

Convention between the United States and Nicaragua ceding rights for construction of ship canal by Nicaraguan route, etc. Signed at Washington, August 5, 1914; ratification advised by the Senate, with amendments, February 18, 1916; ratified by Nicaragua, April 13, 1916; ratified by the President, June 19, 1916; ratifications exchanged at Washington, June 22, 1916; proclaimed, June 24, 1916.

August 5, 1914.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the Republic of Nicaragua granting to the United States the exclusive proprietary rights for the construction and operation of an interoceanic canal by a Nicaraguan route, the lease of certain islands, and the right to establish a naval base on the Gulf of Fonseca, was concluded and signed by their respective Plenipotentiaries at Washington, on the fifth day of August, one thousand nine hundred and fourteen, 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:

Canal, etc., convention with Nicaragua. Preamble.

The Government of the United States of America and the Government of Nicaragua being animated by the desire to strengthen their ancient and cordial friendship by the most sincere cooperation for all purposes of their mutual advantage and interest and to provide for the possible future construction of an interoceanic ship canal by way of the San Juan River and the great Lake of Nicaragua, or by any route over Nicaraguan territory, whenever the construction of such canal shall be deemed by the Government of the United States conducive to the interests of both countries, and the Government of Nicaragua wishing to facilitate in every way possible the successful maintenance and operation of the Panama Canal, the two Governments have resolved to conclude a Convention to these ends, and have accordingly appointed as their plenipotentiaries:

The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

El Gobierno de los Estados Unidos y el Gobierno de Nicaragua estando animados del deseo de fortalecer su antigua y cordial amistad por medio de la más sincera cooperación para todos los objetos de su mutua ventaja é interés; y de proveer para la posible y futura construcción de un canal interoceánico por la vía del río San Juan y el Gran Lago de Nicaragua, ó por cualquier ruta sobre el territorio de Nicaragua, cuandoquiera que el Gobierno de los Estados Unidos juzgue la construcción de dicho canal conducente á los intereses de ambos países; y el Gobierno de Nicaragua, deseando facilitar de todos los modos posibles el feliz mantenimiento y operación del Canal de Panamá; ambos gobiernos han resuelto celebrar una Convención para estos fines, y en consecuencia, han nombrado como sus respectivos plenipotenciarios;

Contracting Powers.

El Presidente de los Estados Unidos, á el Honorable William Jennings Bryan, Secretario de Estado, y

Plenipotentiaries.

NOTE.—The amendments of the Senate were accepted by Nicaragua and are incorporated in the text of the Convention.

The President of Nicaragua, Señor General Don Emiliano Chamorro, Envoy Extraordinary and Minister Plenipotentiary of Nicaragua to the United States;

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

ARTICLE I.

The Government of Nicaragua grants in perpetuity to the Government of the United States, forever free from all taxation or other public charge, the exclusive proprietary rights necessary and convenient for the construction, operation and maintenance of an interoceanic canal by way of the San Juan River and the great Lake of Nicaragua or by way of any route over Nicaraguan territory, the details of the terms upon which such canal shall be constructed, operated and maintained to be agreed to by the two governments whenever the Government of the United States shall notify the Government of Nicaragua of its desire or intention to construct such canal.

Exclusive right for canal by way of San Juan River, Lake Nicaragua, etc.

ARTICLE II.

To enable the Government of the United States to protect the Panama Canal and the proprietary rights granted to the Government of the United States by the foregoing article, and also to enable the Government of the United States to take any measure necessary to the ends contemplated herein, the Government of Nicaragua hereby leases for a term of ninety-nine years to the Government of the United States the islands in the Caribbean Sea known as Great Corn Island and Little Corn Island; and the Government of Nicaragua further grants to the Government of the United States for a like period of ninety-nine years the right to establish, operate and maintain a naval base at such place on the territory of

Naval base on Gulf of Fonseca.

El Presidente de Nicaragua, al Señor General Don Emiliano Chamorro, Enviado Extraordinario y Ministro Plenipotenciario de Nicaragua en los Estados Unidos;

Quienes, habiendo exhibido sus respectivos plenos poderes, encontrados en buena fe y debida forma, han convenido y celebrado los siguientes artículos:

ARTÍCULO I.

El Gobierno de Nicaragua concede á perpetuidad al Gobierno de los Estados Unidos, libre en todo tiempo de toda tasa o cualquier otro impuesto público, los derechos exclusivos y propietarios, necesarios y convenientes para la construcción, operación y mantenimiento de un canal interoceanico por la via del rio San Juan y el Gran Lago de Nicaragua, o por cualquier ruta sobre el territorio de Nicaragua, debiéndose convenir por ambos Gobiernos los detalles de los términos en que dicho canal se construya, opere y mantenga, cuando el Gobierno de los Estados Unidos notifique al Gobierno de Nicaragua su deseo ó intención de construirlo.

ARTÍCULO II.

Para facilitar la protección del Canal de Panamá y los derechos propietarios concedidos al Gobierno de los Estados Unidos en el artículo anterior, y también para poner á los Estados Unidos en condiciones de tomar cualquier medida necesaria para los fines considerados aquí, el Gobierno de Nicaragua por la presente arrienda por un término de noventa y nueve años (99) al Gobierno de los Estados Unidos las Islas en el mar Caribeo conocidas con el nombre de Great Corn Island y Little Corn Island; y el Gobierno de Nicaragua concede además al Gobierno de los Estados Unidos por igual término de noventa y nueve (99) años el derecho de establecer, operar y mantener una base naval en cualquier lugar del territorio de

Nicaragua bordering upon the Gulf of Fonseca as the Government of the United States may select. The Government of the United States shall have the option of renewing for a further term of ninety-nine years the above leases and grants upon the expiration of their respective terms, it being expressly agreed that the territory hereby leased and the naval base which may be maintained under the grant aforesaid shall be subject exclusively to the laws and sovereign authority of the United States during the terms of such lease and grant and of any renewal or renewals thereof.

ARTICLE III.

In consideration of the foregoing stipulations and for the purposes contemplated by this Convention and for the purpose of reducing the present indebtedness of Nicaragua, the Government of the United States shall, upon the date of the exchange of ratification of this Convention, pay for the benefit of the Republic of Nicaragua the sum of three million dollars United States gold coin, of the present weight and fineness, to be deposited to the order of the Government of Nicaragua in such bank or banks or with such banking corporation as the Government of the United States may determine, to be applied by Nicaragua upon its indebtedness or other public purposes for the advancement of the welfare of Nicaragua in a manner to be determined by the two High Contracting Parties, all such disbursements to be made by orders drawn by the Minister of Finance of the Republic of Nicaragua and approved by the Secretary of State of the United States or by such person as he may designate.

ARTICLE IV.

This Convention shall be ratified by the High Contracting Parties in accordance with their respective laws, and the ratifications

Nicaragua bañado por el Golfo de Fonseca, que el Gobierno de los Estados Unidos elija. El Gobierno de los Estados Unidos tendrá la opción de renovar por otro término de noventa y nueve (99) años los anteriores arriendos y concesiones al expirar sus respectivos términos. Expresamente queda convenido que el territorio arrendado y la base naval que se mantenga por la mencionada concesión, estarán sujetos exclusivamente á las leyes y soberanía de los Estados Unidos durante el período del arriendo y de la concesión, y del de su renovación ó renovaciones.

ARTÍCULO III.

En consideración de las anteriores estipulaciones y para los propósitos considerados en esta Convención, y con el objeto de reducir la deuda actual de Nicaragua, el Gobierno de los Estados Unidos, en la fecha del canje de ratificaciones de esta Convención, pagará á favor de la República de Nicaragua la suma de tres millones (\$3,000,000.00) de pesos oro acuñado de los Estados Unidos del actual peso y pureza, que se depositarán á la orden del Gobierno de Nicaragua en el Banco ó Bancos, ó Corporaciones bancarias que designe el Gobierno de los Estados Unidos, para ser aplicado por Nicaragua en el pago de su deuda u otros fines de interés público que promuevan el bienestar de Nicaragua en la manera que sea convenido por las dos Altas Partes contratantes. Todos los dichos desembolsos deberán hacerse por órdenes libradas por el Ministro de Hacienda de la República de Nicaragua y aprobadas por el Secretario de Estado de los Estados Unidos o por la persona que él designe.

ARTÍCULO IV.

Esta Convención será ratificada por las Altas Partes Contratantes de acuerdo con sus leyes respectivas, y las ratificaciones se canjea-

Payment by United States.
Ante, p. 602.

Exchange of ratifications.

thereof shall be exchanged at Washington as soon as possible.

Signatures.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done at Washington, in duplicate, in the English and Spanish languages, on the 5th day of August, in the year nineteen hundred and fourteen.

rán en Washington, tan pronto como sea posible.

En fe de lo cual, nosotros los respectivos plenipotenciarios firmamos y sellamos.

Hecho en duplicado en los idiomas inglés y español, á los 5 días del mes de agosto de mil novecientos catorce.

WILLIAM JENNINGS BRYAN [SEAL.]
EMILIANO CHAMORRO [SEAL.]

Protection of rights of Costa Rica, Salvador, and Honduras declared.

And whereas, the advice and consent of the Senate of the United States to the ratification of the said Convention was given with the following proviso: "Provided, That, whereas, Costa Rica, Salvador and Honduras have protested against the ratification of the said Convention in the fear or belief that said Convention might in some respect impair existing rights of said States; therefore, it is declared by the Senate that in advising and consenting to the ratification of the said Convention as amended such advice and consent are given with the understanding, to be expressed as a part of the instrument of ratification, that nothing in said Convention is intended to affect any existing right of any of the said named States;"

And whereas, the said understanding has been accepted by the Government of Nicaragua;

Ratifications exchanged.

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 Washington, on the twenty-second day of June, one thousand nine hundred and sixteen;

Proclamation.

Now, therefore, be it known that I, Woodrow Wilson, President of the United States of America, have caused the said Convention, as amended, and the said understanding 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 twenty-fourth of June in the year of our Lord one thousand nine hundred and sixteen,
[SEAL.] and of the Independence of the United States of America the one hundred and fortieth.

WOODROW WILSON

By the President:
ROBERT LANSING,
Secretary of State.