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TREATIES AND PROCLAMATIONS.

Postal Convention between the United States of America and the Republic of Ecuador.

The undersigned, John A. J. Creswell, Postmaster General of the United States of America, in virtue of the powers vested in him by law, and Antonio Flores, minister of the Republic of Ecuador at Washington, in the name of his government, and by virtue of the powers which he has formally presented to this effect, have agreed upon the following articles, to wit:

ARTICLE I.

An exchange of mails shall hereafter take place between the United States of America and the Republic of Ecuador, by the ordinary means of communication via the Isthmus of Panama, the government of the United States to be at the expense of the transportation thereof between New York and Panama, San Francisco and Panama, so long as direct service by United States steamers, including the Isthmus transit, is maintained under existing conditions; and the government of Ecuador to be at the expense of the transportion thereof between Panama and Ecuador so long as the present or other similar arrangement for the ocean mail service between Panama and Ecuador is continued. The correspondence so exchanged shall comprise:

1. Letters and manuscripts subject by the laws of either country to letter rate of postage.

2. Newspapers and prints of all kinds, in sheets, in pamphlets, and in books, sheets of music, engravings, lithographs, photographs, drawings, maps and plans, and such correspondence may be exchanged, whether originating in either of said countries and destined for the other, or originating in or destined for foreign countries to which they may respectively serve as intermediaries.

ARTICLE II.

New York and San Francisco shall be the offices of exchange on the side of the United States, and Guayaquil and Manta shall be the offices of exchange on the side of Ecuador, for all mails transmitted between the two countries under this arrangement; and all mail matter transmitted in either direction between the respective offices of exchange shall be forwarded in closed bags or pouches, under seal, addressed to the corresponding exchange office, and the mails so dispatched from either country to the other shall be forwarded to the United States consul and resident mail agent at Panama, who is hereby designated as the agent of the two governments for receiving the bags or pouches at that port from either direction, and for dispatching the same to their respective ultimate destinations.

The two Post Departments may, at any time, discontinue either of said offices of exchange or establish others.

ARTICLE III.

The standard weight for the single rate of postage and rule of progression shall be:

1. For letters, or manuscripts subject by law to letter rate of postage, one-half ounce (avoirdupois).

2. For all other correspondence mentioned in the second paragraph of the first article, that which each country shall adopt for the mails which it dispatches to the other, adapted to the convenience and habits of its interior administration; but each country shall give notice to the other of the standard weight it adopts, and of any subsequent change thereof. The weight stated by the dispatching exchange office shall always be accepted, except in cases of manifest error.

ARTICLE IV.

No accounts shall be kept between the Postoffice Departments of the two countries on the international correspondence, written or printed, exchanged between them; but each country shall levy, collect and retain to its own use the following postal charges, viz:

1. The postage to be charged and collected in the United States on each letter, or manuscript, subject to letter postage, mailed in the United States, and addressed to any place in the Republic of Ecuador, shall be twenty cents, United States currency, per each weight of half an ounce or fraction of half an ounce; and the postage to be charged and collected in Ecuador on each letter, or manuscript subject to letter postage, mailed in Ecuador and addressed to any place in the United States of America, shall be two reals, or the fifth part of a dollar (hard), Ecuador currency, the same to be in each case in full of all charges whatever to the place of destination in either country. Either country, however, is at liberty to reduce this charge, but not to increase it without the previous assent of the other.

2. On all other correspondence mentioned in the second paragraph of the first article the Post Departments of the United States and Ecuador may respectively levy, collect, and retain to their separate and exclusive use such rates of postage adapted to their interior administration and to the cost of sea transportation as they shall deem advisable. But each office shall give notice to the other of the rates it adopts, and of any subsequent change thereof.

Newspapers and other correspondence of the class referred to in the preceding paragraph shall be sent in narrow bands or covers, open at the sides or ends, so that that they may be easily examined; and packages of such correspondence shall be subject to the laws and regulations of each country in regard to their liability to pay customs duty, if containing dutiable goods, or to be rated with letter postage when containing written matter, or for any other cause specified in said laws and regulations.

ARTICLE V.

Letters, and other communications in manuscript, which, from any cause, can not be delivered to their address, after the expiration of a proper period to effect their delivery, shall be reciprocally returned every month, unopened and without charge, to the Postoffice Department of the dispatching country; but newspapers, and all other articles of printed matter, shall not be returned, but remain at the disposal of the receiving office.

Letters erroneously transmitted, or wrongly addressed, shall be promptly returned to the dispatching office without charge.

ARTICLE VI.

The Post Department of the United States shall establish, in conformity with the arrangements in force at the time, the conditions upon which the Post Department of Ecuador may exchange, in open mails, the correspondence originating in Ecuador and destined for countries to which the United States may serve as an intermediary; but such correspondence shall only be charged with the international postage established by this convention, augmented by the postage, rates in force between the United States and the country of destination, and any other tax for exterior service.

The Post Department of the United States shall furnish the Post Department of Ecuador with a list stating the foreign countries to which the foreign postage and the amounts thereof must be absolutely prepaid, or can be left unpaid, and shall modify such list from time to time, as the exigencies of its foreign postal service may require.

In conformity to the requirements of the preceding paragraph, a table marked A is hereunto annexed, enumerating the countries with which, and specifying the terms and conditions on which, Ecuador may exchange correspondence by way of the United States.

Correspondence of this class must be accompanied by a letter bill from the dispatching exchange office of Ecuador, specifying the amount due thereon to the United States, and the receiving exchange office of the United States shall return by next post to such dispatching exchange office an acknowledgment of receipt and verification thereof, which letter-bills and acknowledgments of receipt shall be in conformity to the models B and C, hereunto annexed, and shall serve as vouchers in the settlement of the accounts.

The accounts to be kept between the two Post Departments upon this class of correspondence shall be stated quarterly, transmitted and verified as speedily as practicable; and the amounts found due shall be paid promptly to the United States office, under such regulations as the respective Post Departments may from time to time prescribe. Such quarterly statement shall be prepared by the United States office, and shall follow the form D, hereunto annexed.

ARTICLE VII.

Letters originating in foreign countries and addressed to the United States or Ecuador, respectively, on which the foreign and international postal charges are fully prepaid, shall, when forwarded in the mails of either country to the other, be delivered in the country of destination free of charge.

ARTICLE VIII.

The official correspondence between the two governments, that of each government with its legation near the other, and of each legation with its government, shall be conveyed to its destination free of postage and with all the precautions which the two governments may find necessary for its inviolability and security.

ARTICLE IX.

When in one of the two countries there is no legation of the other, the franking privilege of the vacant legation shall be transferred, in the terms stipulated in the preceding article, to the respective consulate or vice consulate at New York or Guayaquil.

ARTICLE X.

Neither Post Department shall be required to deliver any article received in the mails the circulation of which shall be prohibited by the laws in force in the country of destination; and any article subject by the laws of either country to customs duty or to confiscation shall, when received in the mails from the other, be treated in accordance with the laws of the receiving country.

ARTICLE XI.

The two Post Departments may, by mutual agreement, provide for the transmission of registered articles in the mails exchanged between the two countries.

The register fee of each article shall be ten cents in the United States and one real in Ecuador.

ARTICLE XII.

The two Post Departments shall settle, by agreement between them, all measures of detail and arrangement required to carry this convention into execution and may modify the same in like manner, from time to time, as the exigencies of the service may require. Articles may also, by mutual consent, be amended, added, or suppressed, according to the requirements of the service, without rescinding or otherwise altering or impairing any other of the articles of this convention.

ARTICLE XIII.

This convention shall take effect from the date of the exchange of ratifications, and shall continue in force until annulled by mutual consent, or until one year from the date of notice given by one of the two departments to the other of its desire to terminate the same.

ARTICLE XIV.

This convention shall be approved and ratified in the manner and form prescribed by the constitution and laws of each of the high contracting parties, and the exchange of ratifications shall be made at Washington six months after the last ratification, or sooner, if possible.

Done in duplicate, at the city of Washington, this ninth day of May, in the year of our Lord one thousand eight hundred and seventy-one.

JOHN A. J. CRESWELL,
Postmaster General of the United States.
ANTONIO FLORES.

I hereby approve the aforegoing convention, and in testimony thereof I have caused the seal of the United States to be affixed.

U. S. GRANT.

By the President:
HAMILTON FISH,
Secretary of State.
WASHINGTON, May 9, 1871.

[Translation.]

Having seen and examined the aforegoing postal convention, which has been approved by the legislative decree of the first of the present month, and in exercise of the sixth attribute of the sixtieth article of the constitution, I have ratified it, as by the present I do ratify and declare it accepted, confirmed and obligatory in all and each of its clauses and stipulations contained in said convention, solemnly engaging and pledging for its faithful and exact observance on the part of Ecuador the national faith and honor.

In faith of which I have caused the present to be prepared, signed with my hand, sealed with the seal of the republic, and countersigned by the Secretary of State for Foreign Relations, at Quito, the thirtieth of September, eighteen hundred and seventy-one. G. GARCIA MORENO.

FRANCISCO JAVIER LEON.

We, John A. J. Creswell, Postmaster General of the United States, and Antonio Flores, minister of Ecuador to the United States, certify that on this date we have proceeded to perform the exchange of ratifications of the postal convention which was concluded between the United States and Ecuador at Washington, on the ninth day of May, A. D. 1871.

Done in duplicate and signed at Washington, this sixth day of December, A. D. 1871.

JOHN A. J. CRESWELL,
Postmaster General of the United States.
ANTONIO FLORES.

Convention for the regulation of the postal intercourse between the United States of America and the kingdom of Denmark.

The Post Department of the United States of America and the Danish Post Department have agreed upon employing the steamers in regular service between their territories, as well as the steamers engaged between Hamburg and Bremen on the one side, and American ports on the other, in order to establish an immediate exchange of mails, and have, for that purpose, consented to the following articles:

ARTICLE I.

There shall be an immediate exchange of correspondence between the United States of America and Denmark by means of the said steamers, and this correspondence shall embrace letters, newspapers, book packets, prints of all kinds (comprising maps, plans, engravings, drawings, photographs, lithographs, and all other like productions of mechanical processes, sheets of music, etc.), and patterns or samples of merchandise; and such correspondence may be exchanged, whether originating in either of the said countries, or originating in countries to which these may respectively serve as intermediaries.

ARTICLE II.

The exchange of correspondence shall take place between the postoffices to be hereafter designated by the two post departments; but either of the two offices so designated may at any time be discontinued, and others established by mutual consent.

ARTICLE III.

The United States office shall make its own arrangements for the dispatch of its mails to Denmark, and in like manner the office of Denmark shall make its own arrangements for the dispatch of its mails to the United States. The mails shall be reciprocally forwarded by the regular routes of communication hereinbefore mentioned, and each office shall, at its own cost, pay the expense of the intermediate transportation (sea and territorial) of the mails which it dispatches to the other. It is also agreed that the cost, either in whole or in part, of the international ocean and territorial transit of the closed mails exchanged in both directions between the respective frontiers shall, upon application of either office, be first defrayed by that one of the two offices which shall have obtained from the intermediaries the most favorable pecuniary terms for such conveyance, and any amount so advanced by one for or on account of the other shall be promptly reimbursed.

ARTICLE IV.

The postage on ordinary letters sent from the United States to Denmark, or from Denmark to the United States, shall be respectively twelve skilling rigsmont, or seven cents for a single letter.

The weight of a single letter shall not exceed fifteen grammes.

For every letter exceeding fifteen grammes there shall be paid a single rate of postage for every additional fifteen grammes or fraction of fifteen grammes. The weight stated by the dispatching office shall always be accepted, except in case of manifest error.

The maximum weight of letters shall be two hundred and fifty grammes.

ARTICLE V.

The prepayment of postage on ordinary letters shall be optional. If they shall be forwarded unpaid, or insufficiently paid, they shall, in the first case, be charged, besides the usual postage, with an additional postage of respectively four cents, or six skilling rigsmont, and in the last case, besides the deficient postage, with similar additional postage.

ARTICLE VI.

On all other correspondence in the first article mentioned, the rates shall be, for the mails dispatched, that which the dispatching office shall adopt, adapted to the convenience and habits of its interior administration. But each office shall give notice to the other of the rate it adopts, and of any subsequent change thereof. These articles shall be forwarded under regulations of the dispatching postoffice, but always including the following:

1. The postage shall be prepaid. If, however, the postage on the correspondence mentioned in this article should not be wholly prepaid, the said correspondence shall still be forwarded to the place of destination; but it shall, in that case, beside the deficient postage, be charged with an additional postage, not exceeding four cents in the United States, and six skilling rigsmont in Denmark.

2. No packet shall contain anything which shall be closed against inspection, nor any written communication whatever, except to state from whom and to whom the packet is sent, and the number and price placed upon each pattern or sample of merchandise.

3. No packet may exceed two feet in length, or one foot in any other dimension.

4. Neither office shall be bound to deliver any article the importation of which may be prohibited by the laws or regulations of the country of destination.

5. The customs duties that may be chargeable in each of the two countries may be levied for the use of the customs.

ARTICLE VII.

Any correspondence mentioned in article one may be registered, and the postage chargeable on such correspondence shall always be prepaid. Registered correspondence shall, in addition to the postage, be subject to an international registration fee not exceeding ten cents in the United States, and eight skilling rigsmont in Denmark, and this fee shall always be prepaid. Each office is at liberty to reduce this fee for the mails it dispatches. Each department shall use its best exertions for the safe delivery of registered correspondence, but is not responsible pecuniarily for the loss of any such correspondence.

ARTICLE VIII.

It is further agreed that no charge of any kind, or on any account, otherwise than is herein expressly provided, shall be levied or collected in the country of destination on the letters or other correspondence exchanged.

ARTICLE IX.

As to the correspondence originating in one country and destined for the other, no account shall take place, and thus the postoffice of the United States shall retain the whole amount of postage collected in the United States upon international paid correspondence forwarded to Denmark, and upon international unpaid or insufficiently paid correspondence received from Denmark; and in like manner the Danish postoffice shall retain the whole amount of postage collected in Denmark upon international paid correspondence forwarded to the United States, and upon international unpaid or insufficiently paid correspondence received from the United States.

However, each of the two departments shall be at liberty to claim accounts to be settled when it appears that in one country for one year there is levied twenty per cent more than in the other. If an account is claimed, it shall be regulated on the following basis:

From the total amount of postages and register fees collected by each office on letters, added to the total amount of prepaid postages and register fees on other correspondence which it dispatches, the dispatching office shall deduct the amount required for the conveyance of the mails between the two countries, and the amount of the two net sums shall be equally divided between the two offices.

The deficient and additional postages mentioned in article six shall not be included in the account between the two offices, but, unshared, shall belong to the office by which they are collected.

ARTICLE X.

The two post departments shall establish, by agreement, and in conformity with the arrangements in force at the time, the conditions upon which the two offices may respectively exchange in open mails the correspondence originating in or destined to other foreign countries to which they may reciprocally serve as intermediaries. It is always understood, however, that such correspondence shall only be charged with the American-Danish rate, augmented by the postage due to foreign countries, or for other exterior service.

It is agreed that the account of this correspondence shall, as to the international postages chargeable on the same, be regulated on the basis mentioned in the preceding article, but that the amount of the extra-national postage, or other tax for exterior service, shall be reciprocally accounted for at full rates. Such charges for paid correspondence to and for unpaid correspondence from foreign countries shall, therefore, be summarily entered on the respective letter bills to the credit of the country through which the same is forwarded.

ARTICLE XI.

The Postoffice of the United States shall be granted the privilege of transit of closed mails through the Danish territory, exchanged in either direction, to and from Sweden and Norway, for a payment of four skilling rigsmont per thirty grammes net weight of letters, and two-thirds skilling rigsmont per forty grammes net weight of prints, patterns, and samples of merchandise. Correspondence exempt from postage, letters which can not be delivered, as well as money orders, shall not be charged with any transit rate.

Reciprocally, the United States office grants to the office of Denmark the privilege of transit of the closed mails exchanged in either direction between the latter and any country to which the former may serve as intermediary, by its usual means of mail transportation, whether on sea or land, and the terms of transit shall be agreed upon when the exercise of the privilege is required.

ARTICLE XII.

The postal accounts between the two offices shall be stated and transmitted quarterly, and verified as speedily as possible, and the balance found due shall be paid in the coin of the creditor country.

The rate for the conversion of the money of the two countries shall be one dollar for one rigsdaler, eighty-five skilling rigsmont. The two offices shall, however, always be at liberty to agree upon another rate for the conversion.

ARTICLE XIII.

Any ordinary correspondence wrongly addressed, or wrongly sent, shall, without delay, and registered correspondence of all kinds, as well as ordinary letters not deliverable for any other cause than the aforesaid, within the issue of every month, be mutually returned at the expense of the originating office. All other correspondence which can not be delivered shall remain at the disposition of the receiving office.

If any returned correspondence shall be charged with the postage debited the office of destination, the said correspondence shall be returned for the amount of postage which was originally charged by the dispatching office.

ARTICLE XIV.

When, in any port of either country, a closed mail is transferred from one vessel to another, without any expense to the office of the country where the transfer is made, such transfer shall not be subject to any postal charge by one office against the other.

ARTICLE XV.

Official communications between the two offices shall not be the occasion of any accounts on either side.

ARTICLE XVI.

The two offices shall, by mutual consent, establish the detailed regulations which the carrying into execution of the articles included in this convention may require.

ARTICLE XVII.

The present convention shall be carried into effect on the day on which the two offices shall agree, and shall continue in force until one of the two contracting parties shall have announced to the other, within the issue of a calendar year, its intention to terminate it.

ARTICLE XVIII.

The present convention is to be ratified, and the ratifications are to be exchanged as soon as possible.

Done at Copenhagen, in duplicate original, this seventh day of November, 1871, and at Washington this first day of December, 1871.

JOHN A. J. CRESWELL,
Postmaster General.
DANNESKJOLD SAMSOE.

I hereby approve the aforegoing convention, and in testimony thereof I have caused the seal of the United States to be affixed. U. S. GRANT.

By the President:
HAMILTON FISH, Secretary of State.
Washington, December 1, 1871.

We, Christian the Ninth, by the grace of God King of Denmark, the Vandals and Goths, Duke of Slesvig, Holstein, Stormarn, Ditmarsh, Lauenborg, and Oldenburg, have most graciously deigned, on our part, to ratify the foregoing convention by our signature.

Done at our capital and residence, Copenhagen, on the twentieth of March, 1872.

Under our hand and royal seal, in his majesty's name.

FREDERIK, Prince Royal.
Countersigned:
O. D. ROSSENORN LEHN.

Detailed regulations arranged between the Postoffice Department of the United States of America and the Postoffice Department of Denmark for the execution of the postal convention signed at Washington the first day of December, 1871, and at Copenhagen the seventh day of November, 1871.

ARTICLE I.

The offices for the exchange of the mails shall be: On the part of the United States, (1) New York; (2) Chicago. On the part of Denmark: (1) Copenhagen; (2) the traveling office between Korsoer and Kiel.

The exchange offices of New York and Chicago shall make up closed mails for the exchange offices of (1) Copenhagen, (2) the traveling office between Korsoer and Kiel; and these Danish exchange offices shall make up closed mails for New York and Chicago.

ARTICLE II.

Each mail exchanged between the two administrations shall be accompanied with a letter-bill, showing the postages, etc., accruing to each office upon the different kinds of correspondence. The form of this letter-bill shall follow the models A and B, hereto annexed, and shall, consecutively, be numbered by the dispatching office during each calendar year.

The receiving office shall acknowledge its receipt by the next dispatch.

ARTICLE III.

The exchange offices shall divide the correspondence which they dispatch into a suitable number of separate packages, according to the letter bill. Each of these packages shall bear the proper etiquette and number corresponding to the letter bill.

ARTICLE IV.

When more than a single rate is chargeable upon any letter or other article, the number of rates to which it is subject shall be indicated by the dispatching office, by a figure in the upper left corner of the address.

ARTICLE V.

Registered correspondence shall be described in a registered list, following the models C and D, hereto annexed.

All registered letters shall be enveloped together in a strong paper, securely fastened, and the packet inscribed with the words "Registered" or "Recommanderet," and placed in the mail.

The blank in the letter-bill for expressing the number of registered articles shall be filled by letters and figures expressing the number.

In case no registered articles are sent, the proper blank of the letter bill shall be filled with the word "nihil" or "nill."

ARTICLE VI.

The registered letters dispatched shall be acknowledged immediately by the receiving office. If the verification by the receiving office shall disclose an error of any kind in the register list, it shall be also by the first mail notified to the first dispatching office.

ARTICLE VII.

All letters exchanged between the two offices shall indicate, by stamp or writing thereon, the office of origin, and the unpaid letters so exchanged shall also be stamped with the name of the dispatching office of exchange.

Correspondence fully paid to destination shall be stamped "Paid all," in the United States, and "Franko" in Denmark.

Registered articles shall be stamped "Registered," in the United States, and "Recommanderet" in Denmark. Correspondence insufficiently paid shall be stamped "Insufficiently paid," in the United States, and "Utilsraekkelig frankeret" in Denmark, and the amount of the insufficient postage expressed in figures on the face.

Correspondence dispatched by the direct line between the respective countries shall be stamped "direct service," or "service direct."

When dispatched via Germany, it shall be stamped to indicate German transit.

ARTICLE VIII.

The two Post Departments are mutually to furnish each other with lists stating the foreign countries to which the foreign postage, and the amounts thereof, must be absolutely prepaid, or can be left unpaid; and until such lists are furnished, neither country is to mail to the other any correspondence for foreign countries in transit through the country to which the mail is sent.

Such lists shall also indicate the foreign countries with which registered correspondence may be exchanged in the open mails between the respective offices and the conditions thereof.

ARTICLE IX.

The respective exchange offices shall mark, in red ink, in the upper left corner of the address of prepaid letters sent for transit in the open mail, the amount of the postage due for exterior service to the country through which the same are forwarded, and in the same manner, but in black ink, shall mark the amount due for postage to the forwarding office upon the unpaid letters so sent in transit.

ARTICLE X.

Letters originating in or destined for foreign countries, sent in the open mails through the United States or through Denmark, and which are insufficiently paid, shall be transmitted as wholly unpaid, and no account taken between the two administrations of the amount prepaid; but letters and other correspondence originating in foreign countries, and addressed to the United States or to Denmark, respectively, on which the foreign and international postage charges are fully prepaid, shall, when forwarded through the mails of either country to the other, be delivered in the country of destination free of charge.

ARTICLE XI.

The letters and all registered articles mutually returned as not deliverable shall be accompanied by a statement exhibiting the number of ordinary letters, and the number and addresses of the registered articles so returned, and the aggregate amount reclaimed thereon from the dispatching office, which statement shall be verified and acknowledged as early as practicable.

The expense of transit of unpaid correspondence which has been transmitted by either administration in closed mails, and which shall be returned to the dispatching office as not deliverable, shall be deducted from the original amount charged for transit, upon a declaration of the amount by the office claiming the reduction.

No charge will be made by either administration for the transit of correspondence returned as not deliverable.

ARTICLE XII.

All correspondence wrongly addressed or missent shall be returned without delay by the receiving office to the exchange office which dispatched it. The receiving office shall also correct accordingly, in the column of verification, the original entries of the letter bill relating to such correspondence. The articles of a like nature addressed to persons who have changed their residence shall be mutually forwarded, charged with the rate that would have been paid at the first destination, or returned for the amount, if any, originally charged against the receiving office.

ARTICLE XIII.

The dispatching exchange office shall state on the letter bills to the intermediate exchange offices the exact number of single rates of letters, or weight, if required, and the total weight of the other correspondence, which shall be dispatched in closed mails.

ARTICLE XIV.

It is understood that the accounts between the two offices shall be established on the respective letter-bills in the proper money of the dispatching office; but the international postages on the unpaid or insufficiently paid letters shall be computed in the money of the receiving country. In entering the foreign charges on the letter-bill in the money of the dispatching office, the cent of the United States and one and four-fifths skilling of Denmark shall be taken as equivalents.

ARTICLE XV.

The quarterly accounts shall be prepared by the respective postal administrations, and shall be based upon the acknowledgments of receipt. A recapitulation of these accounts, showing the definitive results alike for the debit and credit, shall be prepared by the United States office, and shall then be transmitted, with the accounts on which it is based, for the examination of the postoffice at Denmark.

ARTICLE XVI.

It is understood that so long as no accounts are kept between the Postoffice Departments of the two countries of the international postages on the correspondence exchanged between them, so much of the preceding articles as relates to the preparation and adjustment of the postal accounts shall not be taken to include or comprise the international postages in such adjustment.

The forms for accounting such postages shall be arranged by mutual agreement whenever either office shall claim accounts of the international postages, to be kept and settled as provided in article nine of the convention. But the amounts of postage or other tax for exterior service accruing to or reclaimed by either department, as well as any sum or sums advanced by one country for and on account of the other, shall, nevertheless, be stated and settled quarterly in the manner hereinbefore prescribed.

ARTICLE XVII.

These detailed regulations shall be ratified on the part of the United States by the Postmaster General, and on the part of Denmark by the Royal Director General of Posts.

Done at Copenhagen, in duplicate original, this seventh day of November, 1871, and at Washington this first day of December, 1871.

JNO. A. J. CRESWELL,
Postmaster General.
DANNESKJOLD SAMSOE

A PROCLAMATION.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Convention between the United States and the German Empire respecting Consuls and trade-marks, signed December 11, 1871; exchanged April 29, 1872; proclaimed June 1, 1872.

WHEREAS, A convention between the United States of America and the German Empire, relating to the rights, privileges, immunities and duties of Consuls, and to the protection of trade-marks, was signed at Berlin on the eleventh day of December, in the year of our Lord one thousand eight hundred and seventy-one, by their respective plenipotentiaries;

And whereas a protocol thereto was signed by the said plenipotentiaries on the twenty-ninth day of April last; which convention and protocol, in the English and German languages are, word for word, as follows:

The President of the United States of America, and his majesty the Emperor of Germany, King of Prussia, in the name of the German Empire, led by the wish to define the rights, privileges, immunities and duties of the respective consular agents, have agreed upon the conclusion of a consular convention, and for that purpose have appointed their plenipotentiaries, namely:

The President of the United States of America, George Bancroft, Envoy Extraordinary and Minister Plenipotentiary from the said States, near his majesty the Emperor of Germany; his majesty the Emperor of Germany, King of Prussia, Bernard Konig, his Privy Councilor of Legation, who have agreed to and signed the following articles:

ARTICLE I.

Each of the 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 contracting parties without also applying to every other power.

ARTICLE II.

The Consuls General, Consuls, Vice Consuls, or Consular Agents shall be reciprocally received and recognized, on the presentation of their commissions, in the forms established in their respective countries. The necessary exequatur for the exercise of their functions shall be furnished to them free of charge, and, on the exhibition of this instrument, they shall be admitted at once, and without difficulty, by the territorial authorities, federal, State or communal, judicial or executive, of the ports, cities, and places of their residence and district, to the enjoyment of the prerogatives reciprocally granted. The government that furnishes the exequatur reserves the right to withdraw the same on a statement of the reasons for which it has thought proper to do so.

ARTICLE III.

The respective Consuls General, Consuls, Vice-Consuls, or Consular Agents, as well as their chancellors and secretaries, shall enjoy in the two countries all privileges, exemptions and immunities which have been granted, or may in future be granted, to the agents of the same rank of the most favored nation. Consular officers, not being citizens of the country where they are accredited, shall enjoy, in the country of their residence, personal immunity from arrest or imprisonment, except in the case of crimes, exemption from military billetings and contributions, from military service of every sort, and other public duties, and from all direct or personal or sumptuary taxes, duties and contributions, whether Federal, State, or municipal. If, however, the said consular officers are or become owners of property in the country in which they reside, or engage in commerce, they shall be subject to the same taxes and imposts, and to the same jurisdiction, as citizens of the country, property-holders, or merchants. But under no circumstances shall their official income be subject to any tax. Consular officers who engage in commerce shall not plead their consular privileges to avoid their commercial liabilities. Consular officers of either character shall not in any event be interfered with in the exercise of their official functions, further than is indispensable for the administration of the laws of the country.

ARTICLE IV.

Consuls General, Consuls, Vice Consuls and Consular Agents may place over the outer door of their offices or of their dwellings the arms of their nation, with the proper inscription indicative of the office. And they may also hoist the flag of their country on their consular edifice, except in place where a legation of their country is established.

They may also hoist their flag on board any vessel employed by them in port for the discharge of their duty.

ARTICLE V.

The consular archives shall be at all times inviolable, and under no pretence whatever shall the local authorities be allowed to examine or seize the papers forming part of them. When, however, a consular officer is engaged in other business, the papers relating to the consulate shall be kept in a separate enclosure.

The offices and dwellings of Consules missi who are not citizens of the country of their residence shall be at all times inviolable. The local authorities shall not, except in the case of the pursuit for crimes, under any pretext invade them. In no case shall they examine or seize the papers there deposited. In no event shall those offices or dwellings be used as places of asylum.

ARTICLE VI.

In the event of the death, prevention, or absence of Consuls General, Consuls, Vice Consuls, Consular Agents, their chancellors or secretaries, whose official character may have previously been made known to the respective authorities in Germany or in the United States, may temporarily exercise their functions, and, while thus acting, they shall enjoy all the rights, prerogatives, and immunities granted by this convention to the incumbents.

ARTICLE VII.

Consuls General and Consuls may, with the approbation of their respective governments, appoint Vice Consuls and Consular Agents in the cities, ports and places within their consular jurisdiction. These officers may be citizens of Germany, of the United States, or any other country. They shall be furnished with a commission by the Consul who appoints them and under whose orders they are to act, or by the government of the country which he represents. They shall enjoy the privileges stipulated for consular officers in this convention, subject to the exceptions specified in article three.

ARTICLE VIII.

Consuls General, Consuls, Vice Consuls and Consular Agents shall have the right to apply to the authorities of the respective countries, whether federal or local, judicial or executive, within the extent of their consular district, for the redress of any infraction of the treaties and conventions existing between the two countries, or of international law; to ask information of said authorities, and to address said authorities to the end of protecting the rights and interests of their countrymen, especially in cases of the absence of the latter; in which cases such consuls, etc., shall be presumed to be their legal representatives. If due notice should not be taken of such application, the consular officers aforesaid, in the absence of a diplomatic agent of their country, may apply directly to the government of the country where they reside.

ARTICLE IX.

Consuls General, Consuls, Vice Consuls or Consular Agents of the two countries, or their chancellors, shall have the right, conformably to the laws and regulations of their country—

1. To take at their office or dwelling, at the residence of the parties, or on board of vessels of their own nation, the depositions of the captains and crews, of passengers on board of them, of merchants, or of any other citizens of their own country.

2. To receive and verify unilateral acts, wills and bequests of their countrymen, and any and all acts of agreement entered upon between citizens of their own country and between such citizens and the citizens or other inhabitants of the country where they reside; and also all contracts between the latter, provided they relate to property situated or to business to be transacted in the territory of the nation by which the said consular officers are appointed.

All such acts of agreement and other instruments, and also copies and translations thereof, when duly authenticated by such Consul General, Consul, Vice Consul or Consular Agent, under his official seal, shall be received by public officials and in courts of justice as legal documents, or as authenticated copies, as the case may be, and shall have the same force and effect as if drawn up or authenticated by competent public officers of one or the other of the two countries.

ARTICLE X.

In case of the death of any citizen of Germany in the United States, or of any citizen of the United States in the German Empire, without having in the country of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest consular officer of the nation to which the deceased belongs of the circumstance, in order that the necessary information may be immediately forwarded to parties interested.

The said consular officer shall have the right to appear personally or by delegate in all proceedings on behalf of the absent heirs or creditors until they are duly represented.

In all successions to inheritances citizens of each of the contracting parties shall pay in the country of the other such duties only as they would be liable to pay if they were citizens of the country in which the property is situated or the judicial administration of the same may be exercised.

ARTICLE XI.

Consuls General, Consuls, Vice Consuls and Consular Agents of the two countries are exclusively charged with the inventorying and the safe-keeping of goods and effects of every kind left by sailors or passengers on ships of their nation, who die either on board ship or on land, during the voyage or in the port of destination.

ARTICLE XII.

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 ships' 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.

The judicial authorities and customhouse 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.

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.

ARTICLE XIII.

Consuls General, Consuls, Vice Consuls or Consular Agents shall have exclusive charge of the internal order of the merchant vessels of their nation, and shall have the exclusive power to take cognizance of and to determine differences of every kind which may arise, either at sea or in port, between the captains, officers and crews, and specially in reference to wages and the execution of mutual contracts. Neither any court or authority shall, on any pretext, interfere in these differences, except in cases where the differences on board ship are of a nature to disturb the peace and public order in port, or on shore, or when persons other than the officers and crew of the vessel are parties to the disturbance.

Except as aforesaid, the local authorities shall confine themselves to the rendering of efficient aid to the Consuls, when they may ask it in order to arrest and hold all persons whose names are borne on the ship's articles, and whom they may deem it necessary to detain. Those persons shall be arrested at the sole request of the Consuls, addressed in writing to the local authorities and supported by an official extract from the register of the ship or the list of the crew, and shall be held during the whole time of their stay in port, at the disposal of the Consuls. Their release shall be granted only at the request of the Consuls, made in writing.

The expenses of the arrest and detention of those persons shall be paid by the consuls.

ARTICLE XIV.

Consuls General, Consuls, Vice Consuls or Consular Agents may arrest the officers, sailors and all other persons making part of the crews of ships of war or merchant vessels of their nation, who may be guilty or be accused of having deserted said ships and vessels, for the purpose of sending them on board or back to their country.

To that end, the Consuls of Germany in the United States shall apply to either the federal, State or municipal courts or authorities; and the Consuls of the United States in Germany shall apply to any of the competent authorities, and make a request in writing for the deserters, supporting it by an official extract of the register of the vessel and the list of the crew, or by other official documents, to show that the men whom they claim belong to said crew. Upon such request alone thus supported, and without the exaction of any oath from the Consuls, the deserters (not being citizens of the country where the demand is made either at the time of their shipping or of their arrival in the port) shall be given up to the Consuls. All aid and protection shall be furnished them for the pursuit, seizure and arrest of the deserters, who shall be taken to the prisons of the country and there detained at the request and at the expense of the Consuls, until the said Consuls my find an opportunity of sending them away.

If however, such opportunity should not present itself within the space of three months, counting from the day of the arrest, the deserters shall be set at liberty, and shall not again be arrested for the same cause.

ARTICLE XV.

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 voluntarily or are forced by stress of weather, shall be settled by the Consuls General, Consuls, Vice Consuls and Consular Agents of the respective countries. If, however, any inhabitant of the country, or citizen or subject of a third power, shall be interested in the matter, and the parties can not agree, the competent local authorities shall decide.

ARTICLE XVI.

In the event of a vessel belonging to the Government, or owned by a citizen of one of the two contracting parties being wrecked, or cast on shore, on the coast of the other, the local authorities shall inform the Consul General, Consul, Vice Consul, or Consular Agent of the district of the occurrence, or if there be no such consular agency, they shall inform the Consul General, Consul, Vice Consul, or Consular Agent of the nearest district.

All proceedings relative to the salvage of American vessels wrecked or cast on shore in the territorial waters of the German Empire shall take place in accordance with the laws of Germany; and, reciprocally, all measures of salvage relative to German vessels wrecked or cast on shore in the territorial waters of the United States shall take place in accordance with the laws of the United States.

The consular authorities have in both countries to intervene only to superintend the proceedings having reference to the repair and revictualing, or, if necessary, to the sale of the vessel wrecked or cast on shore.

For the intervention of the local authorities no charges shall be made except such as in similar cases are paid by vessels of the nation.

In case of a doubt concerning the nationality of a shipwrecked vessel, the local authorities shall have exclusively the direction of the proceedings provided for in this article.

All merchandise and goods not destined for consumption in the country where the wreck takes place shall be free of all duties.

ARTICLE XVII.

With regard to the marks or labels of goods, or of their packages, and also with regard to patterns and marks of manufacture and trade, the citizens of Germany shall enjoy in the United States of America, and American citizens shall enjoy in Germany, the same protection as native citizens.

ARTICLE XVIII.

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 exchanged at Berlin within the period of six months.

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.

In faith whereof the plenipotentiaries have signed and sealed this convention.

Berlin, the eleventh of December, 1871.

GEORGE BANCROFT.

The undersigned met this day in order to effect the exchange of the ratifications of the Consular Convention, signed on the eleventh day of December, 1871, between the United States of America and Germany.

Before proceeding to this act, the undersigned Envoy Extraordinary and Minister Plenipotentiary of the United States of America decl