláusulas de esta Convención, serán entregadas las personas acusadas ó condenadas por alguno de los delitos siguientes:

1. Homicidio, incluso los delitos conocidos con los nombres de parricidio, asesinato, envenenamiento é infanticidio; ataque á una persona con intención de asesinarla; homicidio voluntario.

2. La privación violenta de cualquier miembro necesario para la propia defensa ó protección, y cualquiera otra mutilación voluntaria que cause incapacidad para trabajar, ó la muerte.

3. La destrucción maliciosa é ilegal, ó la tentativa de destrucción de ferrocarriles, trenes, puentes, vehículos, buques y otros medios de comunicación, ó de edificios públicos y privados, cuando el acto cometido ponga en peligro la vida humana.

4. Estupro y violación.

5. Bigamia.

6. Incendio.

7. Crímenes cometidos en el mar:

(a) Piratería, según la ley ó el Derecho Internacional.

(b) Sumersión ó destrucción dolosa de un buque en el mar, ó tentativa de hacerlo.

(c) Motín, ó conspiración para amotinarse de dos ó mas personas á bordo de un buque,

high seas against the authority of the master.

- (d.) Assaults on board a ship on the high seas with intent to do grievous bodily harm.

8. Burglary, defined to be the act of breaking and entering into the house of another in the nighttime, with intent to commit a felony therein.

9. 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 acts.

10. Robbery, defined to be the felonious and forcible taking from the person of another of goods or money, by violence or by putting the person in fear.

11. Forgery, or the utterance of forged papers.

12. The forgery, or falsification of the official acts of the Government or public authority, including courts of justice, or the utterance or fraudulent use of any of the same.

13. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, bank notes, or other instruments of public credit; of counterfeit seals, stamps, dies, and marks of State or public administration, and the utterance, circulation, or fraudulent use of any of the above mentioned objects.

14. The introduction of instruments for the fabrication of counterfeit coin or bank notes or other paper current as money.

15. Embezzlement or criminal malversation of public funds committed within the jurisdiction of either party by public officers or depositaries, where the amount of money embezzled is not less than two hundred dollars.

16. Embezzlement of funds of a bank of deposit or savings bank, or trust company chartered under

en alta mar, contra la autoridad del capitán.

- (d) Atentados á bordo de un buque, en alta mar, con el propósito de causar daño corporal grave.

8. Allanamiento de morada, por el cual se entenderá el acto de asaltar la casa de otro y de entrar en ella durante la noche, con el fin de cometer un delito.

9. El acto de forzar la entrada á las oficinas públicas ó de banco, de casas de banco, cajas de ahorro, compañías de depósito ó de seguros, con el fin de cometer en ellas un robo, así como los robos que resulten de ese acto.

10. Robo con violencia, entendiéndose por tal la sustracción criminal por la fuerza de bienes ó dinero ajenos, ejerciéndose violencia ó intimidación.

11. La falsificación ó el espendio ó circulación de documentos falsificados.

12. La falsificación ó alteración de los actos oficiales del Gobierno ó de la autoridad pública, incluso los tribunales, ó el empleo ó uso fraudulento de alguno de los mismos actos.

13. La falsificación de moneda, sea en metálico ó en papel, de títulos ó cupones de deuda pública, de billetes de banco ú otros títulos de crédito público, de sellos, timbres, cuños y marcas de la Nación ó de la Administración pública, y el espendio, circulación ó uso fraudulento de alguno de los objetos antes mencionados.

14. Importación de instrumentos para falsificar moneda ó billetes de banco ú otro papel moneda.

15. Peculado ó malversación criminal de fondos públicos, cométida dentro de la jurisdicción de cualquiera de las Partes Contratantes por empleados ó depositarios públicos, cuando la cantidad defraudada no es inferior á doscientos pesos.

16. Abuso de confianza, cometido con fondos de un banco de depósito ó de una caja de ahorros

Assaults on ship-board.

Burglary.

Feloniously entering offices, etc.

Robbery.

Forgery.

Forgery of public documents.

Counterfeiting.

Introducing counterfeiting tools.

Embezzling public funds.

Embezzling funds of banks.

Federal or State laws, where the amount of money embezzled is not less than two hundred dollars.

Embezzling by employees.

17. Embezzlement by any person or persons hired or salaried to the detriment of their employers, when the crime is subject to punishment by the laws of the place where it was committed, and where the amount of money or the value of the property embezzled is not less than two hundred dollars.

Kidnaping.

18. Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons in order to exact money from them or their families, or for any unlawful end.

Obtaining money, etc., by threats, etc.

19. Obtaining by threats of injury, or by false devices, money, valuables or other personal property, and the receiving of the same with the knowledge that they have been so obtained, when such crimes or offenses are punishable by imprisonment or other corporal punishment by the laws of both countries, and the amount of money or the value of the property so obtained is not less than \$200.00.

Larceny.

20. Larceny, defined to the theft of effects, personal property, horses, cattle, or live stock, or money, of the value of twenty-five dollars or more, or receiving stolen property, of that value, knowing it to be stolen.

Breach of trust.

21. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, or other person acting in a fiduciary capacity, or director or member or officer of any company, when such act is made criminal by the laws of both countries and the amount of money or the value of the property misappropriated is not less than two hundred dollars.

Perjury.

22. Perjury; violation of an affirmation or a promise to state the truth, when required by law; subornation to commit said crimes.

Attempts to commit crime.

23. Extradition shall also be granted for the attempt to commit any of the crimes and offenses above enumerated, when such at-

ó de una compañía de depósito, organizados conforme á las leyes federales ó de los Estados, cuando la cantidad defraudada no es inferior á doscientos pesos.

17. Abuso de confianza por una persona ó personas á sueldo ó salario, en perjuicio de aquel que los tiene á su servicio, cuando el delito está sujeto á una pena conforme á las leyes del lugar donde fué cometido, y cuando el dinero ó el valor de los bienes defraudados no es inferior á doscientos pesos.

18. Plagio de menores ó adultos, entendiéndose por tal el hecho de apoderarse de una persona ó personas ó de detenerlas para exigir dinero de ellas ó de sus familias, ó para cualquier fin ilegal.

19. Obtener por medio de amenazas de hacer daño, ó por maquinaciones ó artificios, dinero, valores ú otros bienes muebles, y recibir los mismos, á sabiendas de como se han obtenido, cuando estos delitos estén penados con prisión ú otro castigo corporal por las leyes de ambos países, y cuando el dinero ó el valor de los bienes así obtenidos no es inferior á doscientos pesos.

20. Hurto ó robo sin violencia, entendiéndose por tal el apoderamiento de efectos, bienes muebles, caballos, ganado vacuno ó de otra clase, ó de dinero por valor de veinticinco pesos ó más, ó recibir á sabiendas propiedades robadas de ese valor.

21. Fraude ó abuso de confianza de un depositario, banquero, agente, factor, tenedor de bienes ú otra persona que obre en carácter fiduciario, ó de un director, miembro ó empleado de una compañía, cuando las leyes de ambos países declaran criminoso semejante acto, y el dinero ó el valor de los bienes defraudados no es inferior á doscientos pesos.

22. Perjurio; violación de la promesa de decir la verdad, cuando la exija la ley; instigación á cometer dichos delitos.

23. También se deberá conceder la extradición por el conato de alguno de los delitos antes enumerados, cuando este conato sea puni-

tempt is punishable as a felony by the laws of both contracting parties.

ble con prisión ú otra pena corporal por las leyes de ambas Partes Contratantes.

ARTICLE III.

ARTÍCULO III.

A person surrendered under this convention shall not be tried or punished in the country to which his extradition has been granted, nor given up to a third power for a crime or offense, not provided for by the present convention and committed previously to his extradition, until he shall have been allowed one month to leave the country after having been discharged; and, if he shall have been tried and condemned to punishment, he shall be allowed one month after having suffered his penalty or having been pardoned. He shall moreover not be tried or punished for any crime or offense provided for by this convention committed previous to his extradition, other than that which gave rise to the extradition, without the consent of the Government which surrendered him, which may, if it think proper, require the production of one of the documents mentioned in Article XI of this convention.

La persona entregada conforme á este Tratado no podrá ser juzgada, ni castigada, en el país al cual se haya concedido la extradición, ni entregada á una tercera nación con motivo de un delito no comprendido en el presente Tratado y cometido antes de su extradición, hasta que se le haya concedido un mes para ausentarse del país despues de haber sido puesta en libertad; y si hubiere sido juzgada y condenada, se le concederá un mes despues de haber estinguido su condena ó de haber sido indultada. Tampoco será juzgada ó castigada por alguno de los delitos comprendidos en este Tratado, cometido antes de su extradición, distinto del que haya dado motivo á ésta, sin el consentimiento del Gobierno que le haya entregado, el cual podrá exigir, si lo creyere conveniente, la presentación de uno de los documentos mencionados en el artículo XI de este Tratado.

Trial to be only for offense for which extradited.

Trials for previous offenses.

Post, p. 2154.

The consent of that Government shall likewise be required for the extradition of the accused to a third country; nevertheless, such consent shall not be necessary when the accused shall have asked of his own accord to be tried or to undergo his punishment, or when he shall not have left within the space of time above specified the territory of the country to which he has been surrendered.

El consentimiento de dicho Gobierno será necesario para la extradición del acusado á un tercer país; sin embargo, tal consentimiento no será necesario cuando el acusado hubiere pedido voluntariamente que se le juzgue ó castigue, ó cuando no hubiere salido, dentro del término ya especificado, del territorio del país al cual hubiere sido entregado.

Persons claimed by third government.

ARTICLE IV.

ARTÍCULO IV.

The provisions of this convention shall not be applicable to persons guilty of any political crime or offense or of one connected with such a crime or offense. A person who has been surrendered on account of one of the common crimes or offenses mentioned in Article II shall consequently in no case be prosecuted and punished in the State to which

Las estipulaciones de este Tratado no serán aplicables á personas culpables de un delito político, ni de uno que tenga conexión con tal delito. Una persona que haya sido entregada por uno de los delitos comunes mencionados en el Artículo II no será, por consiguiente, procesada ni castigada en ninguno caso, en el Estado al cual se hubiere con-

No surrender for political offenses.

Ante, p. 2148.

his extradition has been granted on account of a political crime or offense committed by him previously to his extradition, or on account of an act connected with such a political crime or offense, unless he has been at liberty to leave the country for one month after having been tried and, in case of condemnation, for one month after having suffered his punishment or having been pardoned.

Attempts against head of government not a political offense.

An attempt against the life of the head of a foreign government or against that of any member of his family, when such attempt comprises the act either of murder or assassination, or of poisoning, shall not be considered a political offense or an act connected with such an offense.

ARTICLE V.

Neither country bound to deliver its own citizens.

Neither of the contracting parties shall be bound to deliver up its own citizens under the stipulations of this convention, but the executive authority of each shall have the power to deliver them up, if, in its discretion, it be deemed proper to do so.

ARTICLE VI.

Persons under prosecution in country where found.

If the person whose surrender may be claimed, pursuant to the stipulations of the present convention, shall have been accused or arrested for the commission of any offense in the country where he or she has sought asylum, or shall have been convicted thereof, his or her extradition may be deferred until he or she is entitled to be liberated on account of the offense charged, for any of the following reasons: acquittal; expiration of term of imprisonment; expiration of the period to which the sentence may have been commuted, or pardon.

ARTICLE VII.

Persons claimed by other countries.

If a fugitive criminal claimed by one of the parties hereto shall be also claimed by one or more pow-

cedido la extradición, por un delito político cometido por ella antes de su extradición, ni por un acto que tenga conexión con tal delito político, á menos que haya tenido libertad para salir del país dentro de un mes despues de haber sido juzgada, y en caso de haber sido condenada, dentro de un mes despues de haber sufrido la pena ó de haber sido indultada.

No será considerado delito político, ni acto que tenga conexión con tal delito, el atentado contra la vida del Jefe de un Gobierno ó contra la de algun miembro de su familia, cuando tal atentado comprendiere el delito de homicidio, asesinato ó envenenamiento.

ARTÍCULO V.

Ninguna de las Partes Contratantes estará obligada á entregar, por virtud de las estipulaciones de esta Convención, á su propios ciudadanos, pero el Poder Ejecutivo de cada una de ellas tendrá la facultad de entregarlos, si lo creyere conveniente.

ARTÍCULO VI.

Si la persona cuya entrega se pidiere, conforme á las estipulaciones del presente Tratado, hubiere sido acusada ó reducida á prisión por haber cometido un delito en el país donde se hubiere refugiado, ó hubiere sido condenada á causa del mismo, se podrá diferir su extradición hasta que tenga derecho á ser puesta en libertad por el delito de que estuviere acusada, por cualquiera de los motivos siguientes: Absolución; espiración del tiempo de prisión á que se le hubiere condenado; espiración del tiempo á que hubiere sido reducida su sentencia; indulto.

ARTÍCULO VII.

Si el reo prófugo reclamado por una de las Partes Contratantes lo fuere tambien por uno ó mas Go-

ers, pursuant to treaty provisions on account of crimes or offenses committed within their jurisdiction, such criminal shall be delivered up in preference in accordance with that demand which is the earliest in date, unless the State from which extradition is sought is bound to give preference otherwise.

ARTICLE VIII.

Extradition shall not be granted, in pursuance of the provisions of this convention, if legal proceedings or the enforcement of the penalty for the act committed by the person claimed has become barred by limitation, according to the laws of the country to which the requisition is addressed.

ARTICLE IX.

On being informed by telegraph or otherwise, through the diplomatic channel, that a warrant has been issued by competent authority for the arrest of a fugitive criminal charged with any of the crimes enumerated in the foregoing articles of this treaty, and on being assured from the same source that a requisition for the surrender of such criminal is about to be made, accompanied by such warrant and duly authenticated depositions or copies thereof in support of the charge, each government shall endeavor to procure the provisional arrest of such criminal and to keep him in safe custody for such time as may be practicable, not exceeding forty days, to await the production of the documents upon which the claim for extradition is founded.

ARTICLE X.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the contracting parties, or, in the event of the absence of these from the country or its seat

biernos, en virtud de estipulaciones contenidas en Tratados, por delitos cometidos en su jurisdicción, dicho reo será entregado de preferencia al que primero lo haya pedido, á menos que el Estado de quien se solicitare la extradición esté obligado á dar la preferencia á otro.

ARTÍCULO VIII.

No se concederá la extradición en conformidad á las disposiciones de este Tratado, si los procedimientos legales ó la aplicación de la pena correspondiente al hecho cometido por la persona reclamada hubieren quedado excluidos por prescripción de acuerdo con las leyes del país á que se ha dirigido el reclamo.

ARTÍCULO IX.

Cuando se dé aviso telegráficamente ó de otra manera, por el conducto diplomático, de que la autoridad competente ha expedido una orden para la aprehensión de un reo prófugo acusado de alguno de los delitos enumerados en los artículos anteriores de este Tratado, y cuando se asegure por el mismo conducto que próximamente se hará el pedimento para la entrega de este reo, y que el pedimento estará acompañado de la orden de prisión y de las declaraciones ó copias de ellas debidamente legalizadas, en apoyo de la acusación, cada Gobierno procurará conseguir la aprehensión provisional del reo y mantenerlo bajo segura custodia por el tiempo que fuere posible, pero sin exceder de cuarenta días, en espera de la presentación de los documentos en que se funde el procedimiento de extradición.

ARTÍCULO X.

El pedimento para la entrega de los prófugos de justicia se hará por los respectivos Agentes Diplomáticos de las Partes Contratantes, ó en caso de estar ausentes del país ó de la residencia del Gobier-

Limitation of time.

Applications for provisional arrest.

Requisitions.

of government, they may be made by superior consular officers.

Copies of sentence, etc., required.

If the person whose extradition may be asked for shall have been convicted of a crime or offense, a copy of the sentence of the court in which he has been convicted, authenticated under its seal, with attestation of the official character of the judge, by the proper executive authority, and of the latter by the minister or consul of the United States or of Guatemala, respectively, shall accompany the requisition. When, however, the fugitive shall have been merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime has been committed, and of the depositions upon which such warrant has been issued, must accompany the requisition as aforesaid.

ARTICLE XI.

Expenses.

The expenses of the arrest, detention, examination and delivery of fugitives under this convention shall be borne by the State in whose name the extradition is sought; Provided, that the demanding government shall not be compelled to bear any expenses for the services of such officers of the government from which extradition is sought as receive a fixed salary; and provided that the charge for the services of such public officials as receive only fees shall not exceed the fees to which such officials are entitled under the laws of the country for services rendered in ordinary criminal proceedings.

ARTICLE XII.

Disposal of articles seized with person.

All articles found in the possession of the accused party and obtained through the commission of the act with which he is charged, and that may be used as evidence of the crime for which his extradition is demanded, shall be seized if the competent authority shall so order and shall be surrendered with his person.

no, podrá hacerse por los Agentes Consulares superiores.

Si la persona cuya extradición se pide ha sido condenada por un delito, se acompañará al pedimento de extradición copia de la sentencia condenatoria del Tribunal. Esta copia estará legalizada con el sello del Tribunal, y con la certificación del carácter oficial del juez, por el funcionario á quien corresponda, y el de éste por el Ministro ó Consul de los Estados Unidos ó de Guatemala, respectivamente. Sin embargo, cuando el prófugo esté simplemente acusado de un crimen ó delito, se acompañará al pedimento copia, tanto del mandamiento de prisión igualmente legalizada en el país en donde se imputa la comisión del delito, cuanto de las declaraciones en que se funde el mandamiento de prisión.

ARTÍCULO XI.

Los gastos ocasionados por el arresto, detención, examen y entrega de los prófugos en virtud de este Tratado, serán de cargo del Estado en cuyo nombre se pida la extradición; siendo entendido que el Gobierno solicitante no estará obligado á hacer ningun desembolso por servicios de los empleados públicos del Gobierno á quien se pida la extradición, que perciban sueldo fijo; y bien entendido que el gravamen por los servicios de los empleados públicos que solo perciban derechos no excederá de los derechos que corresponden á dichos empleados, en virtud de las leyes del país, por servicios prestados en procedimientos criminales ordinarios.

ARTÍCULO XII.

Todos los objetos encontrados en poder del acusado y obtenidos por medio de la comisión del acto de que se le acusa, ó que puedan servir de prueba del delito por el cual se pide su extradición, serán secuestrados y entregados con su persona, si así lo ordena la autoridad competente.

The rights of third parties to the articles so found shall nevertheless be respected.

Sin embargo, se respetarán los derechos de tercero respecto de estos objetos.

ARTICLE XIII.

ARTÍCULO XIII.

Each of the contracting parties shall exercise due diligence in procuring the extradition and prosecution of its citizens who may be charged with the commission of any of the crimes or offenses mentioned in Article II, exclusively committed in its territory against the government or any of the citizens of the other contracting party, when the person accused may have taken refuge or be found within the territory of the latter, provided the said crime or offense is one that is punishable, as such, in the territory of the demanding country.

Cada una de las Partes Contratantes procurará, con la diligencia debida, la extradición y enjuiciamiento de sus ciudadanos, que sean acusados de uno de los crímenes ó delitos mencionados en el Artículo II, y exclusivamente cometidos en su territorio contra el Gobierno ó uno de los ciudadanos de la otra Parte Contratante, cuando se haya refugiado ó se encuentre dentro del territorio de ésta la persona acusada, con tal que dicho crimen ó delito sea punible en el territorio del país requeriente.

Diligence to be observed.

Ante, p. 2148.

ARTICLE XIV.

ARTÍCULO XIV.

The present convention shall take effect thirty days after the exchange of ratifications, when the convention of October 11, 1870, and the additional article of October 22, 1887, shall cease to be in force and shall be superseded by the present convention which shall continue to have binding force for six months after a desire for its termination shall have been expressed in due form by one of the two governments to the other.

El presente Tratado empezará á regir treinta días despues del canje de las ratificaciones, cuando la Convención de 11 de Octubre de 1870, y el artículo adicional de 22 de Octubre de 1887 dejarán de estar vigentes y serán sustituidos por el presente Tratado, que permanecerá en vigor hasta seis meses despues que el deseo de ponerle término haya sido notificado, en debida forma, por uno de los dos Gobiernos al otro.

Effect. Former treaties to cease.

It shall be ratified and its ratifications shall be exchanged at Washington as soon as possible.

Será ratificado, y sus ratificaciones serán canjeadas en Washington, tan pronto como sea posible.

Exchange of ratification.

In witness whereof, the respective plenipotentiaries have signed the above articles both in the English and Spanish languages, and have hereunto affixed their seals.

En fé de lo cual, los respectivos Plenipotenciarios han firmado los anteriores artículos en los idiomas inglés y español, y han puesto al pié sus sellos.

Signatures.

Done, in duplicate, at the City of Washington, this 27th day of February one thousand nine hundred and three.

Hecho por duplicado en la ciudad de Washington, el dia 27 de Febrero de mil novecientos y tres.

JOHN HAY [SEAL.]
ANTO LAZO ARRIAGA [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 sixteenth day of July, one thousand nine hundred and three;

Ratification.

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, 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 testimony 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 seventeenth day of July, in the year of our Lord one thousand nine hundred and three, and of the Independence of the United States the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

FRANCIS B. LOOMIS.

Acting Secretary of State.

Treaty between the United States and Haiti extending the time within which may be effected the exchange of ratifications of the treaty of naturalization between the two countries, signed March 22, 1902. Signed at Washington, February 28, 1903; ratification advised by the Senate, February 1, 1904; ratified by the President, March 17, 1904; ratified by Haiti, April 24, 1903; ratifications exchanged at Washington, March 19, 1904; proclaimed, March 24, 1904.

February 28, 1903.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,
A PROCLAMATION.

Whereas a Supplementary Treaty between the United States of America and the Republic of Haiti to prolong the period within which may be exchanged the ratifications of the treaty of naturalization signed March 22, 1902, was concluded and signed by their respective Plenipotentiaries at Washington, on the twenty-eighth day of February, one thousand nine hundred and three, the original of which Supplementary Treaty, being in the English and French languages, is word for word as follows:

Preamble.

Ante, p. 2101.

The United States of America and the Republic of Haiti, considering it expedient to prolong the period within which, by Article VII of the treaty of naturalization, signed by their respective plenipotentiaries at Washington on March 22, 1902, the exchange of ratifications of the said treaty shall take place, have for that purpose appointed their respective Plenipotentiaries, namely:

The President of the United States of America, John Hay, Secretary of State of the United States of America; and

The President of Haiti, Mr. J. N. Léger, Envoy Extraordinary and Minister Plenipotentiary of Haiti at Washington;

Who, after having communicated each to the other, their respective full powers, found in good and due form, have agreed upon the following additional article to be taken as part of said treaty.

Les Etats-Unis d'Amérique et la République d'Haïti considérant qu'il est nécessaire de prolonger le délai où, conformément à l'article VII du traité de naturalisation signé à Washington le 22 Mars 1902 par leurs plenipotentiaries respectifs, l'échange des ratifications de ce traité doit avoir lieu, ont à cet effet nommé leurs plenipotentiaries respectifs, savoir:

Contracting parties.

Le Président des Etats-Unis d'Amérique, John Hay, Secrétaire d'Etat des Etats-Unis d'Amérique; et

Le Président d'Haïti, Mr. J. N. Léger, Envoyé Extraordinaire et Ministre Plenipotentiare d'Haïti à Washington;

Lesquels, après s'être mutuellement communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus de l'article additionnel suivant qui doit être considéré comme faisant partie de ce traité.

Plenipotentiaries.

SOLE ARTICLE.

ARTICLE UNIQUE.

Ratification time
extended.
Ante, p. 2103.

The respective ratifications of the said treaty shall be exchanged as soon as possible, and within twelve months from March 22, 1903.

Les ratifications respectives du dit traité seront échangées aussitôt que possible, et dans le délai de douze mois à partir du 22 Mars 1903.

Signatures.

Done in duplicate at Washington, in the English and French languages, this 28th day of February, A. D. 1903.

Fait en double à Washington, en anglais et en français, ce 28 jour de février de 1903.

JOHN HAY [SEAL.]
J N LÉGER [SEAL.]

Exchange of ratifications.

And whereas the said Supplementary Treaty has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the nineteenth day of March, one thousand nine hundred and four;

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Supplementary Treaty to be made public, to the end that the same and every clause thereof made be observed and fulfilled with good faith by the United States and the citizens thereof.

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

Done at the City of Washington, this twenty-fourth day of March, in the year of our Lord one thousand nine hundred and [SEAL.] four, and of the Independence of the United States of America the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

JOHN HAY

Secretary of State.

Convention for the exchange of Money Orders between the Republic of Liberia and The United States of America. April 25, 1903.
June 9, 1903.

The postal administration of the Republic of Liberia and the Post Office Department of the United States of America being desirous of establishing a system of exchange of Postal Money Orders between the two countries, the undersigned, the Postmaster General, for the Republic of Liberia, and the Postmaster General, for the United States of America, duly authorized for that purpose, have agreed upon the following Articles: Preamble.

ARTICLE 1.

There shall be a regular exchange of Money Orders between the two countries. Exchange of money orders.

ARTICLE 2.

The amounts of Orders in both directions shall be expressed in United States money; and to provide for the fluctuations of the rate of exchange between the two countries, it is agreed that all amounts shall be converted into their proper equivalents by the postal administration of Liberia; that is to say, the sums received by the postal administration of Liberia for Orders drawn on the United States shall be converted at the time of issue into United States money, at the current rate of exchange, and the amounts of Orders drawn in the United States on Liberia shall in like manner be rendered by the postal administration of Liberia into the currency of Liberia at the current rate of exchange on the day of the arrival of the list described in Article 9. To be expressed in United States money.

ARTICLE 3.

1. The maximum of each Order is fixed at one hundred dollars (\$100). Maximum amount.
2. No Money Order shall include a fractional part of a cent. Fractions.

ARTICLE 4.

The amounts of Money Orders shall be deposited by the remitters and paid to the payees in gold coin, or in other legal money of the same current value. However, in case there should be in circulation in either country a paper currency of legal tender but of less value than gold, the administration of that country shall have the right to receive and employ the same in its relations with the public, taking into account the difference of value. Payment in legal money, etc.

ARTICLE 5.

Rates of fees.

1. The postal administration of Liberia shall have power to fix the rates of fees paid by the public on all Money Orders issued in Liberia, and the Post Office Department of the United States shall have the same power in regard to all Money Orders issued in the United States.

Fees payable in advance.

2. Each country shall communicate from time to time to the other its tariff of charges (fees paid by the public), which shall be established under this convention, and these rates shall in all cases be payable in advance by the remitters, and shall not be repayable.

No additional charges.

3. The Money Orders and the receipts given upon such Orders, as well as the receipts that may be delivered to the remitters, shall not be subjected, at the expense of the remitters or payees of the amounts, to any charge or tax whatever in addition to the fees to be received in virtue of Sections 1 and 2 of this article.

ARTICLE 6.

Fees to be retained.

Each country shall keep the fees paid by the public charged on all Money Orders issued within its jurisdiction.

ARTICLE 7.

Offices of exchange.

The service of the Postal Money Order System between the two countries shall be performed exclusively by the agency of intermediary offices of exchange. On the part of Liberia the office of exchange shall be Monrovia, and on the part of the United States the office of exchange shall be New York, N. Y.

ARTICLE 8.

Names and address.

1. No Money Order shall be issued unless the applicant furnish in full the surname, and at least the initial of one given name, both of the remitter and the payee, or the name of the firm or company who are the remitters or payees, together with the address of the remitter and that of the payee.

2. If, however, any applicant for a Money Order shall tender the name of either the remitter or payee at greater length, such particulars shall be received and entered in the list.

ARTICLE 9.

Lists.
Post, p. 2163.

1. The particulars of all Money Orders drawn in the United States upon Liberia shall be entered at the Exchange Office, New York, N. Y., in a list similar to the form marked "A" (in the Appendix), in which shall be shown the amount of each Order in United States money, which list, after having received the impression of the New York dating stamp, shall be forwarded to the Exchange Post Office of Monrovia, where it shall be impressed with the date stamp of that office, and where the requisite arrangements for effecting payment of the Orders shall be carried out.

Post, p. 2164.

2. In like manner the particulars of Money Orders drawn in Liberia upon the United States shall be entered at the Exchange Office at Monrovia in a list similar to the form marked "B" (in the Appendix), in which shall be shown the amount of each in the money of both countries, which list, after having received the impression of the dating stamp of that office, shall be forwarded to the Exchange Office at New York, N. Y., where it shall receive the impression of the dating stamp in use in that office, and where the necessary arrangements for effecting payment of the Orders shall be carried out.

3. Each list, as well as the entries in the lists dispatched, shall be numbered consecutively 1, 2, 3, 4, 5, etc., in the order of dispatch, commencing on July 1 of each calendar year, and the receipt of each list shall be acknowledged on either side by means of the first subsequent list forwarded in the opposite direction. (Form "A—reverse" of Appendix.)

To be numbered.

Post, p 2164.

4. Such a list shall be transmitted by each mail dispatched from Monrovia to the port of New York, and vice versa, and of each list dispatched a duplicate shall be sent by the following mail.

Duplicates, etc.

5. Should it happen that on the day when the list is to be dispatched there are no Orders to be certified for payment, the list must nevertheless be sent. But, in that event, the Exchange Office will write across the list the words: "No Money Orders."

6. Should any list, or the duplicate thereof, not be received in due course, the dispatching Exchange Office, on receiving information to that effect, shall transmit without delay a duplicate or triplicate of the list duly certified as such.

ARTICLE 10.

1. As soon as the list of the dispatching office shall have reached the receiving office of exchange, the latter shall re-issue Money Orders in favor of the payees for the amounts specified in the list, and shall forward them, free of postage, to the addressees or to the offices of destination, in conformity with the regulations in each country for the payment of Money Orders.

Receipt of list from dispatching office, etc.

2. When the lists shall show irregularities which the receiving office shall not be able to rectify, that office shall demand an explanation with as little delay as possible. Pending the receipt of the explanation, the reissue of Money Orders of payment, relating to the entries found to be erroneous in the list, should be suspended.

3. One copy of each exchange list ("A" and "B") shall be returned by the receiving office of exchange to the dispatching office, but, before returning such copy, the receiving Exchange Office shall enter therein the names of the respective offices of payment of the Orders enumerated in the list, and, in the lists from the United States, returned by the Exchange Office at Monrovia, the latter office shall also enter the amount of each Order in the money of Liberia according to the conversion made by it.

ARTICLE 11.

1. The Orders issued by each country on the other shall be subject as regards payment to the regulations which govern the payment of Domestic Money Orders in the country on which they are drawn.

Orders subject to regulations governing domestic orders.

2. The paid Orders shall remain in the possession of the country of payment.

ARTICLE 12.

When it is desired that any error in the name of the remitter or payee shall be corrected, or that the amount of a Money Order shall be repaid to the remitter, application must be made by the remitter to the postal administration by which the Order was issued.

Errors.

ARTICLE 13.

Duplicate Orders shall only be issued by the postal administration of the country in which the original Orders were payable, and in conformity with the regulations established or to be established in that country.

Duplicates.

ARTICLE 14.

Repayment.

1. Repayment of Orders to remitters shall not be made until an authorization for such repayment shall first have been obtained by the country of issue from the country where such Orders are payable, and the amounts of the repaid Orders shall be duly credited to the former country in the quarterly account (Article 16).

2. It is the province of each postal administration to determine the manner in which repayment to remitters is to be made.

ARTICLE 15.

Orders not paid within twelve months void, etc.

1. Orders which shall not have been paid within twelve calendar months from the month of issue shall become void, and the sums received shall accrue to, and be at the disposal of, the country of origin.

2. The postal administration of Liberia shall, therefore, enter to the credit of the United States, in the quarterly account, all Money Orders entered in the lists received from the United States which remain unpaid at the end of the period specified (Article 16). (See form "F," Appendix.)

Post, p. 2165.

3. On the other hand the Post Office Department of the United States shall, at the close of each month, transmit to the postal administration of Liberia, for entry in the quarterly account, a detailed statement of all Orders included in the lists dispatched from the latter office which, under this article, become void. (See form "G," Appendix.)

Post, p. 2165.

ARTICLE 16.

Quarterly accounts.
Post, p. 2165.

1. At the close of each quarter an account shall be prepared (form "D," Appendix) by the postal administration of Liberia, showing in detail the totals of the lists containing the particulars of Orders issued in either country during the quarter, and the balance resulting from such transactions.

2. Two copies of this account shall be transmitted to the Post Office Department of the United States at Washington, and the balance, after proper verification, shall, if due by the Post Office Department of the United States, be paid at London, but if due by the postal administration of Liberia, it shall be paid in New York, and in the money of the country to which the payment is made.

Payments.

3. Payments may also be made in money, or by sight drafts, or by bills of exchange, payable at sight, on London, on the basis that the pound sterling shall be considered as equivalent to four dollars and eighty-seven cents (\$4.87) of the money of the United States.

ARTICLE 17.

Remittance of balance.
Post, pp. 2164, 2165.

1. If, pending the settlement of an account, one of the two postal administrations shall ascertain that it owes the other a balance exceeding one thousand dollars (\$1,000), the indebted administration shall promptly remit the approximate amount of such balance to the credit of the other, but nothing herein contained shall prevent such administration from remitting a less amount than one thousand dollars (\$1,000), at discretion. This account and the letters which accompany such intermediate remittances shall be in accordance with the forms "C" and "D" annexed to this Convention.

2. If payment by the debtor administration be not made within a period of three months from the time such balance accrues, the creditor administration shall have the right to demand and receive interest thereon, at the rate of five per centum per annum.

MONEY-ORDER CONVENTION—LIBERIA.

APRIL 25, 1903.
JUNE 9, 1903.

(A and B—Reverse.)

Stamp of
Exchange Office.

List No

INTERNATIONAL MONEY ORDER EXCHANGE OFFICE,

SIR:—I have received the List No from your office, dated on the
The examination of the said list has demonstrated the correctness of the totals therein set forth, to wit, amounts paid in dollars cents.
In turn I transmit to you, herewith (in duplicate), my List No of International Money Orders amounting in the aggregate to dollars cents.
Please examine, complete and return to me the original of the said list, with your acknowledgment of receipt endorsed thereon.

Postmaster of Money Order Exchange Office.

To the Postmaster,
International Money Order Exchange Office.

All errors or discrepancies to be set forth below.

(A and B.—Reverse.)

Stamp of
Exchange Office.

List No.....

INTERNATIONAL MONEY ORDER EXCHANGE OFFICE,

SIR:—I have examined your list of Money Orders No.... dated the 190.... showing a total of dollars and cents.

The said list has been found correct with the following exceptions, viz:

Postmaster at

To the Postmaster
of the International Money Order Exchange Office.

Form B.

(B.)

Postal Money Order Exchange List with United States of America.

List of Postal Money Orders issued in Liberia payable in the United States.

Blanks to be filled by the United States Exchange Office.								Blanks to be filled by the Exchange Office of Liberia.				
Current international number of order.	Number of original order.	Date of original order.	Post Office issuing original order.	Name and address of remitter of order.	Name of Payee.	Address of Payee.		Amount received in U. S. money.	Rate of conversion.	Amount payable in the money of Liberia.	Post Office at which payment is to be made.	Remarks.
						Post Office.	Dept. or Prov. Ince.					
								\$	c			

Form C.

(C.)

POST OFFICE DEPARTMENT,
OFFICE OF FIRST ASSISTANT POSTMASTER GENERAL,
MONEY ORDER DIVISION,

Washington, D. C., 190....

SIR:—This Department has the honor to transmit herewith a Bill of Exchange No.... for drawn 190.... by of New York, N. Y., to the order of the Postmaster General, and by his endorsement made payable to your order by at

Be pleased to cause the receipt of the said Bill of Exchange to be duly acknowledged, its payment to be reported and the proceeds to be placed to the credit of this Department..... on account of the exchange of Money Orders between our respective countries during the quarter end 190....

I have the honor to be, etc.

To the POSTMASTER GENERAL,
Monrovia, Liberia.

First Assistant Postmaster General.

(D.)

Form D.

..... Quarter, 190....

GENERAL STATEMENT.

Showing the result of the exchange of Money Orders between the United States and Liberia.

To the credit of Liberia.			To the credit of the United States.		
	\$	c		\$	c
Money Orders issued in the United States, and payable in Liberia, as per detailed statement (E).....			Money Orders issued in Liberia, and payable in the United States, as per detailed statement (E).....		
Money Orders which have been repaid.....			Money Orders which have been repaid.....		
Void Orders.....			Void Orders.....		
Paid on account by the Post Office Department of Liberia.....			Paid on account by the Post Office Department of the United States.....		
..... 190....			..... 190....		
Total credit of Liberia.....			Total credit of the United States.....		
Balance in favor of the United States.....			Balance in favor of Liberia.....		

The above account is found correct, showing a balance of dollars and cents in favor of the

Monrovia, Liberia 190....

Examined and accepted:

Auditor for the Post Office Department of the United States.

WASHINGTON, D. C., 190....

(E.)

Form E.

..... Quarter of 190....

DETAILED STATEMENT OF LISTS.

Money orders issued in Liberia. Money orders issued in the United States.

(F.)

Form F.

..... Quarter, 190....

List of Money Orders, Authority for the Repayment of which to the Remitters has been given to the Country of Issue, during the Quarter above mentioned.

Orders issued in Liberia. Orders issued in the United States.

(G.)

Form G.

..... Quarter, 190....

Money Orders not Paid, and to be Credited to the Issuing Office.

Orders issued in Liberia. Orders issued in the United States.

April 28, 1903.
June 13, 1903.

*Convention between the Colony of the Transvaal and the United States
of America concerning the exchange of Money Orders.*

Preamble.

The Postmaster General of the Colony of the Transvaal and the Postmaster General of the United States of America being desirous of establishing a system of exchange of Money Orders between the two countries, have agreed on behalf of their respective Governments to the following Articles:

ARTICLE 1.

Exchange of money orders.

1. There shall be a regular exchange of Money Orders between the two countries.

Maximum amount.

2. The maximum of each order is fixed at ten pounds, sterling, when issued in the Transvaal, and when issued in the United States at the equivalent in sterling money of one hundred dollars in the money of the latter country, converted at the rate fixed by article 13 of the present Convention.

3. No Money Order shall include the fractional part of a penny, or of a cent.

To be expressed in British money.

4. The amount of each order, whether issued in the United States or in the Transvaal must be expressed in letters in British money, and the equivalent in the money of the United States must also be shown in figures.

ARTICLE 2.

Rates of fees.

1. The Transvaal Post Office Department shall have power to fix the rates of commission on all Money Orders issued in the Transvaal, and the Post Office Department of the United States shall have the same power in regard to all Money Orders issued in the United States.

Fees payable in advance.

2. Each office shall communicate to the other its tariff of charges or rates of commission, which shall be established under this Convention, and these rates shall, in all cases, be payable in advance by the remitters, and shall not be repayable.

Temporary suspension of money orders.

3. It is understood, moreover, that each administration is authorized to suspend temporarily the exchange of Money Orders, in case the course of exchange, or any other circumstances, should give rise to abuses or cause detriment to the postal revenue.

ARTICLE 3.

Fees to be retained.

Each country shall keep the commission charged on all Money Orders issued within its jurisdiction.

ARTICLE 4.

Offices of exchange.

1. The service of the Postal Money Order System between the two countries shall be performed exclusively by the agency of offices of

exchange. On the part of the United States the office of exchange shall be New York, N. Y., and on the part of the Transvaal, Johannesburg.

2. Orders shall be drawn only on the authorized Money Order offices of the respective countries; and each postal administration shall furnish to the other a list of such offices, and shall, from time to time, notify any addition to or change in such list. Every order and advice must contain the name of the office, and of the country of destination, and, if relating to an order payable in the United States, the name of the State in which such office is situated.

List of offices.

ARTICLE 5.

No Money Order shall be issued unless the applicant furnish the name and address of the person to whom the amount is to be paid and his own name and address; or the name of the firm or company who are the remitters or payees, together with the address of each. The Money Orders issued in either country shall be forwarded by the remitters to the payees at their own expense.

Names and address.

ARTICLE 6.

1. The advices of all Money Orders issued upon the Transvaal by the Post Offices of the United States shall be sent to the office of exchange at New York, where they shall be impressed with a dated stamp (Form 'A') showing the amount to be paid in sterling money, and transmitted by the next mail to the exchange office at Johannesburg, accompanied by a list, in duplicate, drawn upon the model of Form 'B.'

Lists.

Post, p. 2169.

Post, p. 2169.

Duplicates, etc.

2. These advices on their arrival in Johannesburg shall be compared with the entries in the list and, afterwards, dispatched to the paying offices. In like manner the advices of Money Orders drawn on the United States by Postmasters in the Colony of the Transvaal shall be sent to the exchange office at Johannesburg, shall there be impressed with a dated stamp (Form 'A') showing the amount to be paid in United States money and be dispatched accompanied by a list in duplicate, (Form 'C') to the office of exchange at New York, N. Y., by next mail.

Post, p. 2169.

Post, p. 2170.

3. The advices on their receipt at New York shall be compared with the entries in the list, and afterwards dispatched to the paying offices.

4. Each exchange office shall certify its orders to the other in amounts designated in the denominations of the money both of the dispatching and receiving country at the rate of conversion established by Article 13 of this Convention. The amounts so converted shall be checked at the receiving office of exchange.

Certification of orders.

Post, p. 2169.

ARTICLE 7.

1. The lists dispatched from each office of exchange shall be numbered consecutively, and the entries in these lists shall, also, have consecutive numbers, commencing at the beginning of the month of July in each year.

Lists to be numbered.

2. Of each list dispatched a duplicate shall be sent, which duplicate after being verified by the receiving office of exchange shall be returned to the dispatching office of exchange.

Return of duplicates.

3. Each office of exchange shall promptly communicate to the other the correction of any simple error which it may discover in the verification of the lists.

Correction of errors.

4. When the lists shall show irregularities which the receiving office of exchange shall not be able to rectify, that office shall apply for an explanation to the dispatching exchange office, and such explanation

Explanation.

shall be afforded without delay. Should any list fail to be received in due course, the dispatching exchange office, on receiving information to that effect, shall transmit, without delay, a duplicate of the list duly certified as such.

ARTICLE 8.

Duplicate orders.

Duplicate orders shall only be issued by the Postal Administration of the country on which the original orders were drawn, and in conformity with the regulations established, or to be established, in that country.

ARTICLE 9.

Orders subject to regulations governing domestic orders.

1. The orders issued by each country on the other shall be subject, as regards payment, to the regulations which govern the payment of inland (domestic) orders of the country on which they were drawn.

2. The paid orders shall remain in the possession of the country of payment.

ARTICLE 10.

Repayment.

1. Repayment of orders to remitters shall not be made until an authorization for such repayment shall have been obtained by the country of issue from the country where such orders are payable, and the amounts of the repaid orders shall be duly credited to the former country in the quarterly account. (Article 12.)

2. It is the province of each postal administration to determine the manner in which repayment to the remitters is to be made.

ARTICLE 11.

Orders not paid within twelve months void, etc.

1. Orders which shall not have been paid within twelve calendar months from the month of issue shall become void, and the sums received shall accrue to, and be at the disposal of, the country of origin.

2. The Transvaal administration shall therefore enter to the credit of the United States, in the quarterly account, all Money Orders entered in the list received from the United States which remain unpaid at the end of the period specified. (Article 12.)

3. On the other hand, the Post Office Department of the United States shall, at the close of each month, transmit to the postal administration of the Transvaal for entry in the quarterly account, a detailed statement of all orders included in the lists dispatched from the latter office which under this article become void.

ARTICLE 12.

Quarterly accounts.

1. At the close of each quarter an account shall be prepared at the General Post Office, Johannesburg, showing in detail the totals of the lists containing the particulars of orders issued in either country during the quarter and the balance resulting from such transactions.

2. Two copies of this account shall be transmitted to the Post Office Department of the United States at Washington, and the balance after proper verification shall, if due by the Post Office Department of the Transvaal be paid to the General Post Office at London to the credit of the Post Office Department of the United States on account of the exchange of Money Orders between the United States and the United Kingdom of Great Britain and Ireland; and if due by the Post Office Department of the United States shall likewise be paid to the General Post Office at London to the credit of the Post Office Department of the Transvaal.

Remittance of balance.

3. If pending the settlement of an account one of the two postal administrations shall ascertain that it owes the other a balance exceed-

ing five hundred pounds (£500) sterling, the indebted administration shall promptly remit the approximate amount of such balance to the credit of the other. This account shall be in accordance with the forms 'D', 'E', 'F' and 'G', annexed to this Convention.

Post, pp. 2170, 2171.

ARTICLE 13.

Until the two postal administrations shall consent to an alteration, it is agreed that in all matters of account relative to Money Orders which shall result from the execution of the present Convention, the pound sterling of Great Britain shall be considered as equivalent to four dollars and eighty-seven cents of the money of the United States.

Rate of conversion.

ARTICLE 14.

The postal administration in each country shall be authorized to adopt any additional rules (not repugnant to the foregoing) for the greater security against fraud, or for the better working of the system generally. All such additional rules, however, must be promptly communicated to the postal administration of the other country.

Additional rules.

ARTICLE 15.

This present Convention shall take effect on the first day of July, 1903, and shall continue in force until twelve months after either of the contracting parties shall have notified to the other its intention to terminate it.

Duration of convention.

In witness whereof the respective duly authorized representatives have signed the above articles, and have hereunto affixed their seals.

Signatures.

Done in duplicate at the city of Johannesburg, this thirteenth day of June, 1903, and at the city of Washington, U. S. A., this twenty-eighth day of April, 1903.

J. I. FRANK BROWN,
Postmaster General of the Transvaal.
H. C. PAYNE,
Postmaster General of the United States.

FORM 'A.'

Form A.

Value of United States orders in English money:

£	s	d
5	3	2

New York,190....

Value of Transvaal orders in United States money:

\$14	c25

Johannesburg..... 190....

FORM 'B.'

Form B.

List No.....

Sir: I have the honor to transmit to you herewith, in duplicate, a list containing a detailed statement of the sums received in the United States since my last dispatch (List No.) for orders payable in the Transvaal amounting in the aggregate to £.....

Be pleased to examine, complete and return to me the duplicate copy of this list, with your acknowledgment of its receipt indorsed thereon.

I am, Sir, your obedient servant,

.....
Postmaster New York.

To the POSTMASTER.

Money Order Exchange Office,

Johannesburg.

FORM "E."

Form E.

Table showing the particulars of such orders as have been repaid to the Remitters in the country of issue.

Issued in the Transvaal.				Issued in the United States.			
No. of list.	Date of list.	No. of International Order.	Amount of Order.	No. of list.	Date of list.	No. of International Order.	Amount of Order.
			£ s. d. \$ c.				\$ c. £ s. d.
To the credit of the Transvaal.				To the credit of the United States.			

FORM "F."

Form F.

Table showing the particulars of such Orders as have become void.

Issued in the Transvaal.				Issued in the United States.			
No. of list.	Date of list.	No. of International Order.	Amount of Order.	No. of list.	Date of list.	No. of International Order.	Amount of Order.
			£ s. d. \$ c.				\$ c. £ s. d.
To the credit of the Transvaal.				To the credit of the United States.			

FORM "G."

Form G.

BALANCE.

To the credit of the Transvaal.		To the credit of the United States.	
Amount of Orders issued in the United States		Amount of Orders issued in the Transvaal	
Amount of void Orders of Transvaal issue as per table		Amount of void Orders of the United States issue as per table	
Amount of Orders repaid in the Transvaal as per table		Amount of Orders repaid in the United States as per table	
Sums remitted by the Transvaal administration		Sums remitted by the United States administration	
Dates. Amounts.		Dates. Amounts.	
Balance remaining due to the United States		Balance remaining due to the Transvaal	

The above account exhibits a balance of £..... remaining due to the office, Johannesburg,, 190....

Signature of proper accounting officer of the Transvaal.

The above statement of account is accepted with a balance of £..... due to the office, Washington,, 190....

Auditor for the Post Office Department.

June 5, 1903.

Treaty between the United States and Great Britain, acting in the name of the Sultan of Zanzibar, amending the treaty of amity and commerce concluded September 21, 1833, between the United States and the Sultan of Muscat, so as to permit the imposition of light and harbor dues on vessels of the United States entering the ports of Zanzibar and Pemba. Signed at Washington, June 5, 1903; ratification advised by the Senate, November 25, 1903; ratified by the President, December 8, 1903; ratified by Great Britain, June 30, 1903; ratifications exchanged at Washington, December 24, 1903; proclaimed, December 24, 1903.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas a Treaty between the United States of America, and Great Britain acting in the name of His Highness the Sultan of Zanzibar, providing for the imposition of light and harbor dues on vessels of the United States entering the ports of Zanzibar and Pemba, was concluded and signed by their respective Plenipotentiaries at Washington, on the fifth day of June, one thousand nine hundred and three, the original of which Treaty, being in the English language is word for word as follows:

Vol. 8, p. 458.

Whereas it is provided by Article III of the Treaty of Amity and Commerce concluded September 21st 1833, between the United States of America and His Highness the Sultan of Muscat, which treaty was accepted by His Highness the Sultan of Zanzibar after the separation of that state from the jurisdiction of Muscat, that vessels of the United States entering any ports of the Sultan's dominions shall pay no more than five per centum duties on the cargo landed; and this shall be in full consideration of all import and export duties, tonnage, license to trade, pilotage, anchorage, or any other charge whatever;

And whereas no provision is made in the above mentioned treaty nor in any subsequent agreement for the payment of light and harbor dues in the dominions of His Highness the Sultan:

Contracting parties.

And whereas the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, acting in the name of His Highness the Sultan of Zanzibar are desirous, in the interest of commerce, of so amending the said Article III of the said Treaty of Amity and Commerce of September 21st 1833, as to permit the imposition of light dues at the rate of one anna upon every registered ton, with an added harbor due of one anna upon every registered ton, on vessels of the United States entering the ports in the islands of Zanzibar and Pemba;

Now, therefore, the High Contracting Parties have to that end resolved to conclude a convention, and have for this purpose appointed their plenipotentiaries, to wit:

The President of the United States of America, John Hay, Secretary of State of the United States; and

Plenipotentiaries.

His Britannic Majesty, The Right Honorable Sir Michael H. Herbert, G.C.M.G., C.B., His Majesty's Ambassador Extraordinary and Plenipotentiary;

Who, having exhibited each to the other their respective full powers which were found to be in due and proper form, have agreed upon the following articles:

ARTICLE I.

It is understood and agreed between the High Contracting Parties that nothing contained in said Article III of the said Convention of September 21st 1833, shall be construed as preventing the imposition on and collection from vessels of the United States entering any port in the islands of Zanzibar and Pemba of a light due of one anna per registered ton and an added harbor due of one anna per registered ton, His Britannic Majesty, acting in the name of His Highness the Sultan of Zanzibar, engaging that the light and harbor dues so imposed and collected shall be applied to the construction and maintenance of lighthouses and buoys for the proper lighting of the coasts of the said islands.

Collection of light and harbor dues by Zanzibar.
Vol. 8, p. 458.

ARTICLE II.

It is further understood and agreed between the High Contracting Parties that the consent of the United States to the imposition and collection of the light and harbor dues aforesaid is given on the conditions:—

Conditions.

1. That really adequate lighthouses are provided and maintained; also that lights shall be placed upon the buoys when required by American vessels entering or leaving the harbor of Zanzibar at night.

Construction and maintenance of lighthouses, etc.

2. That accounts of the receipts and expenditure of the dues are carefully kept and published.

Accounts.

3. That provision be made for the reduction of the dues if they should hereafter become disproportionate to the expenditure.

Adjustment of dues.

4. That the consent of all the other Powers having treaties with Zanzibar be given to the imposition of the said light and harbor dues on their vessels, and that vessels of the United States be subject to no differential treatment.

Consent of other Powers.

ARTICLE III.

The present convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by his Britannic Majesty, and the ratifications shall be exchanged in the City of Washington as soon as practicable.

Ratification.

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

Done at the City of Washington, this fifth day of June, in the year one thousand nine hundred and three.

Signatures.

JOHN HAY [SEAL.]
MICHAEL H. HERBERT [SEAL.]

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the 24th day of December, one thousand nine hundred and three;

Exchange of ratifications.

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Treaty 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 testimony 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 twenty-fourth day of [SEAL.] December, in the year of our Lord one thousand nine hundred and three, and of the Independence of the United States the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

FRANCIS B. LOOMIS.

Acting Secretary of State.

*Convention for the exchange of money orders between the United States
and the Republic of Costa Rica.*

June 6, 1903.

June 26, 1903.

The Postal Administration of the Republic of Costa Rica, and the Post Office Department of the United States being desirous of establishing a system of exchange of Postal Money Orders between the two countries, the undersigned, Alfredo Esquivel Carazo, Postmaster General of the Republic of Costa Rica, and Henry C. Payne, Postmaster General of the United States of America, duly authorized for that purpose, have agreed upon the following Articles:

ARTICLE I.

There shall be a regular exchange of Money Orders between the two countries.

ARTICLE II.

The amounts of Orders in both directions shall be expressed in United States money; and on account of the fluctuations of the rate of exchange between the two countries, it is agreed that all amounts shall be converted into their proper equivalents by the Post Office Department of Costa Rica; that is to say, the sums received by the postal administration of Costa Rica for Orders drawn on the United States, shall be converted at the time of issue into United States money, at the current rate of exchange, and the amounts of Orders drawn in the United States on Costa Rica shall in like manner be rendered by the postal administration of Costa Rica into the currency of Costa Rica at the current rate of exchange on the day of the arrival of the list described in Article IX.

La Administración de Correos de Costa Rica y el Departamento de Correos de los Estados Unidos, deseosos de establecer un sistema de cambio de giros postales entre ambas Naciones, y hallandose debidamente autorizados para ello, los suscritos, Alfredo Esquivel Carazo, Director General de Correos de la República de Costa Rica, y Henry C. Payne, Postmaster General de los Estados Unidos de America, han acordado los articulos siguientes.

ARTICULO I.

Se establece un cambio regular de giros postales entre ambos paises.

ARTICULO II.

El monto de los giros expedidos en ambas direcciones, será especificado en moneda de los Estados Unidos y á consecuencia de la constante fluctuacion del cambio entre ambos paises, se conviene que todas las cantidades se conviertan á su equivalente en esta moneda por la seccion de Correos de Costa Rica, es decir, que las cantidades que reciba la Administracion de Correos de Costa Rica, por letras giradas á cargo de los Estados Unidos, se convertiran al realizarse estas á su equivalente en moneda de los Estados Unidos, al cambio que en la fecha rigiese, y las cantidades por las que se girase de los Estados Unidos á cargo de Costa Rica, al tipo de cambio que rija el dia del arribo de la fórmula á que se refiere el artículo IX.

Preamble.

Exchange of money orders.

To be expressed in United States money.

ARTICLE III.

Maximum amount. 1. The maximum of each Order is fixed at one hundred dollars (\$100).

Fractions. 2. No Money Order shall include a fractional part of a cent.

ARTICULO III.

1. El maximo de cada giro se fija en cien dollars (\$100).

2. Ningun giro contendrá fracciones de centavos.

ARTICLE IV.

Payment in legal money, etc. The amounts of Money Orders shall be deposited by the remitters and paid to the payees in gold coin, or in other legal money of the same current value. However, in case there should be in circulation in either country a paper currency of legal tender but of less value than gold, the Administration of that country shall have the right to receive and employ the same in its relations with the public taking into account the difference of value.

ARTICULO IV.

El valor de los giros postales será entregado por los remitentes y pagado á los destinatarios en moneda de oro ó en moneda legal y corriente. Sin embargo, si circulasen en ambos países papel moneda autorizado legalmente, pero de menor valor que la de oro, la Administracion de Correos de dicho país podra recibirla y emplearla en sus transacciones con el público, teniendo en cuenta la diferencia de su valor.

ARTICLE V.

Rates of fees. 1. The Post Department of Costa Rica shall have power to fix the rates of fees paid by the public on all Money Orders issued in Costa Rica, and the Post Office Department of the United States shall have the same power in regard to all Money Orders issued in the United States.

ARTICULO V.

1. La seccion de Correos de Costa Rica queda autorizada para fijar la comision que debe pagar el público sobre los giros postales hechos en Costa Rica, y el Departamento de Correos de los Estados Unidos, tendrá la misma atribucion para los giros postales que se hagan en los Estados Unidos.

Fees payable in advance. 2. Each country shall communicate from time to time to the other its tariff of charges (fees paid by the public), which shall be established under this convention, and these rates shall in all cases be payable in advance by the remitters, and shall not be repayable.

2. Cada una de las Naciones, dará conocimiento á la otra, de tiempo en tiempo, de la tarifa de derechos que cobra, derechos pagados por el público y que se establezca segun esta Convencion, y estos derechos deberán en todo caso ser pagados al contado por los remitentes, no siendo reembolsables dichos derechos.

Temporary suspension of money orders. 3. It is understood, moreover, that each country is authorized to suspend, temporarily, the exchange of Money Orders should circumstances give rise to abuses or cause detriment to the postal revenue.

3. Además se estipula que cualquiera de las dos Naciones podra suspender temporalmente los giros postales, si se cometiesen abusos ó tuviesen causas que redunden en perjuicio de los ingresos postales.

ARTICLE VI.

Fees to be retained. Each country shall keep the fees paid by the public charged on all Money Orders issued within its jurisdiction.

ARTICULO VI.

Corresponden a cada Nacion los derechos cobrados al público sobre todos los giros postales expedidos dentro de su jurisdiccion.

ARTICLE VII.

ARTÍCULO VII.

The service of the Postal Money Order System between the two countries shall be performed exclusively by the agency of offices of exchange. On the part of the United States the office of exchange shall be New York, N. Y., and on the part of Costa Rica, San Jose.

El servicio de giros postales entre las dos Naciones, sera desempeñado exclusivamente por intermedio de oficinas de cambio. De parte de los Estados Unidos la oficina de cambio será Nueva York, y por parte de Costa Rica, San José.

Offices of exchange.

ARTICLE VIII.

ARTÍCULO VIII.

No Money Order shall be issued unless the applicant furnish the name and address of the person to whom the amount is to be paid, and his own name and address; or the name of the firm or company who are the remitters or payees, together with the addresses of each.

No se librará ningun giro postal hasta que el interesado haya suministrado su nombre y direccion y el nombre y direccion de la persona á quien deba pagarse el monto del giro, ó el nombre y direccion de la casa comercial ó compañía que es el remitente ó el destinatario, dandose ademas, el nombre y direccion de ambos.

Name and address.

ARTICLE IX.

ARTÍCULO IX.

1. The particulars of all Money Orders drawn in the United States upon Costa Rica shall be entered at the Exchange Office New York, N. Y., in a list similar to the form marked "A" (in the Appendix) in which shall be shown the amount of each order in United States money, which list after having received the impression of the New York dating stamp, shall be forwarded to the Exchange Post Office of Costa Rica, where it shall be impressed with the date stamp of that office, and where the requisite arrangement for effecting payment of the orders shall be carried out.

1. El pormenor de todos los giros postales librados en los Estados Unidos á cargo de Costa Rica se anotará en la oficina de cambio de Nueva York, en una fórmula idéntica al anexo A (en el apéndice), en la cual se demostrará el valor de cada giro en moneda de los Estados Unidos, la que despues de haber recibido en Nueva York, la impresion del timbre fechador, se remitirá á la oficina de cambio de Costa Rica, donde tambien recibirá la impresion del timbre fechador de esa oficina, y donde se llevará á cabo la disposicion necesaria para efectuar el pago de los giros.

Lists.

Post, p. 2182.

2. In like manner the particulars of Money Orders drawn in Costa Rica upon the United States shall be entered at the Exchange Office at San Jose in a list similar to the form marked "B" (in the Appendix), in which shall be shown the amount of each in the money of both countries, which list after having received the impression of the dating stamp of that office, shall be forwarded to the Exchange Office at New York, N. Y., where it shall receive the impression of the dating stamp in use in that office, and where the necessary arrangements for effecting payment of the orders shall be carried out.

2. De igual manera, se anotará por la oficina de cambio de San José el pormenor de los giros hechos en Costa Rica á cargo de los Estados Unidos, en una fórmula idéntica á la que va marcada B (en el apéndice), en la que se especificará el importe de cada giro en la moneda de ambos paises, cuya fórmula despues de haber recibido la impresion del timbre fechador usado en esa oficina, se remitirá á la oficina de cambio de Nueva York, donde recibirá la impresion del timbre fechador usado en aquella oficina, y donde se llevará á efecto la disposicion necesaria para efectuar el pago de los giros.

Post, p. 2183.

To be numbered.

3. Each list as well as the entries in the lists dispatched, shall be numbered consecutively 1, 2, 3, 4, 5, etc., in the order of dispatch, commencing on July 1st of each calendar year, and the receipt of each list shall be acknowledged on either side, by means of the first subsequent list forwarded in the opposite direction.

Duplicates, etc.

4. Such a list shall be transmitted by each mail dispatched from Costa Rica to the port of New York and vice versa, and of each list dispatched a duplicate shall be sent by the following mail.

5. Should it happen that on the day when the list is to be dispatched, there are no orders to be certified for payment, the list must nevertheless be sent. But, in that event, the Exchange Office will write across the list the words: "No Money Orders."

6. Should any list, or the duplicate thereof, fail to be received in due course, the dispatching Exchange Office, on receiving information to that effect, shall transmit without delay a duplicate or triplicate of the list duly certified as such.

ARTICLE X.

Receipt of lists from
dispatching office, etc.

1. As soon as the list of the dispatching office shall have reached the receiving office of exchange, the latter shall reissue Money Orders in favor of the payees for the amounts specified in the list, and shall forward them, free of postage, to the addresses or to the offices of destination, in conformity with the regulations in each country for the payment of Money Orders.

2. When the lists shall show irregularities which the receiving office shall not be able to rectify, that office shall demand an explanation with as little delay as possible. Pending the receipt of the explanation the reissue of Money Orders of payment relating to the entries found to be erroneous in the list should be suspended.

3. One copy of each exchange list shall be returned by the receiving office of exchange to the dispatching office, but before re-

3. Cada fórmula, así como cada anotación en las fórmulas despachadas, deberán ser numeradas consecutivamente 1, 2, 3, 4, 5, etc., en el orden de despacho principiando el 1° de Julio de cada año, y se acusará recibo de las fórmulas por cada una de las partes, mediante la primera fórmula subsiguiente que se dirija á la otra oficina.

4. Esta fórmula se remitirá por cada correo que se despache de Costa Rica al Puerto de Nueva York, y vice versa, y de cada fórmula despachada se remitirá un duplicado por el siguiente correo.

5. Si sucediese que en el día en que debe despacharse la fórmula, no hubiese que anunciar giro alguno, esta se despachará de todos modos. En tal caso la oficina de cambio anotará al traves de la fórmula: "ningun giro."

6. Si alguna de las fórmulas, ó sus duplicados dejasen de llegar en su debido tiempo á su destino, la oficina de cambio remitora enviará un duplicado ó triplicado, debidamente legalizado, tan luego como se reciba aviso del extravío.

ARTÍCULO X.

1. Tan pronto como lleguen las fórmulas de la oficina expedidora á la receptora, esta reexpedirá giros postales á favor de las personas á quienes debe hacerse el pago por las cantidades especificadas en la fórmula, y los enviará al destinatario ó á las oficinas de recepción, libres de porte, en conformidad con las disposiciones de cada país para el pago de los giros postales.

2. Si las fórmulas contuviesen irregularidades, que la oficina receptora no pudiese rectificar, pedirá á la brevedad posible una aclaración. Mientras llegue esta aclaración quedará en suspenso la remisión de los giros postales correspondientes á las anotaciones erroneas encontradas en la fórmula.

3. La oficina de cambio receptora devolverá á la expedidora una copia de cada fórmula de cambio recibida, pero antes de devolver dicha copia anotará en ella los

turning such copy, the receiving exchange office shall enter therein the names of the respective offices of payment of the orders enumerated in the list, and, in the lists from the United States, returned by the Exchange Office at San Jose, the latter office shall also enter the amount of each order in the money of Costa Rica, according to the conversion made by it.

nombres de las distintas oficinas donde se hubiere hecho el pago de los giros contenidos en la fórmula de origen, y en las fórmulas de los Estados Unidos que fuesen devueltas por la oficina de cambio de San José se anotará tambien el valor de cada giro en moneda de Costa Rica, segun el cambio al que los hubiere convertido.

ARTICLE XI.

ARTÍCULO XI.

1. The Orders issued by each country on the other shall be subject as regards payment to the regulations which govern the payment of Domestic Money Orders in the country on which they are drawn.

1. Los giros postales librados por cada Nación á cargo de la otra quedaran sujetos, en cuanto á su pago, á las disposiciones que gobiernan el pago de giros postales, en el país á cuyo cargo han sido librados.

Orders subject to regulations governing domestic orders.

2. The paid orders shall remain in the possession of the country of payment.

2. Los giros pagados quedarán en poder del país en que se hizo la cancelacion.

ARTICLE XII.

ARTÍCULO XII.

When it is desired that any error in the name of the remitter or payee shall be corrected, or that the amount of a Money Order shall be repaid to the remitter, application must be made by the remitter to the postal administration by which the order was issued.

Cuando se desee corregir algun error en el nombre del remitente ó destinatario, ó que el valor del giro postal deba ser devuelto al remitente, este deberá solicitarlo de la Administracion de Correos donde se hizo el giro.

Errors.

ARTICLE XIII.

ARTÍCULO XIII.

Duplicate orders shall only be issued by the postal administration of the country in which the original Orders were payable, and in conformity with the regulations established or to be established in that country.

Solo se podrán emitir duplicados de giros postales por la Administracion de Correos del país donde los originales debian pagarse, y en conformidad con las disposiciones establecidas ó por establecer en dicho país.

Duplicates.

ARTICLE XIV.

ARTÍCULO XIV.

1. Repayment of Orders to remitters shall not be made until an authorization for such repayment shall first have been obtained by the country of issue from the country where such Orders are payable, and the amounts of the repaid Orders shall be duly credited to the former country in the quarterly account. (Article XVI.)

1. El reembolso de los giros postales á los remitentes, no se efectuará mientras no reciba la autorizacion para dicho reembolso, el país remitior, del país donde deben pagarse dichos giros, y las sumas de los giros reembolsados, serán debidamente abonadas al primero de dichos países en la cuenta trimestral. (Artículo XVI.)

Repayment.

2. It is the province of each Postal Administration to determine the manner in which repayment to remitters is to be made.

2. Es de atribucion de cada una de las Administraciones, indicar la manera como debe efectuarse el reembolso á los remitentes.

Post, p. 2180.

ARTICLE XV.

Orders not paid
within twelve months
void.

1. Orders which shall not have been paid within twelve calendar months from the month of issue shall become void, and the sums received shall accrue to and be at the disposal of the country of origin.

2. The Postal Administration of Costa Rica shall, therefore, enter to the credit of the United States in the quarterly account all Money Orders entered in the lists received from the United States which remain unpaid at the end of the period specified. (Article XVI.)

3. On the other hand, the Post Office Department of the United States shall, at the close of each month, transmit to the Postal Administration of Costa Rica for entry in the quarterly account, a detailed statement of all Orders included in the lists dispatched from the latter office which under this article become void.

ARTICLE XVI.

Quarterly accounts.

1. At the close of each quarter an account shall be prepared by the Postal Administration of Costa Rica, showing in detail the totals of the lists containing the particulars of Orders issued in either country during the quarter, and the balance resulting from such transactions.

2. Two copies of this account shall be transmitted to the Post Office Department of the United States at Washington, and the balance which must always be stated in United States money, after proper verification, shall, if due by the Post Office Department of the United States, be paid at San Jose, but if due by the Postal Administration of Costa Rica, it shall be paid in New York, and in the money of the country to which the payment is made.

Payments.

3. Payments may also be made in money or by drafts, or by bills of exchange on points other than

ARTÍCULO XV.

Los Giros postales que no se hubiesen pagado en el término de doce meses desde la fecha de su emision, se considerarán nulos y las cantidades recibidas quedarán en beneficio y á disposicion del pais de origen.

2. La Administracion de Correos de Costa Rica por lo consiguiente, abonará á la de Estados Unidos, en su cuenta trimestral, los giros postales que hubiese recibido, conforme á las fórmulas enviadas de los Estados Unidos, y que hubieren quedado sin pagarse á la terminacion del plazo mencionado. (Artículo XVI.)

3. Por otra parte, el Departamento de Correos de los Estados Unidos, deberá así mismo remitir á la Administracion de Correos de Costa Rica, al fin de cada mes, para su anotacion en las cuentas trimestrales, un cuadro detallado de todos los giros postales incluidos en la fórmula despachada por la Administracion de Correos de Costa Rica que hubiesen quedado nulos en conformidad con el presente artículo.

ARTÍCULO XVI.

1. Al fin de cada trimestre, se formará por la Administracion de Correos de Costa Rica una cuenta detallada de los totales de las fórmulas con los pormenores de los giros hechos en ambos paises durante el trimestre, y demostrando el saldo que resultare de esta operacion.

2. Dos copias de esta cuenta se remitirán á la Administracion principal de Correos de los Estados Unidos en Washington; el saldo que resultare, será especificado siempre en moneda de los Estados Unidos y despues de verificada la comprobacion, si fuese en contra del Departamento de Correos de los Estados Unidos, será pagado en San José; mas si fuese en contra de la Administracion de Correos de Costa Rica, será pagado en Nueva York, y en moneda corriente del pais al que se hace el pago.

3. Pueden tambien hacerse estos pagos en dinero, ó por medio de letras sobre otros que no sean San

San Jose or New York, by mutual agreement between the two Departments.

José ó Nueva York, por mutuo acuerdo entre ambas Administraciones.

ARTICLE XVII.

ARTÍCULO XVII.

1. If, pending the settlement of an account, one of the two postal administrations shall ascertain that it owes the other a balance exceeding one thousand dollars (\$1,000), the indebted administration shall promptly remit the approximate amount of such balance to the credit of the other, but nothing herein contained shall prevent such administration from remitting a lesser amount than one thousand dollars (\$1,000) at discretion. This account and the letters which accompany such intermediate remittances shall be in accordance with the forms ("C") ("D") ("E") ("F") annexed to this Convention.

1. Si mientras se verifique el ajuste de una cuenta, llegase una de las Administraciones á establecer, que deba á la otra una suma mayor de mil dollars (\$1,000), la oficina deudora remitirá á la brevedad posible, á la Oficina acreedora, la cantidad aproximada de dicho saldo, no habiendo ninguna estipulacion, en el presente convenio que impida á la Administracion deudora, remitir una suma menor de mil dollars (\$1,000) si así lo tuviere por conveniente. Esta cuenta así como las cartas que acompañen estas remesas intermedias, iran en conformidad con modelos C, D, E, F, (Anexos á esta Convencion).

Remittance of bal-
ancec.

2. If payment by the debtor administration be not made within a period of three months from the time such balance accrues, the creditor administration shall have the right to demand and receive interest thereon at the rate of five per centum per annum.

2. Si la Administracion deudora no verificase el pago del saldo hasta los tres meses de la fecha en que se conozca dicho saldo, la Administracion acreedora tendrá el derecho de exigir y recibir el interes correspondiente á ello, á razon de cinco por ciento por año.

Post, pp. 2183, 2184.

ARTICLE XVIII.

ARTÍCULO XVIII.

1. The postal administration in each country shall be authorized to adopt any additional rules (if not repugnant to the foregoing) for greater security against fraud, or for the better working of the system generally.

1. Las Administraciones de Correos de ambos paises, quedan autorizadas para adoptar cualquiera medida adicional (que no fuese incompatible con lo que precede), para mayor seguridad contra el fraude, ó para el mejor servicio del sistema en general.

Additional rules.

2. All such additional rules, however, must be promptly communicated to the Post Office Department of the other country.

2. Todas estas medidas adicionales deberán, sin embargo, ser comunicadas oportunamente al Departamento de Correos de la otra Nacion.

ARTICLE XIX.

ARTÍCULO XIX.

Each administration is authorized in extraordinary circumstances that would justify the measure, to suspend temporarily the Money Order service in whole or in part, upon condition of giving notice of such suspension immediately to the other country, and if deemed necessary, by means of the telegraph.

Ambas Administraciones quedan autorizadas, en casos extraordinarios que justifiquen tal medida, á suspender temporalmente el servicio de giros, ya sea su totalidad ó en parte, con la condicion de dar aviso inmediato de tal suspension, y si lo creyere necesario avisará por medio del telégrafo.

Temporary suspen-
sion of service.

ARTICLE XX.

ARTÍCULO XX.

Duration of convention.

This present Convention shall take effect after its approval by the Supreme Congress of Costa Rica, and shall continue in force until twelve months after either of the contracting parties shall have notified to the other its intention to terminate it.

La presente Convencion se pondrá en vigencia despues su ratificacion por el Congreso Constitucional de Costa Rica, y continuará rigiendo hasta los doce meses despues que cualquiera de las dos partes contratantes haya notificado a la otra su intencion de terminarla.

Ratification.

The ratification of the present convention shall be exchanged at San Jose as soon as possible.

Las ratificaciones de la presente Convencion, se canjearan en la ciudad de San José á la brevedad posible.

In witness whereof the respective plenipotentiaries have signed the above articles both in the English and Spanish languages and have hereunto affixed their seals.

En fé de lo cual los respectivos Plenipotenciarios, firman los anteriores articulos en los idiomas Español é Inglés y fijan sus respectivos sellos.

Signatures.

Done in duplicate at the city of San Jose, Costa Rica, this 26th day of June 1903, and at the city of Washington, U. S. A. this 6th day of June 1903.

Hecho por duplicado en la Ciudad de San José á los veintiseis dias del mes de junio de mil novecientos tres años, y en Washington a los seis dias del mes de junio de mil novecientos tres.

H. C. PAYNE,
Postmaster General of
the United States.

ALF. ESQUIVEL,
Director General de Correos
de la Republica de Costa Rica.

Form A.

A.

MONEY ORDER OFFICE,
New York, N. Y.19....

SIR: I have received your list No.relative to Money Orders issued in the Republic of Costa Rica, and payable in the United States of America.

In return, I transmit to you a detailed account of the amounts received for Orders issued in the United States of America and payable in Costa Rica, the particulars of which have reached this Office since the dispatch of my previous List No.

Awaiting an acknowledgment of the present List,
I have the honor to be, Sir, Your obedient servant,

.....
Postmaster.

To.....
Exchange Post Office, San Jose.

A.

OFICINA GENERAL DE CORREOS, DIVISION DE GIROS,
San José.....19....

SEÑOR: He examinado esta Lista de Giros del No.al No.inclusive, por sumas recibidas en los Estados Unidos para ser pagados en la República de Costa Rica, ascendiendo el total á \$.....

La Lista dicha fue encontrada correcta con las siguientes excepciones

.....
Soy de Ud. muy atento servidor,

.....
Al ADMINISTRADOR DE CORREOS, OFICINA DE CAMBIO DE GIROS,
Nueva York, N. Y.

A.

Office
Stamp.

List No.

List of Money Orders issued in the United States of America and payable in the Republic of Costa Rica.

For use of the San Jose Office.

For use of the New York Office.								For use of the San Jose Office.						
Current international number of order.	Number of original Money order.	Date of original Money order.	Post Office issuing original money order.	Full name and address of Remitter of the order.	Full name of Payee.	Full address of Payee.		Amount received in United States money.		Rate of conversion.	Amount payable in Costa Rica money.		Post Office at which payment is to be made.	Remarks.
						Post Office.	Province.				Colones.	cts.		

B.

Form B.

Sello de la Oficina.

List No.

Lista de giros librados en la República de Costa Rica, y pagaderos en los Estados Unidos de America.

Para uso de la Oficina de Nueva York.

POST OFFICE, NEW YORK, N. Y.

MONEY ORDER EXCHANGE OFFICE,

.....19.....

SIR: I have examined this List of Money Orders from No. to No. inclusive, for sums received in the Republic of Costa Rica, for payment in the United States, amounting in the aggregate to \$.....

The said List was found to be correct with the following exceptions:

I have the honor to be, Sir, Your obedient servant,

Postmaster.

To.....

Exchange Post Office, San Jose.

B.

OFICINA GENERAL DE CORREOS, DIVISION DE GIROS,

San José.....19.....

SEÑOR: He recibido su Lista No.conteniendo los giros librados en los Estados Unidos de America y pagaderos en la República de Costa Rica.

A mi vez remito á Ud. una cuenta especificada del monto recibido por giros librados en Costa Rica y pagaderos en los Estados Unidos, cuyos detalles han llegado á esta Oficina despues del envio de mi Lista anterior No.

Espero recibo de la presente Lista, soy de Ud. atento servidor,

Al ADMINISTRADOR DE CORREOS, OFICINA DE CAMBIO DE GIROS,

Nueva York, N. Y.

Para uso de la Oficina de San José.										Para uso de la Oficina de Nueva York.				
Número internacional del giro.	Número original del giro.	Fecha.	Oficina libradora.	Nombre del remitente.	Direccion del remitente.	Nombre entero del beneficiario.	Direccion entera del beneficiario y endo oficina estado y sics posible el distrito.	Importe en moneda de Costa Rica.		Importe en moneda de los Estados Unidos.		Número del giro interno librado por la oficina de Nueva York.	Oficina sobre la qual se gira finalmente.	Observaciones.
								Col.	cs.	¢	c			

C

Detailed statement of lists.

Money orders issued in Costa Rica.				Money orders issued in United States.			
Number of List.	Date of List.	Amount.		Number of List.	Date of List.	Amount.	
		Dollars.	Cents.			Dollars.	Cents.
1				1			
2				2			
3				3			

Form C.

C

..... trimestre de 19.....

Estado detallado de listas.

Giros librados en Costa Rica.				Giros librados en los Estados Unidos.			
Número de la Lista.	Fecha de la Lista.	Importe.		Número de la Lista.	Fecha de la Lista.	Importe.	
		Dollars.	Cents.			Dollars.	Cents.
1				1			
2				2			
3				3			

Form D.

D.

POST OFFICE DEPARTMENT
OFFICE OF FIRST ASSISTANT POSTMASTER GENERAL,
MONEY ORDER DIVISION.

Washington, D. C. 19....

SIR: This Department has the honor to transmit herewith a Bill of Exchange No. for drawn 19...., by of New York, N. Y., to the order of the Postmaster General, and by his indorsement made payable to your order by at

Be pleased to cause the receipt of the said Bill of Exchange to be duly acknowledged, its payment to be reported and the proceeds to be placed to the credit of this Department on account of the exchange of Money Orders between our respective countries during the quarter end 19....

I have the honor to be, Sir, Your obedient servant

.....
First Assistant Postmaster General.

Form E.

E.

SAN JOSE de 19....

SEÑOR DIRECTOR GENERAL DE CORREOS,
Washington, E. U. de America.

MUY SEÑOR MIO: Este Departamento tiene la honra de remitir adjunto al presente, un endoso de libranza No. por el valor de girado el de 19...., por á cargo de en

He de merecer a Ud. se sirva acusar recibo, y acreditar esa cantidad en nuestra cuenta de giros postales por el trimestre de 19....

Reitero á Ud. las seguridades de mi muy distinguida consideracion.

.....
Director General de Correos.

Form F.

F.

..... Quarter of 19....

General statement of the result of the exchange of Money Orders between Costa Rica and the United States.

To credit of Costa Rica.			To credit of United States.		
	\$	c		\$	c
Orders issued in the United States and payable in Costa Rica as per detailed statement (C)			Orders issued in Costa Rica and payable in the United States as per detailed statement (C)		
Repaid orders			Repaid orders		
Void orders			Void orders		
Paid on account by the Post Office Department of Costa Rica			Paid on account by the Post Office Department of the United States		
..... 19.....			..... 19.....		
..... 19.....			..... 19.....		
..... 19.....			..... 19.....		
..... 19.....			..... 19.....		
Total credit of Costa Rica			Total credit of the United States		
Balance due Costa Rica			Balance due United States		

The foregoing account is accepted with a balance of dollars and cents in favor of the Postoffice Department of

San José 19....

Examined and accepted:

.....
Auditor of the Post Office Department of the United States.

Washington, D. C. 19....

MONEY-ORDER CONVENTION—COSTA RICA.

JUNE 6, 1903.
JUNE 26, 1903.

2185

F

Form F.

..... trimestre de 19....

Estado general que manifiesta el resultado del cambio de giros postales entre Costa Rica y los Estados Unidos.

A favor de Costa Rica.			A favor de los Estados Unidos.		
	Colones	Cs		Colones	Cs
Giros expedidos en los Estados Unidos y pagaderos en Costa Rica segun el Estado detallado..			Giros expedidos en Costa Rica y pagaderos en los Estados Unidos segun el Estado detallado ..		
Giros cuyo importe se ha reintegrado			Giros cuyo importe se ha reintegrado		
Giros caducos			Giros caducos		
Pagado en cuenta por la Administracion General de Correos de Costa Rica			Pagado en cuenta por el Departamento de Correos de los Estados Unidos		
..... 19.....			..... 19.....		
..... 19.....			..... 19.....		
..... 19.....			..... 19.....		
..... 19.....			..... 19.....		
Crédito total de Costa Rica			Crédito total de los Estados Unidos		
Saldo de los Estados Unidos.....			Saldo á favor de Costa Rica		

Se declara aceptada la cuenta anterior, reconociendose el saldo de.....dollars y..... cents a favor del Correo.....

Costa Rica.....19.....

Examinado y aceptado:

Auditor por el Departamento de Correos de los Estados Unidos.

Washington, D. C.....19.....

G

Form G.

List of Money Orders payable in the United States which have become void.

For the.....of 19....

Number of original order.	International number of order.	Number of List.	Date of List.	Issuing Office.	Paying Office.	Amount.	Remarks.

G.

Lista de Giros Postales pagaderos en Costa Rica y caducos.

Por el.....de 19....

Número del giro original.	Número internacional del giro.	Número de la Lista.	Fecha de la Lista.	Oficina libradora.	Oficina pagadora.	Importe.	Observaciones.

June 16, 1903.

Postal convention between the United States of America and the Republic of Cuba.

Preamble.

For the purpose of making better postal arrangements between the United States of America and Cuba, the United States by Henry C. Payne, Postmaster-General of the same, thereto duly authorized by law, and Gonzalo de Quesada, Envoy Extraordinary and Minister Plenipotentiary of Cuba at Washington, duly authorized by the President of the Republic of Cuba have agreed upon the following Articles:

Con objeto de mejorar los arreglos postales entre Cuba y los Estados Unidos de América, Cuba, por medio de Gonzalo de Quesada, su Enviado Extraordinario y Ministro Plenipotenciario en Washington, debidamente autorizado por el Presidente de la República de Cuba, y los Estados Unidos, por Henry C. Payne, Administrador General de Correos de los mismos, debidamente autorizado por ley, han convenido en los siguientes Artículos:

ARTICLE I.

ARTÍCULO I.

Articles admitted to the mails.
Post, p. 2192.

(a) Articles of every kind or nature, which are admitted to the domestic mails of either country, except as herein prohibited, shall be admitted to the mails exchanged under this Convention; subject however to such regulations as the Postal Administration of the country of destination may deem necessary to protect its customs revenues.

(a) Los objetos de toda clase ó naturaleza que se admitan en las balijas domésticas de cada país, con excepción de los que aquí se prohíben, se admitirán en las balijas que se cambien conforme á esta Convención; sujetos, sin embargo á los reglamentos que considere necesarios, para proteger sus rentas aduanales, la Administración postal del país de su destino.

Articles not to be closed against inspection.

But articles other than letters in their usual and ordinary form, must never be closed against inspection, but must be so wrapped or enclosed that they may be readily and thoroughly examined by Postmasters or Customs Officers.

Pero los artículos que no sean cartas en su forma usual y ordinaria, nunca se cerrarán á la inspección, sino que se cubrirán ó envolverán de modo que puedan ser fácil y completamente examinados por los Administradores de Correos ó empleados de Aduanas.

Exceptions.

Except that there may be admitted to the mails exchanged between the United States and Cuba unsealed packages which contain, in sealed receptacles, articles which cannot be safely transmitted in unsealed receptacles; provided the contents of the closed receptacles are plainly visible or are precisely stated on the covers of the closed

Excepto que podrán admitirse en las balijas que se cambien entre Cuba y los Estados Unidos los paquetes no sellados que contengan en receptáculos sellados, artículos que no puedan remitirse con seguridad en receptáculos no sellados; siempre que el contenido de dichos receptáculos cerrados esté plenamente visible ó se de-

receptacles, and that the package is so wrapped that the outer cover can be easily opened.

The following articles are prohibited admission to the mails exchanged under this Convention:

Publications which violate the copyright laws of the country of destination; packets, except single volumes of printed books, the weight of which exceeds two kilograms; liquids, poisons, explosive or inflammable substances, fatty substances, those which easily liquefy, live or dead animals (not dried), insects and reptiles, fruits and vegetables which will easily decompose and substances which exhale a bad odor, lottery tickets or circulars, all obscene and immoral articles, other articles which may destroy or in any way damage the mails or injure the persons handling them.

(b) All admissible matter mailed in one country for the other, or received in one country from the other, shall be free from any detention or inspection whatever, except such as is required by the regulations of the country of destination for the collection of its customs duties; and shall in the first case be forwarded by the most speedy means to its destination, and in the latter be delivered to the respective persons to whom it is addressed, being subject in its transmission to the laws and regulations of each country respectively.

(c) The classification of, and the rates of postage and the registration fee to be levied and collected upon mail-matter originating in either country and addressed to the other, shall be in accordance with the domestic laws and regulations of the country of origin; provided that the rates of postage and registration fees so levied shall not exceed in either country the minimum rates of postage and registration fee prescribed for articles of a like nature, by the Articles of the Universal Postal Convention which is in force.

clare con precisión en las cubiertas de los receptáculos cerrados, y que el paquete esté hecho de tal manera que la cubierta exterior pueda abrirse con facilidad.

Se prohíbe la admisión en las balijas que se cambien, conforme á esta Convención, de los objetos siguientes:

Las publicaciones que violen las leyes sobre propiedad literaria del país de su destino; paquetes de todas clases, exceptuando un solo libro impreso, cuyo peso exceda de dos kilogramos; los líquidos, venenos, materias explosivas o inflamables, las grasosas, las fácilmente liquidables, animales vivos, los muertos no disecados, insectos y reptiles, frutas, vegetales que puedan descomponerse fácilmente, y sustancias que exhalen un mal olor, billetes ó circulares de loterías, todo objeto obsceno ó immoral y todos los demás objetos que puedan destruir ó de alguna manera perjudicar á las balijas ó dañar á las personas que las manejan.

(b) Todos los objetos admitidos en las balijas en un país y dirigidos al ótro, ó recibidos en un país del ótro, serán libres de detención ó inspección de cualquiera clase, exceptuando lo establecido por los reglamentos del país de su destino para cobrar los derechos de importación, y, en el primer caso, serán enviados por la vía más rápida y, en el segundo, serán entregados á las personas á quienes vayan dirigidos, quedando sujetos en su trasmisión á las leyes y reglamentos de cada país respectivamente.

(c) La clasificación, el porte y el derecho de certificación que se cobren y recauden sobre objetos transmitidos en las balijas que se originen en un país y sean dirigidos al ótro, serán los establecidos por las leyes y reglamentos domésticos del país de su origen, siempre que el porte y derecho de certificación que se cobren no excedan en ninguno de los dos países del minimum del porte y derecho de certificación prescritos para objetos de la misma naturaleza por los Artículos de la Convención Postal Universal que esté en vigor.

Articles prohibited.

Freedom from inspection.
Post, p. 2193.

Classification and rates of postage, etc.

ARTICLE II.

ARTÍCULO II.

Fees to be retained.

(a) Each Administration shall retain to its own use the whole of the postages and registration fees it collects on postal articles exchanged with the other, including deficient postage. Consequently, there will be no postage accounts between the two countries.

(a) Cada administración de Correos conservará, para su propio uso, el total del porte y derechos de certificación que recaude sobre objetos postales cambiados con el otro país, incluyendo el porte insuficientemente pagado. En consecuencia, no se llevarán cuentas de porte de correos entre los dos países.

Prepayment of postage.

(b) Articles other than letters and postal cards must be prepaid at least in part. Letters and postal cards will be forwarded to the country they are addressed to, even if they absolutely lack postage.

(b) El porte de los artículos que no sean cartas y targetas postales debe ser franqueado al menos parcialmente; las cartas y las targetas postales serán remitidas al país de su destino aunque carezcan en absoluto de franqueo.

Stamps.

Payment of postage and registration fees shall be certified by affixing the appropriate stamps of the country of origin.

El pago del porte y del derecho de certificación se acreditarán fijando las correspondientes estampillas de correo del país de su origen.

Insufficient postage.

(c) Each insufficiently prepaid letter shall have stamped on its cover the capital letter T, and shall have indicated plainly thereon, in figures, on the upper left hand corner of the address, by the postal officials of the country of origin, the amount of the deficient postage, and only the amount so indicated shall be collected of addressees on delivery, except in cases of obvious error.

(c) Cada carta cuyo porte no este pagado por completo llevará en su cubierta un sello con una letra T, mayúscula, y llevará indicado, en números claros, en la esquina izquierda superior de su dirección, por los empleados de correos del país de su origen, la cantidad de porte no pagada, y solamente esta cantidad será cobrada á la persona á quien se dirija al entregársele, exceptuando los casos en que haya error manifiesto.

ARTICLE III.

ARTÍCULO III.

Fully prepaid correspondence, etc.

No postage charges shall be levied in either country on fully prepaid correspondence originating in the other, nor shall any charge be made in the country of destination upon official correspondence which under the postal regulations of the country of origin is entitled to freedom from postage; but the country of destination will receive, forward and deliver the same free of charge.

En ninguno de los dos países se cobrará porte á la correspondencia debidamente franqueada en el otro ni se cobrará nada en el país de su destino á la correspondencia oficial que conforme á los reglamentos del país de su procedencia debe transmitirse libre de porte; sino que el país del destino recibirá, enviará y entregará la misma, libre de recargo.

ARTICLE IV.

ARTÍCULO IV.

Evasion of payment.

In case any correspondence is tendered for mailing in either country, obviously with the intention to evade the higher postage rates applicable to it in the

En caso de que se presente al correo de cualquiera de los dos países, alguna correspondencia, con la intención óbvía de evadir la tarifa más alta que le corresponde

other country, it shall be refused, unless payment be made of such higher rates.

en el otro país, ne se admitirá sino en el caso de que se pague el porte de la tarifa más alta.

ARTICLE V.

ARTÍCULO V.

(a) Exchanges of mails under this Convention, shall be effected through the post-offices of both countries already designated as exchange post-offices, or through such offices as may be hereafter agreed upon, under such regulations relative to the details of the exchanges as may be mutually determined to be essential to the security and expedition of the mails and the protection of the customs revenues.

(a) El cange de correspondencia, conforme á esta convención, se efectuará por las oficinas de correo de ambos países ya designadas como oficinas de cange, ó por mé-
 dio de aquellas otras que puedan convenirse en lo sucesivo, conforme á los reglamentos sobre detalles de los cambios que se expidieren mutuamente, y que se consideren esenciales para la seguridad y prontitud de los correos y para la protección de las rentas aduanales.

Exchange offices.

(b) Each country shall provide for and bear the expense of the conveyance of its mails to the other.

(b) Cada país sufragará los gastos de transporte de sus balijas dirigidas al ótro.

Expense of transportation.

ARTICLE VI.

ARTÍCULO VI.

The United States of America and Cuba each grants to the other, free of any charges, detention or examination whatsoever, the transit across its territory, of the *closed* mails made up by any authorized exchange office of either country, addressed to any other exchange office of the same country or to any exchange office of the other country.

Cuba y los Estados Unidos de América se conceden el úno al ótro, libre de todo gasto, detención ó exámen de cualquier género el tránsito á través de su territorio de balijas cerradas, preparadas por cualquiera oficina de cange autorizada de uno ú otro país y dirigidas á otra oficina de cange autorizada del mismo país ó á otra oficina igualmente autorizada para el cange del otro país.

Transit of closed mails.

ARTICLE VII.

ARTÍCULO VII.

(a) Any packet of mailable correspondence may be registered upon payment of the rate of postage and the registration fee applicable thereto in the country of origin.

(a) Todo paquete de correspondencia que sea transmitido por el correo podrá certificarse pagando su porte y el derecho de certificación correspondiente en el país de su origen.

Registry.

(b) An acknowledgment of the delivery of a registered article shall be returned to the sender when requested; but either country may require of the sender prepayment of a fee therefor not exceeding five cents.

(b) Un recibo de la entrega de un artículo certificado será devuelto al remitente, cuando así se solicite; pero cada país podra exijír del remitente el previo pago de un derecho que no exceda de cinco centavos.

Return of receipts.

ARTICLE VIII.

ARTÍCULO VIII.

(a) Exchanges of ordinary international correspondence may be effected without the use of letter-

(a) El cange de la correspondencia internacional ordinaria puede efectuarse sin el uso de hojas de

Descriptive list.

bills; but registered correspondence must be accompanied by a descriptive list thereof, by means of which the registered articles may be identified for the purpose of acknowledgment by the receiving offices.

Nonreceipt of parcels.

(b) If a registered article advised shall not be found in the mails by the receiving office, its absence shall be immediately reported by the receiving to the sending office.

ARTICLE IX.

Registered exchanges, etc.

Ordinary and registered exchanges, unless the latter be made in through registered pouches, shall be effected in properly sealed sacks.

ARTICLE X.

Return of nondelivered articles.

(a) All registered articles, ordinary letters, postal cards, and other manuscript matter, business or commercial papers, books (bound or stitched), proofs of printing, engravings, photographs, drawings, maps, and other articles manifestly of value to the sender, which are not delivered from any cause, shall be reciprocally returned without charge, through the central administrations of the two countries in special packets or sacks marked "Rebuts", after the expiration of the period for their retention required by the laws or regulations of the country of destination; the returned registered articles to be accompanied by a descriptive list and the special packets or sacks used for returning registered articles to be forwarded under registration when registered articles are returned in them.

Return of prepaid letters.

(b) Fully prepaid letters which bear requests by the senders for their return in case of non-delivery by a certain date, or within a specified time, shall be reciprocally returned, without charge, directly to the despatching exchange office, at the expiration of the period for their retention indicated in the requests.

aviso; pero la correspondencia certificada deberá ir acompañada de una lista descriptiva de ella, por medio de la cual los objetos certificados puedan identificarse, con el fin de que las oficinas receptoras acusen recibo de los mismos.

(b) Si alguna oficina receptora no encontrare en las balijas algún objeto certificado comprendido en la lista, notificará su falta inmediatamente á la oficina remitente.

ARTÍCULO IX.

El cange de correspondencia ordinaria y certificada, excepto en el caso de que el último se haga directamente en balijas certificadas, se efectuará en sacos debidamente sellados.

ARTÍCULO X.

(a) Todos los objetos certificados, cartas ordinarias, targetas postales, y otros manuscritos, documentos comerciales ó de negocio, libros (empastados encuadernados ó cosidos), pruebas de imprenta, grabados, fotografías, dibujos, mapas y otros objetos de manifiesto valor para el remitente, que no se entreguen por cualquiera causa, serán reciprocamente devueltos sin estipendio alguno, por conducto de las Administraciones centrales de los dos países en paquetes ó sacos especiales marcados "Rebuts", después de que expire el término de su retención exigido por las leyes ó reglamentos del país de su destino. Los objetos certificados que se devuelvan irán acompañados de una lista descriptiva de los mismos, y los paquetes ó sacos especiales que se usen para la devolución de los objetos certificados, se devolverán bajo registro cuando contengan algunos de los objetos rezagados que hayan sido certificados.

(b) Las cartas totalmente franqueadas con el ruego por parte de los que las envían de que se devuelvan en caso de que no se entreguen dentro de cierta fecha ó dentro de un periodo de tiempo especificado, serán reciprocamente devueltas sin recargo alguno directamente á la oficina de cange remitente, al expirar el plazo de su retención indicado en el ruego.

(c) Fully prepaid letters bearing on the covers the business cards, the names and addresses of the senders, or designation of places to which they may be returned, as post-office box, street and number &c, without requests for their return in case of non-delivery within a specified time, shall be reciprocally returned without charge directly to the despatching exchange office at the expiration of thirty days from the date of their receipt at the office of destination.

(c) Las cartas totalmente franqueadas que lleven en sus cubiertas las razones sociales, ó los nombres ó direcciones de los remitentes, ó la designación de lugares adonde puedan devolverse, como apartado del correo, calle y número &c. sin ruego de que se devuelvan, en caso de que no se entreguen dentro de un periodo de tiempo determinado, serán recíprocamente devueltas sin estipendio alguno, directamente á la oficina de cange remitente, al expirar el término de treinta dias contados desde la fecha de su recibo, en las oficinas de su destino.

Prepaid letters bearing return addresses on covers.

ARTICLE XI.

ARTÍCULO XI.

All matters connected with the exchange of mails between the two countries, which are not herein provided for shall be governed by the provisions of the Universal Postal Convention and regulations now in force, or which may hereafter be enacted, for the governance of such matters in the exchanges of mails between countries of the Universal Postal Union generally, so far as the articles of such Universal Postal Convention shall be obligatory upon both of the contending parties.

Todos los asuntos que se relacionen con el cambio de balijas entre los dos países, que no estén determinados en esta Convención, se regirán por las estipulaciones de la Convención Postal Universal y los reglamentos que están ahora vigentes, ó que más adelante se acuerden para el régimen de los cambios de balijas entre los países que pertenezcan á la Union Postal Universal en general, en cuanto los artículos de la expresada Convención de la Unión Postal Universal sean obligatorios para ambas partes contratantes.

Provisions of the Universal Postal Convention to govern.

ARTICLE XII.

ARTÍCULO XII.

The Postmaster-General of the United States of America and the Postmaster-General of Cuba shall have authority to jointly make such further regulations of order and detail as may be found necessary to carry out the present Convention from time to time; and may by agreement prescribe conditions for the admission to the mails of any of the articles prohibited by Article I.

El Administrador General de Correos de Cuba, y el Administrador General de Correos de los Estados Unidos de América tendrán facultad de expedir unidos, de tiempo en tiempo, los reglamentos ulteriores de orden y detalle que fueren necesarios para cumplir la presente Convención, y podrán por mutuo convenio establecer las condiciones para la admisión en las balijas, de cualquiera de los objetos prohibidos en el Artículo I.

Further regulations. *Post.* p. 108.

Ante. p. 2186.

ARTICLE XIII.

ARTÍCULO XIII.

This Convention abrogates the postal relations existing between the two countries. It shall be ratified by the contracting countries in accordance with their respective

Esta Convención abroga las relaciones postales existentes entre ambos países. Será ratificada por los países contratantes, de acuerdo con sus respectivas leyes, y sus

Effect. *Post.* p. 2194.

Ratification.

laws and its ratification shall be exchanged at the city of Washington as early as possible. It shall take effect thirty days from the exchange of ratifications and shall continue in force until terminated by mutual agreement, or annulled at the instance of the Post Office Department of either country, upon six months previous notice given to the other.

Done in duplicate, and signed at Washington the sixteenth day of June One thousand nine hundred and three.

Signatures.

[SEAL.]

ratificaciones se cangearán en la ciudad de Washington tan pronto como sea posible. Comenzará á regír treinta dias después del cange de ratificaciones y continuará vigente hasta que se denuncie de comun acuerdo, ó se termine á instancia del Departamento de Correos de cualquiera de los dos países, previa una notificación hecha al otro con seis meses de anticipación.

Hecho por duplicado y firmado en Washington el dia diez y seis de Junio de mil novecientos tres.

HENRY C. PAYNE

Postmaster-General of the United States of America.

[SEAL.]

GONZALO DE QUESADA

Enviado Extraordinario y Ministro Plenipotenciario de Cuba en los Estados Unidos de América.

Approval by the United States.

The foregoing Convention between the United States of America and Cuba has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

In testimony whereof, I have caused the Great Seal of the United States to be hereunto affixed.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

JOHN HAY

*Secretary of State,
Washington, June 20, 1903.*

Protocol.

PROTOCOL.

Modifications.

The undersigned, Postmaster-General of the United States of America, and the Envoy Extraordinary and Minister Plenipotentiary of Cuba in Washington, met to-day and duly authorized have agreed to modify the Postal Convention signed by them on the 16th of June 1903, in conformity with the amendments made by the Senate of the Republic of Cuba on the 18th of July so that the wording of Article I, paragraphs a and b, Article XII and Article XIII shall be as follows:

Los infrascritos, Enviado Extraordinario y Ministro Plenipotenciario de la República de Cuba en Washington y Director General de Correos de los Estados Unidos de América, reunidos hoy y debidamente autorizados acordaron modificar la Convención Postal firmada por ellos en 16 de Junio de 1903, de conformidad con las enmiendas hechas por el Senado de la República de Cuba en 18 de Julio á fin de que el texto de los Artículos I, párrafos a y b, XII y XIII sea como sigue:

ARTICLE I.

ARTÍCULO I.

Articles admitted to the mails.
Sanitary regulations added.

(a) Articles of every kind or nature which are admitted to the domestic mails of each country, except those which are herein prohibited, are admitted to the mails exchanged under this Convention;

(a) Los objetos de toda clase ó naturaleza que se admitan en las balijas domésticas de cada país, con excepción de los que aquí se prohíben, se admitirán en las balijas que se cambien conforme á esta

subject, however, to such regulations as the Administration of the country of destination may deem necessary to protect its Customs Revenues and for sanitary purposes. But articles other than letters in their usual and ordinary form must never be closed against inspection, but must be so wrapped or enclosed that they may be readily and thoroughly examined by Postmasters or Customs Officers: Except that there may be admitted to the mails exchanged between the United States and Cuba unsealed packages which contain, in sealed receptacles, articles which cannot be safely transmitted in unsealed receptacles; provided, the contents of the closed receptacles are plainly visible or are precisely stated on the covers of the closed receptacles, and that the packages are so wrapped that the outer cover can be easily opened.

The following articles are prohibited admission to the mails exchanged under this Convention:

Publications which violate the copy-right laws of the country of destination; packets, except single volumes of printed books, the weight of which exceeds two kilograms; liquids, poisons, explosive or inflammable substances, fatty substances and those which easily liquefy, live or dead animals (not dried), insects and reptiles, fruits and vegetables which will easily decompose, and substances which exhale a bad odor; lottery tickets or circulars; all obscene and immoral articles; other articles which may destroy or in any way damage the mails or injure the persons handling them.

(b) Except as required by the regulations of the country of destination for the collection of its custom duties and for sanitary purposes, all admissible matter mailed in one country for the other, or received in one country from the other, shall be free from any detention or inspection whatever, and shall in the first case be for-

Convención; sujetos, sin embargo, á los reglamentos que considere necesarios, para proteger sus rentas aduanales y para fines sanitarios, la Administración del país de su destino. Pero los artículos que no sean cartas en su forma usual y ordinaria, nunca se cerrarán á la inspección, sino que se cubrirán ó envolverán de modo que puedan ser fácil y completamente examinados por los Administradores de Correos ó empleados de Aduanas. Excepto que podrán admitirse en las balijas que se cambien entre Cuba y los Estados Unidos los paquetes no sellados que contengan, en receptáculos sellados, artículos que no puedan remitirse con seguridad en receptáculos no sellados; siempre que el contenido de dichos receptáculos cerrados esté plenamente visible ó se declare con precisión en las cubiertas de los receptáculos cerrados, y que el paquete esté hecho de tal manera que la cubierta exterior pueda abrirse con facilidad.

Se prohíbe la admisión en las balijas que se cambien, conforme á esta Convención, de los objetos siguientes:

Las publicaciones que violen las leyes sobre propiedad literaria del país de su destino; paquetes de todas clases, exceptuando un solo libro, impreso, cuyo peso exceda de dos kilogramos; los líquidos, venenos, materias explosivas ó inflamables, las grasosas, las fácilmente liquidables, animales vivos, los muertos no disecados, insectos y reptiles, frutas y vegetales que puedan descomponerse fácilmente y sustancias que exhale un mal olor, billetes ó circulares de loterías, todo objeto obsceno ó inmoral y todos los demás objetos que puedan destruir ó de alguna manera perjudicar á las balijas ó dañar a las personas que las manejan.

(b) Todos los objetos admitidos en las balijas en un país y dirigidos al otro, ó recibidos en un país del otro, serán libres de detención ó inspección de cualquiera clase, exceptuando lo establecido por los reglamentos del país de su destino para cobrar los derechos de importación y para fines sanitarios; en el primer caso, serán enviados por

Articles prohibited.

Freedom from inspection.
Sanitary regulations added.
Ante. p. 2187.

warded by the most speedy means to its destination, and in the latter be promptly delivered to the respective persons to whom it is addressed, being subject in its transmission to the laws and regulations of each country respectively.

ARTICLE XII.

Further regulations.
Ante, p. 2191.

The Postmaster-General of the United States of America and the Government of Cuba shall have authority to jointly make such further regulations of order and detail as may be found necessary to carry out the present Convention from time to time; and may by agreement prescribe conditions for the admission to the mails of any of the articles prohibited by Article I.

Ante, p. 2186.

ARTICLE XIII.

Effect.
Ratification.
Ante, p. 2191.

This Convention abrogates the existing postal relations between the two countries. It shall be ratified by the contracting parties in accordance with their respective laws, and its ratifications shall be exchanged at the City of Washington as early as possible. It shall take effect thirty days after the exchange of ratifications, and shall continue in force until terminated by mutual agreement, or ended at the instance of either country upon six months previous notice given to the other.

Done at the city of Washington this 19th day of August, 1903.

[SEAL.]

HENRY C. PAYNE,
Postmaster-General of the United States of America.

[SEAL.]

GONZALO DE QUESADA
*Enviado Extraordinario y Ministro Plenipotenciario
de la República de Cuba.*

Approved by the
United States.

The foregoing Protocol has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

In testimony whereof, I have caused the Seal of the United States to be hereunto affixed.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State,

WASHINGTON, D. C., August 21, 1903.

la vía más rápida, y, en el segundo, serán entregados á las personas á quienes vayan dirigidos, quedando sujetos en su trasmisión á las leyes y reglamentos de cada país respectivamente.

ARTÍCULO XII.

El Gobierno de Cuba y el Administrador de Correos de los Estados Unidos de América tendrán facultad de expedir unidos, de tiempo en tiempo, los reglamentos ulteriores de orden y detalle que fueren necesarios para cumplir la presente Convención, y podrán por mutuo Convenio establecer las condiciones para la admisión, en las baliijas, de cualquiera de los objetos prohibidos en el Artículo I.

ARTÍCULO XIII.

Esta Convención abroga las relaciones postales existentes entre ambos países. Será ratificada por los países contratantes de acuerdo con su respectivas leyes, y sus ratificaciones se canjearán en la ciudad de Washington tan pronto como sea posible. Comenzará á regir treinta días después del canje de ratificaciones y continuará vigente hasta que se denuncie de común acuerdo, ó se termine á instancia de cualquiera de los dos países, previa una notificación hecha al otro con seis meses de anticipación.

Hecho por duplicado en la ciudad de Washington á 19 de Agosto, de 1903.

HENRY C. PAYNE,

Postmaster-General of the United States of America.

GONZALO DE QUESADA

*Enviado Extraordinario y Ministro Plenipotenciario
de la República de Cuba.*

Approved by the
United States.

The foregoing Protocol has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

In testimony whereof, I have caused the Seal of the United States to be hereunto affixed.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State,

WASHINGTON, D. C., August 21, 1903.

Approved by Cuba.

Yo, Tomás Estrada Palma, Presidente de la República de Cuba, habiendo visto y considerado la referida Convención, por la presente y en virtud del consejo y consentimiento del Senado, ratifico y confirmo, según está modificado, cada uno de los artículos y cláusulas de la mencionada Convención.

En testimonio de lo cual, expido la presente, firmada de mi mano autorizada con el sello de la Nación y refrendada por el Secretario de Estado y Justicia.

Dada en la Ciudad de la Habana, Palacio de la Presidencia, el día cuatro de Septiembre de mil novecientos tres.

[SELLO]

CARLOS DE ZALDO.

Secretario de Estado y Justicia.

T. ESTRADA PALMA

[Translation.]

I, Tomas Estrada Palma, President of the Republic of Cuba, having seen and considered the said Convention, by the present and by virtue of the advice and consent of the Senate ratify and confirm, as it is modified, each of the Articles and clauses of the said Convention.

In testimony of which I issue the present, signed with my hand, authorized with the seal of the Nation and countersigned by the Secretary of State and Justice.

Given in the City of Havana, Palace of the President, on the fourth day of September one thousand nine hundred and three.

T. ESTRADA PALMA

CARLOS DE ZALDO.

Secretary of State and Justice.

The undersigned Henry C. Payne, Postmaster General of the United States of America, and Gonzala de Quesada, Envoy Extraordinary and Minister Plenipotentiary of Cuba at Washington, having met together at the Post Office Department for the purpose of exchanging the ratifications of the Postal Convention concluded between the United States of America and Cuba, and signed at Washington on the sixteenth of June, 1903 and of the Protocol signed at Washington on the nineteenth of August 1903, and having carefully compared the ratifications of said Convention and Protocol and found them exactly conformable to each other, the exchange took place this day in the usual form.

In witness whereof they have signed the present Protocol and have affixed thereto their respective seals.

Done in duplicate and signed at Washington the ninth day of September One thousand nine hundred and three.

[SEAL.]

Postmaster-General of the United States of America.

[SEAL.]

Enviado Extraordinario y Ministro Plenipotenciario de Cuba.

Habiéndose reunido los infrascriptos, Gonzalo de Quesada, Enviado Extraordinario y Ministro Plenipotenciario de Cuba, en Washington y Henry C. Payne, Administrador General de Correos de los Estados Unidos de América, en la Administracion General de Correos, con objeto de canjear las ratificaciones de la Convención Postal entre Cuba y los Estados Unidos de America firmada en Washington á diez y seis de Junio de 1903 y del Protocolo firmado en Washington en diez y nueve de Agosto de 1903 y habiendo comparado cuidadosamente las ratificaciones de dicha Convencion y Protocolo y encontrándolos exactos los unos con los otros, tuvo lugar el canje hoy en la forma usual.

Exchange of ratification.

En testimonio de lo cual han firmado el presente Protocol y lo han sellado con sus respectivos sellos.

Hecho por duplicado y firmado en Washington el día Nueve de Septiembre de mil novecientos tres.

HENRY C. PAYNE

GONZALO DE QUESADA

August 8, 1903.
September 12, 1903.

Convention for the exchange of money orders between the United States of America and the Republic of Peru.

Preamble.

The Post Office Department of the United States of America and the Postal Administration of the Republic of Peru, being desirous of establishing a system of exchange of Postal Money Orders between the two countries, the undersigned, the Postmaster General, for the United States of America, and the Director General of Posts, for the Republic of Peru, duly authorized for that purpose, have agreed upon the following Articles:

El Departamento de Correos de los Estados Unidos y la Administración de Correos del Perú, deseosos de establecer un sistema de cambio de giros postales entre ambas Naciones, y hallándose debidamente autorizados para ello, los suscritos, el Postmaster General, de los Estados Unidos de América, y el Director General de Correos, de la República de Perú, han acordado los Artículos siguientes:

ARTICLE 1.

Exchange of money orders.

There shall be a regular exchange of Money Orders between the two countries.

ARTÍCULO 1.

Se establecerá un cange regular de giros entre ambos países.

ARTICLE 2.

To be expressed in British money.

The amounts of Orders in both directions shall be expressed in British (Sterling) money, and it is agreed that for all purposes of account arising from the execution of this Convention the Pound Sterling of Great Britain shall be considered as equivalent to Four Dollars and Eighty-seven Cents (\$4.87) of the money of the United States.

ARTÍCULO 2.

El monto en los giros entre uno y otro país se ha de expresar en moneda esterlina de la Gran Bretaña, quedando convenido que para la contabilidad que resulte de la ejecución de la presente Convención la Libra Esterlina de la Gran Bretaña se considerará equivalente á cuatro dollars y ochenta y siete centavos (\$4.87) moneda de los Estados Unidos.

ARTICLE 3.

Maximum amount.

1. The maximum of each Order is fixed at One Hundred Dollars (\$100), equivalent to £20.10.8.

ARTÍCULO 3.

1. El maximum de cada órden queda fijado en cien dollars, ó su equivalente, veinte libras esterlinas diez chelines y ocho peniques.

Fractions.

2. No Money Order shall include a fractional part of a penny or of a cent.

2. En ninguna órden debe existir fracciones de centavo ó de penique.

ARTICLE 4.

Payment in legal money, etc.

The amounts of Money Orders shall be deposited by the remit-

ARTÍCULO 4.

Las cantidades de los giros deben ser depositadas por los remitentes

ters and paid to the payees in gold coin, or in other legal money of the same current value. However, in case there should be in circulation in either country a paper currency of legal tender but of less value than gold, the administration of that country shall have the right to receive and employ the same solely in its relations with the public, taking into account the difference of value.

y pagadas á los destinatarios en oro sellado ó en cualquiera otra moneda de libre curso. Sin embargo, si existiera en cualquiera de los países billetes de circulacion legal, pero de menos valor que el oro la administracion de ese pais tendrá derecho de recibirlos y pagarlos solo en sus relaciones con el público tomando en cuenta la diferencia del valor.

ARTICLE 5.

ARTÍCULO 5.

1. The Postal Administration of Peru shall have power to fix the rates of fees paid by the public on all Money Orders issued in Peru, and the Post Office Department of the United States shall have the same power in regard to all Money Orders issued in the United States.

1. La Administracion Postal del Perú tendrá derecho para fijar las tarifas que tenga que pagar el público por giros emitidos en el Perú, y la Administracion Americana tendrá á su vez el mismo derecho tratandose de los emitidos en las Estados Unidos.

Rates of fees.

2. This rate shall not, however, exceed one-half of one per centum (1-2 of 1%) upon the amounts constituting the divisions in the schedule of fees.

2. Esta tasa, sin embargo, no excederá del medio por ciento en las cantidades que constituyen la lista de los derechos.

Limitation.

3. Each country shall communicate from time to time to the other its tariff of charges (fees paid by the public), which shall be established under this Convention, and these rates shall in all cases be payable in advance by the remitters, and shall not be repayable.

3. Cada uno de los países debe comunicar al otro su tarifa por derechos (tasas pagadas por el público) que se establecerán en esta Convencion y estos derechos serán pagados adelantados en todos los casos por el remitente sin que tenga que ser reembolsado.

Fees payable in advance.

4. The Money Orders and the receipts given upon such Orders, as well as the receipts that may be delivered to the remitters, shall not be subjected, at the expense of the remitters or payees of the amounts, to any charge or tax whatever in addition to the fees to be received in virtue of Sections 1 and 2 of this Article.

4. Los giros y recibos que se otorguen por las ordones, como asi mismo los comprobantes que se entreguen á los remitentes quedan exentos de todo gravamen para el remitente ó destinatario, siempre que se considere adicional á los derechos que se tienen que percibir en virtud de los clausulas 1 y 2 de este Artículo.

Additional charges prohibited.

ARTICLE 6.

ARTÍCULO 6.

Each country shall keep the fees paid by the public charged on all Money Orders issued within its jurisdiction.

Cada Pais retendrá los derechos que el público pague por los giros que emita en su jurisdiccion.

Fees to be retained.

ARTICLE 7.

ARTÍCULO 7.

The service of the Postal Money Order System between the two countries shall be performed exclusively by the agency of intermedi-

El servicio del sistema de giros postales entre ambos países se efectuará exclusivamente por las oficinas intermediarias de cange.

Offices of exchange.

any offices of exchange. On the part of the United States the office of exchange shall be New York, N. Y., and on the part of Peru the office of exchange shall be Lima.

En los Estados Unidos la oficina de cange será New York, y en el Perú la oficina de cange será Lima.

ARTICLE 8.

ARTÍCULO 8.

Names and address.

1. No Money Order shall be issued unless the applicant furnish in full the surname, and at least the initial of one given name, both of the remitter and the payee, or the name of the firm or company who are the remitters or payees, together with the address of the remitter and that of the payee.

2. If, however, any applicant for a Money Order shall tender the name of either the remitter or payee at greater length, such particulars shall be received and entered in the list.

1. Ningun giro se emitirá mientras no esté consignado por el que solicita dicho giro, el apellido y cuando menos la inicial del nombre del remitente y destinatario ó el nombre de la firma ó compañía que sean los remitentes ó destinatarios, á la vez que la direccion del remitente y destinatario.

2. Si por casualidad el solicitante de un giro extendiera el nombre del remitente ó destinatario de una manera mas detallada, estos particulares se admitirán anotandolos en la lista.

ARTICLE 9.

ARTÍCULO 9.

Lists.

1. The particulars of all Money Orders drawn in the United States upon Peru shall be entered at the Exchange Office, New York, N. Y., in a list similar to the form marked "A" (in the appendix), in which shall be shown the amount of each order in United States and Sterling money, which list after having received the impression of the New York dating stamp, shall be forwarded to the Exchange Post Office of Lima, Peru, where it shall be impressed with the date stamp of that office, and where the requisite arrangements for effecting payment of the Orders shall be carried out.

2. In like manner the particulars of Money Orders drawn in Peru upon the United States shall be entered at the Exchange Office at Lima in a list similar to the form marked "B" (in the appendix), in which shall be shown the amount of each in both currencies, which list after having received the impression of the dating stamp of that office, shall be forwarded to the Exchange Office at New York, N. Y., where it shall receive the impression of the dating stamp in use in that office, and where the necessary arrangements for effect-

Post, p. 2203.

Post, p. 2204.

1. Los pormenores de todo giro postal librado por los Estados Unidos para el Perú se anotarán en la oficina de cange de New York en una lista igual á la marcada "A" (en el Apéndice), en la que se consignará el total de cada orden en dinero de los Estados Unidos y en moneda esterlina, cuya lista despues de haber recibido la impresion del sello de la fecha en New York será despachada á la oficina de cange de Lima, Perú, donde se sellará con el sello de la fecha de recepcion de esa oficina, y se llevará á cabo los requisitos del caso para efectuar el pago de los giros.

2. De identica manera se consignará los pormenores de los giros emitidos por el Perú á cargo de los Estados Unidos en la oficina de cange de Lima, por medio de una lista igual á la fórmula marcada "B" (en el Apéndice), en la cual se anotará el total de cada una en ambas monedas la misma que despues de estar impresa con la fecha, se despachará á la oficina de cange de New York donde se le llenará con la fecha de recepcion y se procederá á los arreglos para practicar el pago.

ing payment of the Orders shall be carried out.

3. Each list, as well as the entries in the lists dispatched, shall be numbered consecutively 1, 2, 3, 4, 5, etc., in the order of dispatch, commencing on July 1 of each calendar year, and the receipt of each list shall be acknowledged on either side by means of the first subsequent list forwarded in the opposite direction (form "A—reverse" of Appendix).

4. Such a list shall be transmitted by each mail dispatched from Peru to the port of New York, and vice versa, and of each list dispatched a duplicate shall be sent by the following mail.

5. Should it happen that on the day when the list is to be dispatched, there are no Orders to be certified for payment, the list must nevertheless be sent. But, in that event, the Exchange Office will write across the list the words: "No Money Orders."

6. Should any list, or the duplicate thereof, not be received in due course, the despatching Exchange Office, on receiving information to that effect, shall transmit without delay a duplicate or triplicate of the list duly certified as such.

ARTICLE 10.

1. As soon as the list of the dispatching office shall have reached the receiving office of exchange, the latter shall reissue Money Orders in favor of the payees for the amounts specified in the list, and shall forward them, free of postage, to the addressees or to the offices of destination, in conformity with the regulations in each country for the payment of Money Orders.

2. When the lists shall show irregularities which the receiving office shall not be able to rectify, that office shall demand an explanation with as little delay as possible. Pending the receipt of the explanation the reissue of Money Orders of payment relating to the entries found to be erroneous in the list should be suspended.

3. Cada lista, así como las entradas en las listas despachadas, se numerarán 1, 2, 3, 4, 5, &c., en el orden de despacho, comenzando el 1° de Julio de cada año, y el acuse de recibo de cada lista será comunicado por ambas partes por medio de la subsiguiente lista despachada por la otra parte ("A" reverso del Apéndice).

4. Dicha lista será transmitida por cada mala que se despache del Perú á New York, y vice versa, y se enviará un duplicado de la lista despachada por el siguiente correo.

5. En caso de que en el día en que la lista tiene que ser despachada no hubiere giros, se remitirá no obstante dicha lista. Pero en este caso la oficina de cange anotará al traves "no hay giros."

6. Si una lista ó su duplicado no llegaren oportunamente, la oficina remitente al recibir este anuncio, transmitirá sin demora un duplicado ó triplicado de la lista certificandolo como tal.

To be numbered.

Post, p. 2203.

Duplicates, etc.

ARTÍCULO 10.

1. Tan pronto como la lista de una oficina remitente haya llegado á la oficina de cange receptora, esta última procederá á emitir giros á favor de los destinatarios por las respectivas cantidades anotadas en las listas, y los despachará libres de porte á los destinatarios ú oficinas destinatarias de acuerdo con las reglas vigentes de cada país para el pago de giros.

2. Cuando la lista contenga irregularidades que la oficina receptora no pueda rectificar, esta pedirá una explicacion a la mayor brevedad posible. Mientras llega la explicacion se suspenderá la emision de los giros referentes a los asientos que se considerán errados en la lista.

Receipt of list from dispatching office, etc.

Post, pp. 2203, 2204.

3. One copy of each exchange list ("A" and "B") shall be returned by the receiving office of exchange to the dispatching office, but before returning such copy, the receiving Exchange Office shall enter therein the names of the respective offices of payment of the orders enumerated in the list.

ARTICLE 11.

Orders subject to regulations governing domestic orders.

1. The Orders issued by each country on the other shall be subject as regards payment to the regulations which govern the payment of Domestic Money Orders in the country on which they are drawn.

2. The paid Orders shall remain in the possession of the country of payment.

ARTICLE 12.

Errors.

When it is desired that any error in the name of the remitter or payee shall be corrected, or that the amount of a Money Order shall be repaid to the remitter, application must be made by the remitter to the postal administration by which the Order was issued.

ARTICLE 13.

Duplicates.

Duplicate orders shall only be issued by the postal administration of the country in which the original Orders were payable, and in conformity with the regulations established or to be established in that country.

ARTICLE 14.

Repayment.

1. Repayment of Orders to remitters shall not be made until an authorization for such repayment shall first have been obtained by the country of issue from the country where such Orders are payable, and the amounts of the repaid Orders shall be duly credited to the former country in the quarterly account. (Article 16).

Post, p. 2201.

2. Each postal administration shall determine the manner in which repayment to remitters is to be made.

3. La oficina de cange receptora devolverá á la remitente copia de cada una de las listas de cange "A" y "B" pero antes de hacer la devolucion asentará en la lista respectiva los nombres de las correspondientes oficinas de pago de los giros en ella mencionados.

ARTÍCULO 11.

1. Las órdenes libradas por una parte á cargo de la otra estarán sujetas en lo referente al pago, á las disposiciones de pago de giros nacionales en el pais que tiene que cubrilos.

2. Los giros pagados permanecen en posesion del pais que los abona.

ARTÍCULO 12.

Cuando sea necesario corregir algun error á pedido del remitente ó destinatario, ó que el monto de un giro deba ser reembolsado al remitente, se formulará una solicitud por el remitente á la administracion postal que emitió la órden.

ARTÍCULO 13.

Los giros duplicados solo deben ser expedidos por la administracion postal del pais que debia pagar los giros originales y de conformidad con las reglas establecidas ó por establecerse en ese pais.

ARTÍCULO 14.

1. El reembolso de giros á los remitentes no debe efectuarse hasta que no se obtenga una autorizacion por el pais que los emitió, del pais que debia efectuar el pago, y el total de dicho reembolso se abonará al crédito del primero de estos en la cuenta trimestral. (Artículo 16).

2. Toca á cada administracion postal determinar la manera como se debe efectuar el reembolso á los remitentes.

ARTICLE 15.

1. Orders which shall not have been paid within twelve calendar months from the month of issue shall become void, and the sums received shall accrue to, and be at the disposal of, the country of origin.

2. The Postal Administration of Peru shall, therefore, enter to the credit of the United States, in the quarterly account, all Money Orders entered in the lists received from the United States which remain unpaid at the end of the period specified (Article 16) (See form "F," Appendix).

3. On the other hand, the Post Office Department of the United States shall, at the close of each month, transmit to the Postal Administration of Peru, for entry in the quarterly account, a detailed statement of all Orders included in the lists dispatched from the latter office which, under this article, become void. (See form "G," Appendix).

ARTICLE 16.

1. At the close of each quarter an account shall be prepared (Form "D," Appendix) by the Postal Administration of Peru, showing in detail the totals of the lists containing the particulars of Orders issued in either country during the quarter, and the balance resulting from such transactions.

2. Two copies of this account shall be transmitted to the Post Office Department of the United States at Washington, and the balance, after proper verification, shall, if due by the Post Office Department of the United States, be paid at Lima, but if due by the Postal Administration of Peru, it shall be paid in New York, and in the money of the country to which the payment is made.

3. Payments may also be made in money, or by drafts or by bills of exchange on London, payable at sight.

ARTÍCULO 15.

1. Las órdenes que no hayan sido pagadas en el curso de doce meses contados desde la fecha de emision serán considerados nulos y la suma recibida será depositada á la disposicion del lugar de origen.

2. La Administracion Postal del Perú abonará al crédito de Estados Unidos en su cuenta trimestral, todos los giros postales anotados en las listas procedentes de Estados Unidos que queden sin pagar al final del periodo especificado (vease la fórmula "F," del apéndice).

3. De otro lado el despacho Americano transmitirá á fines de cada mes á la Administracion peruana para que abone esta en su cuenta trimestral, un estado detallado de todos los giros incluidos en las listas despachadas por la última oficina, los que segun este artículo se consideran nulos (Fórmula "G").

ARTÍCULO 16.

1. Al finalizar cada trimestre se prepara una cuenta (Fórmula "D," del Apéndice) por la Administracion Peruana, demostrando detalladamente los totales de las listas que contengan los pormenores de los giros emitidos en cualquiera de los paises durante el trimestre, y el balance que resulte de dicha operacion.

2. Se trasmítirán dos copias de esta cuenta á la oficina postal de los Estados Unidos en Washington, y despues de comprobadas si resultare saldo á cargo de los Estados Unidos será pagado en Lima pero si la oficina Peruana fuera deudora, el pago se efectuará en New York y en la moneda del pais acreedor.

3. Los pagos tambien pueden verificarse en dinero ó en letras de cambio á cargo de Londres y pagaderos á la vista.

Orders not paid within twelve months void, etc.

Post, p. 2206.

Post, p. 2207.

Quarterly accounts.
Post, p. 2205.

Payments.

ARTICLE 17.

ARTÍCULO 17.

Remittance of balance.

1. If, pending the settlement of an account, one of the two postal administrations shall ascertain that it owes the other a balance exceeding Two Hundred Pounds Sterling (£200), the indebted administration shall promptly remit the approximate amount of such balance to the credit of the other, but nothing herein contained shall prevent such administration from remitting a less amount than Two Hundred Pounds Sterling (£200) at discretion. This account and the letters which accompany such intermediate remittances shall be in accordance with the forms "C" and "D" annexed to this Convention.

Post, p. 2205.

2. If payment by the debtor administration be not made within a period of three months from the time such balance accrues, the creditor administration shall have the right to demand and receive interest thereon, at the rate of five per centum per annum.

ARTICLE 18.

ARTÍCULO 18.

Additional rules.

1. The Postal Administration in each country may adopt any additional rules not repugnant to the foregoing, for greater security against fraud, or for the better working of the system generally.

2. All such additional rules, however, must be promptly communicated to the Post Office Department of the other country.

ARTICLE 19.

ARTÍCULO 19.

Temporary suspension of service.

Each administration is authorized in extraordinary circumstances that would justify the measure to suspend temporarily the Money Order service in whole or in part, upon condition of giving notice of such suspension immediately to the other country, and, if deemed necessary, by means of the telegraph.

ARTICLE 20.

ARTÍCULO 20.

Ratification.

1. The Postmaster General of the United States being by law

1. Si, pendiente el arreglo de una cuenta, una de las Administraciones se cerciorase de que adeude á la otra un saldo que excede de £200, la Administracion deudora, á la mayor brevedad, remitirá dicho saldo, que se abonará en cuenta á la acreedora. Nada de lo contenido en este Artículo impide que la Administracion deudora remita á la acreedora una cantidad menor de £200, á su discrecion. La cuenta y las cartas que acompañen estas remesas deben ajustarse á los modelos "C" y "D" anexos á esta Convencion.

2. Si el pago no se efectuare por la administracion deudora dentro del plazo de tres meses, la acreedora tendrá derecho de pedir y percibir intereses sobre el adeudo á razon del 5% anual.

1. La oficina de correos de cada país queda autorizada para adoptar medidas adicionales (siempre que no se opongan á las ya estipuladas), para la seguridad contra el robo ó mejorar este sistema en la practica.

2. Todas esas innovaciones deben ser comunicadas inmediatamente al otro país.

Cada administracion tiene el derecho siempre que acredite la causa, de suspender temporalmente el servicio de giros parcial ó totalmente, bajo la condicion de dar aviso anticipado al otro país, si fuera necesario por telégrafo.

1. Estando suficientemente facultado por la ley el Postmaster

vested with power to make and complete conventions of this character, no further ratification is required upon the part of the United States, but such ratification shall be made, upon the part of Peru, as is required by its law.

2. This present Convention shall take effect on the first day of October, 1903, or as soon thereafter as it shall have been duly ratified by Peru, and shall continue in force until twelve months after either of the contracting parties shall have notified to the other its intention to terminate it.

In witness whereof the respective duly authorized representatives have signed the above articles, both in the English and the Spanish languages, and have hereunto affixed their seals.

Done in duplicate at the city of Washington, U. S. A., this eighth day of August, 1903, and at the city of Lima, Peru, this twelfth day of September, 1903.

H. C. PAYNE
*Postmaster General
of the United States.*

General de Estados Unidos para llevar á cabo esta clase de convenciones no se requiere ninguna otra ratificación por los Estados Unidos, pero tal ratificación se efectuará por parte del Perú siempre que así lo exige la ley.

2. La presente Convencion entrará en vigor el dia primero de Octubre de 1903, ó despues de dicha fecha tan pronto como haya sido debidamente ratificada por Perú, y quedará en vigencia hasta despues de un aviso previo de doce meses en que cualquiera de los partes comuniqué á la otra su deseo de suspenderlo.

En virtud de lo cual los respectivos representantes debidamente autorizados han suscrito los articulos precedentes tanto en castellano como en inglés, sellandolos con sus respectivos sellos.

Hecho por duplicado en la ciudad de Washington este dia octavo de Agosto de 1903, y en la ciudad de Lima, Perú, este dia duodécimo de Setiembre de 1903.

CARLOS PERRENOS
*Director General
de Correos del Perú.*

Duration of Convention.

Signatures.

A.

Form A.

MONEY ORDER OFFICE,
New York, N. Y., 19.....

SIR: I have received your List No., relative to Money Orders issued in the Republic of Peru and payable in the United States of America.

In return, I transmit to you a detailed account of the amounts received for Orders issued in the United States of America and payable in Peru, the particulars of which have reached this office since the dispatch of my previous List No.

Awaiting an acknowledgement of the present List,
I have the honor to be, sir, your obedient servant,

....., Postmaster.

To....., Exchange Post Office, Lima.

A.

OFICINA GENERAL DE CORREOS,
DIVISION DE GIROS,
Lima, 19.....

SEÑOR: He examinado esta Lista de Giros del No. al No., inclusive, por sumas recibidas en los Estados Unidos para ser pagados en la República de Peru, ascendiendo el total á \$.....

La Lista dicha fué encontrado correcta con las siguientes excepciones.....

Soy de Ud muy atento servidor.

.....

Al ADMINISTRADOR DE CORREOS, OFICINA DE CAMBIO DE GIROS,
Nueva York, N. Y.

A.

Office
Stamp.

List No.

List of Money Orders issued in the United States, payable in the Republic of Peru.

For use of the Dispatching Exchange Office at New York.								For use of the Receiving Exchange Office at Lima.								
Current International No. of Order.	No. of Original Order.	Date of Original Order.	Office of Issue.	Name of Remitter.	Payee.			Amount.						No. of inland Order issued by the Lima Office.	Post Office on which final order is drawn.	Remarks.
					Name.	Address.		In U. S. Money.			In Sterling Money.					
						Town.	Prov.	\$	¢	£	s	d				
1	2	3	4	5	6	7	8	9			10			11	12	13

Form B.

B.

Sello de la
Oficina.

Lista No.

Lista de giros librados en la República de Perú, y pagaderos en los Estados Unidos de América.

Para uso de la Oficina de Lima.								Para uso de la Oficina de Nueva York.							
Número Internacional del giro.	Número Original del giro.	Fecha.	Oficina Libradora.	Nombre del Remitente.	Destinatario.			Importe.				Número del giro inter-librado por la oficina de Nueva York.	Oficina sobre la cual se gira finalmente.	Observaciones.	
					Nombre.	Dirección.		En Moneda Esterlina.			En Moneda de Estados Unidos.				
						Ciudad.	Estado.	£	s	d	\$				¢
1	2	3	4	5	6	7	8	9			10		11	12	13

B.

OFICINA GENERAL DE CORREOS,
DIVISION DE GIROS,
Lima,, 19.....

SEÑOR: He recibido su Lista No....., conteniendo los giros librados en los Estados Unidos de América y pagaderos en la República de Perú.

A mi vez remito a Ud una cuenta especificada del monto recibido por giros librados en Perú y pagaderos en los Estados Unidos, cuyos detalles han llegado a esta oficina despues del envio de mi Lista anterior No.....

Esperando recibo de la presente Lista, soy de Ud atento servidor,

Al ADMINISTRADOR DE CORREOS, OFICINA DE CAMBIO DE GIROS,
Nueva York, N. Y.

B.

POST OFFICE, NEW YORK, N. Y.,
MONEY ORDER EXCHANGE OFFICE,
....., 19.....

SIR: I have examined this List of Money Orders from No..... to No....., inclusive, for sums received in the Republic of Peru, for payment in the United States, amounting in the aggregate to \$.....

The said list was found to be correct with the following exceptions:

I have the honor to be, sir, your obedient servant,

C.

Form C.

Detailed Statement of Lists

Money Orders Issued in Peru				Money Orders Issued in United States			
Number of List	Date of List	Amount		Number of List	Date of List	Amount	
		Dollars	Cents			Dollars	Cents
1				1			
2				2			
3				3			
Total				Total			

C.

..... trimestre de 19....

Estado Detallado de Listas

Giros librados en Perú				Giros librados en los Estados Unidos			
Número de la Lista	Fecha de la Lista	Importe		Número de la Lista	Fecha de la Lista	Importe	
		Dollars	Cents			Dollars	Cents
1				1			
2				2			
3				3			
Total				Total			

D.

Form D.

POST-OFFICE DEPARTMENT
OFFICE OF FIRST ASSISTANT POSTMASTER GENERAL
MONEY ORDER DIVISION
Washington, D. C., 19....

SIR: This Department has the honor to transmit herewith a Bill of Exchange No. for drawn 19..... by of New York, N. Y., to the order of the Postmaster General, and by his indorsement made payable to your order by

at Be pleased to cause the receipt of the said Bill of Exchange to be duly acknowledged, its payment to be reported and the proceeds to be placed to the credit of this Department on account of the exchange of Money Orders between our respective countries during the quarter end 19.....

I have the honor to be, Sir, your obedient servant,

.....
First Assistant Postmaster-General.

E.

Form E.

Señor DIRECTOR GENERAL DE CORREOS,
Washington, E. U. de America.

LIMA, de 19....

MUY SEÑOR MIO: Este Departamento tiene la honra de remitir adjunto al presente un endoso de libranza No. por el valor de girado el de 19.... por..... a cargo de en

He de merecer á Ud. se sirva acusar recibo, y acreditar esa cantidad en nuestra cuenta de giros postales por el trimestre de 19.....

Reitero á Ud. las seguridades de mi muy distinguida consideracion.

.....
Director General de Correos.

Form F.

F.

..... Quarter of 19....

General Statement of the result of the exchange of Money Orders between Peru and the United States.

To credit of Peru			To credit of United States.		
	\$	¢		\$	¢
Orders issued in the United States and payable in Peru as per detailed statement (C).....			Orders issued in Peru and payable in the United States as per detailed statement (C).....		
Repaid orders.....			Repaid orders.....		
Void orders.....			Void orders.....		
Paid on account by the Post Office Department of Peru.....			Paid on account by the Post Office Department of the United States.....		
19....			19....		
19....			19....		
19....			19....		
19....			19....		
Total credit of Peru.....			Total credit of the United States.....		
Balance due Peru.....			Balance due United States.....		

The foregoing account is accepted with a balance of dollars and cents in favor of the Post Office Department of

Lima 19....

Examined and accepted:

.....
Auditor for the Post Office Department of the United States

Washington, D. C., 19....

F.

..... trimestre de 19....

Estado General que manifiesta el resultado del cambio de giros postales entre Perú y los Estados Unidos.

A favor de Perú.			A favor de los Estados Unidos.		
	Dollars	Cents		Dollars	Cents
Giros expedidos en los Estados Unidos y pagaderos en Perú según el Estado detallado (C).....			Giros Expedidos en Perú y pagaderos en Los Estados Unidos según el Estado detallado (C).....		
Giros cuyo importe se ha reintegrado.....			Giros cuyo importe se ha reintegrado.....		
Giros caducos.....			Giros caducos.....		
Pagado en cuenta por la Administración General de Correos de Perú.....			Pagado en cuenta por el Departamento de Correos de los Estados Unidos.....		
19....			19....		
19....			19....		
19....			19....		
19....			19....		
Crédito total de Perú.....			Crédito total de los Estados Unidos.....		
Saldo de los Estados Unidos.....			Saldo á favor de Perú.....		

Se declara aceptado la cuenta anterior reconociendose el saldo de dollars y cents á favor del Correo

Lima 19....

Examinado y aceptado:

.....
Auditor por el Departamento de Correos de los Estados Unidos.

Washington, D. C., 19....

MONEY-ORDER CONVENTION—PERU.

August 8, 1903.
SEPTEMBER 12, 1903.

2207

G.

Form G.

List of Money Orders payable in the United States which have become void.

For the of 19....

Number of original order	International number of order	Number of List	Date of List	Issuing Office	Paying Office	Amount		Remarks
						\$	¢	
					Total			

G.

Lista de Giros Postales pagaderos en Perú y caducos.

Por el de 19....

Número del giro original	Número internacional del giro	Número de la Lista	Fecha de la Lista	Oficina libradora	Oficina pagadora	Importe		Observaciones
						\$	¢	
					Total			

October 8, 1903.

Treaty between the United States and China for the extension of the commercial relations between them. Signed at Shanghai, October 8, 1903; ratification advised by the Senate, December 18, 1903; ratified by the President, January 12, 1904; ratified by China, January 10, 1904; ratifications exchanged at Washington, January 13, 1904; proclaimed, January 13, 1904.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas a Treaty and three Annexes between the United States of America and China to extend further the commercial relations between them and otherwise to promote the interests of the peoples of the two countries, were concluded and signed at Shanghai in the English and Chinese languages, on the eighth day of October, one thousand nine hundred and three, the original of the English text of which Treaty and Annexes is word for word as follows:

Contracting parties.

The United States of America and His Majesty the Emperor of China, being animated by an earnest desire to extend further the commercial relations between them and otherwise to promote the interests of the peoples of the two countries, in view of the provisions of the first paragraph of Article XI of the final Protocol signed at Peking on the seventh day of September, A. D. 1901, whereby the Chinese Government agreed to negotiate the amendments deemed necessary by the foreign Governments to the treaties of commerce and navigation and other subjects concerning commercial relations, with the object of facilitating them, have for that purpose named as their Plenipotentiaries:—

Plenipotentiaries.

The United States of America—

EDWIN H. CONGER, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to China—

JOHN GOODNOW, Consul-General of the United States of America at Shanghai—

JOHN F. SEAMAN, a Citizen of the United States of America resident at Shanghai—

And His Majesty the Emperor of China—

LŪ HAI-HUAN, President of the Board of Public Works—

SHENG HSŪAN-HUAI, Junior Guardian of the Heir Apparent.
Formerly Senior Vice-President of the Board of Public Works—

who, having met and duly exchanged their full powers which were found to be in proper form, have agreed upon the following amendments to existing treaties of commerce and navigation formerly concluded between the two countries, and upon the subjects hereinafter expressed connected with commercial relations, with the object of facilitating them.

ARTICLE I.

In accordance with international usage, and as the diplomatic representative of China has the right to reside in the capital of the United States, and to enjoy there the same prerogatives, privileges and immunities as are enjoyed by the similar representative of the most favored nation, the diplomatic representative of the United States shall have the right to reside at the capital of His Majesty the Emperor of China. He shall be given audience of His Majesty the Emperor whenever necessary to present his letters of credence or any communication from the President of the United States. At all such times he shall be received in a place and in a manner befitting his high position, and on all such occasions the ceremonial observed toward him shall be that observed toward the representatives of nations on a footing of equality, with no loss of prestige on the part of either.

Privileges, etc., of diplomatic representatives.

The diplomatic representatives of the United States shall enjoy all the prerogatives, privileges and immunities accorded by international usage to such representatives, and shall in all respects be entitled to the treatment extended to similar representatives of the most favored nation.

The English text of all notes or dispatches from United States officials to Chinese officials, and the Chinese text of all from Chinese officials to United States officials shall be authoritative.

Text of notes and dispatches.

ARTICLE II.

As China may appoint consular officers to reside in the United States and to enjoy there the same attributes, privileges and immunities as are enjoyed by consular officers of other nations, the United States may appoint, as its interests may require, consular officers to reside at the places in the Empire of China that are now or that may hereafter be opened to foreign residence and trade. They shall hold direct official intercourse and correspondence with the local officers of the Chinese Government within their consular districts, either personally or in writing as the case may require, on terms of equality and reciprocal respect. These officers shall be treated with due respect by all Chinese authorities, and they shall enjoy all the attributes, privileges and immunities, and exercise all the jurisdiction over their nationals which are or may hereafter be extended to similar officers of the nation the most favored in these respects. If the officers of either government are disrespectfully treated or aggrieved in any way by the authorities of the other, they shall have the right to make representation of the same to the superior officers of their own government who shall see that full inquiry and strict justice be had in the premises. And the said consular officers of either nation shall carefully avoid all acts of offense to the officers and people of the other nation.

Consular officers.

On the arrival of a consul duly accredited at any place in China opened to foreign trade it shall be the duty of the Minister of the United States to inform the Board of Foreign Affairs, which shall, in accordance with international usage, forthwith cause the proper recognition of the said consul and grant him authority to act.

Recognition of consular officers.

ARTICLE III.

Citizens of the United States may frequent, reside and carry on trade, industries and manufactures, or pursue any lawful avocation, in all the ports or localities of China which are now open or may hereafter be opened to foreign residence and trade; and, within the suitable localities at those places which have been or may be set apart for the use and occupation of foreigners, they may rent or purchase

Right of domicile, trade, etc.

houses, places of business and other buildings, and rent or lease in perpetuity land and build thereon. They shall generally enjoy as to their persons and property all such rights, privileges and immunities as are or may hereafter be granted to the subjects or citizens of the nation the most favored in these respects.

ARTICLE IV.

Transit dues to be abolished.

The Chinese Government, recognizing that the existing system of levying dues on goods in transit, and especially the system of taxation known as *likin*, impedes the free circulation of commodities to the general injury of trade, hereby undertakes to abandon the levy of *likin* and all other transit dues throughout the Empire and to abolish the offices, stations and barriers maintained for their collection and not to establish other offices for levying dues on goods in transit. It is clearly understood that, after the offices, stations and barriers for taxing goods in transit have been abolished, no attempt shall be made to re-establish them in any form or under any pretext whatsoever.

Surtax allowed.

The Government of the United States, in return, consents to allow a surtax, in excess of the tariff rates for the time being in force, to be imposed on foreign goods imported by citizens of the United States and on Chinese produce destined for export abroad or coastwise. It is clearly understood that in no case shall the surtax on foreign imports exceed one and one-half times the import duty leviable in terms of the final Protocol signed by China and the Powers on the seventh day of September, A. D. 1901; that the payment of the import duty and surtax shall secure for foreign imports, whether in the hands of Chinese or foreigners, in original packages or otherwise, complete immunity from all other taxation, examination or delay; that the total amount of taxation, inclusive of the tariff export duty, leviable on native produce for export abroad shall, under no circumstances, exceed seven and one-half per centum *ad valorem*.

Limitations.

Other taxes not prohibited.

Nothing in this article is intended to interfere with the inherent right of China to levy such other taxes as are not in conflict with its provisions.

Procedure.

Keeping these fundamental principles in view, the High Contracting Parties have agreed upon the following method of procedure.

All *likin*, etc., offices abolished.

The Chinese Government undertakes that all offices, stations and barriers of whatsoever kind for collecting *likin*, duties, or such like dues on goods in transit, shall be permanently abolished on all roads, railways and waterways in the nineteen Provinces of China and the three Eastern Provinces. This provision does not apply to the native Customs offices at present in existence on the seaboard, at open ports where there are offices of the Imperial Maritime Customs, and on the land frontiers of China embracing the nineteen Provinces and the three Eastern Provinces.

Exceptions.

Native customs offices.

Wherever there are offices of the Imperial Maritime Customs, or wherever such may be hereafter placed, native Customs offices may also be established, as well as at any point either on the seaboard or land frontiers.

Special surtax on foreign goods.

The Government of the United States agrees that foreign goods on importation, in addition to the effective five per centum import duty as provided for in the Protocol of 1901, shall pay a special surtax of one and one-half times the amount of the said duty to compensate for the abolition of *likin*, of other transit dues besides *likin*, and of all other taxation on foreign goods, and in consideration of the other reforms provided for in this article.

Specific duties.

The Chinese Government may recast the foreign export tariff with specific duties, as far as practicable, on a scale not exceeding five per

centum *ad valorem*; but existing export duties shall not be raised until at least six months' notice has been given. In cases where existing export duties are above five per centum, they shall be reduced to not more than that rate. An additional special surtax of one-half the export duty payable for the time being, in lieu of internal taxation of all kinds, may be levied at the place of original shipment or at the time of export on goods exported either to foreign countries or coastwise.

Surtax in lieu of internal tax.

Foreign goods which bear a similarity to native goods shall be furnished by the Customs officers, if required by the owner, with a protective certificate for each package, on the payment of import duty and surtax, to prevent the risk of any dispute in the interior.

Protective certificates for foreign goods.

Native goods brought by junks to open ports, if intended for local consumption, irrespective of the nationality of the owner of the goods, shall be reported at the native Customs offices only, to be dealt with according to the fiscal regulations of the Chinese Government.

Native goods for local consumption.

Machine-made cotton yarn and cloth manufactured in China, whether by foreigners at the open ports or by Chinese anywhere in China, shall as regards taxation be on a footing of perfect equality. Such goods upon payment of the taxes thereon shall be granted a rebate of the import duty and of two-thirds of the import surtax paid on the cotton used in their manufacture, if it has been imported from abroad, and of all duties paid thereon if it be Chinese grown cotton. They shall also be free of export duty, coast-trade duty and export surtax. The same principle and procedure shall be applied to all other products of foreign type turned out by machinery in China.

Machine products of foreign type.

A member or members of the Imperial Maritime Customs foreign staff shall be selected by the Governors-General and Governors of each of the various provinces of the Empire for their respective provinces, and appointed in consultation with the Inspector General of Imperial Maritime Customs, for duty in connection with native Customs affairs to have a general supervision of their working.

Appointment of customs officials.

Cases where illegal action is complained of by citizens of the United States shall be promptly investigated by an officer of the Chinese Government of sufficiently high rank, in conjunction with an officer of the United States Government, and an officer of the Imperial Maritime Customs, each of sufficient standing; and, in the event of it being found by the investigating officers that the complaint is well founded and loss has been incurred, due compensation shall be paid through the Imperial Maritime Customs. The high provincial officials shall be held responsible that the officer guilty of the illegal action shall be severely punished and removed from his post. If the complaint is shown to be frivolous or malicious, the complainant shall be held responsible for the expenses of the investigation.

Procedure on complaint of illegal action.

When the ratifications of this Treaty shall have been exchanged by the High Contracting Parties hereto, and the provisions of this Article shall have been accepted by the Powers having treaties with China, then a date shall be agreed upon when the provisions of this Article shall take effect and an Imperial Edict shall be published in due form on yellow paper and circulated throughout the Empire of China setting forth the abolition of all *likin* taxation, duties on goods in transit, offices, stations and barriers for collecting the same, and of all descriptions of internal taxation on foreign goods, and the imposition of the surtax on the import of foreign goods and on the export of native goods, and the other fiscal changes and reforms provided for in this Article, all of which shall take effect from the said date. The Edict shall state that the provincial high officials are responsible that any official disregarding the letter or the spirit of its injunction shall be severely punished and removed from his post.

Imperial edict.

ARTICLE V.

Discriminating duties prohibited.
Post, p. 131.
Ante, p. 124.

The tariff duties to be paid by citizens of the United States on goods imported into China shall be as set forth in the schedule annexed hereto and made part of this Treaty, subject only to such amendments and changes as are authorized by Article IV of the present convention or as may hereafter be agreed upon by the High Contracting Parties hereto. It is expressly agreed, however, that citizens of the United States shall at no time pay other or higher duties than those paid by the citizens or subjects of the most favored nation.

Conversely, Chinese subjects shall not pay higher duties on their imports into the United States than those paid by the citizens or subjects of the most favored nation.

ARTICLE VI.

Bonded warehouses.

The Government of China agrees to the establishment by citizens of the United States of warehouses approved by the proper Chinese authorities as bonded warehouses at the several open Ports of China, for storage, re-packing, or preparation for shipment of lawful goods, subject to such necessary regulations for the protection of the revenue of China, including a reasonable scale of fees according to commodities, distance from the custom house and hours of working, as shall be made from time to time by the proper officers of the Government of China.

ARTICLE VII.

Revision of mining regulations.

The Chinese Government, recognizing that it is advantageous for the country to develop its mineral resources, and that it is desirable to attract foreign as well as Chinese capital to embark in mining enterprises, agrees, within one year from the signing of this Treaty, to initiate and conclude the revision of the existing mining regulations. To this end China will, with all expedition and earnestness, go into the whole question of mining rules; and, selecting from the rules of the United States and other countries regulations which seem applicable to the condition of China, will recast its present mining rules in such a way as, while promoting the interests of Chinese subjects and not injuring in any way the sovereign rights of China, will offer no impediment to the attraction of foreign capital nor place foreign capitalists at a greater disadvantage than they would be under generally accepted foreign regulations; and will permit citizens of the United States to carry on in Chinese territory mining operations and other necessary business relating thereto provided they comply with the new regulations and conditions which will be imposed by China on its subjects and foreigners alike, relating to the opening of mines, the renting of mineral land, and the payment of royalty, and provided they apply for permits, the provisions of which in regard to necessary business relating to such operations shall be observed. The residence of citizens of the United States in connection with such mining operations shall be subject to such regulations as shall be agreed upon by and between the United States and China.

Any mining concession granted after the publication of such new rules shall be subject to their provisions.

ARTICLE VIII.

Drawback certificates.

Drawback certificates for the return of duties shall be issued by the Imperial Maritime Customs to citizens of the United States within three weeks of the presentation to the Customs of the papers entitling the applicant to receive such drawback certificates, and they shall be

receivable at their face value in payment of duties of all kinds (tonnage dues excepted) at the port of issue; or shall, in the case of drawbacks on foreign goods re-exported within three years from the date of importation, be redeemable by the Imperial Maritime Customs in full in ready money at the port of issue, at the option of the holders thereof. But if, in connection with any application for a drawback certificate, the Customs authorities discover an attempt to defraud the revenue, the applicant shall be dealt with and punished in accordance with the stipulations provided in the Treaty of Tientsin, Article XXI, in the case of detected frauds on the revenue. In case the goods have been removed from Chinese territory, then the consul shall inflict on the guilty party a suitable fine to be paid to the Chinese Government.

Vol. 12, p. 1028.

ARTICLE IX.

Whereas the United States undertakes to protect the citizens of any country in the exclusive use within the United States of any lawful trade-marks, provided that such country agrees by treaty or convention to give like protection to citizens of the United States:—

Trade-marks.

Therefore the Government of China, in order to secure such protection in the United States for its subjects, now agrees to fully protect any citizen, firm or corporation of the United States in the exclusive use in the Empire of China of any lawful trade-mark to the exclusive use of which in the United States they are entitled, or which they have adopted and used, or intend to adopt and use as soon as registered, for exclusive use within the Empire of China. To this end the Chinese Government agrees to issue by its proper authorities proclamations, having the force of law, forbidding all subjects of China from infringing on, imitating, colorably imitating, or knowingly passing off an imitation of trade-marks belonging to citizens of the United States, which shall have been registered by the proper authorities of the United States at such offices as the Chinese Government will establish for such purpose, on payment of a reasonable fee, after due investigation by the Chinese authorities, and in compliance with reasonable regulations.

ARTICLE X.

The United States Government allows subjects of China to patent their inventions in the United States and protects them in the use and ownership of such patents. The Government of China now agrees that it will establish a Patent Office. After this office has been established and special laws with regard to inventions have been adopted it will thereupon, after the payment of the prescribed fees, issue certificates of protection, valid for a fixed term of years, to citizens of the United States on all their patents issued by the United States, in respect of articles the sale of which is lawful in China, which do not infringe on previous inventions of Chinese subjects, in the same manner as patents are to be issued to subjects of China.

Patents

ARTICLE XI.

Whereas the Government of the United States undertakes to give the benefits of its copyright laws to the citizens of any foreign State which gives to the citizens of the United States the benefits of copyright on an equal basis with its own citizens:—

Copyrights

Therefore the Government of China, in order to secure such benefits in the United States for its subjects, now agrees to give full protection, in the same way and manner and subject to the same conditions upon which it agrees to protect trade-marks, to all citizens of the United States who are authors, designers or proprietors of any book, map,

print or engraving especially prepared for the use and education of the Chinese people, or translation into Chinese of any book, in the exclusive right to print and sell such book, map, print, engraving or translation in the Empire of China during ten years from the date of registration. With the exception of the books, maps, etc., specified above, which may not be reprinted in the same form, no work shall be entitled to copyright privileges under this article. It is understood that Chinese subjects shall be at liberty to make, print and sell original translations into Chinese of any works written or of maps compiled by a citizen of the United States. This article shall not be held to protect against due process of law any citizen of the United States or Chinese subject who may be author, proprietor or seller of any publication calculated to injure the well-being of China.

ARTICLE XII.

Commerce and trade
of inland waters.

The Chinese Government having in 1898 opened the navigable inland waters of the Empire to commerce by all steam vessels, native or foreign, that may be specially registered for the purpose, for the conveyance of passengers and lawful merchandise,—citizens, firms and corporations of the United States may engage in such commerce on equal terms with those granted to subjects of any foreign power.

Modification of reg-
ulations.

In case either party hereto considers it advantageous at any time that the rules and regulations then in existence for such commerce be altered or amended, the Chinese Government agrees to consider amicably and to adopt such modifications thereof as are found necessary for trade and for the benefit of China.

Mukden and Antung
opened to trade, etc.

The Chinese Government agrees that, upon the exchange of the ratifications of this Treaty, Mukden and Antung, both in the province of Sheng-king, will be opened by China itself as places of international residence and trade. The selection of suitable localities to be set apart for international use and occupation and the regulations for these places set apart for foreign residence and trade shall be agreed upon by the Governments of the United States and China after consultation together.

ARTICLE XIII.

Uniform national
coinage.

China agrees to take the necessary steps to provide for a uniform national coinage which shall be legal tender in payment of all duties, taxes and other obligations throughout the Empire by the citizens of the United States as well as Chinese subjects. It is understood, however, that all Customs duties shall continue to be calculated and paid on the basis of the Haikuan Tael.

ARTICLE XIV.

Religious freedom.

The principles of the Christian religion, as professed by the Protestant and Roman Catholic Churches, are recognized as teaching men to do good and to do to others as they would have others do to them. Those who quietly profess and teach these doctrines shall not be harassed or persecuted on account of their faith. Any person, whether citizen of the United States or Chinese convert, who, according to these tenets, peaceably teaches and practices the principles of Christianity shall in no case be interfered with or molested therefor. No restrictions shall be placed on Chinese joining Christian churches. Converts and non-converts, being Chinese subjects, shall alike conform to the laws of China; and shall pay due respect to those in authority, living together in peace and amity; and the fact of being converts shall not protect them from the consequences of any offence they may have committed before or may commit after their admission into the church,

or exempt them from paying legal taxes levied on Chinese subjects generally, except taxes levied and contributions for the support of religious customs and practices contrary to their faith. Missionaries shall not interfere with the exercise by the native authorities of their jurisdiction over Chinese subjects; nor shall the native authorities make any distinction between converts and non-converts, but shall administer the laws without partiality so that both classes can live together in peace.

Missionary societies of the United States shall be permitted to rent and to lease in perpetuity, as the property of such societies, buildings or lands in all parts of the Empire for missionary purposes and, after the title deeds have been found in order and duly stamped by the local authorities, to erect such suitable buildings as may be required for carrying on their good work.

Privileges granted missionary societies.

ARTICLE XV.

The Government of China having expressed a strong desire to reform its judicial system and to bring it into accord with that of Western nations, the United States agrees to give every assistance to such reform and will also be prepared to relinquish extra-territorial rights when satisfied that the state of the Chinese laws, the arrangements for their administration, and other considerations warrant it in so doing.

Reform of Chinese judicial system.

ARTICLE XVI.

The Government of the United States consents to the prohibition by the Government of China of the importation into China of morphia and of instruments for its injection, excepting morphia and instruments for its injection imported for medical purposes, on payment of tariff duty, and under regulations to be framed by China which shall effectually restrict the use of such import to the said purposes. This prohibition shall be uniformly applied to such importation from all countries. The Chinese Government undertakes to adopt at once measures to prevent the manufacture in China of morphia and of instruments for its injection.

Importation of morphia restricted.

Manufacture of morphia.

ARTICLE XVII.

It is agreed between the High Contracting Parties hereto that all the provisions of the several treaties between the United States and China which were in force on the first day of January A. D. 1900, are continued in full force and effect except in so far as they are modified by the present Treaty or other treaties to which the United States is a party.

Provisions of existing treaties continued.

The present Treaty shall remain in force for a period of ten years beginning with the date of the exchange of ratifications and until a revision is effected as hereinafter provided.

Term of treaty.

It is further agreed that either of the High Contracting Parties may demand that the tariff and the articles of this convention be revised at the end of ten years from the date of the exchange of the ratifications thereof. If no revision is demanded before the end of the first term of ten years, then these articles in their present form shall remain in full force for a further term of ten years reckoned from the end of the first term, and so on for successive periods of ten years.

Revision

The English and Chinese texts of the present Treaty and its three annexes have been carefully compared; but, in the event of there being any difference of meaning between them, the sense as expressed in the English text shall be held to be the correct one.

Preference given English text.

Ratification.

This Treaty and its three annexes shall be ratified by the two High Contracting Parties in conformity with their respective constitutions, and the ratifications shall be exchanged in Washington not later than twelve months from the present date.

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

Signatures.

Done at Shanghai, this eighth day of October in the year of our Lord one thousand nine hundred and three, and in the twenty ninth year of Kuang Hsü eighth month and eighteenth day.

EDWIN H. CONGER [SEAL.]
JOHN GOODNOW. [SEAL.]
JOHN F. SEAMAN [SEAL.]

Signatures and seal of Chinese Plenipotentiaries.

[LÜ HAI-HUAN]
[SHENG HSÜAN-HUAI]

Annex I.

ANNEX I.

Opium.

As citizens of the United States are already forbidden by treaty to deal in or handle opium, no mention has been made in this Treaty of opium taxation.

Salt.

As the trade in salt is a government monopoly in China, no mention has been made in this Treaty of salt taxation.

It is, however, understood, after full discussion and consideration, that the collection of inland dues on opium and salt and the means for the protection of the revenue therefrom and for preventing illicit traffic therein are left to be administered by the Chinese Government in such manner as shall in no wise interfere with the provisions of Article IV of this treaty regarding the unobstructed transit of other goods.

Ante, p. 2210.

EDWIN H. CONGER [SEAL.]
JOHN GOODNOW [SEAL.]
JOHN F. SEAMAN [SEAL.]

Signatures and seal of Chinese Plenipotentiaries.

[LÜ HAI-HUAN]
[SHENG HSÜAN-HUAI]

Annex II.

ANNEX II.

Branch native customs offices.
Ante, p. 2210.

Article IV of the Treaty of Commerce between the United States and China of this date provides for the retention of the native Customs offices at the open ports. For the purpose of safeguarding the revenue of China at such places, it is understood that the Chinese Government shall be entitled to establish and maintain such branch native Customs offices at each open port, within a reasonable distance of the main native Customs offices at the port, as shall be deemed by the authorities of the Imperial Maritime Customs at that port necessary to collect the revenue from the trade into and out of such port. Such branches, as well as the main native Customs offices at each open port, shall be administered by the Imperial Maritime Customs as provided by the Protocol of 1901.

EDWIN H. CONGER [SEAL.]
JOHN GOODNOW [SEAL.]
JOHN F. SEAMAN [SEAL.]

Signatures and seal of Chinese Plenipotentiaries.

[LÜ HAI-HUAN]
[SHENG HSÜAN-HUAI]

ANNEX III.

Annex III.

The schedule of tariff duties on imported goods annexed to this Treaty under Article V is hereby mutually declared to be the schedule agreed upon between the representatives of China and the United States and signed by John Goodnow for the United States and Their Excellencies Lü Hai-huan and Sheng Hsüan-huai for China at Shanghai on the sixth day of September A. D. 1902, according to the Protocol of the seventh day of September A. D. 1901.

Schedule of tariff
duties.
Ante, p. 2212.

Infra.

EDWIN H. CONGER [SEAL.]
JOHN GOODNOW [SEAL.]
JOHN F. SEAMAN [SEAL.]

Signatures and seal of Chinese Plenipotentiaries.

[LÜ HAI-HUAN]
[SHENG HSÜAN-HUAI]

And whereas the said Treaty and Annexes have been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the thirteenth day of January, one thousand nine hundred and four;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Treaty and Annexes 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 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 thirteenth day of January in the year of our Lord one thousand nine hundred and four, and [SEAL] of the Independence of the United States the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

JOHN HAY

*Secretary of State.**Import Tariff.*

Import tariff.

	H'k. Tls.
Agar-agar	0.300
Agaric. <i>See</i> Fungus.	
Amber .....	.325
Aniseed (star):	
First quality (value 15 taels and over per picul)	1.000
Second quality (value under 15 taels per picul) .....	.440
Apricot seed .....	.900
Arrowroot and arrowroot flour	5 per ct.
Asafetida	1.000
Asbestos boiler composition .....	.200
Asbestos fiber	5.000
Asbestos millboard .....	.500
Asbestos packing, including sheets and blocks	3.500
Asbestos packing, metallic	5.000
Asbestos yarn	2.250
Awabi	1.500
Bacon and ham	5 per ct.
Bags:	
Grass	1.250
Gunny	4.250
Gunny (old)	5 per ct.
Hemp	4.250
Hemp (old)	5 per ct.
Straw	1.250
Baking powder in bottles or tins:	
4-ounce .....	.083
6-ounce .....	.110
8-ounce .....	.145

Import tariff.

	H'k. Tls.
Baking powder in bottles or tins—Continued.	
12-ounce.....per dozen..	0. 226
1-pound.....do.....	. 303
3-pound.....do.....	. 810
5-pound.....do.....	1. 350
Bark:	
Mangrove.....per picul..	. 073
Plum tree.....do.....	. 120
Yellow (for dyeing).....	5 per ct.
Yellow (medicinal).....per picul..	. 800
Barley, pearl.....per picul..	. 300
Basins, iron (enameled):	
Up to 9 inches in diameter, decorated or not decorated...per dozen..	. 050
Over 9 inches in diameter, agate, blue and white, gray or mottled, not decorated.....per dozen..	. 090
Over 9 inches in diameter, decorated (with gold).....do.....	. 175
Over 9 inches in diameter, decorated (without gold).....do.....	. 125
Basins, tin (common).....per gross..	. 250
Beads:	
Coral.....per catty..	. 750
Cornelian.....per picul..	7. 000
Glass of all kinds.....	5 per ct.
Beer. See Wines, etc.	
Beeswax, yellow.....per picul..	1. 600
Belting.....	5 per ct.
Betel-nut husk:	
Dried.....per picul..	. 077
Fresh.....do.....	. 018
Betel-nut leaves, dried.....do.....	. 045
Betel nuts:	
Dried.....do.....	. 225
Fresh.....do.....	. 018
Bezoar cow, Indian	
5 per ct.	
Bicho de Mar:	
Black.....per picul..	1. 600
White.....do.....	. 700
Bicycle materials.....	5 per ct.
Bicycles.....each.....	3. 000
Birds' nests:	
First quality.....per catty..	1. 400
Second quality.....do.....	. 450
Third quality.....do.....	. 150
Blue:	
Paris.....per picul..	1. 500
Prussian.....do.....	1. 500
Bones, tiger.....do.....	2. 500
Books:	
Chinese.....	Free.
Printed, and charts, maps, newspapers, and periodicals.....	Free.
Borax:	
Crude.....per picul..	. 610
Refined.....do.....	1. 460
Braid, llama.....do.....	5. 000
Bricks, fire.....	5 per ct.
Bronze powder.....per picul..	2. 200
Butter in tins, jars, and other packages.....do.....	2. 000
Buttons:	
Agate and porcelain.....per 12 gross..	. 010
Brass and other kinds (not jewelry).....per gross..	. 020
Byrrh. (See Wines, etc.)	
Camphor.....per picul..	1. 650
Camphor baroos:	
Clean.....per catty..	2. 450
Refuse.....	5 per ct.
Candles:	
9-ounce.....per case of 25 packages of 6 candles..	. 075
12-ounce.....do.....	. 100
16-ounce.....do.....	. 133
All kinds, differently packed.....per picul..	. 750
Other weights, duty in proportion.	
Canes:	
Bamboo.....per thousand..	. 400
Coir—	
1 foot long.....per picul..	. 200
5 feet long.....per thousand..	. 300

	F'k. Tls.	Import tariff.
Canned fruits, vegetables, etc. (all weights and measures approximate):		
Table fruits (apples, apricots, grapes, peaches, pears, and plums), per dozen 2½-pound cans..	0.065	
Pie fruits (apples, apricots, grapes, peaches, pears, and plums), per dozen 2½-pound cans..	.057	
Preserved fruits in glass bottles, jars, cardboard, or wooden boxes, in- cluding weight of immediate package..... per picul..	.650	
Asparagus..... per dozen 2½-pound tins..	.118	
Corn..... per dozen 2-pound tins..	.054	
Pease..... do.....	.060	
String beans..... do.....	.054	
Tomatoes..... per dozen 2½-pound tins..	.054	
All other vegetables preserved in tins, bottles, or jars, including weight of immediate package..... per picul..	.525	
Tomato sauce and catsup—		
½-pint bottles..... per dozen..	.054	
1-pint bottles..... do.....	.087	
Jams and jellies—		
1-pound tins, bottles, or jars..... per dozen..	.060	
2-pound tins, bottles, or jars..... do.....	.118	
Milk (including condensed)..... per case of 4 dozen 1-pound tins..	.250	
Cream, evaporated—		
4 dozen pints (family size)..... per case..	.230	
2 dozen quarts (hotel size)..... do.....	.260	
Canned meats—		
Bacon or ham, sliced—		
Half-pound tins..... per dozen..	.077	
1-pound tins..... do.....	.144	
Dried beef, sliced..... per dozen 1-pound jars..	.144	
Mince-meat—		
1½-pound pails..... per dozen..	.100	
3-pound pails..... do.....	.181	
Kits (half barrels and barrels)..... per picul..	.729	
Pork and beans, plain or with tomato sauce—		
1-pound tins..... per dozen..	.040	
2-pound tins..... do.....	.075	
3-pound tins..... do.....	.085	
Potted and deviled meat—		
Quarter-pound tins..... do.....	.022	
Half-pound tins..... do.....	.042	
Potted and deviled poultry and poultry and meat combined—		
Quarter-pound tins..... per dozen..	.042	
Half-pound tins..... do.....	.072	
Soup and bouilli—		
2-pound tins..... do.....	.101	
6-pound tins..... do.....	.244	
Tamales, chicken—		
Half-pound tins..... do.....	.051	
1-pound tins..... do.....	.080	
Tongues of every description—		
Half-pound tins..... do.....	.098	
1-pound tins..... do.....	.204	
1½-pound tins..... do.....	.287	
2-pound tins..... do.....	.333	
2½-pound tins..... do.....	.445	
3-pound tins..... do.....	.515	
3½-pound tins..... do.....	.545	
All other canned meats, including game, of every description, with or without vegetables—		
Half-pound tins..... per dozen..	.052	
1-pound tins..... do.....	.063	
2-pound tins..... do.....	.120	
4-pound tins..... do.....	.210	
6-pound tins..... do.....	.370	
14-pound tins..... do.....	.810	
Canvas and cotton duck, not exceeding 36 inches wide..... per yard..	.010	
Capoor cutchery.....	5 per ct.	
Cardamoms:		
Superior, and amomums..... per picul..	10.000	
Inferior, or grains of paradise..... do.....	1.000	
Husk..... do.....	.250	
Cards, playing.....	5 per ct.	

Import tariff.

	H'k. Tls.
Cassia:	
Buds.....per picul..	0. 750
Lignea.....do.....	.920
Twigs.....do.....	.170
Cement.....per cask of 3 piculs..	.150
Cereals and flour (including barley, maize, millet, oats, paddy, rice, wheat, and flour made therefrom; also buckwheat and buckwheat flour, corn flour and yellow corn meal, rye flour, and hovis flour, but not including arrowroot and arrowroot flour, cracked wheat, germea, hominy, pearl barley, potato flour, quaker oats, rolled oats, sago and sago flour, shredded wheat, tapioca and tapioca flour, and yam flour)	Free.
Chairs, Vienna bent-wood.....per dozen..	.800
Charcoal.....per picul..	.030
Cheese.....	5 per ct.
Chestnuts.....per picul..	.180
China root, whole, sliced, or in cubes.....do.....	.650
China ware, coarse and fine.....	5 per ct.
Chloride of lime.....per picul..	.300
Chocolate, sweetened.....per pound..	.012
Cigarettes:	
First quality (value exceeding 4.50 taels per thousand).....per thousand..	.500
Second quality (value not exceeding 4.50 taels per thousand).....do.....	.090
Cigars.....do.....	.500
Cinnabar.....per picul..	3. 750
Cinnamon.....do.....	4. 000
Clams, dried.....do.....	.550
Clocks of all kinds.....	5 per ct.
Cloves.....per picul..	.630
Cloves, mother.....do.....	.360
Coal:	
Asiatic.....per ton..	.250
Other kinds.....do.....	.600
Asiatic, briquettes.....do.....	.500
Cochineal.....	5 per ct.
Cockles:	
Dried.....per picul..	.500
Fresh.....do.....	.050
Cocoa.....do.....	3. 600
Coffee.....do.....	1. 000
Coir canes:	
1 foot long.....per picul..	.200
5 feet long.....per thousand..	.300
Coke:	
Asiatic.....per ton..	.500
Other kinds.....do.....	.900
Compoys.....per picul..	2. 000
Coral.....per catty	1. 110
Coral beads.....do.....	.750
Coral, broken and refuse.....do.....	.550
Cordage of all kinds.....	5 per ct.
Cornelian beads.....per picul..	7. 000
Cornelian stones, rough.....per hundred..	.300
Corundum sand.....per picul..	.195
Cotton piece goods:	
Gray shirtings or sheetings, not exceeding 40 inches wide and not exceeding 40 yards long—	
(a) Weight 7 pounds and under.....per piece..	.050
(b) Weight over 7 pounds and not over 9 pounds.....do.....	.080
(c) Weight over 9 pounds and not over 11 pounds.....do.....	.110
(d) Weight over 11 pounds.....do.....	.120
Imitation native cotton cloth (hand-made), gray or bleached—	
(a) Not exceeding 20 inches wide and not exceeding 20 yards long; weight 3 pounds and under.....per piece..	.027
(b) Exceeding 20 inches wide.....	5 per ct.
White shirtings, white Irishes, white sheetings, white brocades, and white striped or spotted shirtings: not exceeding 37 inches wide and not exceeding 42 yards long.....per piece..	.135
Drills, gray or white: not exceeding 31 inches wide and not exceeding 40 yards long—	
(a) Weight 12 $\frac{3}{4}$ pounds and under.....per piece..	.100
(b) Weight over 12 $\frac{3}{4}$ pounds.....do.....	.125
Jeans, gray or white—	
(a) Not exceeding 31 inches wide and not exceeding 30 yards long.....per piece..	.090
(b) Not exceeding 31 inches wide and not exceeding 40 yards long.....per piece..	.120

Cotton piece goods—Continued.

	H'k. Tls.	Import tariff.
T cloths, gray or white—		
(a) Not exceeding 34 inches wide and not exceeding 24 yards long	per piece..	0. 070
(b) Not exceeding 34 inches wide and exceeding 24 yards, but not exceeding 40 yards long	per piece..	. 135
(c) Exceeding 34 inches but not exceeding 37 inches wide and not exceeding 24 yards long	per piece..	. 080
Crimp cloth and crape, plain—		
(a) Not exceeding 30 inches wide and not exceeding 6 yards long,	per piece..	. 027
(b) Not exceeding 30 inches wide, exceeding 6 yards but not exceeding 10 yards long	per piece..	. 035
(c) Not exceeding 30 inches wide but exceeding 10 yards long,	per yard..	. 003½
White muslins, white lawns: and white cambrics: not exceeding 46 inches wide and not exceeding 12 yards long	per piece..	. 032
Mosquito netting, white or colored: not exceeding 90 inches wide,	per yard..	. 010
Lenos and balzarines, white, dyed, or printed: not exceeding 31 inches wide and not exceeding 30 yards long	per piece..	. 090
Leno brocades and balzarine brocades, dyed		5 per ct.
Prints—		
(a) Printed cambrics, lawns, or muslins: not exceeding 46 inches wide and not exceeding 12 yards long	per piece..	. 037
(b) Printed chintzes, printed crapes, printed drills, printed furnitures, printed shirtings, printed T-cloths (including those goods known as blue and white printed T-cloths), printed twills: but not including goods mentioned in (c) and (h)—		
1. Not exceeding 20 inches wide		5 per ct.
2. Exceeding 20 inches but not exceeding 31 inches wide and not exceeding 30 yards long	per piece..	. 080
(c) Printed crimp cloth—		
1. Not exceeding 30 inches wide and not exceeding 6 yards long	per piece..	. 027
2. Not exceeding 30 inches wide, exceeding 6 yards but not exceeding 10 yards long	per piece..	. 035
3. Not exceeding 30 inches wide but exceeding 10 yards long,	per yard..	. 003½
(d) Printed lenos and balzarines: not exceeding 31 inches wide and not exceeding 30 yards long	per piece..	. 090
(e) Printed sheetings: not exceeding 36 inches wide and not exceeding 43 yards long	per piece..	. 185
(f) Printed Turkey reds: of all kinds, not exceeding 31 inches wide and not exceeding 25 yards long	per piece..	. 100
(g) Printed sateens, printed satinets, printed reps, printed cotton lastings, including all cotton piece goods which are both dyed and printed, except those specified in (f) and (h), and including any special finish, such as mercerized finish, schreiner finish, gassed finish, silk finish, or electric finish: not exceeding 32 inches wide and not exceeding 32 yards long	per piece..	. 250
(h) Duplex prints or reversible cretonnes (not including those goods known as blue and white printed T-cloths)		5 per ct.
Dyed cottons—		
(a) Dyed plain cottons, <i>i. e.</i> , without woven or embossed figures (including plain Italians, lastings, reps, and ribs, and all other dyed plain cottons not otherwise enumerated, and including any special finish, such as mercerized finish, schreiner finish, gassed finish, silk finish, or electric finish): not exceeding 36 inches wide and not exceeding 33 yards long	per piece..	. 240
(b) Dyed figured cottons, <i>i. e.</i> , with woven or embossed figures (including figured Italians and lastings, figured reps, and figured ribs, and all other dyed figured cottons not otherwise enumerated, and including any special finish, such as mercerized finish, schreiner finish, gassed finish, silk finish, or electric finish): not exceeding 36 inches wide and not exceeding 33 yards long	per piece..	. 150
(c) Dyed crimp cloth—		
1. Not exceeding 30 inches wide and not exceeding 6 yards long	per piece..	. 027
2. Not exceeding 30 inches wide, exceeding 6 yards but not exceeding 10 yards long	per piece..	. 035
3. Not exceeding 30 inches wide but exceeding 10 yards long	per yard..	. 003½
(d) Dyed drills: not exceeding 31 inches wide and not exceeding 43 yards long	per piece..	. 170

Import tariff.

	H'k. Tls.
Dyed cottons—Continued.	
(e) Dyed lenos and balzarines: not exceeding 31 inches wide and not exceeding 30 yards long..... per piece..	0.090
(f) Dyed leno brocades.....	5 per ct.
(g) Dyed muslins, lawns, and cambrics: not exceeding 46 inches wide and not exceeding 12 yards long..... per piece..	.037
(h) Dyed shirtings and sheetings: not exceeding 36 inches wide and not exceeding 43 yards long..... per piece..	.150
(i) Hongkong-dyed shirtings: not exceeding 36 inches wide and not exceeding 20 yards long..... per piece..	.100
(j) Dyed cotton cuts: not exceeding 36 inches wide and not exceeding 5½ yards long..... per piece..	.022½
(N. B.—The pro rata rule does not apply.)	
(k) Dyed T-cloths (including dyed alpaccianos), dyed real and imitation Turkey reds of all kinds: not exceeding 32 inches wide and not exceeding 25 yards long—	
1. Weight 3¼ pounds and under..... per piece..	.060
2. Weight over 3¼ pounds..... do.....	.100
Flannelettes and cotton Spanish stripes—	
(a) Cotton flannel, Canton flannel, swan's-down, flannelettes, and raised cotton cloths of all kinds, plain, dyed, and printed—	
1. Not exceeding 36 inches wide and not exceeding 15 yards long..... per piece..	.065
2. Not exceeding 36 inches wide, exceeding 15 yards but not exceeding 30 yards long..... per piece..	.130
(b) Dyed cotton Spanish stripes—	
1. Not exceeding 32 inches wide and not exceeding 20 yards long..... per piece..	.085
2. Exceeding 32 inches but not exceeding 64 inches wide and not exceeding 20 yards long..... per piece..	.170
Colored woven cottons, i. e., dyed in the yarn, except crimp cloth.....	5 per ct.
Crimp cloth—	
(a) Not exceeding 30 inches wide and not exceeding 6 yards long, per piece..	.027
(b) Not exceeding 30 inches wide and exceeding 6 yards but not exceeding 10 yards long..... per piece..	.035
(c) Not exceeding 30 inches wide but exceeding 10 yards long, per yard..	.003½
Velvets and velveteens, velvet cords, and fustians—	
(a) Velvets and velveteens, plain—	
1. Not exceeding 18 inches wide..... per yard..	.006
2. Exceeding 18 inches but not exceeding 22 inches wide, per yard..	.007
3. Exceeding 22 inches but not exceeding 26 inches wide, per yard..	.008
(b) Velvets and velveteens, printed or embossed: not exceeding 30 inches wide..... per yard..	.015
(c) Dyed velvet cords, dyed velveteen cords, dyed corduroys, dyed fustians of any description: not exceeding 30 inches wide per yard..	.015
Blankets, cotton, plain, printed, or jacquard.....	.030
Handkerchiefs, cotton—	
(a) Plain, dyed, or printed, not embroidered, hemstitched or initialed: not exceeding 1 yard square..... per dozen..	.020
(b) All other handkerchiefs.....	5 per ct.
Singlets or drawers, cotton.....	.125
Socks, cotton (including lisle thread)—	
First quality (i. e., valued at 1 tael or over per dozen pairs), per dozen pairs..	.075
Second quality (i. e., valued at less than 1 tael per dozen pairs), per dozen pairs..	.032
Towels, cotton—	
(a) Honeycomb or huckaback, plain or printed (dimensions exclusive of fringe)—	
1. Not exceeding 18 inches wide and not exceeding 40 inches long..... per dozen..	.020
2. Exceeding 18 inches wide and not exceeding 50 inches long..... per dozen..	.030
(b) All other towels.....	5 per ct.
Cottons, unclassified.....	5 per ct.
Cotton, raw.....	.600
Cotton thread:	
Ball thread, dyed or undyed..... do.....	3.000

	H'k. Tls.	Import tariff.
Cotton thread—Continued.		
On spools—		
50 yards	per gross..	0.040
100 yards	do.	.080
200 yards	do.	.160
Cotton yarn:		
Gray or bleached	per picul..	.950
Dyed	5 per ct.	
Gassed	5 per ct.	
Mercerized	5 per ct.	
Wooloa or berlinette	per picul..	3.500
Cow bezoar, Indian	5 per ct.	
Crabs' flesh	per picul..	.600
Crocodile (including armadillo) scales	do.	2.725
Currants	do.	.500
Cutch	do.	.300
Cuttlefish	do.	.667
Dyes, colors, and paints:		
Aniline	5 per ct.	
Blue—		
Paris	per picul..	1.500
Prussian	do.	1.500
Bronze powder	do.	2.200
Carthamin	5 per ct.	
Chrome yellow	5 per ct.	
Cinnabar	per picul..	3.750
Gamboge	do.	2.700
Green—		
Emerald	do.	1.000
Schweinfurt, or imitation	do.	1.000
Indigo—		
Dried, artificial or natural	5 per ct.	
Liquid—		
Artificial	per picul..	2.025
Natural	do.	.215
Paste, artificial	do.	2.025
Lead—		
Red, dry or mixed with oil	do.	.450
White, dry or mixed with oil	do.	.450
Yellow, dry or mixed with oil	do.	.450
Logwood extract	do.	.600
Ocher	do.	.600
Smalt	do.	1.600
Ultramarine	do.	.500
Vermillion	do.	4.000
Imitation	5 per ct.	
White zinc	5 per ct.	
Paints, unclassified	5 per ct.	
Elephants' teeth (other than tusks) and jaws, whole or part	per picul..	3.000
Elephants' tusks, whole or parts	per catty..	.170
Emery cloth and sandpaper (sheets not exceeding 144 square inches),		
per ream .....		.250
Emery powder	5 per ct.	
Enameled ironware:		
Mugs, cups, basins, and bowls, 9 inches or under in diameter, decorated or not decorated	per dozen..	.050
Basins and bowls, over 9 inches in diameter, agate, blue and white, gray, mottled, not decorated	per dozen..	.090
Basins and bowls, over 9 inches in diameter, decorated (with gold),		
per dozen .....		.175
Basins and bowls, over 9 inches in diameter, decorated (without gold),		
per dozen .....		.125
Enamel ware, unclassified	5 per ct.	
Fans:		
Palm-leaf—		
Coarse	per thousand..	.280
Fine	do.	.450
Fancy	do.	1.000
Paper or cotton, of all kinds	do.	1.400
Silk	5 per ct.	
Feathers:		
Kingfisher—		
Part skins (i. e., wings, tails, or backs)	per hundred..	.250
Whole skins	do.	.600
Peacock	5 per ct.	

Import tariff.

	H ^k . Tls.
Files. <i>See</i> Tools.	
Fire clay..... per picul..	0. 050
Firewood..... do.....	. 010
Fish:	
Cuttle..... do.....	. 667
Dried or smoked, in bulk (including stockfish but not including cuttlefish)..... per picul..	. 315
Fresh..... do.....	. 137
Maws..... do.....	4. 250
Salt..... do.....	. 160
Stock..... do.....	. 315
Fishskins..... do.....	. 600
Flints..... do.....	. 040
Flour. <i>See</i> Cereals.	
Flour, arrowroot, potato, sago, tapioca, yam.....	5 per ct.
Fungus or agaric..... per picul..	1. 715
Fungus, white..... per catty..	. 250
Galangal..... per picul..	. 170
Gambier..... do.....	. 300
Gambier, false or cunao (yam-root dyestuff)..... do.....	. 150
Gamboge..... do.....	2. 700
Gasoline or stove naphtha..... per 10 gallon drum..	. 150
Ginseng:	
Crude—	
First quality (value exceeding 2 taels per catty)..... per catty..	. 220
Second quality (value not exceeding 2 taels per catty)..... do.....	. 072
Clarified or cleaned—	
First quality (value exceeding 11 taels per catty)..... do.....	1. 100
Second quality (value exceeding 6 taels but not exceeding 11 taels per catty)..... per catty..	. 375
Third quality (value exceeding 2 taels but not exceeding 6 taels per catty)..... per catty..	. 220
Fourth quality (value not exceeding 2 taels per catty)..... do.....	. 080
Glass:	
Plate—	
Silvered..... per square foot..	. 025
Unsilvered.....	5 per ct.
Window—	
Colored, stained, ground, or obscured... per box of 100 square feet..	. 350
Common, not stained, colored, or otherwise obscured..... do.....	. 170
Glass powder (<i>see</i> match-making materials)..... per picul..	. 110
Glue..... do.....	. 830
Gold thread, imitation. <i>See</i> Thread.	
Groundnuts..... per picul..	. 150
Gum arabic..... do.....	1. 000
Gum benjamin..... do.....	. 600
Gum benjamin, oil of.....	5 per ct.
Gum dragon's blood..... per picul..	4. 000
Gum myrrh..... do.....	. 465
Gum olibanum..... do.....	. 450
Gum resin..... do.....	. 187
Gutta-percha. <i>See</i> India rubber.	
Hair, horse..... do.....	1. 400
Hair, horsetails..... do.....	2. 500
Hams.....	5 per ct.
Handkerchiefs. <i>See</i> Cotton piece goods.	
Hartall or orpiment..... per picul..	. 450
Hemp.....	5 per ct.
Hessians or burlaps, all weights..... per 1,000 yards..	2. 850
Hide poison or specific.....	5 per ct.
Hides, buffalo and cow..... per picul..	. 800
Hollow-ware: cast coated or tinned..... do.....	. 500
Hoofs, animal..... do.....	. 125
Hops.....	5 per ct.
Horns:	
Buffalo and cow..... per picul..	. 350
Deer.....	5 per ct.
Rhinoceros..... per catty..	2. 400
Hosiery. <i>See</i> Cotton piece goods (socks).	
India-rubber and gutta-percha articles (other than boots and shoes).....	5 per ct.
India-rubber and gutta-percha, crude..... per picul..	3. 140
India-rubber boots..... per pair..	. 080
India-rubber shoes..... do.....	. 020
India-rubber, old (fit only for remanufacture)..... per picul..	. 250

	H'k. Tls.	Import tariff.
Indigo:		
Dried, artificial or natural	5 per ct.	
Liquid—		
Artificial	per picul..	2. 025
Natural	do.....	. 215
Paste, artificial	do.....	2. 025
Ink, printing	5 per ct.	
Isinglass (fish glue)	per picul..	4. 000
Isinglass, vegetable	do.....	1. 750
Jams and jellies in tins, bottles, or jars:		
1-pound	per dozen..	. 060
2-pound	do.....	. 118
Joss sticks	per picul..	. 640
Kerosene oil cans and cases, empty	per 2 cans in 1 case..	. 005
Lace open work or insertion work of cotton, machine made:		
(a) Not exceeding 1 inch wide, outside measurement,	per 12 dozen yards..	. 050
(b) Exceeding 1 inch but not exceeding 2 inches wide, outside measurement	per 12 dozen yards..	. 100
(c) Exceeding 2 inches but not exceeding 3 inches wide, outside measurement	per 12 dozen yards..	. 166
(d) Exceeding 3 inches wide, outside measurement, per 12 dozen yards .....		. 216
Lace open work or insertion work of any fibrous material except silk or cotton or imitation gold or silver thread:		
(a) Machine made	per catty..	. 500
(b) Handmade (including cotton)	do.....	2. 400
Lacquer ware	5 per ct.	
Lamps and their accessories	5 per ct.	
Lamp wick	per picul..	2. 000
Lard, pure or compound	do.....	. 600
Lead red, white, yellow, dry or mixed with oil	do.....	. 450
Leather:		
Belting	5 per ct.	
Calf	per picul..	7. 000
Colored	do.....	7. 000
Cow	do.....	2. 500
Harness (not including enameled or pigskin)	do.....	3. 000
Kid	do.....	7. 000
Sole	do.....	2. 500
Patent	do.....	7. 000
All other kinds	5 per ct.	
Lichees, dried	per picul..	. 450
Lily flowers, dried	do.....	. 325
Lily seed (<i>i. e.</i> , lotus nuts without husks)	do.....	1. 000
Lime, chloride of	do.....	. 300
Linen	5 per ct.	
Liqueurs. <i>See</i> Wines, etc.		
Licorice	per picul..	. 500
Logwood extract	do.....	. 600
Lotus nuts (<i>i. e.</i> , lily seeds with husks)	do.....	. 400
Lucraban seed	do.....	. 350
Lung-ngan pulp	do.....	. 550
Lung-ngans, dried	do.....	. 450
Macaroni and vermicelli, and similar pastes	do.....	. 325
Mace	5 per ct.	
Machines, sewing, hand or foot	5 per ct.	
Madeira. <i>See</i> Wines, etc. (vins de liqueur).		
Malaga. <i>See</i> Wines, etc. (vins de liqueur).		
Malt	per picul..	. 370
Mangrove bark	do.....	. 073
Manure, chemical	5 per ct.	
Margarine, in tins, jars, or kegs	per picul..	1. 400
Marsala. <i>See</i> Wines, etc. (vins de liqueur).		
Matches:		
Rainbow or brilliant	per 50 gross boxes..	1. 500
Wax vestas: not exceeding 100 in a box	per 10 gross boxes..	1. 600
Wood, safety or other,		
Large: boxes not exceeding 2½ by 1½ by ¾ inches, per 50 gross boxes..		. 630
Small: boxes not exceeding 2 by 1¾ by ¾ inches, per 100 gross boxes..		. 920
Boxes exceeding above sizes	5 per ct.	
Match-making materials:		
Glass powder	per picul..	. 110
Phosphorus	do.....	4. 125
Splints	do.....	. 088
Wax, paraffin	do.....	. 500
Wood shavings	do.....	. 113

Import tariff.

	H'k. Tls.
Mats:	
Coir (door)	per dozen.. 1.000
Formosa, grass (bed)	each.. .050
Rush	per hundred.. .500
Straw	do.. .225
Tatami	each.. .045
Matting:	
Coir: not exceeding 36 inches wide	per roll of 100 yards.. 2.750
Straw: not exceeding 36 inches wide	per roll of 40 yards.. .250
Meats, in bulk:	
Beef, corned, pickled, in barrels	per picul.. .375
Dry-salted meat, in boxes and barrels	do.. .475
Dry sausages	do.. .808
Ham and breakfast bacon, in boxes or barrels	5 per ct.
Lard, pure or compound	per picul.. .600
Melon seeds	do.. .250
Metals:	
Antifriction	5 per ct.
Antimony	per picul.. .700
Brass and yellow metal—	
Bars and rods	do.. 1.150
Bolts and nuts and accessories	do.. 1.150
Foil	do.. 1.675
Nails	do.. 1.150
Screws	5 per ct.
Sheets, plates, and ingots	per picul.. 1.150
Tubes	do.. 1.150
Wire	do.. 1.150
Copper—	
Bars and rods	do.. 1.300
Bolts, nuts, rivets, and washers	5 per ct.
Ingots	per picul.. 1.175
Nails	do.. 1.300
Sheets and plates	do.. 1.300
Slabs	do.. 1.175
Tacks	5 per ct.
Tubes	5 per ct.
Wire	per picul.. 1.300
Dross—	
Iron	do.. .160
Iron and tin	do.. .300
Tin	do.. .500
German silver—	
Sheets	do.. 2.200
Wire	do.. 1.500
Iron and mild steel, new—	
Anchors, and parts thereof; mill iron; mill and ship's cranks; (and forgings for vessels, steam engines, and locomotives (weighing each 25 pounds or over)	per picul.. .265
Angles	do.. .140
Anvils and parts of	do.. .400
Bar	do.. .140
Bolts and nuts	5 per ct.
Castings, rough	per picul.. .140
Chains, and parts of	do.. .265
Cobbles and wire shorts	do.. .130
Hoops	do.. .140
Kentledge	do.. .075
Nail rod	do.. .140
Nails—	
Wire	do.. .200
Other kinds	5 per ct.
Fig	per picul.. .075
Pipes and tubes	5 per ct.
Plate cuttings	per picul.. .110
Plates and sheets	do.. .140
Rails	do.. .125
Rivets	do.. .250
Screws	5 per ct.
Sheets and plates	per picul.. .140
Tacks, blue, of all sizes	do.. .400
Wire	do.. .250
Iron, galvanized—	
Bolts and nuts	5 per ct.
Cobbles and wire shorts	per picul.. .130

Metals—Continued.

Import tariff.

Iron, galvanized—Continued.		
Sheets—		
Corrugated	per picul..	H'k. Tls. 0.275
Plain	do.....	.275
Tubes		
Wire	per picul..	5 per ct. .250
Wire, shorts	do.....	.130
Iron, old, and scrap, of any description (fit only for remanufacture),		
	per picul..	.090
Lead—		
Pigs	do.....	.285
Sheets	do.....	.330
Lead pipes		
Nickel, unmanufactured	do.....	.375
Quicksilver	do.....	2.600
Spelter	do.....	4.280
Steel—		
Bamboo	do.....	.250
Bars	do.....	.250
Plates and sheets	do.....	.250
Tool, and cast	do.....	.750
Wire and wire rope	do.....	.750
Steel, mild. <i>See</i> Iron.		
Tin—		
Compound	5 per ct.	
Foil	5 per ct.	
Sheets and pipes	per picul..	1.725
Slabs	do.....	1.500
Tacks, blue, of all sizes	do.....	.400
Tinned plates—		
Decorated	do.....	.350
Plain	do.....	.290
White metal—		
Sheets	do.....	2.200
Wire	do.....	1.500
Yellow metal. <i>See</i> Brass.		
Zinc—		
Boiler plates	per picul..	.600
Powder	do.....	.400
Sheets, including perforated	do.....	.520
Milk, condensed, in tins		
	per case of 4 dozen 1-pound tins..	.250
Mineral waters		
	per 12 bottles or 24 half bottles..	.050
Mirrors		
	5 per ct.	
Morphia, in all forms		
	per ounce..	3.000
Molding		
	per thousand feet..	1.050
Mushrooms		
	per picul..	1.800
Musical boxes		
	5 per ct.	
Musk		
	per catty..	9.000
Mussels, dried		
	per picul..	.400
Needles:		
No. 7-0	per 100 mille..	1.800
No. 3-0	do.....	1.500
Assorted, not including 7-0	do.....	.985
Nutmegs		
	per picul..	.870
Nutmegs		
	do.....	1.500
Oakum		
	do.....	.500
Oil:		
Castor—		
Lubricating	do.....	.510
Medicinal	do.....	1.000
Clove		
	per catty..	1.150
Cocoanut		
	per picul..	.400
Colza		
	per American gallon..	.050
Engine—		
(a) Wholly or partly of mineral origin	do.....	.015
(b) All other kinds (except castor)	do.....	.025
Ginger		
	per picul..	6.750
Kerosene		
	per case of 10 American gallons..	.070
In bulk	per 10 American gallons..	.050
Olive		
	per imperial gallon..	.062
Sandalwood		
	per catty..	.240
Wood		
	per picul..	.500
Oil cans and cases (kerosene) empty		
	per 2 cans in 1 case..	.005
Olives, fresh, pickled, or salted		
	per picul..	.180

		H'k. Tls.
Import tariff.		
Opium	per picul	{duty .. 30.000 likin .. 80.000
Husk	per catty	.062
Orange peel	per picul	.800
Oysters, dried		5 per ct.
Packing, asbestos. <i>See Asbestos.</i>		
Packing, engine and boiler, all other kinds		5 per ct.
Paints. <i>See Dyes, colors, and paints.</i>		
Paper:		
Cigarette: not exceeding 2 by 4 inches	per 100,000 leaves	.125
Printing—		
Calendered and (or) sized	per picul	.700
Not calendered or unsized	do	.300
Writing or foolscap	do	1.200
All other kinds		5 per ct.
Peel, orange	per picul	.800
Pepper:		
Black	do	.760
White	do	1.330
Perfumery		5 per ct.
Phosphorus	per picul	4.125
Pitch	do	.125
Plushes and velvets:		
(a) Plushes and velvets of pure silk	per catty	.650
(b) Silk seal (with cotton back)	do	.200
(c) Plushes and velvets of silk mixed with other fibrous materials (with cotton back)	per catty	.150
(d) Plushes, all cotton (including mercerized)	do	.110
(e) Velvets, cotton. <i>See Cotton piece goods.</i>		
Pork rind	per picul	.500
Prawns, dried (<i>see also Shrimps</i>)	per picul	1.000
Preserved fruits, in glass bottles, jars, cardboard or wooden boxes, includ- ing weight of immediate package	per picul	.650
Purses, leather (not including silver or gold mounted)	per gross	.500
Putchuck	per picul	.715
Raisins and currants	do	.500
Rattan:		
Chairs		5 per ct.
Core	per picul	.225
Skin	do	.750
Rattans:		
Split	do	.325
Whole	do	.225
Resin	do	.187
Ribbons, silk, silk and cotton, silk and other fibers, with or without imita- tion gold or silver thread	per catty	.550
Rope		5 per ct.
Rose maloes	per picul	1.000
Safflower	do	.525
Sake:		
In barrels	do	.400
In bottles	per 12 bottles or 24 half bottles	.110
Salt peter and nitrate of soda	per picul	.325
Sand, red	do	.045
Sandalwood	do	.400
Sapan wood	do	.112
Sea-horse teeth		5 per ct.
Seaweed:		
Cut	per picul	.150
Long	do	.100
Prepared	do	1.000
Seed:		
Lily (<i>i. e.</i> , lotus nuts without husks)	do	1.000
Lotus nuts (<i>i. e.</i> , lily seeds with husks)	do	.400
Lucraban	do	.350
Melon	do	.250
Pine, or fir nuts	do	.200
Sesamum	do	.200
Sharks' fins:		
Black	do	1.608
Clarified or prepared	do	6.000
White	do	4.600
Shellac	do	2.500

	H'k. Tls.	Import tariff.
Shells:		
Mother-of-pearl	per picul..	0. 700
Other kinds		5 per ct.
Sherry. <i>See</i> Wines, etc. (vins de liqueur).		
Shoes and boots, india-rubber, for Chinese:		
Boots	per pair..	. 080
Shoes	do.....	. 020
Shrimps, dried (<i>see also</i> Prawns)	per picul..	. 630
Silk piece goods, all silk (including crape):		
(a) Plain	per catty..	. 325
(b) Brocaded or otherwise figured	do.....	. 700
Silk piece goods, mixtures (<i>i. e.</i> , silk and cotton, or silk and other materials) (including crape but not including mixtures with real or imitation gold or silver thread):		
(a) Plain	per catty..	. 250
(b) Brocaded or otherwise figured	do.....	. 500
Silver thread, imitation. (<i>See</i> Thread.)		
Sinews:		
Buffalo and cow	per picul..	. 550
Deer	do.....	1. 050
Singlets or drawers:		
Cotton	per dozen..	. 125
Mixture		5 per ct.
Skins:		
Fish	per picul..	. 600
Sharks		5 per ct.
Smalt	per picul..	1. 600
Snuff		5 per ct.
Soap:		
Household and laundry (including blue mottled), in bulk, bars, and doublets weighing not less than one-half pound each	per picul..	. 240
Toilet and fancy		5 per ct.
Socks, cotton (including lisle thread):		
First quality (<i>i. e.</i> , valued at 1 tael or over per dozen pairs), per dozen pairs..		. 075
Second quality (<i>i. e.</i> , valued at less than 1 tael per dozen pairs), per dozen pairs..		. 032
Soda:		
Ash	per picul..	. 150
Bicarbonate	do.....	. 150
Caustic	do.....	. 225
Crystals	do.....	. 120
Crystals, concentrated	do.....	. 140
Soy	do.....	. 250
Spirits. (<i>See</i> Wines, etc.)		
Spirits of wine. (<i>See</i> Wines, etc.)		
Stick-lac	per picul..	. 700
Stout. (<i>See</i> Wines, etc.)		
Sugar:		
Brown, up to No. 10 Dutch standard	per picul..	. 190
Candy	do.....	. 300
White, No. 11 Dutch standard and over, including cube and re- fined	per picul..	. 240
Sulphur and brimstone:		
Crude	do.....	. 150
Refined	do.....	. 250
Sulphuric acid	do.....	. 187
Sunshades. (<i>See</i> Umbrellas.)		
Telescopes, binoculars, and mirrors		5 per ct.
Thread:		
Cotton—		
Balls, dyed or undyed	per picul..	3. 000
Spools (50 yards)	per gross..	. 040
Gold and silver—		
Imitation (on silk)		5 per ct.
Real		5 per ct.
Gold, imitation (on cotton)	per catty..	. 125
Silver, imitation (on cotton)	do.....	. 090
Tiles 6 inches square	per hundred..	. 600
Timber:		
Beams—		
Hard wood	per cubic foot..	. 020
Soft wood (including Oregon pine and California redwood, on a thickness of 1 inch)	per 1,000 superficial feet..	1. 150
Teak wood	per cubic foot..	. 081

Import tariff.		H'k. Tls.
Timber—Continued.		
Laths	per thousand	0. 210
Masts and spars—		
Hard wood		5 per ct.
Soft wood		5 per ct.
Piles and piling (including Oregon pine and California redwood: on a thickness of 1 inch)	per 1,000 superficial feet.	1. 150
Planks—		
Hard wood	per cubic foot	. 020
Teak wood	do	. 081
Planks and flooring—		
Soft wood (including Oregon pine and California redwood, and allowing 10 per cent of each shipment to be tongued and grooved: on a thickness of 1 inch)	per 1,000 superficial feet.	1. 150
Soft wood (tongued and grooved, in excess of above, 10 per cent)		5 per ct.
Railway sleepers		5 per ct.
Teak-wood lumber, of all lengths and description	per cubic foot	. 081
Tinder	per picul	. 350
Tin foil		5 per ct.
Tobacco:		
Leaf	per picul	. 800
Prepared—		
In bulk	do	. 950
In tins or packages under 5 pounds each		5 per ct.
Tools:		
Axes and hatchets	per dozen	. 500
Files, file blanks, rasps, and floats, of all kinds—		
Not exceeding 4 inches long	do	. 040
Exceeding 4 inches and not exceeding 9 inches long	do	. 072
Exceeding 9 inches and not exceeding 14 inches long	do	. 168
Exceeding 14 inches long	do	. 224
Tortoise shell	per catty	. 450
Trimmings:		
Bead		5 per ct.
Cotton (pure or mixed with other materials but not silk)		5 per ct.
Cotton (mixed with silk and imitation gold or silver thread)		5 per ct.
Tumeric	per picul	. 185
Turpentine	per gallon	. 036
Twine		5 per ct.
Ultramarine	per picul	. 500
Umbrella frames	per dozen	. 080
Umbrellas, parasols, and sunshades:		
With handles wholly or partly of precious metals, ivory, mother-of-pearl, tortoise shell, agate, etc., or jeweled		5 per ct.
With all other handles—		
Cotton	each	. 020
Mixtures, not silk	do	. 030
Silk and silk mixtures	do	. 080
Varnish, crude lacquer, gum lacquer, or oil lacquer		5 per ct.
Vaseline		5 per ct.
Vegetables, dried and salted or pickled, in bulk		5 per ct.
Vermicelli	per picul	. 325
Vermilion	do	4. 000
Vermuth. <i>See</i> Wines, etc.		
Watches, of all kinds		5 per ct.
Waters, aerated and mineral	per 12 bottles or 24 half bottles	. 050
Wax:		
Bees, yellow	per picul	1. 600
Japan	do	. 650
Paraffin	do	. 500
Sealing		5 per ct.
White		5 per ct.
Wines, etc.:		
Champagnes and all other sparkling wines, in bottles,	per case of 12 bottles or 24 half bottles	. 650
Still wines, red or white, exclusively the produce of the natural fermentation of grapes—		
(a) Having less than 14° of alcohol—		
1. In bottles	per case of 12 bottles or 24 half bottles	. 300
2. In bulk	per imperial gallon	. 025
(b) Having 14° or more of alcohol; also vins de liqueur other than port—		
1. In bottles	per case of 12 bottles or 24 half bottles	. 500
2. In bulk	per imperial gallon	. 150

Wines, etc.—Continued.

	H'k. Tls.	Import tariff.
Port wine—		
In bottles..... per case of 12 bottles or 24 half bottles..	0. 700	
In bulk..... per imperial gallon..	. 175	
Vermuth and byrrh..... per case of 12 liters..	. 250	
Sake:		
In barrels..... per picul..	. 400	
In bottles..... per case of 12 bottles or 24 half bottles..	. 110	
Brandies and whiskies, in bulk..... per imperial gallon..	. 125	
Brandy and cognac, in bottles..... per case of 12 reputed quarts..	. 500	
Whisky, in bottles..... do..	. 350	
Other spirits (gin, rum, etc.)—		
In bottles..... do..	. 200	
In bulk..... per imperial gallon..	. 090	
Spirits of wine, in packages of any description..... do..	. 028	
Ales, beers, cider, and perry—		
In bottles..... per case of 12 reputed quarts or 24 reputed pints..	. 085	
In casks..... per imperial gallon..	. 020	
Porters and stouts—		
In bottles..... per case of 12 reputed quarts or 24 reputed pints..	. 100	
In casks..... per imperial gallon..	. 025	
Liqueurs.....		5 per ct.
Wood:		
Camagon..... per picul..	. 090	
Ebony..... do..	. 200	
Fragrant.....		5 per ct.
Garoo..... per catty..	. 100	
Kranjee.....		5 per ct.
Laka..... per picul..	. 125	
Lignum-vitæ.....		5 per ct.
Puru..... per picul..	. 075	
Red..... do..	. 200	
Rose..... do..	. 200	
Sandal..... do..	. 400	
Sapan..... do..	. 112	
Scented.....		5 per ct.
Shavings, Hinoki..... per picul..	1. 000	
Woolen and cotton mixtures:		
Flannel (woolen and cotton): not exceeding 33 inches wide, per yard..	. 015	
Italian cloth, plain or figured, having warp entirely cotton and all one color, and weft entirely wool and all one color: not exceeding 32 inches wide and not exceeding 32 yards long..... per piece..	. 372	
Poncho cloth: not exceeding 76 inches wide..... per yard..	. 030	
Spanish stripes (woolen and cotton): not exceeding 64 inches wide, per yard..	. 014	
Union cloth: not exceeding 76 inches wide..... do..	. 030	
Woolen and cotton mixtures, unclassified, including alpacas, lusters, Orleans, Sicilians, etc.....		5 per ct.
Woolen manufactures:		
Blankets and rugs..... per pound..	. 020	
Broadcloth: not exceeding 76 inches wide..... per yard..	. 047½	
Bunting: not exceeding 24 inches wide and not exceeding 40 yards long..... per piece..	. 200	
Camlets, Dutch: not exceeding 33 inches wide and not exceeding 61 yards long..... per piece..	1. 000	
Camlets, English: not exceeding 31 inches wide and not exceeding 61 yards long..... per piece..	. 500	
Flannel: not exceeding 33 inches wide..... per yard..	. 015	
Habit cloth: not exceeding 76 inches wide..... do..	. 047½	
Lastings, plain, figured or craped: not exceeding 31 inches wide and not exceeding 32 yards long..... per piece..	. 450	
Llama braid..... per picul..	5. 000	
Long ells: not exceeding 31 inches wide and not exceeding 25 yards long..... per piece..	. 250	
Medium cloth: not exceeding 76 inches wide..... per yard..	. 047½	
Russian cloth: not exceeding 76 inches wide..... do..	. 047½	
Spanish stripes: not exceeding 64 inches wide..... do..	. 021	
Woolens (unclassified).....		5 per ct.
Woolen and worsted yarns and cords (not including Berlin wool) per picul..	5. 300	
Berlin wool..... do..	4. 000	
Wooloa or berlinette..... do..	3. 500	
Worm tablets, in bottles, not exceeding 60 pieces..... per dozen..	. 035	
Yarn:		
Asbestos..... per picul..	2. 250	
Coir.....		5 per ct.

Import tariff.

Yarn—Continued.

	H'k. Tls.
Cotton—	
Bleached or gray	per picul.. 0.950
Dyed	5 per ct.
Gray	per picul.. .950
Mercerized or gassed	5 per ct.
Wooloa or berlinette	per picul.. 3.500
Wool, Berlin	do..... 4.000
Woolen and worsted (not including Berlin wool)	do..... 5.300

NOTE.—If any of the articles enumerated in this tariff are imported in dimensions exceeding those specified, the duty is to be calculated in proportion to the measurements as defined.

Rules.

RULES.

Rule I.

Imports unenumerated in this Tariff will pay Duty at the rate of 5 per cent. ad valorem; and the value upon which Duty is to be calculated shall be the market value of the goods in local currency. This market value when converted into Haikwan Taels shall be considered to be 12 per cent. higher than the amount upon which Duty is to be calculated.

If the goods have been sold before presentation to the Customs of the Application to pay Duty, the gross amount of the bona fide contract will be accepted as evidence of the market value. Should the goods have been sold on c. f. and i. terms, that is to say, without inclusion in the price of Duty and other charges, such c. f. and i. price shall be taken as the value for Duty-paying purposes without the deduction mentioned in the preceding paragraph.

If the goods have not been sold before presentation to the Customs of the Application to pay Duty, and should a dispute arise between Customs and importer regarding the value or classification of goods, the case will be referred to a Board of Arbitration composed as follows:

An official of the Customs; a merchant selected by the Consul of the importer; and a Merchant differing in nationality from the importer, selected by the Senior Consul.

Questions regarding procedure, etc., which may arise during the sittings of the Board shall be decided by the majority. The final finding of the majority of the Board, which must be announced within fifteen days of the reference (not including holidays), will be binding upon both parties. Each of the two merchants on the Board will be entitled to a fee of Ten Haikwan Taels. Should the Board sustain the Customs valuation, or, in the event of not sustaining that valuation, should it decide that the goods have been undervalued by the importer to the extent of not less than 7½ per cent., the importer will pay the fees; if otherwise, the fees will be paid by the Customs. Should the Board decide that the correct value of the goods is 20 per cent. (or more) higher than that upon which the importer originally claimed to pay Duty, the Customs authorities may retain possession of the goods until full Duty has been paid and may levy an additional Duty equal to four times the Duty sought to be evaded.

In all cases invoices, when available, must be produced if required by the Customs.

Rule II.

The following will not be liable to Import Duty: Foreign Rice, Cereals, and Flour; Gold and Silver, both Bullion and Coin; Printed Books, Charts, Maps, Periodicals, and Newspapers.

A freight or part freight of Duty-free commodities (Gold and Silver Bullion and Foreign Coins excepted) will render the vessel carrying them, though no other cargo be on board, liable to Tonnage Dues.

Drawbacks will be issued for Ships Stores and Bunker Coal when taken on board.

Rule III.

Except at the requisition of the Chinese Government, or for sale to Chinese duly authorized to purchase them, Import trade is prohibited in all Arms, Ammunition, and Munitions of War of every description. No Permit to land them will be issued until the Customs have proof that the necessary authority has been given to the importer. Infraction of this rule will be punishable by confiscation of all the goods concerned. The import of Salt is absolutely prohibited.

SHENG HSUAN-HUAI
LÜ HAI-HUAN

Subject to the approval of His Imp. & Roy.

Apostolic Majesty's Government E. v. HIRSCH
Ad referendum D. SIFFERT.

DR BOYÉ.
JAS. L. MACKAY
E. HIOKI,
M. ODAGIRI
J. YAMAOKA

Ad referendum advocaat F. B. v'JACOB
JOHN GOODNOW

Chinese free list.

1. Foreign Rice, cereals and flour, gold and silver coined and uncoined.
2. Legations supplies from abroad.
3. Supplies for the use of Foreign forces, Military and Naval.
4. Official stationary actually transmitted by Foreign Government Departments for Foreign Consulates.
5. Supplies under Government stores Certificates.
6. Materials for Railways the import of which "free" is provided for by agreements antedating the Peace Protocol.
7. Samples; in reasonable quantities certified for show and not for sale.
8. Circulars, etc., distributed gratis by mercantile houses.
9. The bona fide baggage of travelers, i. e., passengers' luggage arriving either with the owner or by a vessel other than that by which the passenger travels.
10. Clothing, books, pictures, and furniture already in use when brought in by residents and not for sale.

N. B. Ships Coal and provisions are entitled to drawbacks.

[NOTE BY DEPARTMENT OF STATE.—John Goodnow, consul-general of the United States at Shanghai, China, was instructed by the Secretary of State to sign the foregoing Schedule of Tariff Duties in the absence of the tariff commissioner, Thad. S. Sharretts, who had returned to the United States.]

November 18, 1903.

Convention between the United States and the Republic of Panama for the construction of a ship canal to connect the waters of the Atlantic and Pacific oceans. Signed at Washington, November 18, 1903; ratification advised by the Senate, February 23, 1904; ratified by the President, February 25, 1904; ratified by Panama, December 2, 1903; ratifications exchanged at Washington, February 26, 1904; proclaimed, February 26, 1904.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas a Convention between the United States of America and the Republic of Panama to insure the construction of a ship canal across the Isthmus of Panama to connect the Atlantic and Pacific Oceans, was concluded and signed by their respective Plenipotentiaries at Washington, on the eighteenth day of November, one thousand nine hundred and three, the original of which Convention, being in the English language, is word for word as follows:

ISTHMIAN CANAL CONVENTION.

Contracting parties.

The United States of America and the Republic of Panama being desirous to insure the construction of a ship canal across the Isthmus of Panama to connect the Atlantic and Pacific oceans, and the Congress of the United States of America having passed an act approved June 28, 1902, in furtherance of that object, by which the President of the United States is authorized to acquire within a reasonable time the control of the necessary territory of the Republic of Colombia, and the sovereignty of such territory being actually vested in the Republic of Panama, the high contracting parties have resolved for that purpose to conclude a convention and have accordingly appointed as their plenipotentiaries,—

Plenipotentiaries.

The President of the United States of America, JOHN HAY, Secretary of State, and

The Government of the Republic of Panama, PHILIPPE BUNAU-VARILLA, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Panama, thereunto specially empowered by said government, who after communicating with each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

Independence of Panama guaranteed.

The United States guarantees and will maintain the independence of the Republic of Panama.

ARTICLE II.

Isthmian Canal zone granted in perpetuity.

The Republic of Panama grants to the United States in perpetuity the use, occupation and control of a zone of land and land under water

for the construction, maintenance, operation, sanitation and protection of said Canal of the width of ten miles extending to the distance of five miles on each side of the center line of the route of the Canal to be constructed; the said zone beginning in the Caribbean Sea three marine miles from mean low water mark and extending to and across the Isthmus of Panama into the Pacific ocean to a distance of three marine miles from mean low water mark with the proviso that the cities of Panama and Colon and the harbors adjacent to said cities, which are included within the boundaries of the zone above described, shall not be included within this grant. The Republic of Panama further grants to the United States in perpetuity the use, occupation and control of any other lands and waters outside of the zone above described which may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said Canal or of any auxiliary canals or other works necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said enterprise.

Adjoining lands, etc.

The Republic of Panama further grants in like manner to the United States in perpetuity all islands within the limits of the zone above described and in addition thereto the group of small islands in the Bay of Panama, named Perico, Naos, Culebra and Flamenco.

Islands within limits of zone, etc.

ARTICLE III.

The Republic of Panama grants to the United States all the rights, power and authority within the zone mentioned and described in Article II of this agreement and within the limits of all auxiliary lands and waters mentioned and described in said Article II which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority.

Territorial sovereignty over zone,

Supra.

ARTICLE IV.

As rights subsidiary to the above grants the Republic of Panama grants in perpetuity to the United States the right to use the rivers, streams, lakes and other bodies of water within its limits for navigation, the supply of water or water-power or other purposes, so far as the use of said rivers, streams, lakes and bodies of water and the waters thereof may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said Canal.

Water rights.

ARTICLE V.

The Republic of Panama grants to the United States in perpetuity a monopoly for the construction, maintenance and operation of any system of communication by means of canal or railroad across its territory between the Caribbean Sea and the Pacific ocean.

Perpetual monopoly of isthmian transit.

ARTICLE VI.

The grants herein contained shall in no manner invalidate the titles or rights of private land holders or owners of private property in the said zone or in or to any of the lands or waters granted to the United States by the provisions of any Article of this treaty, nor shall they interfere with the rights of way over the public roads passing through the said zone or over any of the said lands or waters unless said rights of way or private rights shall conflict with rights herein granted to the United States in which case the rights of the United States shall

Existing private rights.

Damages to be appraised by joint Commission.
Post, p. 2238.

Payment of awards.

be superior. All damages caused to the owners of private lands or private property of any kind by reason of the grants contained in this treaty or by reason of the operations of the United States, its agents or employees, or by reason of the construction, maintenance, operation, sanitation and protection of the said Canal or of the works of sanitation and protection herein provided for, shall be appraised and settled by a joint Commission appointed by the Governments of the United States and the Republic of Panama, whose decisions as to such damages shall be final and whose awards as to such damages shall be paid solely by the United States. No part of the work on said Canal or the Panama railroad or on any auxiliary works relating thereto and authorized by the terms of this treaty shall be prevented, delayed or impeded by or pending such proceedings to ascertain such damages. The appraisal of said private lands and private property and the assessment of damages to them shall be based upon their value before the date of this convention.

ARTICLE VII.

Sanitation and water supply of Colon and Panama.

Construction of works.

Expense to be paid by United States.

Water and sewage rates.

Compulsory compliance with sanitary ordinances.

Maintenance of public order.

The Republic of Panama grants to the United States within the limits of the cities of Panama and Colon and their adjacent harbors and within the territory adjacent thereto the right to acquire by purchase or by the exercise of the right of eminent domain, any lands, buildings, water rights or other properties necessary and convenient for the construction, maintenance, operation and protection of the Canal and of any works of sanitation, such as the collection and disposition of sewage and the distribution of water in the said cities of Panama and Colon, which, in the discretion of the United States may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said Canal and railroad. All such works of sanitation, collection and disposition of sewage and distribution of water in the cities of Panama and Colon shall be made at the expense of the United States, and the Government of the United States, its agents or nominees shall be authorized to impose and collect water rates and sewerage rates which shall be sufficient to provide for the payment of interest and the amortization of the principal of the cost of said works within a period of fifty years and upon the expiration of said term of fifty years the system of sewers and water works shall revert to and become the properties of the cities of Panama and Colon respectively, and the use of the water shall be free to the inhabitants of Panama and Colon, except to the extent that water rates may be necessary for the operation and maintenance of said system of sewers and water.

The Republic of Panama agrees that the cities of Panama and Colon shall comply in perpetuity with the sanitary ordinances whether of a preventive or curative character prescribed by the United States and in case the Government of Panama is unable or fails in its duty to enforce this compliance by the cities of Panama and Colon with the sanitary ordinances of the United States the Republic of Panama grants to the United States the right and authority to enforce the same.

The same right and authority are granted to the United States for the maintenance of public order in the cities of Panama and Colon and the territories and harbors adjacent thereto in case the Republic of Panama should not be, in the judgment of the United States, able to maintain such order.

ARTICLE VIII.

Property rights to present canal and railroad transferred.

The Republic of Panama grants to the United States all rights which it now has or hereafter may acquire to the property of the New Panama Canal Company and the Panama Railroad Company as a result of the

transfer of sovereignty from the Republic of Colombia to the Republic of Panama over the Isthmus of Panama and authorizes the New Panama Canal Company to sell and transfer to the United States its rights, privileges, properties and concessions as well as the Panama Railroad and all the shares or part of the shares of that company; but the public lands situated outside of the zone described in Article II of this treaty now included in the concessions to both said enterprises and not required in the construction or operation of the Canal shall revert to the Republic of Panama except any property now owned by or in the possession of said companies within Panama or Colon or the ports or terminals thereof.

ARTICLE IX.

The United States agrees that the ports at either entrance of the Canal and the waters thereof, and the Republic of Panama agrees that the towns of Panama and Colon shall be free for all time so that there shall not be imposed or collected custom house tolls, tonnage, anchorage, lighthouse, wharf, pilot, or quarantine dues or any other charges or taxes of any kind upon any vessel using or passing through the Canal or belonging to or employed by the United States, directly or indirectly, in connection with the construction, maintenance, operation, sanitation and protection of the main Canal, or auxiliary works, or upon the cargo, officers, crew, or passengers of any such vessels, except such tolls and charges as may be imposed by the United States for the use of the Canal and other works, and except tolls and charges imposed by the Republic of Panama upon merchandise destined to be introduced for the consumption of the rest of the Republic of Panama, and upon vessels touching at the ports of Colon and Panama and which do not cross the Canal.

Colon and Panama to be free ports.

Vessels using canal.

Exceptions.

The Government of the Republic of Panama shall have the right to establish in such ports and in the towns of Panama and Colon such houses and guards as it may deem necessary to collect duties on importations destined to other portions of Panama and to prevent contraband trade. The United States shall have the right to make use of the towns and harbors of Panama and Colon as places of anchorage, and for making repairs, for loading, unloading, depositing, or transshipping cargoes either in transit or destined for the service of the Canal and for other works pertaining to the Canal.

Collection of import duties.

Anchorage, repairs, etc.

ARTICLE X.

The Republic of Panama agrees that there shall not be imposed any taxes, national, municipal, departmental, or of any other class, upon the Canal, the railways and auxiliary works, tugs and other vessels employed in the service of the Canal, store houses, work shops, offices, quarters for laborers, factories of all kinds, warehouses, wharves, machinery and other works, property, and effects appertaining to the Canal or railroad and auxiliary works, or their officers or employees, situated within the cities of Panama and Colon, and that there shall not be imposed contributions or charges of a personal character of any kind upon officers, employees, laborers, and other individuals in the service of the Canal and railroad and auxiliary works.

Canal property and employees exempt from taxes.

ARTICLE XI.

The United States agrees that the official dispatches of the Government of the Republic of Panama shall be transmitted over any telegraph and telephone lines established for canal purposes and used for public and private business at rates not higher than those required from officials in the service of the United States.

Telegraph and telephone service.

ARTICLE XII.

Privileges of canal employees.

The Government of the Republic of Panama shall permit the immigration and free access to the lands and workshops of the Canal and its auxiliary works of all employees and workmen of whatever nationality under contract to work upon or seeking employment upon or in any wise connected with the said Canal and its auxiliary works, with their respective families, and all such persons shall be free and exempt from the military service of the Republic of Panama.

ARTICLE XIII.

Vessels, construction materials, supplies, etc., admitted free.

The United States may import at any time into the said zone and auxiliary lands, free of custom duties, imposts, taxes, or other charges, and without any restrictions, any and all vessels, dredges, engines, cars, machinery, tools, explosives, materials, supplies, and other articles necessary and convenient in the construction, maintenance, operation, sanitation and protection of the Canal and auxiliary works, and all provisions, medicines, clothing, supplies and other things necessary and convenient for the officers, employees, workmen and laborers in the service and employ of the United States and for their families. If any such articles are disposed of for use outside of the zone and auxiliary lands granted to the United States and within the territory of the Republic, they shall be subject to the same import or other duties as like articles imported under the laws of the Republic of Panama.

ARTICLE XIV.

Compensation for rights, etc., conveyed.

As the price or compensation for the rights, powers and privileges granted in this convention by the Republic of Panama to the United States, the Government of the United States agrees to pay to the Republic of Panama the sum of ten million dollars (\$10,000,000) in gold coin of the United States on the exchange of the ratification of this convention and also an annual payment during the life of this convention of two hundred and fifty thousand dollars (\$250,000) in like gold coin, beginning nine years after the date aforesaid.

Ante, p. 429.

Additional benefits.

The provisions of this Article shall be in addition to all other benefits assured to the Republic of Panama under this convention.

Operation of treaty not to be delayed.

But no delay or difference of opinion under this Article or any other provisions of this treaty shall affect or interrupt the full operation and effect of this convention in all other respects.

ARTICLE XV.

Commission to appraise damages.

The joint commission referred to in Article VI shall be established as follows:

Compensation.

The President of the United States shall nominate two persons and the President of the Republic of Panama shall nominate two persons and they shall proceed to a decision; but in case of disagreement of the Commission (by reason of their being equally divided in conclusion) an umpire shall be appointed by the two Governments who shall render the decision. In the event of the death, absence, or incapacity of a Commissioner or Umpire, or of his omitting, declining or ceasing to act, his place shall be filled by the appointment of another person in the manner above indicated. All decisions by a majority of the Commission or by the umpire shall be final.

Ante, p. 226.

ARTICLE XVI.

Future agreement for extradition to be made.

The two Governments shall make adequate provision by future agreement for the pursuit, capture, imprisonment, detention and

delivery within said zone and auxiliary lands to the authorities of the Republic of Panama of persons charged with the commitment of crimes, felonies or misdemeanors without said zone and for the pursuit, capture, imprisonment, detention and delivery without said zone to the authorities of the United States of persons charged with the commitment of crimes, felonies and misdemeanors within said zone and auxiliary lands.

ARTICLE XVII.

The Republic of Panama grants to the United States the use of all the ports of the Republic open to commerce as places of refuge for any vessels employed in the Canal enterprise, and for all vessels passing or bound to pass through the Canal which may be in distress and be driven to seek refuge in said ports. Such vessels shall be exempt from anchorage and tonnage dues on the part of the Republic of Panama.

Ports of refuge.

ARTICLE XVIII.

The Canal, when constructed, and the entrances thereto shall be neutral in perpetuity, and shall be opened upon the terms provided for by Section I of Article three of, and in conformity with all the stipulations of, the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901.

Perpetual neutrality of canal.

Vol. 32, p. 1904.

ARTICLE XIX.

The Government of the Republic of Panama shall have the right to transport over the Canal its vessels and its troops and munitions of war in such vessels at all times without paying charges of any kind. The exemption is to be extended to the auxiliary railway for the transportation of persons in the service of the Republic of Panama, or of the police force charged with the preservation of public order outside of said zone, as well as to their baggage, munitions of war and supplies.

Free use by Panama of canal, etc.

ARTICLE XX.

If by virtue of any existing treaty in relation to the territory of the Isthmus of Panama, whereof the obligations shall descend or be assumed by the Republic of Panama, there may be any privilege or concession in favor of the Government or the citizens and subjects of a third power relative to an interoceanic means of communication which in any of its terms may be incompatible with the terms of the present convention, the Republic of Panama agrees to cancel or modify such treaty in due form, for which purpose it shall give to the said third power the requisite notification within the term of four months from the date of the present convention, and in case the existing treaty contains no clause permitting its modifications or annulment, the Republic of Panama agrees to procure its modification or annulment in such form that there shall not exist any conflict with the stipulations of the present convention.

Modification, etc., of prior treaties.

ARTICLE XXI.

The rights and privileges granted by the Republic of Panama to the United States in the preceding Articles are understood to be free of all anterior debts, liens, trusts, or liabilities, or concessions or privileges to other Governments, corporations, syndicates or individuals, and consequently, if there should arise any claims on account of the present concessions and privileges or otherwise, the claimants shall resort to the Government of the Republic of Panama and not to the United States for any indemnity or compromise which may be required.

Grant to the United States free from all prior claims.

ARTICLE XXII.

Rights in prior concessions transferred to United States.

The Republic of Panama renounces and grants to the United States the participation to which it might be entitled in the future earnings of the Canal under Article XV of the concessionary contract with Lucien N. B. Wyse now owned by the New Panama Canal Company and any and all other rights or claims of a pecuniary nature arising under or relating to said concession, or arising under or relating to the concessions to the Panama Railroad Company or any extension or modification thereof; and it likewise renounces, confirms and grants to the United States, now and hereafter, all the rights and property reserved in the said concessions which otherwise would belong to Panama at or before the expiration of the terms of ninety-nine years of the concessions granted to or held by the above mentioned party and companies, and all right, title and interest which it now has or may hereafter have, in and to the lands, canal, works, property and rights held by the said companies under said concessions or otherwise, and acquired or to be acquired by the United States from or through the New Panama Canal Company, including any property and rights which might or may in the future either by lapse of time, forfeiture or otherwise, revert to the Republic of Panama under any contracts or concessions, with said Wyse, the Universal Panama Canal Company, the Panama Railroad Company and the New Panama Canal Company.

Absolute title granted.

The aforesaid rights and property shall be and are free and released from any present or reversionary interest in or claims of Panama and the title of the United States thereto upon consummation of the contemplated purchase by the United States from the New Panama Canal Company, shall be absolute, so far as concerns the Republic of Panama, excepting always the rights of the Republic specifically secured under this treaty.

ARTICLE XXIII.

Armed protection of canal.

If it should become necessary at any time to employ armed forces for the safety or protection of the Canal, or of the ships that make use of the same, or the railways and auxiliary works, the United States shall have the right, at all times and in its discretion, to use its police and its land and naval forces or to establish fortifications for these purposes.

ARTICLE XXIV.

Rights of United States declared.

No change either in the Government or in the laws and treaties of the Republic of Panama shall, without the consent of the United States, affect any right of the United States under the present convention, or under any treaty stipulation between the two countries that now exists or may hereafter exist touching the subject matter of this convention.

If the Republic of Panama shall hereafter enter as a constituent into any other Government or into any union or confederation of states, so as to merge her sovereignty or independence in such Government, union or confederation, the rights of the United States under this convention shall not be in any respect lessened or impaired.

ARTICLE XXV.

Naval and coaling stations.

For the better performance of the engagements of this convention and to the end of the efficient protection of the Canal and the preservation of its neutrality, the Government of the Republic of Panama will sell or lease to the United States lands adequate and necessary for naval or coaling stations on the Pacific coast and on the western Caribbean coast of the Republic at certain points to be agreed upon with the President of the United States.

ARTICLE XXVI.

This convention when signed by the Plenipotentiaries of the Contracting Parties shall be ratified by the respective Governments and the ratifications shall be exchanged at Washington at the earliest date possible.

Exchange of ratifications.

In faith whereof the respective Plenipotentiaries have signed the present convention in duplicate and have hereunto affixed their respective seals.

Done at the City of Washington the 18th day of November in the year of our Lord nineteen hundred and three.

JOHN HAY [SEAL]
P. BUNAU-VARILLA [SEAL]

Signatures.

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-sixth day of February, one thousand nine hundred and four;

Ratifications.

Now, therefore, be it known that I, Theodore Roosevelt, 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 testimony 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 twenty-sixth day of February, in the year of our Lord one thousand nine hundred and four,
[SEAL] and of the Independence of the United States the one hundred and twenty eighth.

THEODORE ROOSEVELT

By the President:

JOHN HAY

Secretary of State.

November 21, 1903.

Parcels-Post Convention between the United States of America and the colony of Hong Kong.

Preamble.

For the purpose of making better postal arrangements between the United States of America and Hong Kong, the undersigned, Henry C. Payne, Postmaster-General of the United States of America, and Arthur Stewart Raikes, His Britannic Majesty's Chargé d'Affaires, by virtue of authority vested in them, have agreed upon the following articles for the establishment of a Parcels-Post system of exchanges between the United States and Hong Kong.

ARTICLE I.

Extent of Convention.

The provisions of this Convention relate only to parcels of mail matter to be exchanged by the system herein provided for, and do not affect the arrangements now existing under the Universal Postal Union Convention, which will continue as heretofore; and all the agreements hereinafter contained apply exclusively to mails exchanged under these Articles.

ARTICLE II.

Articles admitted to mails.

1. There shall be admitted to the mails exchanged under this Convention, articles of merchandise and mail matter—except letters, post cards, and written matter—of all kinds, that are admitted under any conditions to the domestic mails of the country of origin, except that no packet may exceed four pounds six ounces (or two kilograms) in weight, nor the following dimensions: Greatest length in any direction three feet six inches; greatest length and girth combined, six feet; and must be so wrapped or enclosed as to permit their contents to be easily examined by postmasters and customs officers; and except that the following articles are prohibited admission to the mails exchanged under this Convention:

Articles prohibited.

Publications which violate the copyright laws of the country of destination; poisons, and explosive or inflammable substances; fatty substances, liquids, and those which easily liquefy; confections and pastes; live or dead animals, except dead insects and reptiles when thoroughly dried; fruits and vegetables which easily decompose, and substances which exhale a bad odor; lottery tickets, lottery advertisements, or lottery circulars; all obscene or immoral articles; articles which may in any way damage or destroy the mails, or injure the persons handling them.

Freedom from inspection.

2. All admissible articles of merchandise mailed in one country for the other, or received in one country from the other, shall be free from any detention or inspection whatever, except such as is required for collection of customs duties; and shall be forwarded by the most speedy means to their destination, being subject in their transmission to the laws and regulations of each country, respectively.

ARTICLE III.

Letters must not accompany parcels.

1. A letter or communication of the nature of personal correspondence must not accompany, be written on, or enclosed with any parcel.

2. If such be found, the letter will be placed in the mails if separable, and if the communication be inseparably attached, the whole package will be rejected. If, however, any such should inadvertently be forwarded, the country of destination will collect on the letter or letters double rates of postage according to the Universal Postal Union Convention.

Rejection.

3. No parcel may contain packages intended for delivery at an address other than that borne by the parcel itself. If such enclosed packages be detected they must be sent forward singly charged with new and distinct Parcels-Post rates.

Address.

ARTICLE IV.

1. The following rates of postage shall in all cases be required to be *fully prepaid* with postage stamps of the country of origin, viz:

Rates of postage.

2. In the United States, for a parcel not exceeding one pound in weight, twelve cents; and for each additional pound, or fraction of a pound, twelve cents.

3. In Hong Kong, for a parcel not exceeding one pound in weight, thirty-five cents; and for each additional pound, or fraction of a pound, thirty-five cents.

4. The parcels shall be promptly delivered to addressees at the Post Offices of address in the country of destination, free of charge for postage; but the country of destination may, at its option, levy and collect from the addressee for interior service and delivery a charge the amount of which is to be fixed according to its own regulations, but which shall in no case exceed five cents in the United States or fifteen cents in Hong Kong for each parcel, whatever its weight.

Delivery.

ARTICLE V.

1. The sender will, at the time of mailing the package, receive a Certificate of Mailing from the Post-Office where the package is mailed on a Form like Form 1 annexed hereto.

Receipt.
Post, p. 2246.

2. The sender of a package may have the same registered in accordance with the regulations of the country of origin.

Registry.

3. An acknowledgment of the delivery of a registered article shall be returned to the sender when requested; but either country may require of the sender prepayment of a fee therefor not exceeding five cents in the United States or fifteen cents in Hong Kong.

Return receipt.

4. The addressees of registered articles shall be advised of the arrival of a package addressed to them, by a notice from the Post-Office at destination.

Notice to addressees.

ARTICLE VI.

1. The sender of each parcel shall make a Customs Declaration, pasted upon or attached to the package, upon a special Form provided for the purpose (see Form 2 annexed hereto) giving a general description of the parcel, an accurate statement of its contents and value, date of mailing and the sender's signature and place of residence, and place of address.

Customs declaration.

Post, p. 2246.

2. The parcels in question shall be subject in the country of destination to all customs duties and all customs regulations in force in that country for the protection of its customs revenues; and the customs duties properly chargeable thereon shall be collected on delivery, in accordance with the customs regulations of the country of destination; but neither sender nor addressee shall be subject to the payment of any charge for fines or penalties on account of failure to comply with any customs regulation.

Collection of duties.

ARTICLE VII.

Fees to be retained. Each country shall retain to its own use the whole of the postages, registration and delivery fees it collects on said parcels; consequently, this Convention will give rise to no separate accounts between the two countries.

ARTICLE VIII.

Transportation. 1. The parcels shall be considered as a component part of the mails exchanged *direct* between the United States and Hong Kong, to be despatched to destination by the country of origin at its cost and by such means as it provides; but must be forwarded, at the option of the despatching office, either in boxes prepared expressly for the purpose or in ordinary mail sacks, marked "Parcels-Post", and securely sealed with wax, or otherwise, as may be mutually provided by regulations hereunder.

Return of bags, etc. 2. Each country shall promptly return *empty* to the despatching office by next mail, all such bags and boxes.

Packing. 3. Although articles admitted under this Convention will be transmitted as aforesaid between the exchange offices, they should be so carefully packed as to be safely transmitted in the open mails of either country, both in going to the exchange office in the country of origin and to the office of address in the country of destination.

Descriptive list. 4. Each despatch of a Parcels-Post mail must be accompanied by a descriptive list, in duplicate, of all the parcels sent, showing distinctly the list number of each parcel, the name of the sender, the name of the addressee with address of destination, and the declared contents and value; and must be enclosed in one of the boxes or sacks of such despatch (see Form 3 annexed hereto).

Post, p. 2247.

ARTICLE IX.

Exchange offices. Exchanges of mails under this Convention from any place in either country to any place in the other, shall be effected through the post office of both countries already designated as exchange post offices, or through such others as may be hereafter agreed upon, under such regulations relative to the details of the exchange as may be mutually determined to be essential to the security and expedition of the mails and the protection of the customs revenues.

ARTICLE X.

Receipt of mail. 1. As soon as the mail shall have reached the office of destination, that office shall check the contents of the mail.

Parcel bill. 2. In the event of the parcel bill not having been received, a substitute should be at once prepared.

Errors. 3. Any errors in the entries on the parcel bill which may be discovered, should, after verification by a second officer, be corrected and noted for report to the despatching office on a form "Verification Certificate," which should be sent in a special envelope.

Nonreceipt of parcels. 4. If a parcel advised on the bill be not received, after the non-receipt has been verified by a second officer, the entry on the bill should be canceled and the fact reported at once.

Insufficient postage. 5. If a parcel be observed to be insufficiently prepaid, it must not be taxed with deficient postage, but the circumstance must be reported on the verification certificate form.

Damaged parcels. 6. Should a parcel be received in a damaged or imperfect condition, full particulars should be reported on the same form.

Correct mails. 7. If no verification certificate or note of error be received, a parcel mail shall be considered as duly delivered, having been found on examination correct in all respects.

ARTICLE XI.

1. If a parcel cannot be delivered as addressed, or is refused, it must be returned without charge, directly to the despatching office of exchange, at the expiration of thirty days from its receipt at the office of destination; and the country of origin may collect from the sender for the return of the parcel, a sum equal to the postage when first mailed.

Failure to deliver.

2. When the contents of a parcel which cannot be delivered are liable to deterioration or corruption, they may be destroyed at once, if necessary, or if expedient, sold, without previous notice or judicial formality, for the benefit of the right person; the particulars of each sale being noticed by one post office to the other.

Disposal of perishable articles.

3. An order for redirection or reforwarding must be accompanied by the amount due for postage necessary for the return of the article to the office of origin, at the ordinary parcel rates.

Reforwarding.

ARTICLE XII.

The Post-Office Department of either of the contracting countries will not be responsible for the loss or damage of any parcel, and no indemnity can consequently be claimed by the sender or addressee in either country.

No responsibility for loss, etc.

ARTICLE XIII.

The Postmaster-General of the United States of America, and the Postmaster-General of Hong Kong, shall have authority to jointly make such further regulations of order and detail as may be found necessary to carry out the present Convention from time to time; and may, by agreement, prescribe conditions for the admission to the mails of any of the articles prohibited by Article II of this Convention.

Further regulations.

Ante. p. 2242.

ARTICLE XIV.

This Convention shall take effect and operations thereunder shall begin on the first day of January, 1904, and shall continue in force until terminated by mutual agreement; but may be annulled at the desire of either Department upon six months' previous notice given to the other.

Duration, etc.

Done in duplicate, and signed at Washington, the twenty-first day of November, one thousand nine hundred and three.

[SEAL.]

HENRY C. PAYNE,
Postmaster-General of the United States of America.

Signatures.

[SEAL.]

ARTHUR S. RAIKES,
His Britannic Majesty's Chargé d'Affaires.

The foregoing Parcels-Post Convention between the United States of America and Hong Kong has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

In testimony whereof, I have caused the Seal of the United States to be hereunto affixed this 23d day of November, 1903.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

JOHN HAY,

Secretary of State.

WASHINGTON, November 23, 1903.

Form 1.

FORM 1.

Parcels-Post.

A parcel addressed as under has been posted here this day.

Office stamp.	

This certificate is given to inform the sender of the posting of a parcel, and does not indicate that any liability in respect of such parcel attaches to the Postmaster-General.

Form 2.

FORM 2.

A.

Parcels-Post between the United States and Hong Kong.

Date. Stamp.	FORM OF CUSTOMS DECLARATION.	Place to which the parcel is addressed.
-----------------	------------------------------	---

Description of parcel: [State whether box, basket, bag, etc.]	Contents.	Value.	Per cent.	Total customs charges.
		\$		\$
	Total.	\$		\$

Date of posting:, 18..; signature and address of sender {

For use of Post-Office only, and to be filled up at the office of exchange:
Parcel Bill No.; No. of rates prepaid ..; Entry No.

B.

Parcels Post from

The import duty assessed by an officer of customs on contents of this parcel amounts to \$, which must be paid before the parcel is delivered.

Date
Stamp.

.....
Customs Officer.

C.

Parcels Post from

This parcel has been passed by an officer of customs and must be delivered
FREE OF CHARGE.

Date
Stamp.

.....
Postmaster-General.

FORM 3.

Form 3.

Date stamp of the dispatching exchange Post-Office.	Parcels from..... for.....	Date stamp of the receiving exchange Post-Office.
	Parcel Bill No....., dated.....19..; per S. S. "....."	
*Sheet No.....		

Entry No.	Origin of parcel.	Name of sender.	Address of parcel.	Declared contents.	Declared value.	Number of rates prepaid.	Remarks.
					\$		
				Totals..	\$		

*When more than one sheet is required for the entry of the parcels sent by the mail, it will be sufficient if the undermentioned particulars are entered on the last sheet of the Parcel Bill.

Total number of parcels sent by the mail to	Total weight of mail..... <i>lbs.</i>
Number of boxes or other receptacles forming the mail.....	Deduct weight of receptacles.....
Signature of dispatching officer at..... Post-Office.....	Net weight of parcels
Signature of receiving officer at..... Post-Office.	

May 22, 1903.

Treaty between the United States and Cuba embodying the provisions defining the future relations of the United States with Cuba contained in the act of Congress, approved March 2, 1901, making appropriations for the Army. Signed at Habana, May 22, 1903; ratification advised by the Senate, March 22, 1904; ratified by the President, June 25, 1904; ratified by Cuba, June 20, 1904; ratifications exchanged at Washington, July 1, 1904; proclaimed, July 2, 1904.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas a Treaty between the United States of America and the Republic of Cuba embodying the provisions defining the future relations of the United States with Cuba contained in the Act of Congress approved March 2, 1901, was concluded and signed by their respective Plenipotentiaries at Habana on the twenty-second day of May, one thousand nine hundred and four, the original of which Treaty, being in the English and Spanish languages is word for word as follows:

Vol. 31, p. 897.

Vol. 31, p. 897.

Whereas the Congress of the United States of America, by an Act approved March 2, 1901, provided as follows:

Por cuanto el Congreso de los Estados Unidos de América dispuso, en virtud de una Ley aprobada en Marzo 2 de 1901, lo siguiente:

Vol. 30, p. 738

Provided further, That in fulfillment of the declaration contained in the joint resolution approved April twentieth, eighteen hundred and ninety-eight, entitled, "For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect," the President is hereby authorized to "leave the government and control of the island of Cuba to its people" so soon as a government shall have been established in said island under a constitution which, either as a part

Se dispone además, Que en cumplimiento de la declaración contenida en la resolución conjunta aprobada en 20 de Abril de 1898 bajo el epígrafe "Para reconocer la independencia del pueblo de Cuba exigiendo que el Gobierno de España renuncie á su autoridad y gobierno en la Ysla de Cuba y que retire de Cuba y de las aguas Cubanas sus fuerzas de mar y tierra, y ordenando al Presidente de los Estados Unidos que—para llevar á efecto estas resoluciones, haga uso de las fuerzas de mar y tierra de los Estados Unidos", queda por esta autorizado el Presidente para "dejar el gobierno y mando de la Ysla de Cuba á su pueblo" tan pronto como en dicha Ysla se establezca un gobierno bajo una constitución en la que, bien como parte de la misma ó en

thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

“I. That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise, lodgement in or control over any portion of said island.”

“II. That said government shall not assume or contract any public debt, to pay the interest upon which, and to make reasonable sinking fund provision for the ultimate discharge of which, the ordinary revenues of the island, after defraying the current expenses of government shall be inadequate.”

“III. That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.”

“IV. That all Acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.”

“V. That the government of Cuba will execute, and as far as necessary extend, the plans already devised or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented thereby assuring protection to the people

una disposición que á ella se agregue, se precisen las relaciones futuras de los Estados Unidos con Cuba esencialmente como sigue:

“I. El Gobierno de Cuba nunca celebrará con ningún Poder ó Poderes extranjeros ningún Tratado ú otro pacto que menoscabe ó tienda á menoscabar la independencia de Cuba, ni en manera alguna autorice ó permita á ningún poder ó Poderes extranjeros obtener por colonización ó para propósitos navales ó militares ó de otra manera asiento en ó jurisdicción sobre ninguna porción de dicha Ysla.

“II. Dicho Gobierno no asumirá ó contraerá ninguna deuda pública para el pago de cuyos intereses y amortización definitiva, después de cubiertos los gastos corrientes del Gobierno, resulten inadecuados los ingresos ordinarios.”

“III. El Gobierno de Cuba consiente que los Estados Unidos puedan ejercer el derecho de intervenir para la preservación de la independencia de Cuba, y el sostenimiento de un Gobierno adecuado á la protección de la vida, la propiedad y la libertad individual, y al cumplimiento de las obligaciones, con respecto á Cuba, impuestas á los Estados Unidos por el Tratado de París y que deben ahora ser asumidas y cumplidas por el Gobierno de Cuba.”

“IV. Todos los actos realizados por los Estados Unidos en Cuba durante su ocupación militar, serán ratificados y tenidos por válidos, y todos los derechos legalmente adquiridos á virtud de aquellos, serán mantenidos y protegidos.”

“V. El Gobierno de Cuba ejecutará y hasta donde fuere necesario ampliará los planes ya proyectados ú otros que mutuamente se convengan, para el saneamiento de las poblaciones de la Ysla, con el fin de evitar la recurrencia de enfermedades epidémicas é infecciosas, protegiendo así al pueblo y al comercio de Cuba, lo

“and commerce of Cuba, as well as
“to the commerce of the southern
“ports of the United States and
“the people residing therein.”

“VI. That the Isle of Pines
“shall be omitted from the pro-
“posed constitutional boundaries
“of Cuba, the title thereto being
“left to future adjustment by
“treaty.”

“VII. That to enable the United
“States to maintain the independ-
“ence of Cuba, and to protect the
“people thereof, as well as for its
“own defense, the government of
“Cuba will sell or lease to the
“United States lands necessary
“for coaling or naval stations at
“certain specified points to be
“agreed upon with the President
“of the United States

“VIII. That by way of further
“assurance the government of
“Cuba will embody the foregoing
“provisions in a permanent treaty
“with the United States.”

Whereas the Constitutional Con-
vention of Cuba, on June twelfth,
1901, adopted a Resolution adding
to the Constitution of the Repub-
lic of Cuba which was adopted on
the twenty-first of February 1901,
an appendix in the words and
letters of the eight enumerated
articles of the above cited act of
the Congress of the United States;

And whereas, by the establish-
ment of the independent and sov-
ereign government of the Republic
of Cuba, under the constitution
promulgated on the 20th of May,
1902, which embraced the fore-
going conditions, and by the with-
drawal of the Government of the
United States as an intervening
power, on the same date, it be-
comes necessary to embody the
above cited provisions in a per-
manent treaty between the United
States of America and the Repub-
lic of Cuba;

Contracting parties.

The United States of America
and the Republic of Cuba, being
desirous to carry out the foregoing
conditions, have for that purpose
appointed as their plenipotenti-
aries to conclude a treaty to that end,

Plenipotentiaries.

The President of the United

“mismo que al comercio y al
“pueblo de los puertos del Sur de
“los Estados Unidos.”

“VI. La Ysla de Pinos queda
“omitida de los límites de Cuba
“propuestos por la Constitución,
“dejándose para un futuro Tratado
“la fijación de su pertenencia.”

“VII. Para poner en condicio-
“nes á los Estados Unidos de man-
“tener la independencia de Cuba y
“protejer al pueblo de la misma,
“así como para su propia defensa,
“el Gobierno de Cuba venderá ó
“arrendará á los Estados Unidos
“las tierras necesarias para carbo-
“neras ó estaciones navales en
“ciertos puntos determinados que
“se convendrán con el Presidente
“de los Estados Unidos.

“VIII. El Gobierno de Cuba
“insertará las anteriores disposi-
“ciones en un Tratado permanente
“con los Estados Unidos.”

Por cuanto la Convención Con-
stituyente de Cuba adoptó en Junio
12 de 1901 una resolución agre-
gando á la Constitución de la Re-
pública de Cuba que fué adoptada
el 21 de Febrero de 1901 un Apén-
dice que contiene palabra por
palabra y letra por letra los ocho
Artículos enumerados de la Ley
del Congreso de los Estados Unidos
arriba mencionada;

Y por cuanto, en virtud de
haberse establecido el gobierno
independiente y soberano de la
República de Cuba bajo la Consti-
tución promulgada en Mayo 20 de
1902 en la que se incluyeron las
precedentes condiciones y de
haberse retirado en esa misma
fecha, el Gobierno de los Estados
Unidos como poder interventor,
se hace necesario incorporar las
estipulaciones arriba indicadas en
un tratado permanente entre los
Estados Unidos de América y la
República de Cuba;

Deseando los Estados Unidos de
América y la República de Cuba
dar cumplimiento á las condiciones
antedichas, han nombrado al ob-
jeto como plenipotenciarios para
llevar á cabo un tratado con ese
fin,

El Presidente de los Estados

States of America, Herbert G. Squiers, Envoy Extraordinary and Minister Plenipotentiary at Havana,

And the President of the Republic of Cuba, Carlos de Zaldo y Beurmann, Secretary of State and Justice,—who after communicating to each other their full powers found in good and due form, have agreed upon the following articles:

ARTICLE I.

The Government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes, or otherwise, lodgment in or control over any portion of said island.

ARTICLE II.

The Government of Cuba shall not assume or contract any public debt to pay the interest upon which, and to make reasonable sinking-fund provision for the ultimate discharge of which, the ordinary revenues of the Island of Cuba, after defraying the current expenses of the Government, shall be inadequate.

ARTICLE III.

The Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the Treaty of Paris on the United States, now to be assumed and undertaken by the Government of Cuba.

ARTICLE IV.

All acts of the United States in Cuba during its military occupation thereof are ratified and val-

Unidos de América á Herbert G. Squiers, Enviado Extraordinario y Ministro Plenipotenciario en la Habana,

Y el Presidente de la República de Cuba á Carlos de Zaldo y Beurmann, Secretario de Estado y Justicia; quienes después de haberse exhibido mutuamente sus plenos poderes que encontraron estar en buena y debida forma, han convenido en los siguientes Artículos:

ARTÍCULO I.

El Gobierno de Cuba nunca celebrará con ningún Poder ó Poderes extranjeros ningún Tratado ú otro pacto que menoscabe ó tienda á menoscabar la independencia de Cuba, ni en manera alguna autorice ó permita á ningún Poder ó Poderes extranjeros obtener por colonización ó para propósitos navales ó militares ó de otra manera asiento en ó jurisdicción sobre ninguna porción de dicha Ysla.

Treaty rights of Cuba with other powers.

ARTÍCULO II.

El Gobierno de Cuba no asumirá ó contraerá ninguna deuda pública para el pago de cuyos intereses y amortización definitiva, después de cubiertos los gastos corrientes del Gobierno, resulten inadecuados los ingresos ordinarios de la Ysla de Cuba.

Contraction of debts limited.

ARTÍCULO III.

El Gobierno de Cuba consiente que los Estados Unidos puedan ejercer el derecho de intervenir para la preservación de la independencia de Cuba, y el sostenimiento de un Gobierno adecuado á la protección de la vida, la propiedad y la libertad individual, y al cumplimiento de las obligaciones, con respecto á Cuba, impuestas á los Estados Unidos por el Tratado de París y que deben ahora ser asumidas y cumplidas por el Gobierno de Cuba.

United States granted right to intervene, etc.

ARTÍCULO IV.

Todos los actos realizados por los Estados Unidos en Cuba durante su ocupación militar, serán

Validation of military acts, etc.

idated, and all lawful rights acquired thereunder shall be maintained and protected.

ratificados y tenidos por válidos, y todos los derechos legalmente adquiridos á virtud de aquellos, serán mantenidos y protegidos.

ARTICLE V.

ARTÍCULO V.

Extension of sanitary plans of cities.

The Government of Cuba will execute, and, as far as necessary, extend the plans already devised, or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the Southern ports of the United States and the people residing therein.

El Gobierno de Cuba ejecutará y hasta donde fuere necesario ampliará los planes ya proyectados ú otros que mutuamente se convengan, para el saneamiento de las poblaciones de la Ysla, con el fin de evitar la recurrencia de enfermedades epidémicas é infecciosas, protegiendo así al pueblo y al comercio de Cuba, lo mismo que al comercio y al pueblo de los puertos del Sur de los Estados Unidos.

ARTICLE VI.

ARTÍCULO VI.

Title to Island of Pines.

The Island of Pines shall be omitted from the boundaries of Cuba specified in the Constitution, the title thereto being left to future adjustment by treaty.

La Ysla de Pinos queda omitida de los límites de Cuba que fija la Constitución, dejándose para un futuro tratado la fijación de su pertenencia.

ARTICLE VII.

ARTÍCULO VII.

Naval, etc., stations for the United States.

To enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the Government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations, at certain specified points, to be agreed upon with the President of the United States.

Para poner en condiciones á los Estados Unidos de mantener la independencia de Cuba y proteger al pueblo de la misma, así como para su propia defensa, el Gobierno de Cuba venderá ó arrendará á los Estados Unidos las tierras necesarias para carboneras ó estaciones navales en ciertos puntos determinados que se convendrán con el Presidente de los Estados Unidos.

ARTICLE VIII.

ARTÍCULO VIII.

Ratification. Post, p. 2261.

The present Convention shall be ratified by each party in conformity with the respective Constitutions of the two countries, and the ratifications shall be exchanged in the City of Washington within eight months from this date.

El presente tratado será ratificado por cada una de las partes en conformidad con las respectivas Constituciones de los dos países, y las ratificaciones serán canjeadas en la ciudad de Washington dentro de los ocho meses siguientes á la fecha.

Signatures.

In witness whereof, we the respective Plenipotentiaries, have signed the same in duplicate, in English and Spanish, and have affixed our respective seals at Havana, Cuba, this twenty-second day of May, in the year nineteen hundred and three.

En fé de lo cual los respectivos Plenipotenciarios lo firman y sellan por duplicado, en Ynglés y en Español, en la Habana, Cuba, el día veinte y dos de Mayo de mil novecientos tres.

H. G. SQUIERS. [SEAL.]
CARLOS DE ZALDO [SEAL.]

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the first day of July, one thousand nine hundred and four;

Exchange of ratifications.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Treaty 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 testimony 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 second day of July, in the year of our Lord one thousand nine hundred and four, and [SEAL.] the Independence of the United States of America the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

ALVEY A. ADEE

Acting Secretary of State.

December 27, 1903.

Treaty between the United States and the King of Ethiopia to regulate the commercial relations between the two countries. Signed at Addis-Ababa, December 27, 1903; ratification advised by the Senate, March 12, 1904; ratified by the President, March 17, 1904; King of Ethiopia notified of ratification, August 2, 1904; proclaimed, September 30, 1904.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas a treaty of commerce between the United States of America and His Majesty Menelik II, King of Kings of Ethiopia, was concluded on the twenty-seventh day of December one thousand nine hundred and three, the original of which treaty, being in the Amharic* and French languages, is word for word as follows:

(Translation.)

TREATY OF COMMERCE.

TRAITÉ DE COMMERCE.

Contracting parties.

His Majesty Menelik II, King of Kings of Ethiopia, and the United States of America having agreed to regulate the commercial relations between the two countries and develop them, and render them more and more advantageous to the two contracting Powers:

Sa Majesté Menilek II, Roi des Rois d'Éthiopie et les États-Unis d'Amérique, ayant Convenu de régler les relations Commerciales entre les deux pays, de les développer et de les rendre de plus en plus avantageuses aux deux puissances Contractantes:

Plenipotentiaries.

His Majesty Menelik II, King of Kings of Ethiopia, in the name of the Empire, and Robert P. Skinner, in the name of the United States of America, have agreed and stipulated that which follows:

Sa Majesté Menilek II, Roi des Rois d'Éthiopie, au nom de Son Empire et Robert P. Skinner, muni des pleins pouvoirs du Président Roosevelt, au nom des États-Unis d'Amérique ont Convenu et Stipulé ce qui suit:

ARTICLE I.

ARTICLE 1

Reciprocal freedom of business and travel.

The citizens of the two Powers, like the citizens of other countries, shall be able freely to travel and to transact business throughout the extent of the territories of the two contracting Powers, while respecting the usages, and submitting themselves to the tribunals of the countries in which they may be located.

Les citoyens des deux puissances pourront en toute liberté, Comme les citoyens des autres pays, circuler et Commercer dans l'étendue des territoires des deux puissances Contractantes en respectant les usages et Se Soumettant aux tribunaux du pays où ils se trouveront.

* Amharic text not printed. Translation furnished by Commissioner.

ARTICLE II.

In order to facilitate commercial relations, the two Governments shall assure, throughout the extent of their respective territories, the security of those engaged in business therein, and of their property.

ARTICLE 2.

Afin de faciliter les relations Commerciales, les deux Gouvernements assureront, dans l'étendue de leurs territoires respectifs, la Sécurité des Commerçants et de leurs biens.

Protection to business and property.

ARTICLE III.

The two contracting Governments shall reciprocally grant to all citizens of the United States of America and to the citizens of Ethiopia, all the advantages which they shall accord to other Powers in respect to customs duties, imposts and jurisdiction.

ARTICLE 3

Les deux gouvernements contractants feront réciproquement bénéficier tous les Citoyens des Etats-Unis d'Amérique et les Citoyens éthiopiens de tous les avantages qu'ils accorderont à d'autres puissances Comme droits de douanes, d'impôts ou de juridiction.

Reciprocal advantages in customs duties, etc.

ARTICLE IV.

Throughout the extent of the Ethiopian Empire, the citizens of the United States of America shall have the use of the telegraphs, posts and all other means of transportation upon the same terms as the citizens of other Powers.

ARTICLE 4

Dans l'étendue de l'Empire Ethiopien, les Citoyens des Etats-Unis d'Amérique auront l'usage des télégraphes, postes et tous autres moyens de transports aux mêmes tarifs que les Citoyens des autres puissances.

Use of telegraphs, posts, etc., in Ethiopia.

ARTICLE V.

In order to perpetuate and strengthen the friendly relations which exist between Ethiopia and the United States of America, the two Governments agree to receive reciprocally, representatives acceptable to the two Governments. These representatives shall not however, be maintained at their posts, unless they are agreeable to the receiving Power, in such cases, they shall be replaced.

ARTICLE 5

Pour perpétuer et fortifier les rapports amicaux qui existent entre l'Ethiopie et les Etats-Unis d'Amérique, les deux Gouvernements Conviennent de recevoir réciproquement des représentants agréés par les deux Gouvernements—Ces représentants ne pourront toutefois être maintenus à leur poste que s'ils sont agréables à l'autre puissance: en cas contraire ils seront remplacés.

Mutual establishment of diplomatic relations.

ARTICLE VI.

The duration of the present treaty shall be ten years. It is understood that at the expiration of these ten years the two Governments shall be able to modify all or any part of this treaty. The Government which shall request at that time the modification, shall make its proposal to the other Government one year before the expiration of the treaty.

ARTICLE 6

La durée du présent traité sera de dix années: il est entendu qu'à l'expiration des dix années les deux Gouvernements pourront modifier tout ou partie de ce traité—Celui des deux Gouvernements qui demandera à ce moment une modification devra en faire la proposition à l'autre gouvernement une année avant l'expiration du traité.

Duration.

ARTICLE VII.

ARTICLE 7.

Ratification.

The present treaty shall take effect if ratified by the Government of the United States, and if this ratification shall be notified to His Majesty Menelik II, King of Kings of Ethiopia, within the period of one year.

His Majesty Menelik II King of Kings of Ethiopia, in the name of his Empire; Robert P. Skinner in virtue of his full powers, in the name of the United States of America, have signed the present treaty, written in double text, Amharic and French, and in identical terms.

Signatures.

DONE at Addis-Ababa, this seventeenth day of December, one thousand eight hundred and ninety-six in the year of grace (corresponding to December twenty-seventh, 1903).

Ce présent traité entrera en vigueur s'il est ratifié par le Gouvernement des Etats-Unis et si cette ratification est signifiée à Sa Majesté Menilek II, Roi des Rois d'Ethiopie, dans le délai d'une année.

Sa Majesté Menilek II, Roi des Rois d'Ethiopie, au nom de Son Empire, et Robert P. Skinner en vertu de ses pleins pouvoirs, au nom des Etats-Unis d'Amérique, ont signé le présent traité rédigé en double texte Amharigua et français en tout semblables.

Fait à Addis-Ababa le dix sept Decembre mil huit cent quatre vingt seize de l'an de grâce (correspondant au 27 Decembre 1903.)

[Seal of MENELIK II.]

ROBERT P. SKINNER

Consul General and plenipotentiary

And whereas it is provided by the said treaty that it shall take effect "if ratified by the Government of the United States of America and if this ratification shall be notified to His Majesty King Menelik II, King of Kings of Ethiopia, within the period of one year";

Notification of ratification.

And whereas the said treaty has been duly ratified on the part of the United States of America and notification of such ratification was given to His Majesty Menelik II, King of Kings of Ethiopia, on the second day of August, one thousand nine hundred and four;

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said treaty 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 testimony 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 thirtieth day of September, in the year of our Lord one thousand nine hundred and four, [SEAL] and of the Independence of the United States of America the one hundred and twenty-ninth.

THEODORE ROOSEVELT

By the President:

FRANCIS B. LOOMIS.

Acting Secretary of State.

Treaty between the United States and the Kingdom of the Netherlands, extending the extradition convention of June 2, 1887, between the two countries to their respective island possessions and colonies. Signed at Washington, January 18, 1904; ratification advised by the Senate, January 27, 1904; ratified by the President, May 26, 1904; ratified by the Netherlands, April 4, 1904; ratifications exchanged at Washington, May 28, 1904; proclaimed, May 31, 1904.

January 18, 1904.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the Netherlands extending to their respective island possessions and colonies the Convention for the extradition of criminals, concluded at Washington on June 2, 1887, was concluded and signed by their respective Plenipotentiaries at Washington, on the eighteenth day of January, one thousand nine hundred and four, the original of which Convention, being in the English and Dutch languages, is word for word as follows:

Preamble.

The United States of America and Her Majesty the Queen of the Netherlands, having judged it expedient to extend to their respective island possessions and colonies the Convention for the extradition of criminals, concluded at Washington on June 2, 1887, by means of an additional Convention, have to that end appointed as their plenipotentiaries:

De Vereenigde Staten van Amerika en Hare Majesteit de Koningin der Nederlanden, nuttig geoordeeld hebbende het op 2 Juni 1887 te Washington gesloten verdrag tot uitlevering van misdadigers tot de wederzijdsche insulaire bezittingen en koloniën uit te breiden door middel eener additioneele overeenkomst, hebben te dien einde tot Hunne Gevolmachtigden benoemd, te weten:

Contracting parties.

The President of the United States of America: John Hay, Secretary of State of the United States; and

De President der Vereenigde Staten van Amerika, den heer John Hay, Staatssecretaris der Vereenigde Staten; en

Plenipotentiaries.

Her Majesty the Queen of the Netherlands: Baron Willem Alexander Frederik Gevers, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States;

Hare Majesteit de Koningin der Nederlanden: den heer Willem Alexander Frederik Baron Gevers, Hoogst - Derzelver Buitengewoon Gezant en Gevolmachtigd Minister bij de Vereenigde Staten; die, na elkander kunne wederzijdsche volmachten te hebben medegedeeld, welke in goeden en behoorlijken vorm zijn bevonden, omtrent de navolgende artikelen zijn overeengekomen en deze hebben vastgesteld:

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.

ARTIKEL I.

Extradition provisions extended to island possessions and colonies.
Vol. 26, p. 1481.

The provisions of the Convention for the extradition of criminals concluded at Washington June 2, 1887, shall be applicable to the island possessions of the United States of America and the colonies of the Netherlands; but, since they are based upon the law of the mother country, only provided that they are compatible with the laws or regulations in force in those island possessions and colonies, and with the observance of the following stipulations:

Limitation.

De bepalingen van het verdrag, betreffende de uitlevering van misdadigers den 2den Juni 1887 te Washington gesloten, zullen van toepassing zijn op de insulaire bezittingen van de Vereenigde Staten van Amerika en de koloniën van Nederland; doch daar zij gegrond zijn op de wetgeving van het moederland slechts voor zoover zij vereenigbaar zijn met de wetten of verordeningen in die insulaire bezittingen en koloniën van kracht en met inachtneming van de navolgende bepalingen:

ARTICLE II.

ARTIKEL II.

Bribery.
Vol. 26, p. 1482.

In addition to the persons mentioned in article II of that Convention, those shall also be surrendered who are charged with or have been convicted of the crime of bribery, provided it be an extradition crime by the laws or regulations in force in the respective island possessions and colonies of the contracting parties, or of the crime of piracy by statute or by the law of nations.

Piracy.

Behalve de in artikel II van dat verdrag bedoelde personen, zullen ook uitgeleverd worden zij, die beklagd zijn van of veroordeeld wegens het strafbaar feit van omkoopning, voor zoover het een voor uitlevering vatbaar misdrijf is, volgens de wetten of reglementen van kracht in de insulaire bezittingen en koloniën van beide contracteerende partijen, of wegens het krachtens wettelijke bepalingen of het volkenrecht strafbaar feit van zeeroof.

ARTICLE III.

ARTIKEL III.

Application for extradition.

Application for the surrender of a criminal may be made directly to the governor or chief magistrate of the island possession or colony in which the criminal has sought refuge, by the governor or chief magistrate of an island possession or colony of the other contracting party, provided that both island possessions or colonies are situated in Asia, or both in America (including the West India Islands); in making such application, the intervention of a consular officer in such a possession or colony may be used, although no modification shall thereby be made in his capacity as a commercial agent. The aforesaid governors or chief magistrates shall have authority either to grant the extradition or to refer the matter for decision to the mother country. In all other

Intervention of consular officers.

De aanvraag tot uitlevering van een misdadiger zal kunnen geschieden rechtstreeks aan den Gouverneur of eersten ambtenaar van de insulaire bezitting of de kolonie, waarheen de misdadiger de wijk heeft genomen, door den Gouverneur of eersten ambtenaar van eene insulaire bezitting of kolonie der andere contracteerende partij, voor zoover die insulaire bezittingen of koloniën beide zijn gelegen in Azië of beide in Amerika (daaronder begrepen de West Indische Eilanden), bij welke aanvraag gebruik zal kunnen worden gemaakt van de tusschenkomst van een Consulair Ambtenaar in die bezitting of kolonie, zonder dat daardoor evenwel wijziging wordt gebracht in diens karakter van handelsagent. De bedoelde Gouverneurs of eerste ambtenaren zullen de bevoegdheid hebben,

cases, application for extradition shall be made through the diplomatic channel.

ARTICLE IV.

The beginning of paragraph 2 (in the alternat paragraph 1) of article XII of the Convention of June 2, 1887, shall, as regards the Dutch East Indies, read as follows: "It shall be lawful for any competent authority," etc.

ARTICLE V.

In the cases of direct application for extradition described in article III of the Convention, the certificate mentioned in the second (first in the alternat) paragraph of the said article XII may be given by the governor or the chief magistrate of the Dutch Colony; the certificate mentioned in the first (second in alternat) paragraph of the last named article, by the Chief Magistrate of the North American island possession. The term of preliminary arrest provided for in article XII of the Convention of June 2, 1887, shall for the enforcement of this article, be made sixty days.

ARTICLE VI.

The present additional Convention shall take effect three months after the exchange of the instruments of ratification. It shall remain in force for six months after a declaration to the contrary, made by one of the two Governments. Nevertheless, it shall be considered to have been denounced by the fact of the denunciation of the Convention of June 2, 1887.

It shall be ratified, and the instruments of ratification shall be exchanged as speedily as possible.

In testimony whereof, the respective plenipotentiaries have

hetzij de uitlevering toe de staan, hetzij de zaak ter beslissing over te brengen aan de Regeering van het moederland. In alle andere gevallen zal de aanvraag tot uitlevering langs diplomatieken weg geschieden.

ARTIKEL IV.

De aanhef van alinea 2 (in het alternaat, alinea 1) van artikel XII van het verdrag van 2 Juni 1887, wordt ten aanzien van Nederlandsch-Indië gelezen: "Iedere bevoegde overheid," enz.

ARTIKEL V.

In de gevallen van rechtstreekse aanvraag om uitlevering, omschreven in artikel III van het tegenwoordig verdrag, zal de verklaring bedoeld in het tweede (eerste in het alternaat) lid van artikel XII kunnen worden afgegeven door den Gouverneur of eersten ambtenaar der Nederlandsche kolonie; de verklaring, bedoeld in het eerste (tweede in het alternaat) lid van laatstgenoemd artikel, door den eersten ambtenaar der Noord-Amerikaansche insulaire bezitting. De termijn van voorloopige aanhouding, vastgesteld in artikel XII van de Conventie van 2, Juni 1887 zal voor de toepassing van dit artikel, worden gesteld op zestig dagen.

ARTIKEL VI.

De tegenwoordige additioneele overeenkomst zal in werking treden drie maanden na de uitwisseling van de acten van bekrachtiging. Zij zal van kracht blijven tot zes maanden na verklaring in tegenovergestelden zin door eene der beide Regeeringen gedaan. Desniettegenstaande zal zij geacht worden te zijn opgezegd door het feit der opzegging van de overeenkomst van 2 Juni 1887.

Zij zal worden bekrachtigd en de acten van bekrachtiging ervan zullen zoo spoedig mogelijk worden uitgewisseld.

Ten blijke waarvan de wederzijdsche gevolmachtigden dit ver-

Any competent authority may issue warrant.
Vol. 26, p. 1488.

Issue of certificates.
Art. p. 2258.
Vol. 26, p. 1488.

Preliminary arrests.
Time extended.

Effect.

Ratification.

signed the present convention, in duplicate and have hereunto affixed their seals.

Signatures.

Done at Washington in the English and Dutch languages, on the eighteenth day of January in the year of our Lord nineteen hundred and four.

drag in dubbel hebben ondertekend en van hun zegel voorzien.

Gedan te Washington, in de Engelsche en Nederlandsche talen den achtienden Januari in het jaar onzes Heeren negentienhonderd en vier.

JOHN HAY [SEAL.]
GEVERS. [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-eighth day of May, one thousand nine hundred and four;

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States 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 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 thirty-first day of May, in the year of our Lord one thousand nine hundred and four, and [SEAL] of the Independence of the United States of America the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

JOHN HAY

Secretary of State.

Supplementary convention between the United States and Cuba extending the period within which may be exchanged the ratifications of the treaty of May 22, 1903, between the United States and Cuba, embodying the provisions defining their future relations. Signed at Washington, January 20, 1904; ratification advised by the Senate, January 27, 1904; ratified by the President, June 25, 1904; ratified by Cuba, June 20, 1904; ratifications exchanged at Washington, July 1, 1904; proclaimed, July 2, 1904.

January 20, 1904.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Supplementary Convention between the United States of America and the Republic of Cuba, extending the time within which may be exchanged the ratifications of the treaty signed May 22, 1903, embodying the provisions defining the future relations of the United States with Cuba, contained in the Act of Congress of the United States approved March 2, 1901, was concluded and signed by their respective Plenipotentiaries at Washington, on the twentieth day of January one thousand nine hundred and four, the original of which Supplementary Convention, being in the English and Spanish languages, is word for word as follows:

Preamble.

Post, p. 2248.

Vol. 31, p. 897.

The United States of America and the Republic of Cuba, considering it expedient to prolong the period within which, by Article VIII of the treaty signed by their respective plenipotentiaries on May 22, 1903, embodying the provisions defining the future relations of the United States with Cuba, contained in the act of Congress of the United States approved March 2, 1901, the exchange of ratifications of the said treaty shall take place, have for that purpose appointed their respective Plenipotentiaries, namely:

Los Estados Unidos de América y la República de Cuba juzgando conveniente prorrogar el periodo dentro del cual, por el Artículo VIII del Tratado suscrito por sus respectivos Plenipotenciarios, el día veintidos de Mayo de mil novecientos tres, incluyendo las disposiciones que definen las relaciones futuras de los Estados Unidos con Cuba comprendidas en la Ley del Congreso de los Estados Unidos aprobada el día dos de Marzo de mil novecientos uno, se verificará el cange de las ratificaciones de dicho Tratado, han nombrado al afecto sus respectivos Plenipotenciarios, á saber:

Contracting parties.

Ante, p. 2252.

Vol. 31, p. 897.

The President of the United States of America, John Hay, Secretary of State of the United States; and

Plenipotentiaries.

The President of Cuba, Gonzalo de Quesada, Envoy Extraordinary and Minister Plenipotentiary of Cuba at Washington;

El Presidente de los Estados Unidos de América, á John Hay, Secretario de Estado de los Estados Unidos; y

El Presidente de Cuba, á Gonzalo de Quesada, Enviado Extraordinario y Ministro Plenipotenciario de Cuba en Washington;

who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following additional article to be taken as part of said treaty.

quienes, despues de comunicarse sus respectivos Plenos Poderes, que encontraron en buena y debida forma, han acordado el siguiente Artículo que ha de considerarse como parte de dicho Tratado.

SOLE ARTICLE.

ARTÍCULO UNICO.

Ratification time extended. The respective ratifications of the said treaty shall be exchanged as soon as possible, and within six months from January 21, 1904.

Las respectivas ratificaciones de dicho Tratado serán cangeadas lo mas pronto posible, y dentro de seis meses siguientes al veintiuno de Enero de mil novecientos cuatro.

Signatures. Done in duplicate at Washington, in the English and Spanish languages, this 20th day of January A. D. 1904.

Hecho por duplicado en Washington, én Inglés y Español este dia 20 de Enero de mil novecientos cuatro.

JOHN HAY [SEAL]
GONZALO DE QUESADA [SEAL]

Exchange of ratifications. And whereas the said Supplementary Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the first day of July, one thousand nine hundred and four;

Proclamation. Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Supplementary Convention to be made public to the end that the same may be observed and fulfilled with good faith by the United States and the citizens thereof.

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

Done at the City of Washington, this second day of July, in the year of our Lord one thousand nine hundred and four, and [SEAL] of the Independence of the United States of America the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

ALVEY A. ADEE

Acting Secretary of State.

Treaty between the United States and France for the determination of their relations in Tunis. Signed at Washington March 15, 1904; ratification advised by the Senate March 24, 1904; ratified by the President May 6, 1904; ratified by France April 3, 1904; ratifications exchanged at Washington May 7, 1904; proclaimed May 9, 1904.

March 15, 1904.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the French Republic acting in its own name as well as in that of His Highness the Bey of Tunis, to determine the relations between the United States and France in Tunis and to define the treaty situation of the United States in the Regency, was concluded and signed by their respective Plenipotentiaries at Washington, on the fifteenth day of March, one thousand nine hundred and four, the original of which Convention, being in the English and French languages is word for word as follows:

Preamble.

The President of the United States of America and the President of the French Republic, acting in his own name as well as in that of His Highness the Bey of Tunis, desiring to determine the relations between the United States and France in Tunis, and desiring to define the treaty situation of the United States in the Regency, have named for that purpose the following plenipotentiaries:

Le Président des Etats-Unis d'Amérique et le Président de la République Française, agissant tant en son nom qu'au nom de Son Altesse le Bey de Tunis, ayant en vue de déterminer les rapports entre les Etats-Unis et la France en Tunisie et de préciser la situation conventionnelle des Etats-Unis dans la Régence, ont nommé dans ce but, les plénipotentiaires suivants:

Contracting parties.

The President of the United States of America, John Hay, Secretary of State of the United States; and

Le Président des Etats-Unis d'Amérique, John Hay, Secrétaire d'Etat des Etats-Unis; et

Plenipotentiaries.

The President of the French Republic, J. J. Jusserand, Ambassador Extraordinary and Plenipotentiary of France at Washington;

Le Président de la République Française, J. J. Jusserand, Ambassadeur Extraordinaire et Plénipotentiaire de France à Washington;

Who, after communicating to each other their full powers, which were found in good and due form, have agreed upon the following Articles:

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants:

ARTICLE I.

ARTICLE I.

The Government of the United States declares that it renounces the right of invoking in Tunis the

Le Gouvernement des Etats-Unis déclare qu'il renonce au droit d'invoquer en Tunisie les stipula-

Rights in Tunis by former treaties renounced. Public Treaties, pp. 763, 768.

stipulations of the Treaties made between the United States and the Bey of Tunis in August 1797, and in February 1824, and that it will refrain from claiming for its Consuls and citizens in Tunis other rights and privileges than those which belong to them in virtue of international law or which belong to them in France by reason of treaties in existence between the United States and France.

Rights, etc., assured
by France.

The Government of the French Republic agrees on its side to assure these rights and privileges in Tunis to the Consuls and citizens of the United States and to extend to them the advantage of all treaties and conventions existing between the United States and France.

ARTICLE II.

Exchange of ratifi-
cations.

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

In witness whereof, the respective Plenipotentiaries have signed the foregoing Articles and have affixed their seals.

Signatures.

Done in duplicate at Washington, in the English and French languages, the 15th day of March, in the year 1904.

JOHN HAY [SEAL.]
JUSSERAND [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 seventh day of May, one thousand nine hundred and four;

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, 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 testimony 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 ninth day of May, in the year of our Lord one thousand nine hundred and four, and [SEAL.] of the Independence of the United States of America the one hundred and twenty-eighth.

By the President:

JOHN HAY

Secretary of State.

tions des traités conclus entre les Etats-Unis et le Bey de Tunis en Août 1797, et en Février 1824, et qu'il s'abstiendra de réclamer en Tunisie, pour ses Consuls et ses nationaux, d'autres droits et privilèges que ceux qui leur appartiennent en vertu du droit international ou qui leur sont acquis en France en vertu des traités en vigueur entre les Etats-Unis et la France.

Le Gouvernement de la République Française s'engage, de son côté, à assurer en Tunisie ces droits et privilèges aux Consuls et aux nationaux des Etats-Unis et à y étendre l'effet de tous les traités et conventions en vigueur entre les Etats-Unis et la France.

ARTICLE II.

La présente convention sera ratifiée, et les ratifications seront échangées à Washington aussitôt que faire se pourra.

En foi de quoi, les Plénipotentiaires respectifs ont signé les Articles ci-dessus, et y ont apposé leurs sceaux.

Fait à Washington, en double expédition, en langues anglaise et française le 15 mars de l'an 1904.

THEODORE ROOSEVELT

Treaty between the United States and Cuba for the mutual extradition of fugitives from justice. Signed at Washington, April 6, 1904; ratification advised by the Senate, April 26, 1904; ratified by the President, January 24, 1905; ratified by Cuba, January 16, 1905; ratifications exchanged at Washington, January 31, 1905; proclaimed, February 8, 1905.

April 6, 1904.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Treaty between the United States of America and the Republic of Cuba providing for the mutual extradition of fugitives from justice was concluded and signed by their respective Plenipotentiaries at Washington, on the sixth day of April, one thousand nine hundred and four, the original of which Treaty being in the English and Spanish languages in word for word as follows:

Preamble.

The United States of America and the Republic of Cuba, being desirous to confirm their friendly relations and cooperate to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice between the United States of America and the Republic of Cuba, and have appointed for that purpose the following Plenipotentiaries:

Los Estados Unidos de América y la República de Cuba, deseando afianzar sus relaciones amistosas y cooperar á la causa de la Justicia han acordado celebrar un Tratado para la extradición de los prófugos de la Justicia, tanto de los Estados Unidos de América como de la República de Cuba, y han designado con tal fin á los siguientes Plenipotenciarios:

Contracting powers.

The President of the United States of America, John Hay, Secretary of State of the United States of America; and

El Presidente de los Estados Unidos de América á John Hay, Secretario de Estado de los Estados Unidos de América; y

Plenipotentiaries.

The President of the Republic of Cuba, Gonzalo de Quesada, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Cuba to the United States of America;

El Presidente de la República de Cuba á Gonzalo de Quesada, Enviado Extraordinario y Ministro Plenipotenciario de la República de Cuba en los Estados Unidos de América;

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

Quienes despues de haberse mostrado mutuamente sus respectivos plenos poderes, y encontrarlos en correcta y debida forma han convenido y estipulado lo siguiente:

ARTICLE I.

ARTÍCULO I.

The Government of the United States of America and the Government of the Republic of Cuba

El Gobierno de los Estados Unidos de América y el Gobierno de la República de Cuba convienen

Reciprocal delivery of persons charged with crimes.

mutually agree to deliver up persons who, having been charged as principals, accomplices or accessories with or convicted of any crimes or offenses specified in the following article, and committed within the jurisdiction of one of the high contracting parties, shall seek an asylum or be found within the territories of the other: Provided that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his or her apprehension and commitment for trial if the crime or offense had been there committed.

ARTICLE II.

ARTÍCULO II.

Extraditable crimes.
Post, p. 2273.

Murder.

Extradition shall be granted for the following crimes and offenses:

1. Murder, comprehending the offenses expressed in the Penal Code of Cuba as assassination, parricide, infanticide and poisoning; manslaughter, when voluntary; the attempt to commit any of these crimes.

2. Arson.

3. Robbery, defined to be the act of feloniously and forcibly taking from the person of another money, goods, documents, or other property, by violence or putting him in fear; burglary; house-breaking and shopbreaking.

4. Forgery, or the utterance of forged papers, or falsification of the official acts or documents of the Government or public authority, including courts of justice, or the utterance or fraudulent use of any of the same.

5. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, bank-notes, or other instruments of public credit; of counterfeit seals, stamps, dies and marks of state or public administration, and the utterance, circulation or fraudulent use of any of the above mentioned objects.

en entregarse recíprocamente las personas que habiendo sido acusadas ó condenadas como autores, cómplices ó encubridores de alguno de los crímenes ó delitos especificados en el artículo siguiente y cometidos dentro de la jurisdicción de una de las Altas Partes Contratantes busquen asilo ó se encuentren en los territorios de la otra; pero dicha entrega sólo se hará en virtud de pruebas de criminalidad tales que, según las Leyes del país donde se encuentre el prófugo ó la persona acusada, serían suficientes para su aprehensión y procesamiento, si allí se hubiera cometido el crimen ó delito.

Se concederá la extradición por los siguientes crímenes y delitos:

1°. Homicidio, incluidos los delitos designados en el Código Penal de Cuba con los nombres de asesinato, parricidio, é infanticidio; envenenamiento; homicidio, homicidio imprevisto; el conato de cualquiera de estos delitos.

2°. Incendio.

3°. Robo, entendiéndose por tal la sustracción de bienes, dinero ó documentos ajenos, empleando para ello fuerza, violencia ó intimidación; y el acto de asaltar la casa de otro de noche, con escalamiento ó fractura y con la intención de cometer un crimen ó delito; robo en casa habitada, robo en establecimiento comercial ó industrial.

4°. Falsificación ó emisión de documentos falsificados ó alteración de actos ó documentos oficiales del Gobierno ó de la Autoridad Pública incluso los Tribunales de Justicia, ó la expedición ó uso fraudulento de los mismos.

5°. La fabricación de moneda falsa, bien sea ésta metálica ó en papel, títulos ó cupones falsos de la Deuda Pública, billetes de Banco ú otros valores públicos de crédito, de sellos, de timbres, cuños y marcas falsas de Administraciones, del Estado ó Públicas y la expedición, circulación ó uso fraudulento de cualquiera de los objetos mencionados.

Arson.

Robbery.

Forgery, etc.

Counterfeiting.

6. Embezzlement by public officers or depositaries; embezzlement by persons hired or salaried to the detriment of their employers; obtaining money, valuable securities or other personal property by false devices, when such act is made criminal by the laws of both countries and the amount of money or value of the property so obtained is not less than two hundred dollars in gold.

Embezzlement.

7. Fraud or breach of trust (or the corresponding crime expressed in the Penal Code of Cuba as defraudation) by a bailee, banker, agent, factor, trustee, or other person acting in a fiduciary capacity, or director or member or officer of any company, when such act is made criminal by the laws of both countries and the amount of money or the value of the property misappropriated is not less than two hundred dollars in gold.

6°. Malversación de fondos públicos cometida por empleados públicos ó depositarios, defraudación realizada por personas á sueldo ó salario, en perjuicio de aquel que lo tiene á su servicio, obtener dinero, valores ú otros bienes muebles, por maquinaciones ó artificios cuando estos delitos están penados por las leyes de ambos países y el valor de la propiedad así obtenida no es menos de doscientos pesos en oro.

Breach of trust.

8. Perjury; subornation of perjury.

7°. Fraude ó defraudación, ó el crimen correspondiente definido en el Código de Cuba como defraudación por un depositario, banquero, agente, factor ú otra persona que administre bienes ó que proceda por encargo de otra, ó director ó miembro ó funcionario de una Compañía cuando las leyes de ambos países declaran criminoso semejante acto y el dinero ó el valor de los bienes defraudados no es menos de doscientos pesos en oro.

Perjury

9. Bribery; defined to be the giving, offering or receiving of a reward to influence one in the discharge of a legal duty.

8°. Perjurio; soborno para hacer perjurar.

Bribery.

10. Rape; bigamy.

9°. Cohecho ó sea dar, ofrecer ó recibir una recompensa por influir en el cumplimiento de un deber legal.

Rape, etc.

11. Wilful and unlawful destruction or obstruction of railroads, trains, bridges, vehicles, vessels or other means of transportation or public or private buildings, when the act committed endangers human life.

10°. Violación; bigamia.

Injuries to railroads, etc.

11°. Destrucción ú obstrucción maliciosa é ilegal de ferrocarriles, trenes, puentes, vehículos, embarcaciones ú otros medios de transporte ó de edificios públicos ó privados, cuando el acto cometido ponga en peligro la vida de las personas.

12. Crimes committed at sea, to wit:

12°. Crímenes cometidos en el mar; á saber:

Crimes committed at sea.

(a) Piracy, by statute or by the law of nations.

(a) Piratería según la Ley ó el Derecho Internacional.

Piracy.

(b) Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas against the authority of the master.

(b) Sublevación ó conspiración de dos ó más personas para rebelarse abordo de un buque en alta mar contra la autoridad del Capitán ó Comandante.

Revolt, etc.

(c) Wrongfully sinking or destroying a vessel at sea, or attempting to do so.

(c) Hacer naufragar ó destruir criminalmente un buque en el mar ó la tentativa de hacerlo.

Destroying vessels.

(d) Assaults on board a ship on the high seas with intent to do grievous bodily harm.

(d) Asalto abordo de un buque en alta mar con la intención de ocasionar un grave daño corporal.

Assaults on ship-board.

13. Crimes and offenses against the laws of both countries for the suppression of slavery and slave-trading.

13°. Crímenes y delitos contra las leyes de ambos países relativas á la abolición de la esclavitud y á la trata de esclavos.

Slave trading, etc.

Kidnapping.

14. Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons in order to exact money from them or their families, or for any other unlawful end.

14°. Rapto; plagio de menores ó adultos, entendiéndose por tal el hecho de apoderarse de una ó más personas, ó de detenerlas para exigir, de ellas ó de sus familias, dinero por su rescate, ó para cualquier otro fin ilícito.

Larceny.

15. Larceny, defined to be the theft of money, effects, documents, horses, cattle, live-stock or any other movable property of the value of more than fifty dollars.

15°. Hurto ó robo sin violencia, entendiéndose por tal la sustracción de dinero, efectos, documentos, caballos, reses, ganado ó cualquiera otra propiedad mueble cuyo valor exceda de cincuenta pesos.

Obtaining money, etc., by threats.

16. Obtaining by threats of doing injury, money, valuables or other personal property.

16°. Obtener, por medio de amenazas de hacer daño, dinero, valores ú otra propiedad.

Mayhem.

17. Mayhem and other wilful mutilation causing disability or death.

17°. Golpes ó heridas causados voluntariamente cuando de ellos resulte una dolencia ó incapacidad permanente para el trabajo personal, la pérdida ó privación del uso absoluto de un miembro, de la vista ó de cualquiera otro órgano, ó la muerte sin intención de causarla.

Complicity.

Extradition is to take place for participation in any of the crimes and offenses mentioned in this treaty not only as principal or accomplices, but as accessories in any of the crimes or offenses mentioned in the present article, provided such participation may be punished, in the United States as a felony and in the Republic of Cuba by imprisonment, hard labor or capital punishment.

La extradición tendrá lugar por haber tomado parte, no solo como autor ó cómplice en cualquiera de los crímenes ó delitos mencionados en este Tratado sino como encubridor, en cualquiera de los crímenes ó delitos mencionados en el presente artículo, siempre que su participación se castigue en los Estados Unidos como felonía (felony) y en la República de Cuba con prisión, trabajos forzados ó pena capital.

ARTICLE III.

ARTÍCULO III.

Requisitions.

Requisitions for the surrender of fugitives from justice shall be made by the diplomatic agents of the contracting parties, or in the absence of these from the country or its seat of government, may be made by the superior consular officers.

Las demandas de entrega de prófugos de la Justicia las harán los Agentes Diplomáticos de las Partes Contratantes; y, si éstos estuviesen ausentes del país ó del lugar en que reside el Gobierno, podrán hacerlas los funcionarios Consulares superiores.

Copies of sentence, etc., required.

If the person whose extradition is requested shall have been convicted of a crime or offense, a duly authenticated copy of the sentence of the court in which he was convicted, or if the fugitive is merely charged with a crime or offense, a duly authenticated copy of the warrant of arrest in the country where the crime or offense has been committed, and of the depositions or other evidence upon which such warrant was issued, shall be produced. In both cases

Si los individuos cuya extradición se pida hubiesen sido condenados por un crimen ó delito, deberá presentarse copia debidamente legalizada de la sentencia dictada por el Tribunal que le condenó; y si el prófugo fuera simplemente acusado de un crimen ó delito, se presentará una copia debidamente legalizada del auto ó mandamiento de prisión expedido en el país donde el crimen ó delito se cometió, y de las declaraciones y demás pruebas que hubiesen ser-

whenever possible all facts and data necessary to establish the identity of the person whose extradition is sought shall also be presented.

The extradition of the fugitives under the provisions of this treaty shall be carried out in the United States and in the Republic of Cuba, respectively, in conformity with the laws regulating extradition for the time being in force in the State in which the demand for the surrender is made.

ARTICLE IV.

Where the arrest and detention of a fugitive in the United States are desired on telegraphic or other information in advance of the presentation of formal proof, complaint on oath, as provided by the statutes of the United States, shall be made by an agent of the Government of Cuba before a judge or magistrate authorized to issue warrants of arrest in extradition cases.

When, under the provisions of this article, the arrest and detention of a fugitive are desired in the Republic of Cuba, the proper course shall be to apply to the Foreign Office, which will immediately cause the necessary steps to be taken in order to secure the provisional arrest or detention of the fugitive.

The provisional detention of a fugitive shall cease and the prisoner be released if a formal requisition for his surrender accompanied by the necessary evidence of his guilt has not been produced under the stipulations of this Treaty, within two months from the date of his provisional arrest or detention.

vido de base para librar dicho auto ó mandamiento. En ambos casos tambien se presentarán, siempre que sea posible, los datos y antecedentes necesarios para establecer la identidad de la persona cuya extradición se reclamare.

La extradición de los prófugos, á tenor de lo dispuesto en este Tratado, se efectuará en los Estados Unidos de América y en la República de Cuba, respectivamente, de acuerdo con las leyes que sobre extradición estuvieren entonces vigentes en la Nación á quien se dirija la solicitud de entrega.

ARTÍCULO IV.

Cuando en virtud de informes telegráficos ó de otra clase, remitidos con anterioridad á la presentación de pruebas formales, se pretenda el arresto y detención de un delincuente que se hubiere fugado á los Estados Unidos, un agente del Gobierno de Cuba presentará demanda jurada, según disponen los Estatutos de los Estados Unidos, ante un Juez ú otro Magistrado que tenga facultad para librar mandamientos de arresto en casos de extradición.

Cuando dentro de lo dispuesto en este artículo se desee el arresto y detención de un delincuente que se hubiere fugado á la República de Cuba, la petición se dirigirá á la Secretaría de Estado, la cual dispondrá inmediatamente que se adopten las medidas necesarias para que se lleve á cabo el arresto ó detención provisional del prófugo.

La detención provisional del prófugo cesará y el detenido será puesto en libertad si dentro de dos meses contados desde la fecha de su arresto ó detención provisionales no se hubiese presentado formal demanda para su entrega, acompañada de las pruebas necesarias de su culpabilidad, á tenor de las estipulaciones de este Tratado.

Proceedings.

Application for provisional arrest.
In the United States.

In Cuba.

Discharge on failure to make formal requisition within two months.

ARTICLE V.

Neither country bound to deliver up its own citizens.

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

ARTICLE VI.

No surrender for political offenses.

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

Attempts against head of government not a political offense.

An attempt against the life of the head of a foreign government or against that of any member of his family when such attempt comprises the act either of murder, assassination, or poisoning, shall not be considered a political offense or an act connected with such an offense.

Political offenses prior to extradition.

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

Decision.

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 on which the demand for surrender is made, or which may have granted the extradition shall be final.

ARTICLE VII.

No delivery if trial barred by limitations.

Extradition shall not be granted, in pursuance of the provisions of this Treaty if legal proceedings or the enforcement of the penalty for the act committed by the person claimed has become barred by limitation, according to the laws of the country to which the requisition is addressed.

ARTICLE VIII.

Trials to be only for offenses for which extradited.

No person surrendered by either of the contracting parties to the other shall, without his consent, freely granted and publicly de-

ARTÍCULO V.

Ninguna de las Partes Contratantes queda obligada á entregar á sus propios ciudadanos en virtud de las estipulaciones de este Tratado.

ARTÍCULO VI.

No será entregado el criminal fugitivo si el delito con respecto al cual se solicita su entrega es de carácter político, ó si se prueba que la reclamación de su entrega se ha formulado en realidad con el objeto de enjuiciarlo ó castigarlo por un delito de carácter político.

No será reputado delito político, ni hecho conexo con semejante delito, el atentado contra la persona del Jefe de un Estado Extranjero ó contra los miembros de su familia cuando el hecho en que consista el atentado constituya delito de homicidio, asesinato ó envenenamiento.

Ningún individuo entregado por una á la otra de las Partes Contratantes será acusado, procesado, ni penado por ningún crimen, ó delito político, ni por acto alguno con el mismo relacionado y cometido antes de su extradición.

Cuando surgiere alguna duda respecto á si son aplicables á un caso dado las disposiciones de este artículo, lo que resolvieren las Autoridades del Gobierno á quien se pidiere la entrega ó que hubiese accedido á la extradición, será definitivo.

ARTÍCULO VII.

No se concederá la extradición en conformidad con las disposiciones de este Tratado si, según las leyes del país requerido, hubiesen prescrito los procedimientos legales ó la acción penal correspondientes al hecho cometido por la persona reclamada.

ARTÍCULO VIII.

Ningún individuo entregado por una de las Partes Contratantes á la ótra podrá ser acusado, procesado ni penado, sin su consenti-

clared by him, be triable or tried or be punished for any crime or offense committed prior to his extradition, other than that for which he was delivered up, unless the said person shall have been at liberty to leave the country for a month after having been tried, and in case of conviction, a month after having served sentence or being pardoned.

ARTICLE IX.

All articles found in the possession of the person to be surrendered, whether being proceeds of the crime or offense, or being material as evidence in making proof of the crime or offense, shall, so far as practicable, and in conformity with the laws of the respective countries, be seized and surrendered with his person. Nevertheless the rights of third parties with regard to such articles shall be duly respected.

ARTICLE X.

If the individual claimed by one of the contracting parties, in pursuance of the present Treaty, shall also be claimed by one or several other powers on account of crimes or offenses committed within their respective jurisdictions, his extradition shall be granted to the state whose demand is first received, unless the government from which extradition is sought is bound by treaty to give preference to another.

If the said individual shall be indicted or convicted in the country from which extradition is sought, his extradition may be deferred until the proceedings are abandoned, the individual set at liberty or discharged or has served his sentence.

ARTICLE XI.

The expenses incurred in the arrest, detention, examination and delivery of fugitives under this treaty shall be borne by the State in whose name the extradition is sought: Provided, that the de-

miento prestado libre y públicamente, por ningún crimen ó delito anterior á su extradición, que no fuere el que motivó su entrega; á no ser que dicho individuo hubiese estado en libertad de abandonar el país durante un mes despues de haber sido juzgado, y, en caso de condena, un mes despues de haberla cumplido ó de haber sido indultado.

ARTÍCULO IX.

Todos los objetos que se encontraren en poder de la persona reclamada, ya sean fruto del crimen ó delito imputados, ya piezas que puedan servir de prueba del mismo crimen ó delito, deberán ser secuestrados y entregados con su persona, en cuanto fuere practicable, con arreglo á las leyes de sus respectivos países. Sin embargo, se respetarán debidamente los derechos de terceros con respecto á esos objetos.

ARTÍCULO X.

Si el individuo reclamado por una de las Partes Contratantes, en conformidad con el presente Tratado, lo fuere tambien por otro ú otros países por razón de crímenes ó delitos cometidos dentro de sus respectivas jurisdicciones, se concederá su extradición á la Nación cuya solicitud se hubiese recibido primero, á menos que el Gobierno de quien se solicite la extradición esté comprometido por Tratado á concederle á otro la preferencia.

Si dicho individuo se hallase procesado ó condenado en el Estado requerido, su extradición podrá ser diferida hasta que se sobresean los procedimientos, sea declarado libre ó absuelto, ó haya sufrido su pena.

ARTÍCULO XI.

Los gastos que ocasionare el arresto, detención, declaraciones y entrega de prófugos, en virtud de lo dispuesto en este Tratado, serán de cuenta del país en cuyo nombre se solicite la extradición; pero en-

Disposal of articles seized with person.

Persons claimed by other countries.

Extradition may be deferred.

Expenses.

manding government shall not be compelled to bear any expense for the services of such public officers of the government from which extradition is sought as receive a fixed salary; and, provided, that the charge for the services of such public officers as receive only fees or perquisites shall not exceed their customary fees for the acts or services performed by them had such acts or services been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

tendiéndose que al Gobierno requirente no se obligará á sufragar ningún gasto por los servicios que prestaren los empleados públicos con sueldo fijo del Gobierno de quien se solicite la extradición; y asimismo se entenderá que el importe de los servicios prestados por empleados públicos que sólo perciban derechos ó emolumentos no excederá de lo que habitualmente cobrarían por esas diligencias ó servicios en las actuaciones criminales ordinarias, según las leyes del país en que estén empleados.

ARTICLE XII.

ARTÍCULO XII.

Effect.

The present treaty shall take effect on the thirtieth day after the date of the exchange of ratifications.

El presente Tratado comenzará á regir treinta días despues de la fecha en que se efectúe el canje de ratificaciones.

Exchange of ratifications.

The ratifications of the present treaty shall be exchanged at Washington as soon as possible, and it shall remain in force for a period of six months after either of the contracting governments shall have given notice of a purpose to terminate it.

Las ratificaciones del presente Tratado serán canjeadas en Washington á la mayor brevedad posible, y continuará en vigor durante los seis meses siguientes á la notificación que uno de los Gobiernos contratantes hiciere al ótro comunicándole su intención de separarse del mismo.

Signatures.

In witness whereof, the respective Plenipotentiaries have signed the above articles both in the English and Spanish languages, and hereunto affixed their seals.

En testimonio de lo cual los respectivos Plenipotenciarios han suscrito los precedentes artículos en los idiomas inglés y castellano y puesto al pié sus sellos.

Done in duplicate, at the City of Washington this sixth day of April, nineteen hundred and four.

Hecho por duplicado en la Ciudad de Washington el dia seis de Abril de mil novecientos cuatro.

JOHN HAY [SEAL]
GONZALO DE QUESADA [SEAL]

Ratification.

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the thirty-first day of January one thousand nine hundred and five;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Treaty 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 testimony 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 eighth day of February, in the year of our Lord one thousand nine hundred and five, [SEAL] and of the Independence of the United States of America the one hundred and twenty-ninth.

THEODORE ROOSEVELT

By the President:
JOHN HAY
Secretary of State.

Protocol amending Spanish text of Cuban Extradition Treaty signed April 6, 1904. Signed at Washington, December 6, 1904; ratification advised by the Senate, December 15, 1904; ratified by the President, January 24, 1905; ratified by Cuba, January 16, 1905; ratifications exchanged at Washington, January 31, 1905; proclaimed, February 8, 1905.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Protocol between the United States of America and the Republic of Cuba by which the United States accepts certain amendments made by the Cuban Senate in the Spanish text of Article II of the extradition treaty between the two countries signed April 6, 1904, was concluded and signed by their respective Plenipotentiaries at Washington on the sixth day of December, one thousand nine hundred and four, the original of which Protocol being in the English and Spanish languages, is word for word as follows:

Preamble.

PROTOCOL.

PROTOCOLO.

The undersigned, the Secretary of State of the United States of America and the Envoy Extraordinary and Minister Plenipotentiary of Cuba, being duly authorized, have agreed to modify the Spanish text of sections 1, 3, 5, 6, 7, 14 and 16 of the Article II of the Treaty of Extradition signed on the 6th of April, 1904, by substituting them by the following, in conformity with the amendments which were adopted by the Senate of the Republic of Cuba, with a view to making the said Spanish text correspond more closely with the English text, and to a more exact definition of the crimes and offenses therein specified, in the technical terms of the Cuban law.

Los infrascritos, el Secretario de Estado de los Estados Unidos de América y el Enviado Extraordinario y Ministro Plenipotenciario de Cuba, debidamente autorizados, han acordado modificar el texto castellano de los números 1, 3, 5, 6, 7, 14 y 16 del Artículo II del Tratado de Extradición, firmado el 6 de Abril de 1904, sustituyéndolos por los siguientes, de acuerdo con las enmiendas que fueron adoptadas por el Senado de la República de Cuba, con el objeto de ajustar dicho texto castellano al inglés y definir con más precisión los crímenes y delitos, estipulados en dicho Tratado en los términos técnicos de la Ley de Cuba.

Contracting parties.

Ante, pp. 2266, 2268.

ARTÍCULO II.

1. Homicidio, incluso los delitos designados en el Código Penal de Cuba con los nombres de asesinato, parricidio, infanticidio y envenenamiento, homicidio voluntario; el delito frustrado ó la tentativa de cualquiera de ellos.

3. Robo, entendiéndose por tal la sustracción de dinero, mercancías, documentos ú otra propiedad ajenos, empleando para ello fuerza,

Modifications in Spanish text.
Ante, p. 2266.

violencia ó intimidación; y el acto de asaltar la casa de otro de noche con escalamiento ó fractura y con la intención de cometer un delito; robo en casa habitada y robo en establecimiento comercial ó industrial.

5. La fabricación de moneda falsa, bien sea ésta metálica ó en papel, títulos ó cupones falsos de la Déuda Pública, billetes de Banco ú otros instrumentos de crédito público, de sellos, de timbres, cuños y marcas falsas de Administraciones, del Estado ó Públicas y la expendición, circulación ó uso fraudulento de cualquiera de los objetos mencionados.

6. Malversación de fondos públicos cometida por empleados públicos ó depositarios, defraudación realizada por personas á sueldo ó salario en perjuicio de aquel que lo tiene á su servicio, obtener dinero, valores ú otros bienes muebles por maquinaciones ó artificios cuando estos delitos estén penados por las leyes de ambos países y el valor de lo obtenido no sea menor de doscientos pesos en oro.

7. Fraude ó defraudación (ó el delito correspondiente definido en el Código Penal de Cuba como defraudación) por un depositario, banquero, agente, factor ú otra persona que administre bienes ó que proceda por encargo de otra ó director ó miembro ó funcionario de una compañía, cuando las leyes de ambos países declaren punible dicho acto y el valor de lo defraudado no sea menor de doscientos pesos.

14. Rapto, secuestro de menores ó adultos, entendiéndose por tal el hecho de apoderarse de una ó más personas, ó de detenerlas para exigir de ellas ó de sus familias dinero por su rescate, ó para cualquier otro fin ilícito.

16. Obtener por medio de amenazas de hacer daño, dinero, valores ú otra propiedad mueble.

The present Protocol shall be submitted for approval to the Senate of the United States of America. El presente Protocolo será sometido á la aprobación del Senado de los Estados Unidos.

Signatures.

Done at the City of Washington this 6th day of December, in the year 1904.

Hecho en la Ciudad de Washington á los seis dias de Diciembre del año 1904.

JOHN HAY [SEAL]
GONZALO DE QUESADA [SEAL]

Ratification.

And whereas the said Protocol has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the thirty-first day of January, one thousand nine hundred and five;

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

In testimony 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 eighth day of February, in the year of our Lord one thousand nine hundred and five, [SEAL] and of the Independence of the United States of America the one hundred and twenty-ninth.

By the President:
JOHN HAY
Secretary of State.

THEODORE ROOSEVELT

Amendment to postal convention between Canada and United States of June 28, 1904.
January, 1888.

For the purpose of enabling the Post-Office Department of each country to deal with the newspapers and periodicals originating in the other and addressed to it, in the same manner as if such newspapers and periodicals had originated in that country, the undersigned Henry C. Payne, Postmaster-General of the United States of America, and Sir William Mulock, K. C. M. G., Postmaster-General of the Dominion of Canada, by virtue of authority vested in them by law, have agreed on the following amendment to the postal convention between the two contracting countries, signed at Ottawa, the 19th day of January, 1888, and at Washington, the 12th day of January, 1888.

Preamble.

Vol. 25, p. 1413.

ARTICLE 1.

Amend article one, paragraph "a," by adding thereto after the word "revenues" the following: and in the case of newspapers and periodicals, to the right of each Administration to decline to transmit through its mails, except when duly prepaid by stamps affixed in the country of origin at the rate applicable to miscellaneous printed matter, such newspapers and periodicals as it would decline to transmit through its mails under the statutory newspaper and periodical privileges accorded to publishers and newsdealers, if such newspapers and periodicals were published in its own country.

Prepaid postage required on certain newspapers and periodicals.
Vol. 25, p. 1413.

ARTICLE 2.

This amendment shall take effect upon the first day of July, 1904, and shall continue in force until terminated by mutual agreement or annulled at the instance of the Post-Office Department of either country upon six months' previous notice given to the other.

Effect.

Done in duplicate and signed at Washington on the twenty-eighth day of June, one thousand nine hundred and four, and at Ottawa on the — day of —, one thousand nine hundred and four.

Signatures.

[SEAL.]

H. C. PAYNE,
Postmaster General of the United States of America.

[SEAL.]

W. MULOCK,
Postmaster General of the Dominion of Canada.

I hereby approve and ratify the foregoing amendment to Article I of the Postal Convention of January 1888, between the United States and Canada.

Approval.

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

[SEAL.]

THEODORE ROOSEVELT.

By the President
JOHN HAY

Secretary of State.

WASHINGTON, June 28th, 1904.

June 30, 1904.

Parcels-post convention between the United States of America and the empire of Japan.

Preamble.

For the purpose of making better postal arrangements between the United States of America and the Empire of Japan, the undersigned, Henry C. Payne, Postmaster-General of the United States of America, and Takahira Kogoro, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Japan at Washington, duly empowered thereto, have agreed upon the following articles for the establishment of a Parcels-Post System of exchanges between the two countries.

ARTICLE I.

Scope of convention.

The provisions of this Convention relate only to parcels of mail matter to be exchanged by the system herein provided for, and do not affect the arrangements now existing under the Universal Postal Convention, which will continue as heretofore; and all the agreements hereinafter contained apply exclusively to mails exchanged under these articles, directly between the offices of San Francisco, Seattle, Tacoma, Honolulu, and such other offices in the United States as may be hereafter designated by the Postmaster-General of the United States, and the offices of Yokohama, Kobe and Nagasaki and such other offices in the Empire of Japan as may be hereafter designated by His Imperial Majesty's Minister of State for Communications; such matter to be admitted to the mails under these articles as shall be sent through such exchange offices from any place in either country to any place in the other.

Exchange offices.

ARTICLE II.

Articles admitted to mails.

There shall be admitted to the mails exchanged under this Convention, articles of merchandise and mail matter—except letters, postcards and written matter of all kinds—that are admitted under any conditions to the domestic mails of the country of origin, except that no parcel must exceed fifty dollars (\$50) or its equivalent in value, 4 pounds 6 ounces (525 momme) in weight, nor the following dimensions: Greatest length in any direction, three feet six inches [3 shaku 5 sun]; greatest length and girth combined, six feet [6 shaku]; and must be so wrapped or inclosed as to permit the contents to be easily examined by customs officers and by postmasters duly authorized to do so; and except that the following articles are prohibited:

Articles prohibited.

Publications which violate the copyright laws of the country of destination; poisons, and explosive or inflammable substances; fatty substances; liquids and those which easily liquefy; confections and pastes; live or dead animals, except dead insects and reptiles when thoroughly dried; fruits and vegetables which easily decompose, and substances which exhale a bad odor; lottery tickets, lottery advertisements, or lottery circulars; all obscene or immoral articles; articles which may in any way damage or destroy the mails, or injure the persons handling them.

ARTICLE III.

A letter or communication of the nature of personal correspondence must not accompany, be written on, or inclosed with any parcel.

Letters not to accompany parcels.

If such be found, the letter will be placed in the mails if separable, and if the communication be inseparably attached, the whole parcel will be rejected. If, however, any such should inadvertently be forwarded, the country of destination may collect on the letter or letters double rates of postage according to the Universal Postal Convention.

Rejection.

No parcel may contain parcels intended for delivery at an address other than that borne by the parcel itself. If such inclosed parcels be detected, they must be sent forward singly, charged with new and distinct parcels-post rates.

Address.

ARTICLE IV.

The parcels in question shall be subject in the country of destination to all customs duties and all customs regulations in force in that country for the protection of its customs revenues, and to the following rates of postage, which shall in all cases be required to be FULLY PREPAID, viz:

Rates of postage.

In the United States; for a parcel not exceeding one pound [120 momme] in weight, 12 cents; and for each additional pound [120 momme] or fraction of a pound, 12 cents.

In the Empire of Japan; for a parcel not exceeding 120 momme [1 pound] in weight, 24 sen; and for each additional 120 momme [1 pound] or fraction thereof, 24 sen.

ARTICLE V.

The sender of each parcel must make a *Customs Declaration*, upon a special form provided for the purpose [see Form 1, "A", annexed hereto], giving the address, a general description of the parcel, an accurate statement of the contents and value, date of mailing, and the sender's signature and place of residence; which declaration must accompany the parcel to destination.

Customs declaration.
Post, p. 2280.

Either country may authorize the postoffice where the parcel is mailed to deliver to the sender of the parcel at the time of mailing, a certificate of mailing on a form like Form 2 annexed hereto.

Receipt.
Post, p. 2280.

The sender of a parcel may have the same registered by paying the registration fee required for registered articles in the country of origin, and, on demand therefor, will receive a return receipt, without additional charge.

Return receipt.

ARTICLE VI.

The addressees of registered articles shall be advised of the arrival of a parcel addressed to them, by a notice from the postoffice of destination.

Notice to addressees.

The parcels shall be delivered to addressees at the postoffices of address in the country of destination free of charge for postage; but the customs duties properly chargeable thereon shall be collected on delivery in accordance with the customs regulations of the country of destination; and the country of destination may, at its option, levy and collect from the addressee for interior service and delivery a charge not exceeding five cents in the United States and ten sen in the Empire of Japan, on each single parcel of whatever weight.

Collection of duties.

ARTICLE VII.

The parcels shall be considered as a component part of the mails exchanged direct between the United States and the Empire of Japan,

Transportation.

and shall be dispatched by the country of origin at its own cost and by such means as it provides, to the country of destination; but must be forwarded, at the option of the dispatching office, either in boxes prepared especially for the purpose or in ordinary mail sacks, to be marked "Parcels-Post," and not to contain any other articles of mail matter, and to be securely sealed with wax, or otherwise, as may be mutually provided by regulations hereunder.

Return of bags, etc.

Each country shall promptly return *empty* to the dispatching office by next mail, all such bags and boxes, but subject to other regulations between the two Administrations.

Packing.

Although articles admitted under this Convention will be transmitted as aforesaid between the exchange offices, they should be so carefully packed as to be safely transmitted in the open mails of either country, both in going to the exchange office in the country of origin and to the office of address in the country of destination.

Descriptive lists.

Each dispatch of a parcels-post mail must be accompanied by a descriptive list, in duplicate, of all the parcels sent, showing distinctly the list number of each parcel, the name of the sender, the name of the addressee, with address of destination, and the declared contents and value; and must be inclosed in one of the boxes or sacks of such dispatch. [See Form 3 annexed hereto.]

ARTICLE VIII.

Receipt of mail.

As soon as the mail shall have reached the office of destination, that office shall check the contents of the mail.

Parcel bill.

In the event of the parcel bill not having been received, a substitute should be at once prepared.

Errors.

Any errors in the entries on the parcel bill which may be discovered, should, after verification by a second officer, be corrected and noted for report to the dispatching office on a form "Verification certificate," which should be sent in a special envelope.

Nonreceipt of parcels.

If a parcel advised on the bill be not received, after the nonreceipt has been verified by a second officer, the entry on the bill should be canceled and the fact reported at once.

Damaged parcels.

Should a parcel be received in a damaged or imperfect condition, full particulars should be reported on the same form.

Correct mails.

If no verification certificate or note of error be received, a parcels-mail shall be considered as duly delivered, having been found on examination correct in all respects.

ARTICLE IX.

Failure to deliver.

If the parcels can not be delivered as addressed, or if they are refused, they should be reciprocally returned without charge, directly to the dispatching office of exchange, at the expiration of thirty days from their receipt at the office of destination, and the country of origin may collect from the sender for the return of the parcel a sum equal to the postage when first mailed.

Disposal of prohibited parcels.
Ante, p. 2276.

Provided, however, that parcels prohibited by Article II and those which do not conform to the conditions as to size, weight and value prescribed by said article, shall not necessarily be returned to the country of origin, but may be disposed of, without recourse, in accordance with the customs laws and regulations of the country of destination.

Perishable articles.

When the contents of a parcel which can not be delivered are liable to deterioration or corruption, they may be destroyed at once, if necessary, or if expedient, sold, without previous notice or judicial formality, for the benefit of the right person, the particulars of each sale being noticed by one post-office to the other.

ARTICLE X.

The Post-Office Department of either of the contracting countries will not be responsible for the loss or damage of any parcel; but either country is at liberty to indemnify the sender of any parcel which may be lost or destroyed in its territory. Nonresponsibility for loss, etc.

ARTICLE XI.

Each country shall retain to its own use the whole of the postages, registration and delivery fees, it collects on said parcels; consequently, this Convention will give rise to no separate accounts between the two countries. Fees to be retained.

ARTICLE XII.

The Postmaster-General of the United States of America, and His Imperial Majesty's Minister of State for Communications, shall have authority to jointly make such further regulations of order and detail as may be found necessary to carry out the present Convention from time to time; and may, by agreement, prescribe conditions for the admission in parcels exchanged under this Convention of any of the articles prohibited by Article II. Further regulations.
Ante, p. 2276.

ARTICLE XIII.

This Convention shall take effect and operations thereunder shall begin on the first day of August, 1904, and shall continue in force until terminated by mutual agreement, but may be annulled at the desire of either Department, upon six months' previous notice given to the other. Duration of convention.

Done in duplicate, and signed at Washington the thirtieth day of June, one thousand nine hundred and four. Signatures.

[Seal of the Post-Office
Dept. of the U. S.]

HENRY C. PAYNE,
Postmaster-General of the United States.

[Seal of the
Legation
of Japan.]

TAKAHIRA KOGORO,
*Envoy Extraordinary and Minister Plenipotentiary
of his Majesty the Emperor of Japan.*

The foregoing Parcels-Post Convention between the United States of America and the Empire of Japan has been negotiated and concluded with my advice and consent, and is hereby approved and ratified. Approval.

In testimony whereof I have caused the Seal of the United States to be hereunto affixed.

[SEAL OF U. S.]

THEODORE ROOSEVELT.

By the President:

JOHN HAY,
Secretary of State.

WASHINGTON, July 1, 1904.

Form 1.

FORM No. 1

A.

Parcels-Post between the United States and the Empire of Japan.

Date Stamp.	FORM OF CUSTOMS DECLARATION.	Place to which the parcel is addressed.
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Description of parcel: [State whether box, basket, bag, etc.]	Contents.	Value.	Per cent.	Total customs charges.
	Total.			

Date of posting:....., 19..; signature and address of sender {.....
~~For use of Post-Office only, and to be filled up at the office of exchange:~~
 Parcel Bill No.....; No. of rates prepaid.....; Entry No.....

B.

Parcels-Post from [country of origin.]
 The import duty assessed by an officer of customs on contents of this parcel amounts to which must be paid before the parcel is delivered.

Date
Stamp.

C.

Parcels-Post from [country of origin.]
 This parcel has been passed by an officer of customs and must be delivered
FREE OF CHARGE.

Date.
Stamp.

.....
Customs Officer.

Form 2.

FORM No. 2.

Parcels-Post.

A parcel addressed as under has been posted here this day.	
Office Stamp.	..... ..... .....
This certificate is given to inform the sender of the posting of a parcel, and does not indicate that any liability in respect of such parcel attaches to the Postal Administration.	

Date stamp of dispatching exchange Post- Office.	Parcels from [country of origin.] for [country of destination.]	Date stamp of receiving exchange Post-Office.					
	Parcel Bill No., dated..... 19..; per S. S. "....."						
*Sheet No. ...							
Entry No.	Origin of parcel.	Name of sender.	Address of parcel.	Declared contents.	Declared value.	Number of rates prepaid.	Observations.
				Totals ...			
<p>* When more than one sheet is required for the entry of the parcels sent by the mail, it will be sufficient if the undermentioned particulars are entered on the last sheet of the Parcel Bill.</p> <p>Total number of parcels sent by the mail Total weight of mail lbs. [country of destination.] to</p> <p>Number of boxes or other receptacles Deduct weight of receptacles forming the mail</p> <p>Signature of postal official at the dispatching exchange post-office. Net weight of parcels</p> <p style="text-align: center;">..... Signature of postal official at the receiving exchange post-office. </p>							

August 27, 1904.
September 14, 1904.

Parcels-post Convention between the United States of America and Norway.

Preamble.

For the purpose of making better postal arrangements between the United States of America and Norway, the undersigned, Henry C. Payne, Postmaster-General of the United States of America, and The Director General of Posts of Norway, by virtue of authority vested in them, have agreed upon the following articles for the establishment of a Parcels-Post System of exchanges between the two countries.

I den hensigt at forbedre postforbindelserne mellem Norge og de Forenede Stater i Amerika er undertegnede, den norske Poststyrelse og Henry C. Payne, generalpostmester i de Forenede Stater i Amerika, i henhold til dem meddelt bemyndigelse, kommet overens om følgende artikler til etablering af en pakkepostudvexling mellem de to lande.

ARTICLE I.

ARTIKEL I.

Scope of convention.

The provisions of this Convention relate only to parcels of mail matter to be exchanged by the system herein provided for, and do not affect the arrangements now existing under the Universal Postal Convention, which will continue as heretofore; and all the agreements hereinafter contained apply exclusively to mails exchanged under these articles, directly between the office of New York, and such other offices within the United States as may be hereafter designated by the Postmaster-General of the United States; and the office of Christiania, and such other offices in Norway as may be hereafter designated by the Director General of Posts of Norway.

Bestemmelserne i denne konvention vedrører kun postpakker, der udvexles efter det her fastsatte system, og berører ikke de nugældende bestemmelser i verdenspost konventionen, hvilke skal vedblive at gjælde som hidtil; alle de i det efterfølgende indeholdte bestemmelser vedrører udelukkende de poster, der i henhold til disse artikler udvexles direkte mellem Kristiania omkarteringskontor samt de andre postkontorer i Norge, som senere maatte blive bestemt af den norske poststyrelse, og postkontoret i New York samt de andre postkontorer i de Forenede Stater, som senere maatte blive bestemt af generalpostmesteren i de Forenede Stater.

Exchange offices.

ARTICLE II.

ARTIKEL II.

Articles admitted to mails.

There shall be admitted to the mails exchanged under this Convention, articles of merchandise and mail matter—except letters, postcards and written matter of all kinds—that are admitted under any conditions to the domestic mails of the country of origin, ex-

I de poster, der udvexles i henhold til denne Konvention, kan sendes varer og postsager—herfra undtaget breve, revkort og alleslags skrevne sager,—forsaa vidt disse forsendelser overhovedet kan sendes i posten indenrigs i udgangslandet. Dog maa ingen

cept that no packet must exceed fifty dollars (\$50) or its equivalent in value, 4 pounds 6 ounces [or 2 kilograms] in weight, nor the following dimensions: Greatest length in any direction, three feet six inches [105 centimeters]; greatest length and girth combined, six feet [180 centimeters]; and must be so wrapped or inclosed as to permit their contents to be easily examined by customs officers and by postmasters duly authorized to do so; and except that the following articles are prohibited:

Publications which violate the copyright laws of the country of destination; poisons, and explosive or inflammable substances; fatty substances; liquids, and those which easily liquefy; confections and pastes; live or dead animals, except dead insects and reptiles when thoroughly dried; fruits and vegetables which easily decompose, and substances which exhale a bad odor; lottery tickets, lottery advertisements or lottery circulars; all obscene or immoral articles; articles which may in any way damage or destroy the mails, or injure the persons handling them.

ARTICLE III.

A letter or communication of the nature of personal correspondence must not accompany, be written on, or inclosed with any parcel.

If such be found, the letter will be placed in the mails if separable, and if the communication be inseparably attached, the whole package will be rejected. If, however, any such should inadvertently be forwarded, the country of destination may collect, on the letter or letters, double rates of postage according to the Universal Postal Convention.

No parcel may contain parcels intended for delivery at an address other than that borne by the parcel itself. If such inclosed parcels be detected, they must be sent for-

pakke overstige i værdi 50 dollars eller tilsvarende beløb eller i vægt 2 kilogram [4 pund 6 unzer] og heller ikke overskride følgende dimensioner: største længde i hvilken-somhelst retning 105 centimeter [tre fod sex tommer, engelsk maal], største længde og omfang tilsammen 180 centimeter [sex fod, engelsk maal]. Pakkernes omslag og indpakning maa være saaledes, at indholdet let kan undersøges af toldfunktionærerne og af de dertil behørig bemyndigede postmestre.

Følgende sager kan ikke sendes i pakkeposten: trykte sager, der krænker bestemmelseslandets love om den literære eiendomsret; gifte og explosive eller let antændelige stoffe; fedtstoffer, flydende sager og sager, som let gaær over i flydende form; sukkertøi og konfitter; levende eller døde dyr med undtagelse af døde insekter og krybdyr i fuldstændig tørret stand; frugt og grøntsager, som let gaær i forraadnelse, ildelugtende sager; lotterisedler, lotteriavertissementer eller lottericirkulærer; alle obscene eller umoralske sager; gjenstande som paa nogen maade kan beskadige eller ódelægge postforsendelserne eller skade de personer, som behandler dem.

ARTIKEL III.

Breve eller meddelelser, der har karakter af personlig korrespondance, maa ikke medfølge, skrives udenpaa eller indlægges i nogen-pakke.

Hvis saadanne findes, vil de, hvis de kan skilles fra pakken, blive lagt i posten; men hvis meddelelsen ikke kan skilles fra pakken, skal hele forsendelsen negtes modtaget. Hvis alligevel en saadan forsendelse ved uagtsomhed skulde blive fremsendt, kan bestemmelseslandet opkræve dobbelt porto for brevet eller brevene overensstemmende med verdens postkonventionens bestemmelser.

Ingen pakke kan indeholde pakker, der er bestemt til at udleveres efter en anden adresse end den, som pakken selv bærer. Opdaget saadanne indlagte pakker, skal de

Articles prohibited.

Letters not to accompany parcels.

Rejection.

Address.

ward singly, charged with new and distinct parcels-post rates.

fremsendes enkeltvis og belastes med ny særskilt pakkepost porto.

ARTICLE IV.

ARTIKEL IV.

Rates of postage.

The packages in question shall be subject in the country of destination to all customs duties and all customs regulations in force in that country for the protection of its customs revenues, and to the following rates of postage, which shall in all cases be required to be FULLY PREPAID, viz:

In the United States; for a parcel not exceeding one pound [455 grams] in weight, 12 cents; and for each additional pound [455 grams] or fraction of a pound, 12 cents:

In Norway; for a parcel not exceeding half a kilogram (18 ounces) in weight 60 öre, and for each additional half-kilogram (18 ounces), or fraction thereof, 60 öre.

De omhandlede pakker skal i bestemmelseslandet være undergivet alle de i dette land gjældende todsatser og toldlove. Følgende portosatser der i ethvert fald erlægges forskudsvis med sit hele beløb, kommer til anvendelse, nemlig:

I Norge for en pakke, der i vegt ikke overskrider et halvt kilogram (18 unzer), 60 öre og for hvert overskydende halve kilogram (18 unzer) eller del deraf 60 öre.

I de Forenede Stater for en pakke, der i vegt ikke overskrider et pund (455 gram), 12 cents og for hvert overskydende pund (455 gram) eller del deraf 12 cents.

ARTICLE V.

ARTIKEL V.

Customs declaration.
Post, p. 2289.

The sender of each package must make a *Customs Declaration*, upon a special form provided for the purpose [see Form 1, "A" annexed hereto], giving the address, a general description of the parcel, an accurate statement of the contents and value, date of mailing, and the sender's signature and place of residence; which declaration must accompany the parcel to destination.

Afsenderen af hver pakke skal udfærdige en toldangivelse paa en hertil indrettet særligt blanket (se vedföiede schema 1 A), indeholdende pakkens adresse, en almindelig beskrivelse af den, en noiagtig angivelse af indholdet og dets værdi, afsendelsesdatum og afsenderens underskrift og opholdssted; denne angivelse skal medfølge pakken til dens bestemmelsessted.

Receipt.
Post, p. 2289.

Either country may authorize the postoffice where the package is mailed to deliver to the sender of the package at the time of mailing, a certificate of mailing on a form like Form 2 annexed hereto.

Ethvert af landene kan bemyndige det postkontor, hvor pakken indleveres, til ved indleveringen at give pakkens afsender et indleveringsbevis paa en blanket lig vedföiede schema 2.

Registry.

The sender of a package may have the same registered by paying the registration fee required for registered articles in the country of origin, and, on demand therefor, will receive a return receipt without additional charge.

Afsenderen af en pakke kan faa den sendt under rekommendation mod herfor at erlægge det i udgangslandet sedvanlige rekommendationsgebyr; paa forlangende kan han uden nogen tillægsgebyr erholde et modtagelsesbevis.

Return receipt.

ARTICLE VI.

ARTIKEL VI.

Notice to addressees.

The addressees of registered articles shall be advised of the arrival of a package addressed to them, by a notice from the postoffice of destination.

Rekommenderede pakkers adressater skal af bestemmelsesstedets postkontor underrettes om ankomsten af en til dem adresseret pakke.

Collection of duties.

The packages shall be delivered to addressees at the postoffices of address in the country of destination free of charge *for postage*; but the customs duties properly chargeable thereon shall be collected on delivery in accordance with the customs regulations of the country of destination; and the country of destination may, at its option, levy and collect from the addressee for interior service and delivery a charge not exceeding five cents in the United States and 20 óre in Norway on each single parcel of whatever weight.

Pakkerne skal i bestemmelseslandet udleveres adressaterne paa bestemmelsesstedets postkontor uden opkrævning af nogen porto; men pligtige toldafgifter skal indkasseres ved udleveringen overensstemmende med bestemmelseslandets toldforskrifter; og det staaer bestemmelseslandet frit for at opkræve af adressaten for indenrigs behandling og ombæring et gebyr, der ikke maa overstige 20 óre i Norge og 5 cents i de Forenede Stater for hver enkelt pakke af hvilken som helst vægt.

ARTICLE VII.

ARTIKEL VII.

Transportation.

The packages shall be considered as a component part of the mails exchanged direct between the United States and Norway, to be dispatched by the country of origin to the other at its cost and by such means as it provides, but must be forwarded, at the option of the dispatching office, either in boxes prepared especially for the purpose or in ordinary mail sacks, to be marked "Parcels-post," and not to contain any other articles of mail matter, and to be securely sealed with wax, or otherwise, as may be mutually provided by regulations hereunder.

Pakkerne skal betragtes som en bestanddel af de mellem Norge og de Forenede Stater direkte udvexlede poster, og de skal fremsendes af udgangslandet paa dets bekostning til det andet land med saadanne befordringsmidler, som det raader over; pakkerne skal, efter den afsendende postanstalts valg, fremsendes enten i specielt for óiemedet indredede kasser eller i almindelige postposer, der merkes "pakkepost", og som ikke maa indeholde nogen anden slags post-forsendelser, og som skal behórig forsegles eller lukkes paa andet vis, hvorom der gjensidig træffes nærmere bestemmelser.

Return of bags, etc.

Each country shall promptly return *empty* to the dispatching office by next mail, all such bags and boxes, but subject to other regulations between the two Administrations.

Hvert land skal uopholdelig med næste post tilbagesende tomme til det afsendende kontor alle saadanne søkker og kasser, medmindre anden aftale træffes mellem de to administrationer.

Packing.

Although articles admitted under this Convention will be transmitted as aforesaid between the exchange offices, they should be so carefully packed as to be safely transmitted in the open mails of either country, both in going to the exchange office in the country of origin and to the office of address in the country of destination.

Skjónt de efter nærværende konvention tilstedelige gjenstande skal befordres som ovenfor nævnt mellem udvexlingskontorerne, skal de dog pakkes saa omhyggelig, at de trygt kan befordres stykkevis med den almindelige post gennem et af landene baade undervejs til udgangslandets udvexlingskontor og til adresse postanstalten i bestemmelseslandet.

Descriptive list.

Each dispatch of a parcels-post mail must be accompanied by a descriptive list, in duplicate, of all the packages sent, showing distinctly the list number of each parcel, the name of the sender, the

Hver afsendt pakkepost skal ledsages af et kart in duplo over alle de afsendte pakker, hvori særskilt anfóres for hver pakke dens lóbe no., afsenderens navn, adressatens navn og adresse, det angivne

name of the addressee with address of destination, and the declared contents and value; and must be inclosed in one of the boxes or sacks of such dispatch. [See Form 3 annexed hereto.]

inhold og dettes værdi; kartet indlægges i en af kasserne eller poserne i vedkommende post (Se vedfóiede Schema 3).

Post, p. 2290.

ARTICLE VIII.

ARTIKEL VIII.

Receipt of mail

As soon as the mail shall have reached the office of destination, that office shall check the contents of the mail.

Saasart posten er ankommet til bestemmelsespostanstalten, skal denne kontrollere dens indhold. Modtages ikke nogen pakkepost-kart, skal der strax udfærdiges et nød-kart af bestemmelsespostanstalten.

Parcel bill.

In the event of the parcel bill not having been received, a substitute should be at once prepared.

Mulige feil i pakkekartens anførsler, der maatte opdages, skal—efter at være fastslæede af en anden tjenestemand—berigtiges og meldes det afsendende kontor i en "tilbage melding", der skal sendes i et særskilt omslag.

Errors.

Any errors in the entries on the parcel bill which may be discovered, should, after verification by a second officer, be corrected, and noted for report to the dispatching office on a form "Verification certificate," which should be sent in a special envelope.

Hvis en paa kartet opført pakke mangler, skal anfórslen paa kartet, efter at mangelen er konstateret ogsaa af en anden tjenestemand, udstryges, og sagen strax tilbage-meldes.

Nonreceipt of parcels.

If a parcel advised on the bill be not received, after the nonreceipt has been verified by a second officer, the entry on the bill should be canceled and the fact reported at once.

Modtages en pakke i beskadiget eller mangelfuld stand, skal tilbage-melding udstedes med angivelse af alle nærmere omstændigheder.

Damaged parcels.

Should a parcel be received in a damaged or imperfect condition, full particulars should be reported on the same form.

Modtages ingen tilbage-meldelse eller melding om feil, skal ved kommende pakkepost betragtes some rigtig afleveret og ved undersógelsen befundet i orden i enhver henseende.

Correct mails.

If no verification certificate or note of error be received, a parcels-mail shall be considered as duly delivered, having been found on examination correct in all respects.

ARTICLE IX.

ARTIKEL IX.

Failure to deliver.

If the packages cannot be delivered as addressed, or if they are refused, they should be reciprocally returned without charge, directly to the dispatching office of exchange, at the expiration of thirty days from their receipt at the office of destination, and the country of origin may collect from the sender, for the return of the parcel, a sum equal to the postage when first mailed.

Hvis pakker ikke kan udleveres efter adressen, eller hvis de negtes modtaget, skal de—efter udlóbet af en frist af 30 dage efter deres modtagelse ved bestemmelses postanstalten—gjensidig tilbagesendes omkostningsfrit direkte til det afsendende udvekslingskontor; udgangslandet kan hos afsenderen for pakkens tilbagesendelse opkræve et belóbt lig den forud oppebaarne porto.

Provided, however, that parcels prohibited by Article II and those which do not conform to the conditions as to size, weight and value, prescribed by said Article, shall

Dog skal pakker, som er forbudt i art. II, og pakker, som ikke opfylder de i nævnte artikel foreskrevne betingelser med hensyn til størrelse, vægt og værdi, ikke

Disposal of prohibited parcels.
Ante, p. 2283.

not necessarily be returned to the country of origin, but may be disposed of, without recourse, in accordance with the customs laws and regulations of the country of destination.

When the contents of a parcel which cannot be delivered are liable to deterioration or corruption, they may be destroyed at once, if necessary, or if expedient, sold, without previous notice or judicial formality, for the benefit of the right person, the particulars of each sale being noticed by one postoffice to the other.

ARTICLE X.

The Post-Office Department of either of the contracting countries will not be responsible for the loss or damage of any package; but either country is at liberty to indemnify the sender of any package which may be lost or destroyed on its territory.

ARTICLE XI.

Each country shall retain to its own use the whole of the postages, registration and delivery fees, it collects on said packages; consequently, this Convention will give rise to no separate accounts between the two countries.

ARTICLE XII.

The Postmaster General of the United States of America, and the Director General of Posts of Norway, shall have authority to jointly make such further regulations of order and detail as may be found necessary to carry out the present Convention from time to time; and may, by agreement, prescribe conditions for the admission in packages exchanged under this Convention of any of the articles prohibited by Article II.

ARTICLE XIII.

This Convention shall take effect and operations thereunder shall

nódvendigvis tilbagesendes til udgangslandet, men kan endelig disponeres over overensstemmende med bestemmelseslandets told love og reglementer.

Naar indholdet af en ubesórgelig pakke let kan bedærvés eller ódelægges, kan det strax tilintgjóres, hvid nódvendigt, eller sælges—om denne findes hensigtsmæssigt—uden forudgaaede varsel eller retslig forfaren til fordel for rettighedshaveren; de nærmere omstændigheder ved salget skal af det ene postkontor meldes det andet.

ARTIKEL X.

Poststyrelserne i de kontraherende lande er ikke ansvarlige for tab eller beskadigelse af nogen pakke, men det staar hvert af de to lande frit for at udbetale erstatning til afsenderen af en pakke, der maatte gaa tabt eller blive ódelagt inden dets territorium.

ARTIKEL XI

Hvert land skal beholde for egen regning udelt den porto og de rekommandations og udleveringsgebyrer, som det ofkræver for de omhandlede pakker; som følge heraf vil denne Konvention ikke give anledning til nogen særskilt afregning mellem de to lande.

ARTIKEL XII.

Poststyrelsen i Norge og generalpostmesteren i de Forenede Stater i Amerika skal have bemyndigelse til i fælleskab at udfærdige yderligere detailbestemmelser, der efterhaanden maatte findes nódvendige for at bringe denne Konvention til udfórelse; de kan derhos efter overenskomst foreskrive betingelser for tilstedeligheden af nogen af de i Art. II forbudne gjenstande i pakker, udvexlede i henhold til denne Konvention.

ARTIKEL XIII.

Denne Konvention skal træde i kraft og dens bestemmelser komme

Perishable articles.

Non responsibility for loss, etc.

Fees to be retained.

Further regulations. *Art. p. 2283.*

Duration of convention.

begin on the first day of October, 1904; and shall continue in force until terminated by mutual agreement, but may be annulled at the desire of either Department, upon six months' previous notice given to the other.

Signatures.

Done in duplicate, and signed at Washington, the twenty-seventh day of August one thousand nine hundred and four, and in Christiania the fourteenth day of September one thousand nine hundred and four

til udførelse den første October 1904 og skal blive gjældende, indtil den ophæves efter gjensidig overenskomst; dog kan den træde ud af kraft paa forlangende af en af styrelserne, naar denne giver den anden varsel 6 maaneder i forveien

Udfærdiget in duplo og undertegnet i Kristiania den fjortende September nitten hundrede og fire, og i Washington den syv og tyvende August 1904

[Seal of the Post-Office Department of the U. S.]

HENRY C. PAYNE,
Postmaster-General of the United States of America.

[Norway seal.]

THB. HEYERDAHL.
KARL BRYN.

Approval.

The foregoing Parcels-Post Convention between the United States of America and Norway has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,
Acting Secretary of State.

WASHINGTON, August 31, 1904.

PARCELS-POST CONVENTION—NORWAY.

AUGUST 27, 1904.
SEPTEMBER 14, 1904.

2289

FORM No. 1.

Form 1.

A.

Parcels-Post between the United States and Norway.

Date Stamp.	FORM OF CUSTOMS DECLARATION.	Place to which the parcel is addressed.
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Description of parcel: [State whether box, bag, basket, etc.]	Contents.	Value.	Per cent.	Total customs charges.
Total.				

Date of posting:....., 19...; signature and address of sender {
 For use of Post-Office only, and to be filled up at the office of exchange:
 Parcel Bill No.....; No. of rates prepaid.....; Entry No.....

B.

[country of origin.]
 Parcels-Post from.....
 The import duty assessed by an officer of customs on contents of this parcel
 amounts to....., which must be paid before the parcel is delivered.

Date Stamp.

.....
Customs Officer.

C.

[country of origin.]
 Parcels-Post from.....
 This parcel has been passed by an officer of customs and must be delivered
FREE OF CHARGE.

Date Stamp.

FORM No. 2.

Form 2.

Parcels-Post.

A parcel addressed as under has been posted here this day:	
Office stamp.	..... ..... .....
This certificate is given to inform the sender of the posting of a parcel, and does not indicate that any liability in respect of such parcel attaches to the Postal Administration.	

Form 3.

FORM No. 3.

Date stamp of dispatching exchange Post- Office.	[country of origin.] [country of destination.] Parcels from for	Date stamp of receiving exchange Post-Office.					
<div style="border: 1px solid black; width: 100px; height: 50px; margin: 0 auto;"></div>	Parcel Bill No., dated..... 19...; per S. S. "....."	<div style="border: 1px solid black; width: 100px; height: 50px; margin: 0 auto;"></div>					
* Sheet No. ...							
Entry No.	Origin of parcel.	Name of sender.	Address of parcel.	Declared contents.	Declared value.	Number of rates prepaid.	Observations.
				Totals ...			
<p>* When more than one sheet is required for the entry of the parcels sent by the mail, it will be sufficient if the undermentioned particulars are entered on the last sheet of the Parcel Bill.</p> <p style="margin-left: 40px;"> Total number of parcels sent by the mail Total weight of mail [country of destination.] to..... Number of boxes or other receptacles Deduct weight of receptacles forming the mail..... Signature of postal official at the dispatching exchange post-office. Net weight of parcels..... Signature of postal official at the receiving exchange post-office. </p>							

Parcels-Post Convention between the United States of America and Belgium.

November 19, 1904.

For the purpose of making better postal arrangements between the United States of America and Belgium, the undersigned, Robert J. Wynne, Postmaster-General of the United States of America, and Baron Moncheur, Belgian Minister at Washington, by virtue of authority vested in them have agreed upon the following Articles for the establishment of a Parcels-Post system of exchanges between the United States and Belgium.

Animés du désir d'améliorer les relations entre la Belgique et les États-Unis d'Amérique, les soussignés, Monsieur le Baron Moncheur Ministre de Belgique, à Washington, et Robert J. Wynne, Directeur Général des postes des États-Unis d'Amérique, ont, en vertu des pouvoirs qui leur sont conférés, arrêté les dispositions ci-après.

Preamble.

ARTICLE I.

ARTICLE 1^{er}.

The provisions of this convention relate only to parcels of mail matter to be exchanged by the system herein provided for, and do not affect the arrangements now existing under the Universal Postal Convention, which will continue as heretofore; and all the agreements hereinafter contained apply exclusively to mails exchanged under these Articles.

Les dispositions de la présente convention s'appliquent exclusivement à l'échange des colis postaux suivant les règles qu'elle établit. Elles ne modifient rien aux arrangements de la convention postale universelle, lesquels restent en vigueur comme par le passé. Toutes les dispositions qui suivent visent uniquement les dépêches échangées en exécution des articles de la présente convention.

Scope of convention.

ARTICLE II.

ARTICLE 2.

1. There shall be admitted to the mails exchanged under this Convention, articles of merchandise and mail matter—except letters, post-cards, and written matter of all kinds that are admitted under any conditions to the domestic mails of the country of origin, except that no packet may exceed in value \$50 or the equivalent of that sum, four pounds six ounces, (or two kilograms) in weight, nor the following dimensions: Greatest length in any direction, three feet six inches; greatest length and girth combined, six feet; and must be so wrapped or inclosed as to

1. Peuvent être échangés aux conditions de la présente convention les marchandises et tous autres objets postaux à l'exclusion des lettres, cartes postales et écrites, de toute nature, lorsqu'ils sont admis au transport en trafic interne dans le pays d'origine; toutefois, les colis ne pourront avoir une valeur supérieure à 250 francs. Les colis ne peuvent dépasser ni le poids de 2 kilos (4 livres 6 onces) ni les dimensions suivantes: longueur maxima dans n'importe quel sens: 105 centimetres (trois pieds six pouces), longueur maxima et circonférence réunies: cent quatre-

Articles admitted to the mails.

permit their contents to be easily examined by postmasters and customs officers; and except that the following articles and such other articles as may be mutually agreed upon between the two countries, are prohibited admission to the mails exchanged under this Convention:

Articles prohibited.

Publications which violate the copyright laws of the country of destination; poisons, and explosive or inflammable substances; fatty substances, liquids, and those which easily liquefy; confections and pastes; live or dead animals, except dead insects and reptiles when thoroughly dried; fruits and vegetables which easily decompose, and substances which exhale a bad odor; lottery tickets, lottery advertisements, or lottery circulars; all obscene or immoral articles; articles which may in any way damage or destroy the mails, or injure the persons handling them.

Freedom from inspection.

2. All admissible articles of merchandise mailed in one country for the other, or received in one country from the other, shall be free from any detention or inspection whatever, except such as is required for collection of customs duties; and shall be forwarded by the most speedy means to their destination, being subject in their transmission to the laws and regulations of each country, respectively.

ARTICLE III.

Letters not to accompany parcels.

1. A letter or communication of the nature of personal correspondence must not accompany, be written on, or enclosed with any parcel.

Rejection.

2. If such be found, the letter will be placed in the mails if separable, and if the communication be inseparably attached, the whole package will be rejected. If, however, any such should inadvertently be forwarded, the country of destination will collect on the letter or letters double rates of postage according to the Universal Postal Convention.

vingts centimètres (six pieds).

Chaque colis doit être emballé de manière à permettre aux fonctionnaires de la douane et du chemin de fer délégués d'en vérifier facilement le contenu. Sont exclus du transport, outre les articles que se notifieront mutuellement les deux pays:

Les publications qui enfreignent les lois sur la propriété littéraire en vigueur dans la pays de destination; les poisons et les matières explosibles ou inflammables; les substances grasses, liquides ou facilement liquéfiables; les confitures et les pâtes; les animaux morts ou vivants sauf les insectes et les reptiles complètement desséchés; les fruits et les végétaux qui se décomposent facilement; les substances qui exhalent une mauvaise odeur; les billets, annonces ou circulaires de loteries; tous les objets obscènes ou immoraux; les objets qui sont de nature soit à endommager ou à blesser les personnes qui les manient.

2. Les colis admis par la présente convention seront exempts de toute visite et de tout stationnement autres que ceux nécessités pour l'accomplissement des formalités en douane, ils seront transportés à destination par les moyens et voies les plus prompts tout en restant soumis aux lois et règlements respectifs du pays où ils voyagent.

ARTICLE 3.

Aucune lettre ni communication ayant le caractère d'une correspondance personnelle ne peut être jointe au colis, y être inscrite ou enfermée. Si une lettre ou une communication de l'espèce est découverte et si elle peut être enlevée au colis, elle sera remise à la poste; si elle ne peut être séparée du colis, celui-ci sera refusé. Toutefois, si les lettres ou des communications de même nature sont transportés par inadvertance, le pays de destination pourra les taxer au double du port conformément aux stipulations de la convention postale universelle.

3. No parcel may contain packages intended for delivery at an address other than that borne by the parcel itself. If such enclosed packages be detected they must be sent forward singly charged with new and distinct Parcels-Post rates.

Aucun colis ne peut contenir d'autres colis revêtus d'adresses autres que celle qu'il porte. Si de semblables colis ou objets sont découverts dans un colis, ils sont expédiés séparément et taxés comme des envois distincts.

Address.

ARTICLE IV.

ARTICLE 4.

1. The following rates of postage shall in all cases be required to be fully prepaid with postage stamps of the country of origin, viz:

1. L'affranchissement des colis est obligatoire. Les taxes à payer au départ sont les suivantes:

Rates of postage.

2. In the United States, for a parcel not exceeding one pound in weight, twelve cents; and for each additional pound, or fraction of a pound twelve cents.

2. Au départ de la Belgique, pour un colis pesant 2 kilogrammes et moins (4 livres 6 onces): franc 1.75.

3. In Belgium, for a parcel whatever its weight, one franc, seventy-five centimes.

3. Au départ des Etats-Unis d'Amérique: pour un colis dont le poids n'excède pas une livre (455 grammes), 12 cents.

4. The parcels shall be promptly delivered to addressees at the post-offices of address in the country of destination, free of charge for postage; but the country of destination may, at its option, levy and collect from the addressee for interior service and delivery a charge the amount of which is to be fixed according to its own regulations, but which shall in no case exceed five cents in the United States or twenty-five centimes in Belgium for each parcel, whatever its weight.

4. Les colis sont délivrés aux destinataires par les bureaux désignés dans les adresses francs de tous frais de transport; cependant chaque pays peut, à son gré percevoir du destinataire, pour factage et frais de formalités en douane, une taxe ne dépassant pas: 25 centimes en Belgique et cinq cents dans les Etats-Unis.

Delivery.

ARTICLE V.

ARTICLE 5.

1. The sender will, at the time of mailing the package, receive a Certificate of Mailing from the post office where the package is mailed, on a form like Form 1, annexed hereto.

1. Au moment du dépôt d'un colis le bureau où le colis est remis au transport, délivre à l'expéditeur un récépissé.

Receipt.

Au départ des Etats-Unis d'Amérique, il est fait usage du formulaire conforme au modèle 1 ci annexé.

Post, p. 2299.

2. The sender of a package may have the same registered in accordance with the regulations of the country of origin.

2. L'expéditeur peut faire enregistrer son colis conformément aux règlements du pays d'origine.

Registry.

3. An acknowledgment of the delivery of a registered article shall be returned to the sender when requested; but either country may require of the sender prepayment of a fee therefor not exceeding five cents in the United

3. Sur demande formulée par l'expéditeur d'un colis enregistré, il lui sera envoyé un avis de réception de son envoi; chacun des pays pourra exiger, de ce chef, de l'expéditeur le paiement préalable d'une taxe n'excédant pas cinq

Return receipt.

States or twenty-five centimes in Belgium.

Notice to addressees.

4. The addressees of registered articles shall be advised of the arrival of a package addressed to them, by a notice from the post office at destination.

ARTICLE VI.

Customs declaration.

1. The sender of each parcel shall make a Customs Declaration, pasted upon or attached to the package, upon a special form provided for the purpose (see Form 2, annexed hereto) giving a general description of the parcel, an accurate statement of its contents, and value, date of mailing and the sender's signature and place of residence, and place of address.

Post, p. 2299.

Collection of duties.

2. The parcel in question shall be subject in the country of destination to all customs duties and all customs regulations in force in that country for the protection of its customs revenues; and the customs duties properly chargeable thereon shall be collected on delivery, in accordance with the customs regulations of the country of destination.

ARTICLE VII.

Fees to be retained.

Each country shall retain to its own use the whole of the postages, registration and delivery fees it collects on said parcels; consequently, this Convention will give rise to no separate accounts between the two countries.

ARTICLE VIII.

Transportation.

1. The parcels shall be considered as a component part of the mails exchanged direct between the United States and Belgium, to be despatched to destination by the country of origin at its cost and by such means as it provides; but must be forwarded, at the option of the despatching office, either in boxes prepared expressly for the purpose or in ordinary mail

cents pour les Etats-Unis d'Amérique et vingt-cinq centimes en Belgique.

4. Les destinataires de colis enregistrés sont avisés de l'arrivée des colis par le bureau de destination.

ARTICLE 6.

1. L'expéditeur doit dresser, pour chaque colis, une déclaration en douane établie sur formulaire spécial (voir annexe 2 à la présente convention), qu'il collera sur le colis ou y attachera. Cette déclaration doit mentionner la description générale du colis, l'indication précise de son contenu et de sa valeur, la date d'expédition, la signature et le lieu de résidence de l'expéditeur.

2. Les colis sont soumis dans les pays de destination, à tous droits et à tous règlements de douane qui y sont en vigueur pour assurer la perception des revenus douaniers; les droits de douane régulièrement dus sont perçus à la livraison conformément aux règles douanières du pays de destination.

ARTICLE 7.

Chaque pays conserve, à son profit, la totalité de l'affranchissement et des frais d'enregistrement et de remise à domicile qu'il perçoit à charge des colis; conséquemment la présente convention ne donne pas lieu à décomptes spéciaux entre les deux pays.

ARTICLE 8.

1. Les colis feront l'objet de dépêches distinctes à échanger directement entre les Etats-Unis d'Amérique et la Belgique. Le pays d'origine doit expédier ses dépêches au pays de destination à ses frais et à l'aide des moyens dont il dispose. Les colis doivent être enfermés, au choix du pays d'origine, soit dans les récipients construits spécialement pour cet

sacks, marked "Parcels"-Post "Colis-Postaux" and securely sealed with wax, or otherwise, as may be mutually provided by regulations hereunder.

2. Each country shall promptly return empty to the despatching office by next mail, all such bags and boxes; unless some other arrangement shall be mutually agreed to.

3. Although articles admitted under this Convention will be transmitted as aforesaid between the exchange offices, they should be so carefully packed as to be safely transmitted in the open mails of either country, both in going to the exchange office in the country of origin and to the office of address in the country of destination.

4. Each despatch of a Parcels-Post mail must be accompanied by a descriptive list, in duplicate, of all the parcels sent, showing distinctly the list number of each parcel, the name of the sender, the name of the addressee and his address, and the declared contents and value; and must be enclosed in one of the boxes or sacks of such despatch, (see Form 3 annexed hereto).

usage, soit dans des sacs ordinaires à dépêches, marqués "Parcel post" "colis postaux" et clos solidement à l'aide de cachets à la cire ou autrement conformément aux dispositions qui seront arrêtées de commun accord dans les règles pour l'exécution de la présente convention.

2. Chaque pays renverra au bureau expéditeur par le plus prochain courrier, tous les sacs et récipients vides, sauf arrangement contraire à intervenir à ce sujet entre les deux administrations.

3. Bien que les envois tombant sous l'application de la présente convention soient transportés entre bureaux d'échange comme il vient d'être dit ci-dessus, les colis doivent être emballés de façon à garantir leur contenu contre les risques de perte, d'avarie ou de soustraction pendant leur transport à découvert du bureau de départ au bureau d'échange du pays d'origine et du bureau d'échange du pays de destination au bureau d'arrivée.

4. Chaque dépêche doit être accompagnée d'un relevé dressé en double expédition, mentionnant tous les colis expédiés, leur no. d'ordre, le nom de l'expéditeur, le nom du destinataire et son adresse, le contenu de colis et sa valeur déclarée pour la douane. Ce relevé, conforme au formulaire annexe 3 à la présente convention, doit être enfermé dans l'un des récipients ou dans l'un des sacs dont se compose la dépêche.

Return of bags, etc.

Packing.

Descriptive lists.

Post, p. 2300.

ARTICLE IX.

The stipulations of this Convention apply exclusively to the mails herein provided for and to be exchanged between the office of New York and such other offices within the United States as may be designated hereafter by the Postmaster General of the United States, and the office of Antwerp, and such other offices in Belgium as may be designated hereafter by the Administration of the Belgian State Railroads.

ARTICLE 9.

Les dispositions du présent arrangement s'appliquent exclusivement aux dépêches à échanger en exécution de la présente convention, entre le bureau de New York ainsi que les bureaux de poste qui pourraient être désignés ultérieurement par la direction générale des postes des Etats-Unis, d'une part, et le bureau d'Anvers (Bassins et Entrepôt) ainsi que les bureaux belges qui pourraient être désignés ultérieurement par l'administration des chemins de fer de Belgique d'autre part.

Exchange offices

ARTICLE X.

- Receipt. 1. As soon as the mail shall have reached the office of destination, that office shall check the contents of the mail.
- Parcel bill. 2. In the event of the parcel bill not having been received, a substitute should be at once prepared.
- Errors. 3. Any errors in the entries on the parcel-bill which may be discovered, should, after verification by a second officer, be corrected and noted for report to the despatching office on a form "Verification Certificate," which should be sent in a special envelope.
- Nonreceipt of parcels. 4. If a parcel advised on the bill be not received, after the non-receipt has been verified by a second officer, the entry on the bill should be canceled and the fact reported at once.
- Insufficient postage. 5. If a parcel be observed to be insufficiently prepaid, it must not be taxed with deficient postage, but the circumstance must be reported on the verification certificate form.
- Damaged parcels. 6. Should a parcel be received in a damaged or imperfect condition, full particulars should be reported on the same form.
- Correct mails. 7. If no verification certificate or note of error be received, a parcel mail shall be considered as duly delivered, having been found on examination correct in all respects.

ARTICLE XI.

- Failure to deliver. 1. If a parcel cannot be delivered as addressed, or is refused, it must be returned without charge, directly to the despatching office of exchange, at the expiration of thirty days from its receipt at the office of destination; and the country of origin may collect from the sender for the return of the parcel, a sum equal to the postage when first mailed; Provided, however, that parcels prohibited by Article II and those which do not conform to the conditions as to size, weight and value, prescribed by said Article, shall not necessarily be returned to the country of origin, but may be disposed of,
- Disposal of prohibited parcels.
- Ante*, p. 2391.

ARTICLE 10.

1. Dès que la dépêche parvient au bureau d'échange destinataire, celui-ci en vérifie le contenu.
2. Si le relevé des colis n'est pas joint il est dressé d'office.
3. Toutes les erreurs d'inscription découvertes lors de la vérification sont reconnues, par un second employé, redressées et annotées pour être signalées au bureau expéditeur par bulletin de verification envoyé sous enveloppe spéciale.
4. Si un colis inscrit au relevé n'est pas parvenu, le manquant est attesté par un second employé, puis l'inscription est biffée et le fait signalé immédiatement.
5. S'il est constaté qu'un colis est insuffisamment affranchi, il n'est pas supplée à l'insuffisance d'affranchissement mais le fait est signalé par bulletin de vérification.
6. S'il est constaté, à l'arrivée qu'un colis est avarié ou mal conditionné, l'irrégularité est signalée en détail au bureau de départ.
7. Si celui-ci ne reçoit ni bulletin de vérification ni avis d'irrégularité, il considère la dépêche comme régulière sous tous les rapports et comme valablement livrée.

ARTICLE 11.

1. Tout colis qui ne peut être livré à son adresse ou qui est refusé doit être renvoyé sans frais au bureau d'échange expéditeur, trente jours après son arrivée au bureau de destination; le pays d'origine peut réclamer à l'expéditeur, pour le renvoi du colis, une taxe équivalente à celle payée au départ. Toutefois, les colis prohibés aux termes de l'article 2 et ceux qui ne réunissent pas les conditions de dimensions, poids et valeur prescrites par le même article ne doivent pas obligatoirement être renvoyés au pays d'origine et il peut en être disposé sans recours, conformément aux lois et

without recourse, in accordance with the customs laws and regulations of the country of destination.

2. When the contents of a parcel which cannot be delivered are liable to deterioration or corruption, they may be destroyed at once, if necessary, or if expedient, sold, without previous notice or judicial formality, for the benefit of the right person; the particulars of each sale being noticed by one post office to the other.

3. An order for redirection or reforwarding must be accompanied by the amount due for postage necessary for the return of the article to the office of origin, at the ordinary parcel rates.

ARTICLE XII.

The Post Office Department of either of the contracting countries will not be responsible for the loss or damage of any parcel, and no indemnity can consequently be claimed by the sender or addressee in either country; but either country is at liberty to indemnify the sender of a parcel which has been lost or damaged.

ARTICLE XIII.

The Postmaster-General of the United States of America, and the Administration of the Belgian State Railroads, shall have authority to jointly make such further regulations of order and detail as may be found necessary to carry out the present Convention from time to time; and may, by agreement, prescribe conditions for the admission to the mails of any of the articles prohibited by Article II of this Convention.

ARTICLE XIV.

This Convention shall take effect and operations thereunder shall begin on the first day of February, 1905, and shall continue in force until terminated by mutual agreement; but may be annulled at the desire of either

règlements de douane du pays de destination.

2. Les colis contenant des articles sujets à détérioration ou à corruption peuvent être détruits immédiatement ou, s'il est possible, vendus sans avis préalable ni formalités judiciaires au profit de l'ayant-droit; procès-verbal de la vente doit être adressé par le bureau de destination à celui de départ.

3. Toute demande de renvoi d'un colis doit être appuyée du montant du port dû pour la réexpédition de l'envoi au bureau d'origine calculé d'après les taxes postales ordinaires.

ARTICLE 12.

L'administration de chacun des pays contractants n'est responsable ni de la perte ni de l'avarie d'un colis et par conséquent ni l'expéditeur ni le destinataire ne sont fondés à réclamer aucune indemnité; cependant chaque pays est libre d'indemniser l'expéditeur d'un colis égaré ou avarié sur son territoire.

ARTICLE 13.

Le Directeur général des postes des Etats-Unis d'Amérique et l'administration des chemins de fer de l'Etat pour la Belgique, sont autorisés à arrêter de commun accord telles mesures d'ordre et de détail ultérieures qu'ils jugeraient nécessaires à l'exécution de la présente convention. Ils peuvent après entente préalable décider l'admission, sous certaines conditions, de colis contenant un ou plusieurs des objets prohibés en vertu de l'article 2.

ARTICLE 14.

La présente convention entrera en vigueur et ses dispositions seront applicables à partir du premier jour de Février 1905. Elle restera en vigueur jusqu'à ce que les deux parties contractantes y mettent fin de commun accord,

Perishable articles.

Reforwarding.

Non responsibility for loss, etc.

Further regulations.

Ante, p. 2392.

Duration of convention.

Department upon six months previous notice given to the other.

mais elle peut être dénoncée en tout temps sur le désir de l'une d'elles et moyennant avis donné à l'autre, six mois à l'avance.

Signatures.

Done in duplicate and signed at Washington the nineteenth day of November, one thousand nine hundred and four.

Fait en double et signé à Washington le dix neuvième jour de Novembre, mil neuf cent quatre.

[SEAL.]

ROBERT J. WYNNE,
*Postmaster-General of the
United States of America.*

[SEAL.]

B^N. MONCHEUR,
Belgian Minister at Washington.

Ratification.

The foregoing Parcels-Post Convention between the United States of America and Belgium has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

JOHN HAY,
Secretary of State.

WASHINGTON, *November 19, 1904.*

FORM No. 1.

Form 1.

Parcels-Post.

A parcel addressed as under has been posted here this day:

Office stamp.

Office stamp.

Office stamp.

This certificate is given to inform the sender of the posting of a parcel, and does not indicate that any liability in respect of such parcel attaches to the Postmaster-General.

FORM No. 2.

Form 2.

A.

Parcels-Post between the United States and Belgium.

Date stamp.	FORM OF CUSTOMS DECLARATION.	Place to which the parcel is addressed.
-------------	-------------------------------------	---

Description of parcel: [State whether box, basket, bag, etc.]	Contents.	Value.	Per cent.	Total customs charges.
		\$		\$
	Total.	\$		\$

Date of posting.....19.. signature and address of sender {.....
 For use of Post-Office only, and to be filled up at the office of exchange:
 Parcel Bill No.....; No. of rates prepaid.....; Entry No.....

B.

Parcels-Post from.....
 The import duty assessed by an officer of customs on contents of this parcel amounts to....., which must be paid before the parcel is delivered.

Date stamp.

.....
Customs Officer.

C.

Parcels-Post from.....
 This parcel has been passed by an officer of customs and must be delivered **FREE OF CHARGE.**

Date stamp.

.....
Postmaster-General.

Form 3.

FORM No. 3.

Date stamp of dispatching exchange Post-Office.	Parcels from.....for.....	Date stamp of receiving exchange Post-Office.					
	Parcel Bill No....., dated; per S. S. "....."						
*Sheet No....							
Entry No.	Origin of parcel.	Name of sender.	Address of parcel.	Declared contents.	Declared value.	Number of rates prepaid.	Remarks.
					\$		
Totals... \$							
<p>* When more than one sheet is required for the entry of the parcels sent by the mail, it will be sufficient if the undermentioned particulars are entered on the last sheet of the Parcel Bill.</p>							
Total number of parcels sent by the mail to.....				Total weight of mail Lbs.			
Number of boxes or other receptacles forming the mail.....				Deduct weight of receptacles.....			
Signature of dispatching officer at..... post-office.				Net weight of parcels.....			
.....				Signature of receiving officer at..... post-office.			
.....						

Agreement between the Post-Office Department of the United States of America and the post-office of the United Kingdom of Great Britain and Ireland for the direct exchange of parcels by parcel post.

February 3, 1905.
February 17, 1905.

For the purpose of making better postal arrangements between the United States of America and the United Kingdom of Great Britain and Ireland, the undersigned, Robert J. Wynne, Postmaster-General of the United States of America, and Edward George Villiers Stanley, C. B., commonly called Lord Stanley, His Majesty's Postmaster-General, have agreed upon the following Articles for the establishment of an exchange of parcels by parcel post between the United States and the United Kingdom.

Preamble.

ARTICLE I.

The provisions of this Agreement relate only to parcels to be exchanged by the system herein provided for, and do not affect the arrangements now existing under the Universal Postal Union Convention, which will continue as heretofore; and all the conditions hereinafter specified apply exclusively to mails exchanged under the present Agreement directly between such offices in the United States and the United Kingdom as may from time to time be designated offices of exchange by mutual consent.

Extent of convention.

ARTICLE II.

1. With the exception of the articles specifically prohibited by Article III, there shall be admitted to the parcel mails all articles which are admitted to the mails under any conditions in the internal service of the country of origin and the country of destination. No parcel may, however, exceed 50 dollars (50\$) or 10 l in value, four pounds six ounces (or two kilogrammes) in weight, nor the following dimensions:—greatest length in any direction, three feet six inches; greatest length and girth combined, six feet.

Articles admitted to the mails.

2. Every parcel must bear the exact address of the addressee and must be packed in a manner adequate for the length of the journey and the protection of its contents. The packing must be of such a nature as to permit the contents to be easily examined by officers of the Post Office or of the Customs.

Address, etc.

ARTICLE III.

1. It is forbidden to send by post:—
(a) Parcels containing letters, or communications of the nature of a letter; live animals, except bees in properly constructed boxes; dead animals, except insects and reptiles when thoroughly dried; fruits and vegetables which easily decompose; publications which violate the copyright laws of the country of destination; poisons and explosive or inflammable substances; liquids and substances which easily liquefy;

Articles prohibited.

lottery tickets, lottery advertisements, or lottery circulars; all obscene or immoral articles; or articles the admission of which is not authorized by the Customs or other laws or regulations of either country, and, in general, articles the conveyance of which is dangerous.

Exceptions.

A parcel may, however, contain an open invoice in its simplest form.

Violation.

2. No parcel may contain an enclosure which bears an address other than that borne by the parcel itself.

3. If a parcel contravening any of these prohibitions or not conforming to the stipulations of Article II. be handed over by one Administration to the other, the latter shall proceed in the manner and with the formalities prescribed by its law or inland regulations.

List.

4. The two Administrations shall furnish each other (from time to time) with a list of prohibited articles; but they will not thereby undertake any responsibility whatever towards the police, the Customs authorities, or the senders of parcels.

ARTICLE IV.

Rates of postage.

1. The following rates of postage shall in all cases be FULLY PREPAID by means of postage stamps of the country of origin, viz.:—

2. In the United States for a parcel not exceeding one pound in weight, 12 cents; and for each additional pound or fraction of a pound, 12 cents.

3. In Great Britain for every parcel of four pounds six ounces or less in weight, two shillings.

Delivery.

4. The parcel shall be promptly delivered to addressees in accordance with the inland regulations of the country of destination, free of charge for postage; but the country of destination may, at its option, levy and collect from the addressee for interior service and delivery a charge, the amount of which is to be fixed according to its own regulations, but which shall in no case exceed in the United States five cents, and in the United Kingdom 2½d., for each parcel whatever its weight.

ARTICLE V.

Receipts.

The sender may at the time of posting obtain a certificate of posting on the form provided for the purpose.

ARTICLE VI.

Charges.

The parcels to which the present Agreement applies cannot be subjected to any postal charge other than those contemplated by the different Articles of this Agreement.

ARTICLE VII.

Customs declarations.

1. The sender of each parcel shall make a Customs declaration upon a special form provided for the purpose, giving a general description of the parcel, an accurate statement of its contents and value, the date of posting, and the sender's signature and place of address. This declaration shall be pasted upon or attached to the parcel.

Collection of duties.

2. The parcels in question shall be subject in the country of destination to all Customs duties and all Customs regulations in force in that country for the protection of its Customs revenues; and the Customs duties properly chargeable thereon shall be collected on delivery, in accordance with the Customs regulations of the country of destination.

Nonresponsibility for correctness of declarations.

3. The Administrations decline all responsibility for the correctness of the Customs declarations.

ARTICLE VIII.

1. Each country shall retain to its own use the whole of the post-ages and delivery fees it collects on the said parcels; consequently this Agreement will give rise to no postage accounts between the two countries.

Fees to be retained.

2. The foregoing clause, however, shall not preclude either office from proposing a system of accounts, or of insurance or registration of parcels, after some experience has been gained of the working of the post, and if such arrangement be made the necessary modifications in the provisions of the present Agreement shall be carried out by mutual consent.

Future modifications.

ARTICLE IX.

The parcels shall be considered as a component part of the mails exchanged DIRECT between the United States and the United Kingdom, to be despatched to destination by the country of origin at its cost, and by such means as it provides; but they must be forwarded, at the option of the despatching office, either in boxes or baskets prepared expressly for the purpose, or in ordinary mail sacks, marked "Parcel Post," and securely sealed with wax, or otherwise, as may be mutually agreed upon.

Transportation.

2. Each country shall promptly return EMPTY to the despatching office by next mail all such receptacles.

Return of sacks, etc.

ARTICLE X.

Each despatch of a Parcel-Post mail must be accompanied by a descriptive list, in duplicate, of all the parcels sent, showing distinctly the list number of each parcel, the office of origin, the name of the addressee with address of destination, and the declared contents and value. This list must be enclosed in one of the receptacles composing the mail.

Descriptive list.

ARTICLE XI.

1. As soon as a parcel mail shall have reached the office of destination, that office shall check the contents of the mail.

Receipt of mail.

2. In the event of the parcel bill not having been received, a substitute shall at once be prepared.

Parcel bill.

3. Any errors in the entries on the parcel bill which may be discovered shall, after verification by a second officer, be corrected and reported to the despatching office by means of a verification note, which should be sent in a special envelope.

Errors.

4. If a parcel advised on the bill be not received, the entry on the bill shall be cancelled after the nonreceipt has been verified by a second officer, and the circumstance reported at once.

Nonreceipt of parcels.

5. Should a parcel be received in a damaged or imperfect condition, full particulars shall be reported by means of a verification note.

Damaged parcels.

6. If no verification note or note of error be received, a parcel mail shall be considered as duly delivered, and as having been found on examination correct in all respects.

Correct mails.

ARTICLE XII.

1. Missent parcels shall be immediately returned to the despatching office of exchange. Attention shall be called to the error by means of a verification note.

Missent parcels.

2. If a parcel cannot be delivered as addressed or is refused by the addressee, the sender shall be consulted (through the Administration of the country of origin) as to its disposal. If within two months of the despatch of the notice of non-delivery the office of destination

Failure to deliver.

shall not have received instructions from the sender the parcel shall be treated as abandoned.

Redirected parcels,
etc.
Ante, p. 216.

3. Parcels redirected from one country to the other, or parcels returned at the sender's request, incur a supplementary charge on the basis of the rates fixed by Article IV., which may be collected either in advance or on delivery, as may be convenient. Parcels redirected from one address to another in the country of destination are subject to such additional charge as the domestic regulations of that country prescribe.

Disposal of perishable articles.

4. Articles liable to deterioration or corruption may, however, be sold immediately, without previous notice or legal formality, for the benefit of the right party. An account of the sale shall be drawn up.

Use of proceeds, etc.

The sum realized by the sale shall be used in the first place to defray the charges upon the parcel. Any balance which there may be shall be remitted to the office of origin to be paid to the sender. If for any reason a sale is impossible the spoilt or worthless articles are destroyed or taken possession of by the Customs.

Cancellation of duties.

5. The Customs duties on parcels which have to be sent back to the country of origin or redirected to a third country shall be cancelled both in the United States and in the United Kingdom.

ARTICLE XIII.

Nonresponsibility for loss, etc.

Neither of the contracting Administrations will be responsible for the loss or damage of any parcel, consequently no indemnity can be claimed by the sender or addressee in either country.

ARTICLE XIV.

Laws, etc., applicable.

1. The internal legislation of both the United States and the United Kingdom shall remain applicable as regards everything not provided for by the stipulations contained in the present Agreement.

Notice of.

2. The Administrations shall communicate to each other from time to time the provisions of their laws or regulations applicable to the conveyance of parcels by Parcel Post.

Transportation, etc.

3. They shall regulate the mode of transmission of these parcels, and fix all other measures of detail and order necessary for ensuring the performance of the present Agreement.

ARTICLE XV.

Effect.

This Agreement shall come into operation on the first day of April 1905, and shall be terminable on a notice of six months by either party.

Signatures.

Done in duplicate at London on the third day of February 1905, and at Washington on the seventeenth day of February, 1905.

ROBERT J. WYNNE,

Postmaster-General of the United States of America.

[SEAL]

STANLEY,

His Majesty's Postmaster General.

[SEAL]

Approved by the United States.

The foregoing Convention between the United States of America and the United Kingdom of Great Britain and Ireland has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

In testimony whereof I have caused the Seal of the United States to be hereunto affixed.

By the President,

JOHN HAY

Secretary of State.

THEODORE ROOSEVELT.

WASHINGTON, February 17, 1905.