

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Jan. 27, 1868.

A PROCLAMATION.

WHEREAS an additional article to the treaty of navigation and commerce between the United States of America and the Emperor of Russia, of the 18th of December, 1832, was concluded and signed at Washington, by their respective plenipotentiaries, on the 27th day of January, 1868, the original of which additional article is word for word as follows :

Preamble.

The United States of America and his Majesty the Emperor of all the Russias, deeming it advisable that there should be an additional article to the treaty of commerce between them of the 18th December, 1832, have for this purpose named as their plenipotentiaries, the President of the United States, William H. Seward, Secretary of State, and his Majesty the Emperor of all the Russias, the Privy Councillor, Edward de Stoeckl, accredited as his Envoy Extraordinary and Minister Plenipotentiary to the United States; and the said plenipotentiaries, after an examination of their respective full powers, which were found to be in good and due form, have agreed to and signed the following :

ADDITIONAL ARTICLE.

The high contracting parties, desiring to secure complete and efficient protection to the manufacturing industry of their respective citizens and subjects, agree that any counterfeiting in one of the two countries of the trade marks affixed in the other on merchandise to show its origin and quality, shall be strictly prohibited and repressed, and shall give ground for an action of damages in favor of the injured party, to be prosecuted in the courts of the country in which the counterfeiting shall be proven.

The trade marks in which the citizens or subjects of one of the two countries may wish to secure the right of property in the other, must be lodged exclusively, to wit, the marks of citizens of the United

Sa Majesté l'Empereur de toutes les Russies et les Etats-Unis d'Amérique, jugeant utile d'ajouter un article additionnel au traité de commerce conclu entre eux le 18^e Décembre, 1832, ont nommé à cet effet pour leurs Plénipotentiaires savoir Sa Majesté l'Empereur de toutes les Russies le Conseiller Privé Edouard de Stoeckl, son Envoyé Extraordinaire et Ministre Plénipotentiaire près les Etats-Unis, et le Président des Etats-Unis le Sieur William H. Seward, Secrétaire d'Etat, lesquels, après avoir vérifié leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et signé ce qui suit :

Contracting parties. Vol. viii. p. 444.

ARTICLE ADDITIONNEL.

Les Hautes Parties Contractantes, desirant assurer une complète et efficace protection à l'industrie manufacturière de leurs sujets et citoyens respectifs, sont convenues que toute reproduction dans l'un des deux pays des marques de fabrique apposées dans l'autre sur certaines marchandises, pour constater leur origine et qualité, sera sévèrement interdite et réprimée, et pourra donner lieu à une action en dommages intérêts valablement exercée par la partie lésée, devant les tribunaux du pays où la contrefaçon aura été constatée.

Counterfeiting of trade marks to be cause of damage;

where prosecuted.

Les marques de fabrique, dont les sujets ou les citoyens de l'un des deux états voudraient assurer la propriété dans l'autre, devront être déposées exclusivement, savoir : les

Trade marks to be lodged where.

States in the department of manufactures and inland commerce at St. Petersburg, and the marks of Russian subjects at the patent office in Washington.

This article may be terminated how; Vol. viii. p. 450. when to be ratified.

This additional article shall be terminable by either party, pursuant to the 12th article of the treaty to which it is an addition. It shall be ratified by the President by and with the advice and consent of the Senate of the United States, and by his Majesty the Emperor of all the Russias, and the respective ratifications of the same shall be exchanged at St. Petersburg within nine months from the date hereof, or sooner if possible.

Execution.

In faith whereof the respective plenipotentiaries have signed the present additional article in duplicate and affixed thereto the seal of their arms.

Done at Washington, the twenty-seventh day of January, in the year of grace one thousand eight hundred and sixty-eight.

WILLIAM H. SEWARD. [L. s.]
EDOUARD DE STOECKL. [L. s.]

Ratification.

And whereas the said additional article has been duly ratified on both parts, and the respective ratifications of the same were exchanged at St. Petersburg on the 21st day of September last by Cassius M. Clay, esquire, envoy extraordinary and minister plenipotentiary of the United States, and Vladimir de Westmann, acting minister of foreign affairs of his Majesty the Emperor of all the Russias, on the part of their respective governments:

Proclamation.

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

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

Done at the city of Washington this fifteenth day of October, [SEAL.] in the year of our Lord one thousand eight hundred and sixty-eight, and of the Independence of the United States the ninety-third.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

marques des sujets Russes, à Washington, au Bureau des Patentes et les marques des citoyens des Etats-Unis, à St. Pétersbourg, au département des manufactures et du commerce intérieur.

Cet article additionnel, dont chacune des parties pourra faire cesser l'effet en vertu de l'article 12 du traité auquel il sert de complément, sera ratifié par Sa Majesté l'Empereur de toutes les Russies et par le Président, avec l'avis et le consentement du Sénat des Etats-Unis; et les ratifications en seront échangées à St. Pétersbourg, dans le terme de neuf mois, à compter du jour de la signature, ou plus tôt, si faire se peut.

En foi de quoi, les plenipotentiaries respectifs ont signé le présent article additionnel en duplicata, et y ont apposé le sceau de leurs armes.

Fait à Washington, le vingt-Septième jour de Janvier de l'an de Notre Seigneur mil huit cent soixante-huit.

EDOUARD DE STOECKL. [L. s.]
WILLIAM H. SEWARD. [L. s.]