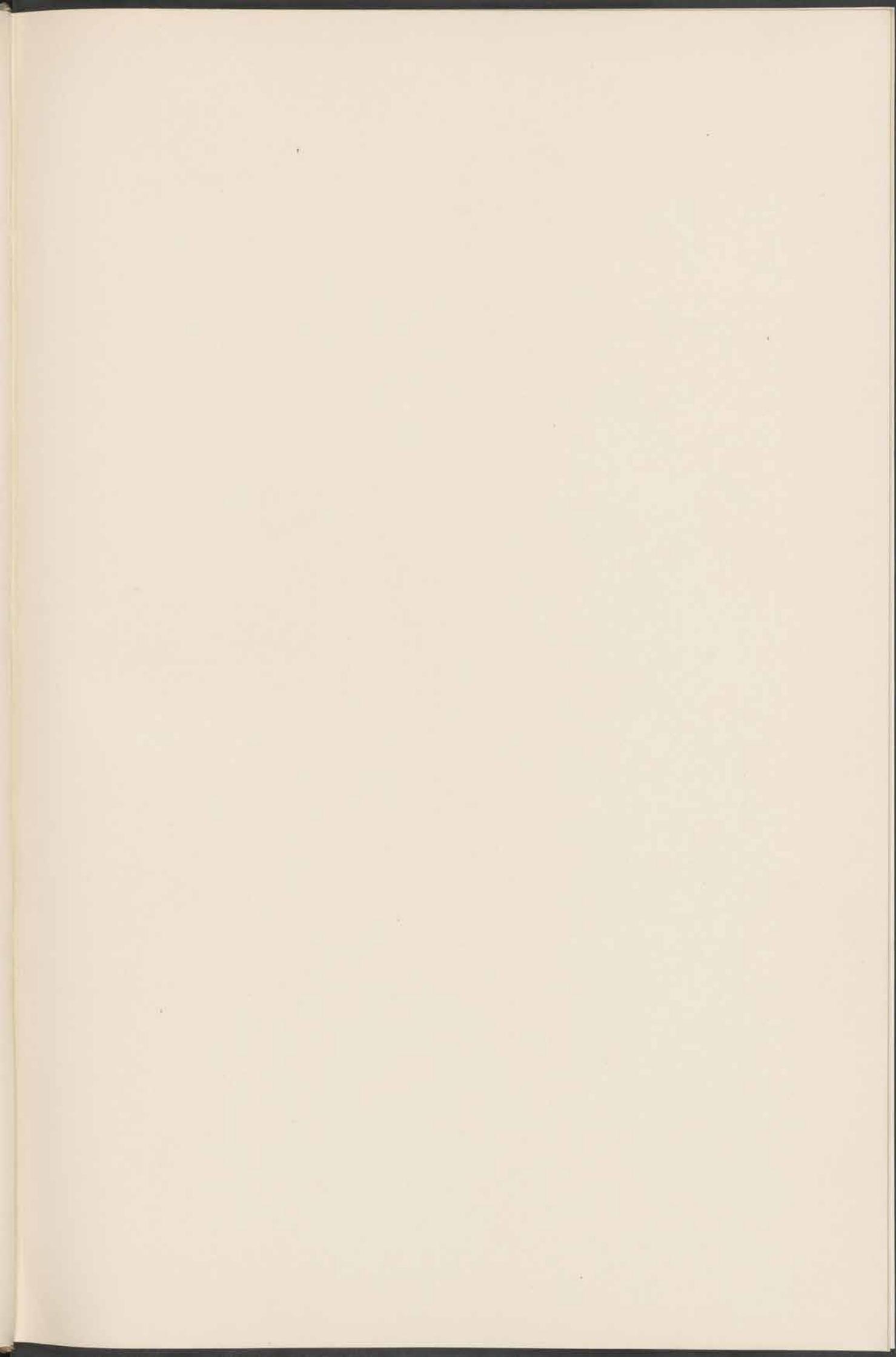


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SOUTHERN DISTRICT OF NEW YORK

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SOUTHERN DISTRICT OF NEW YORK











UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTION
ENACTED DURING THE SECOND SESSION OF THE
SEVENTY-FIFTH CONGRESS
OF THE UNITED STATES OF AMERICA

1937

AND

TREATIES, INTERNATIONAL AGREEMENTS OTHER
THAN TREATIES, AND PROCLAMATIONS

COMPILED, EDITED, AND INDEXED BY AUTHORITY OF CONGRESS

UNDER THE DIRECTION OF THE SECRETARY OF STATE

VOLUME 51

GLENN, U. S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES
STATUTES AT LARGE

CONTAINING THE
LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE SECOND SESSION OF THE
SEVENTY-FIFTH CONGRESS
OF THE UNITED STATES OF AMERICA

The original of every act and joint resolution printed in this volume has the following heading:

SEVENTY-FIFTH CONGRESS OF THE UNITED STATES OF AMERICA;

AT THE SECOND SESSION,

BEGUN AND HELD AT THE CITY OF WASHINGTON ON MONDAY, THE FIFTEENTH DAY OF
NOVEMBER, ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN.

All bills and joint resolutions presented to the President of the United States bear the signatures of the Speaker (or of the Speaker *pro tempore*) of the House of Representatives and of the Vice President and President of the Senate (or of the President of the Senate *pro tempore*); those signatures accordingly appear on the originals of all acts and joint resolutions.

The signature of the President of the United States appears on the originals of all approved acts and joint resolutions.

The original of every act and joint resolution has endorsed thereon a certificate of origin, signed, as the case may be, by the Clerk of the House of Representatives or by the Secretary of the Senate and reading "I certify that this Act (or Joint Resolution) originated in the House of Representatives (or Senate)." The origin of each act and resolution contained in this volume is indicated in the margin at the beginning of each enactment; thus, for example, H. R. 3110 or H. J. Res. 516 indicates origin in the House of Representatives; and S. 2675 or S. J. Res. 222 indicates origin in the Senate.

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PUBLIC LAWS
ENACTED DURING THE
SECOND SESSION OF THE SEVENTY-FIFTH CONGRESS
OF THE
UNITED STATES OF AMERICA

*Begun and held at the City of Washington on Monday, November 15, 1937, and adjourned
without day on Tuesday, December 21, 1937*

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President; KEY PITTMAN,
President of the Senate *pro tempore*; WILLIAM B. BANKHEAD, Speaker of the
House of Representatives.

[CHAPTER 1]

JOINT RESOLUTION

Granting the consent of Congress for the loan of certain portraits now located in the Capitol to the United States Constitution Sesquicentennial Commission for exhibition in the Corcoran Art Gallery.

November 19, 1937
[S. J. Res. 222]
[Pub. Res., No. 75]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol be, and he is hereby, authorized to loan to the United States Constitution Sesquicentennial Commission the portraits of Thomas Jefferson by Sully; George Washington by Gilbert Stuart; Gunning Bedford, Junior, by Peale and Henry Lawrence by Copley, now located in the Capitol Building, for exhibition in the Corcoran Art Gallery between the dates of November 27, 1937, and February 1, 1938, in connection with the celebration of the One Hundred and Fiftieth Anniversary of the adoption of the Constitution of the United States.

U. S. Constitution
Sesquicentennial
Commission.
Loan of certain por-
traits to, for exhibition
purposes.

The said architect is directed to have these portraits returned to the Capitol immediately after the conclusion of the exhibition above referred to.

Return.

Approved, November 19, 1937.

[CHAPTER 2]

JOINT RESOLUTION

To provide for certain expenses incident to the second session of the Seventy-fifth Congress.

November 26, 1937
[H. J. Res. 516]
[Pub. Res., No. 76]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the payment of pages for the Senate and House of Representatives from November 15 to December 31, 1937, both dates inclusive, there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following sums:

Appropriation for
payment of pages,
second session of
Seventy-fifth Con-
gress.

For twenty-one pages for the Senate at \$4 per day each, \$3,948.
For forty-seven pages for the House of Representatives at \$4 per day each, \$8,836.

Senate.
House of Represent-
atives.

Approved, November 26, 1937.

[CHAPTER 3]

AN ACT

December 6, 1937
[S. 2675]
[Public, No. 416]

To amend certain sections of the Federal Credit Union Act approved June 26, 1934 (Public, Numbered 467, Seventy-third Congress).

Federal Credit Union Act, amendments.
48 Stat. 1218.
12 U. S. C. § 1756.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Federal Credit Union Act, approved June 26, 1934 (U. S. C., 1934 edition, title 12, sec. 1756), be, and the same is hereby, amended to read as follows:

Supervision, reports, and examinations.

"SEC. 6. Federal credit unions shall be under the supervision of the Governor, and shall make such financial reports to him (at least annually) as he may require. Each Federal credit union shall be subject to examination by, and for this purpose shall make its books and records accessible to, any person designated by the Governor. The Governor shall fix a scale of examination fees to be paid by Federal credit unions, giving due consideration to the time and expense incident to such examinations, and to the ability of Federal credit unions to pay such fees, which fees shall be assessed against and paid by each Federal credit union promptly after the completion of such examination. Examination fees collected under the provisions of this section shall be deposited to the credit of the special fund created by section 5 hereof, and shall be available for the purposes specified in said section 5."

Examination fees, scale.

Assessment and payment.

Credit of fees collected.

Corporate powers.
48 Stat. 1218.
12 U. S. C. § 1757.

SEC. 2. Paragraph (7) of section 7 of the Federal Credit Union Act (U. S. C., 1934 edition, title 12, sec. 1757) is hereby amended by striking out the period at the end thereof, inserting a semicolon, and adding the following: "(c) in accordance with rules and regulations prescribed by the Governor, in loans to other credit unions in the total amount not exceeding 25 per centum of its paid-in and unimpaired capital and surplus; (d) and in shares or accounts of Federal savings and loan associations."

Loans to other credit unions.

Investments in Federal savings, etc., associations.
48 Stat. 1221.
12 U. S. C. § 1766.

SEC. 3. Section 16 of the Federal Credit Union Act (U. S. C., 1934 edition, title 12, sec. 1766) is hereby amended by adding subsection (e) to read as follows:

Studies, etc., of credit problems.

"(e) The Governor is hereby authorized to make investigations and to conduct researches and studies of the problems of persons of small means in obtaining credit at reasonable rates of interest, and of the methods and benefits of cooperative saving and lending among such persons. He is further authorized to make reports of such investigations and to publish and disseminate the same."

Reports, etc.

48 Stat. 1222.
12 U. S. C. § 1768.

SEC. 4. Section 18 of the Federal Credit Union Act (U. S. C., 1934 edition, title 12, sec. 1768) is hereby amended to read as follows:

Exemption from taxation.

"SEC. 18. The Federal credit unions organized hereunder, their property, their franchises, capital, reserves, surpluses, and other funds, and their income shall be exempt from all taxation now or hereafter imposed by the United States or by any State, Territorial, or local taxing authority; except that any real property and any tangible personal property of such Federal credit unions shall be subject to Federal, State, Territorial, and local taxation to the same extent as other similar property is taxed. Nothing herein contained shall prevent holdings in any Federal credit union organized hereunder from being included in the valuation of the personal property of the owners or holders thereof in assessing taxes imposed by authority of the State or political subdivision thereof in which the Federal credit union is located: *Provided, however,* That the duty or burden of collecting or enforcing the payment of such tax shall not be imposed upon any such Federal credit union and the tax shall not exceed the rate of taxes imposed upon holdings in domestic credit unions."

Exception.

Inclusion of holdings in valuation of personal property of owners.

Proviso. Collection and payment.

Tax rate.

SEC. 5. Provision by an employer of facilities for the operations of a Federal Credit Union on the premises of such employer shall not be deemed to be intimidation, coercion, interference, restraint or discrimination within the provisions of sections 7 and 8 of the National Labor Relations Act, approved July 5, 1935, or acts amendatory thereof.

Provision of facilities for operations by employer.

49 Stat. 452.
29 U. S. C., Supp. III, §§ 157, 158.

Approved, December 6, 1937.

[CHAPTER 4]

JOINT RESOLUTION

To make the existing appropriations for mileage of Senators and Representatives immediately available for payment.

December 8, 1937
[H. J. Res. 525]
[Pub. Res., No. 77]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriations for mileage of the President of the Senate and of Senators and for Representatives, the Delegate from Hawaii, and the Resident Commissioner from Puerto Rico, and for expenses of the Delegate from Alaska, contained in the Legislative Branch Appropriation Act, 1938, are hereby made available for and authorized to be paid to the President of the Senate, Senators, Representatives, Delegates, and the Resident Commissioner from Puerto Rico for attendance on the second session of the Seventy-fifth Congress.

Legislative Branch Appropriation Act, 1938.

Appropriations for mileage made immediately available.

50 Stat. 170, 174.

Approved, December 8, 1937.

[CHAPTER 5]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Tennessee River between Colbert County and Lauderdale County, Alabama.

December 22, 1937
[S. 3114]
[Public, No. 417]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Tennessee River between Colbert County and Lauderdale County in the State of Alabama, authorized to be built by the State of Alabama, its agent or agencies; Colbert County and Lauderdale County in the State of Alabama; the city of Sheffield, Colbert County, Alabama; the city of Florence, Lauderdale County, Alabama; and the Highway Bridge Commission, Incorporated, of Alabama, or any two of them, or either of them, by an Act of Congress approved June 12, 1934, and extended August 23, 1935, and May 1, 1936, as amended, are hereby further extended one and three years respectively, from the date of the approval of this Act.

Tennessee River.
Time extended for bridging, between Colbert and Lauderdale Counties, Alabama.

48 Stat. 945; 49 Stat. 730, 1254.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, December 22, 1937.

CONCURRENT RESOLUTION
SECOND SESSION, SEVENTY-FIFTH CONGRESS

Resolved

That the two Houses of Congress shall adjourn on Tuesday the first day of December 1917, and that when they adjourn on said day they stand adjourned sine die.

Passed, December 11, 1917.

CONCURRENT RESOLUTION

CONCURRENT RESOLUTION

CONCURRENT RESOLUTION
SECOND SESSION, SEVENTY-FIFTH CONGRESS

ADJOURNMENT

December 21, 1937
[H. Con. Res. 28]

Resolved by the House of Representatives (the Senate concurring),
That the two Houses of Congress shall adjourn on Tuesday the 21st
day of December 1937, and that when they adjourn on said day
they stand adjourned sine die.

Adjournment of
Congress, December
21, 1937.

Passed, December 21, 1937.

TREATIES

CONCURRENT RESOLUTION
SECOND SESSION, SEVENTY-FIFTH CONGRESS

ENACTED

Approved December 21, 1937

Resolved by the House of Representatives (the Senate concurred) That the two Houses of Congress shall adjourn on Tuesday the 21st day of December 1937, and that when next they adjourn on said day they stand adjourned sine die.

Passed December 21, 1937.

TREATIES

Safety of Life at Sea. Arrangement by Regulation XIX of Article I to the Convention between the United States of America and other States signed at London, May 21, 1877. Proposed by the Government of the United Kingdom of Great Britain and Northern Ireland, December 27, 1876, ratification advised by the Senate, May 22, 1877, ratified by the President, June 4, 1877, ratification of the United States deposited at London, July 27, 1877, proclaimed, September 8, 1877.

Executive Order
No. 20, 1877

By your Executive in and to the United States of America.

A PROCLAMATION.

Whereas an International Convention for Promoting Safety of Life at Sea with certain Regulations, signed at London on May 21, 1877, was ratified with certain modifications by the United States of America, and the ratification of the Convention of the United States of America was duly announced to His Majesty the King of Great Britain and Northern Ireland, and the ratification of the Convention of Great Britain and Northern Ireland was duly announced to the President of the United States of America;

TREATIES

And whereas a paragraph in Section 1 of Article I of the Convention is amended by inserting between the two paragraphs in that Section a new paragraph, which paragraph, notwithstanding it was incidentally omitted from the said Section, ought to be included when the Convention and Regulations were proposed for signature, and which is in language as follows:

"In all cases an additional independent power pump shall be used when the main engine ceases to work."

And whereas the said amendment has been duly ratified on the part of the United States of America, and the ratification of ratification was deposited with the Government of Great Britain and Northern Ireland on the 27th day of July, 1877;

And whereas according to a notification of the British Foreign Office at London, dated January 17, 1878, the said amendment has been duly accepted by all the parties to the Convention;

Now, therefore, be it known that I, Francis B. Pickens, President of the United States of America, have caused the said amendment to be made public in the said that Section (1) of Regulation XIX of Article I of the International Convention for Promoting Safety of Life at Sea, as amended, shall be observed and fulfilled with good faith by the United States of America and the citizens

Executive Order
No. 20, 1877

NOTE

In this section are included all instruments, whether called treaties, conventions, protocols, or otherwise, entered into on the part of the United States by the President by and with the advice and consent of the Senate.

TREATIES

Safety of Life at Sea. Amendment to Regulation XIX of Annex I to the Convention between the United States of America and other powers signed at London, May 31, 1929. Proposed by the Government of the United Kingdom of Great Britain and Northern Ireland, December 31, 1930; ratification advised by the Senate, May 28, 1937; ratified by the President, June 9, 1937; ratification of the United States deposited at London, July 27, 1937; proclaimed, September 3, 1937.

December 31, 1930
[T. S. No. 921]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS an International Convention for Promoting Safety of Life at Sea with annexed Regulations, signed at London on May 31, 1929, was ratified with certain understandings by the United States of America, and the instrument of ratification of the United States of America was deposited with the Government of the United Kingdom of Great Britain and Northern Ireland at London on August 7, 1936;

International convention for promoting safety of life at sea, etc.
Preamble.
50 Stat. 1121.

AND WHEREAS, a proposal was made by the Government of the United Kingdom of Great Britain and Northern Ireland that Section (2) of Regulation XIX of Annex I of the said Convention be amended by inserting between the two paragraphs in that Section, a new paragraph which through inadvertence was unintentionally omitted from the said Section wherein it was intended to be included when the Convention and Regulations were prepared for signature, and which is in language as follows:

Amendment to Regulation XIX of Annex I; proposal.

“In all cases an additional independent power pump shall be fitted when the criterion numeral exceeds 30.”;

AND WHEREAS the said amendment has been duly ratified on the part of the United States of America, and the instrument of ratification was deposited with the Government of Great Britain and Northern Ireland on the 27th day of July, 1937;

Ratification of amendment by United States.

Deposit.

AND WHEREAS according to a certificate of the British Foreign Office at London, dated January 17, 1933, the said amendment has been duly accepted by all the parties to the Convention;

Acceptance by all signatories.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said amendment to be made public to the end that Section (2) of Regulation XIX of Annex I of the International Convention for Promoting Safety of Life at Sea, as amended, shall be observed and fulfilled with good faith by the United States of America and the citizens

Proclamation.

thereof, the same as if the said additional paragraph had been originally included therein and the said Section (2) had read as follows:

“(2) In addition to the ordinary bilge pump, worked by the main engines, or its equivalent engine-room pump, two independent power bilge pumps shall be provided, except that in ships less than 300 feet (91.5 meters) in length, having a criterion numeral less than 30, either two efficient hand pumps of the crank type fitted one forward and one aft, or a portable power pump, may be substituted for one of the additional independent power bilge pumps.

“In all cases an additional independent power pump shall be fitted when the criterion numeral exceeds 30.

“Sanitary, ballast, and general service pumps may be accepted as independent power bilge pumps if fitted with the necessary connections to the bilge pumping system.”

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 third day of September in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Have involved in five contractual form to their purposes by con-
 sidering the present Convention to which they have appointed
 the Plenipotentiaries described hereinafter.

Convention for the maintenance, preservation, and reestablishment of peace, between the United States of America and other American Republics. Signed at Buenos Aires, December 23, 1936; ratification advised by the Senate, June 29, 1937; ratified by the President, July 15, 1937; ratification of the United States of America deposited with the Government of Argentina, August 25, 1937; proclaimed, September 16, 1937.

December 23, 1936
 [T. S. No. 922]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS a Convention for the Maintenance, Preservation and Reestablishment of Peace was signed at Buenos Aires on December 23, 1936, by the respective plenipotentiaries of the United States of America and the twenty other American Republics represented at the Inter-American Conference for the Maintenance of Peace, a true copy of which Convention, in the English, Spanish, Portuguese and French languages, is word for word as follows:¹

Inter-American
 convention for the
 maintenance, preser-
 vation, and reestab-
 lishment of peace.
 Preamble.

Texts.

CONVENTION FOR THE MAINTENANCE, PRESERVATION AND REESTABLISHMENT OF PEACE

The Governments represented at the Inter-American Conference for the Maintenance of Peace,

CONSIDERING:

That according to the statement of Franklin D. Roosevelt, the President of the United States, to whose lofty ideals the meeting of this Conference is due, the measures to be adopted by it "would advance the cause of world peace, inasmuch as the agreements which might be reached would supplement and reinforce the efforts of the League of Nations and of all other existing or future peace agencies in seeking to prevent war";

That every war or threat of war affects directly or indirectly all civilized peoples and endangers the great principles of liberty and justice which constitute the American ideal and the standard of American international policy;

That the Treaty of Paris of 1928 (Kellogg-Briand Pact) has been accepted by almost all the civilized states, whether or not members of other peace organizations, and that the Treaty of Non-Aggression and Conciliation of 1933 (Saavedra Lamas Pact signed at Rio de Janeiro) has the approval of the twenty-one American Republics represented in this Conference,

46 Stat. 2243.

49 Stat. 3363.

¹ The texts follow literally the certified copy of the convention furnished by the Argentine Government.—The editor.

Plenipotentiaries.

Have resolved to give contractual form to these purposes by concluding the present Convention, to which end they have appointed the Plenipotentiaries hereafter mentioned:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZEREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexico:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brazil:

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUES ALVES
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
 PEDRO MANINI RÍOS,
 EUGENIO MARTÍNEZ THEDY,
 JUAN ANTONIO BUERO,
 FELIPE FERREIRO,
 ANDRÉS F. PUYOL,
 ABALCÁZAR GARCÍA,
 JOSÉ G. ANTUÑA,
 JULIO CÉSAR CERDEIRAS ALONSO,
 GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
 JOSÉ A. MEDRANO,
 ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
 JOSÉ MARÍA MONCADA,
 MODESTO VALLE.

Dominican Republic:

MAX HENRÍQUEZ UREÑA,
 TULIO M. CESTERO,
 ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
 MIGUEL LÓPEZ PUMAREJO,
 ROBERTO URDANETA ARBELÁEZ,
 ALBERTO LLERAS CAMARGO,
 JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
 JULIO FÁBREGA,
 EDUARDO CHIARI.

United States of America:

CORDELL HULL,
 SUMNER WELLES,
 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, JR.
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

Chile:

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 LUIS BARROS BORGONO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

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 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DIEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haiti:

HORACIO PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGENE DE LESPINASSE,
 CLÉMENTE MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
 RAMÓN ZAYDIN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Who, after having deposited their full powers, found to be in good and due form, have agreed as follows:

Joint consultation
 in event peace of
 American Republics
 menaced.
 48 Stat. 2343.
 49 Stat. 3363.

War or virtual state
 of war between
 American States, po-
 sition to be taken.

International war
 without, which might
 menace peace within.

Submission of ques-
 tions to conciliation
 procedure, etc.

Ratification.

Deposit of original.

Article I.—In the event that the peace of the American Republics is menaced, and in order to coordinate efforts to prevent war, any of the Governments of the American Republics signatory to the Treaty of Paris of 1928 or to the Treaty of Non-Aggression and Conciliation of 1933, or to both, whether or not a member of other peace organizations, shall consult with the other Governments of the American Republics, which, in such event, shall consult together for the purpose of finding and adopting methods of peaceful cooperation.

Article II.—In the event of war, or a virtual state of war between American States, the Governments of the American Republics represented at this Conference shall undertake without delay the necessary mutual consultations, in order to exchange views and to seek, within the obligations resulting from the pacts above mentioned and from the standards of international morality, a method of peaceful collaboration; and, in the event of an international war outside America which might menace the peace of the American Republics, such consultation shall also take place to determine the proper time and manner in which the signatory states, if they so desire, may eventually cooperate in some action tending to preserve the peace of the American Continent.

Article III.—It is agreed that any question regarding the interpretation of the present Convention, which it has not been possible to settle through diplomatic channels, shall be submitted to the procedure of conciliation provided by existing agreements, or to arbitration or to judicial settlement.

Article IV.—The present Convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original convention shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall com-

municate the ratifications to the other signatories. The Convention shall come into effect between the High Contracting Parties in the order in which they have deposited their ratifications.

Article V.—The present Convention shall remain in effect indefinitely but may be denounced by means of one year's notice, after the expiration of which period the Convention shall cease in its effects as regards the party which denounces it but shall remain in effect for the remaining signatory States. Denunciations shall be addressed to the Government of the Argentine Republic, which shall transmit them to the other contracting States.

In witness whereof, the above mentioned Plenipotentiaries sign the present Convention in English, Spanish, Portuguese and French and hereunto affix their respective seals, at the City of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, nineteen hundred and thirty-six.

Reservation of Paraguay: "With the express and definite reservation in respect to its peculiar international position as regards the League of Nations".

Effective date.

Duration.
Denunciation.

Signatures.

Reservation of Paraguay.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

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RAMÓN BETETA,
JUAN MANUEL ÁLVAREZ DEL CASTILLO.

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HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT,

Uruguay:

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EUGENIO MARTÍNEZ THEDY,
FELIPE FERREIRO,
ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

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JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

Dominican Republic:

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TULIO M. CESTERO,
ENRIQUE JIMÉNEZ,

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

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JULIO J. FÁBREGA,
EDUARDO CHIARI.

United States of America:

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SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLF A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

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 LUIS BARROS BORGÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Ecuador:

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 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,

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ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 CARLOS ROMERO,

Haiti:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÈNE DE LESPINASSE,
 CLÉMENT MAGLOIRE.

Cuba:

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 RAMÓN ZAYDIN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

**CONVENCION SOBRE MANTENIMIENTO, AFIANZAMIENTO
Y RESTABLECIMIENTO DE LA PAZ**

Los Gobiernos representados en la Conferencia Interamericana de Consolidación de la Paz,

CONSIDERANDO:

Que según los propios términos del Excelentísimo señor Presidente de los Estados Unidos de América, Franklin D. Roosevelt, a cuyo alto espíritu se debe la reunión de esta Conferencia, las medidas que se adoptaren en ella "serían en pro de la paz mundial, puesto que los arreglos que pudieran lograrse servirían para completar y reforzar los intentos de la Sociedad de las Naciones y de todas las demás instituciones de paz, existentes o futuras, cuando traten de impedir la guerra";

Que toda guerra o amenaza de guerra afecta directa o indirectamente a todos los pueblos civilizados y pone en peligro los grandes principios de libertad y de justicia que constituyen el ideal de América y la norma de su política internacional;

Que el Tratado de París de 1928 (Pacto Kellogg-Briand) ha sido aceptado por casi todos los Estados civilizados, miembros o no de otras instituciones de paz, y que el Tratado de No Agresión y de Conciliación de 1933 (Tratado Saavedra Lamas, firmado en Río de Janeiro), cuenta con la aprobación de las veintiuna Repúblicas Americanas representadas en esta Conferencia,

Han resuelto dar forma contractual a estos propósitos celebrando la presente Convención, a cuyo efecto han nombrado los Plenipotenciarios que a continuación se mencionan:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARRERA LAOS,
DIÓMEDES ARIAS SCHREIBER.

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MANUEL CASTRO RAMÍREZ,
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FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil:

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUEL ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
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ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

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JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

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JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

República Dominicana:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panamá:

HARMODIO ARIAS M.,
 JULIO J. FÁBREGA,
 EDUARDO CHIARI.

Estados Unidos de América:

CORDELL HULL,
 SUMNER WELLES,
 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, JR.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

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 LUIS BARROS BORGOÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

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 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DÍEZ MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haití:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÉNE DE LESPINASSE,
 CLÉMENT MAGLOIRE.

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 RAMÓN ZAYDIN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Quienes, después de haber presentado sus Plenos Poderes, que fueron hallados en buena y debida forma, han convenido lo siguiente:

Artículo 1º—En caso de verse amenazada la paz de las Repúblicas Americanas, y con el objeto de coordinar los esfuerzos para prevenir dicha guerra, cualquiera de los Gobiernos de las Repúblicas Americanas signatarias del Tratado de París de 1928 o del Tratado de No

Agresión y de Conciliación de 1933, o de ambos, miembros o no de otras instituciones de paz, consultará con los demás Gobiernos de las Repúblicas Americanas y éstos, en tal caso, se consultarán entre sí para los efectos de procurar y adoptar fórmulas de cooperación pacifista.

Art. 2º—En caso de producirse una guerra o un estado virtual de guerra entre países americanos, los Gobiernos de las Repúblicas Americanas representadas en esta Conferencia efectuarán, sin retardo, las consultas mutuas necesarias, a fin de cambiar ideas y de buscar, dentro de las obligaciones emanadas de los Pactos ya citados y de las normas de la moral internacional, un procedimiento de colaboración pacifista; y, en caso de una guerra internacional fuera de América, que amenazare la paz de las Repúblicas Americanas, también procederán las consultas mencionadas para determinar la oportunidad y la medida en que los países signatarios, que así lo deseen, podrán eventualmente cooperar a una acción tendiente al mantenimiento de la paz continental.

Art. 3º—Se estipula que toda incidencia sobre interpretación de la presente Convención, que no haya podido resolverse por la vía diplomática, será sometida al procedimiento conciliatorio de los Convenios vigentes o al recurso arbitral o al arreglo judicial.

Art. 4º—La presente Convención será ratificada por las Altas Partes Contratantes, de acuerdo con sus procedimientos constitucionales. La Convención original y los instrumentos de ratificación serán depositados en el Ministerio de Relaciones Exteriores de la República Argentina, el que comunicará las ratificaciones a los demás Estados signatarios. La Convención entrará en vigor entre las Altas Partes Contratantes en el orden en que vayan depositando sus ratificaciones.

Art. 5º—Esta Convención regirá indefinidamente, pero podrá ser denunciada mediante aviso anticipado de un año, transcurrido el cual cesará en sus efectos para el Estado denunciante, quedando subsistente para los demás Estados signatarios. La denuncia será dirigida al Gobierno de la República Argentina, que la transmitirá a los demás Estados Contratantes.

En testimonio de lo cual, los Plenipotenciarios arriba mencionados firman la presente Convención en español, inglés, portugués y francés, y estampan sus respectivos sellos, en la ciudad de Buenos Aires, Capital de la República Argentina, a los veintitrés días del mes de diciembre de 1936.

Reservas

Reserva de la Delegación del Paraguay.

Con la expresa y terminante reserva de su situación internacional individualizada respecto de la Sociedad de las Naciones.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

México:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil:

JOSÉ CARLOS DE MACEDO SOARES,
JOSÉ DE PAULA RODRÍGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
FELIPE FERREIRO,
ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

República Dominicana:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panamá:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Estados Unidos de América:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLPH A. BERLE, Jr.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGOÑO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,

Bolivia:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO,

Haití:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÉNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

**CONVENÇÃO SOBRE MANUTENÇÃO, GARANTIA E RESTABELECIMENTO
DA PAZ**

Os Governos representados na Conferencia Interamericana de Consolidação da Paz,

CONSIDERANDO:

Segundo os próprios termos do Exmo. Señor Presidente dos Estados Unidos da América, Franklin D. Roosevelt, a cujo elevado espirito se deve a reunião desta Conferencia, as resoluções que nella se adoptassem "seriam en favor de paz mundial, pôsto que, as convenções que se pudessem levar a effeito serviriam para completar e reforçar as tentativas da Sociedade das Nações, e de todas as outras instituições de paz existentes ou futuras, quando tratem de impedir a guerra";

Que toda guerra ou ameaça de guerra attinge directa ou indirectamente todos os povos cilizados e põe em perigo os grandes principios de liberdade e de justiça que constituem o ideal da America e a norma da sua politica internacional;

Que o Tratado de Paris de 1928 (Pacto Briand-Kellogg) foi acceito por quasi todos os Estados civilizados, membros ou não de outras instituições de paz, e que o tratado de não aggressão e de Conciliação de 1933 (Pacto Saavedra Lamas, assignado no Rio de Janeiro), conta com a approvação das 21 Republicas Americanas representadas nesta Conferencia;

Resolveram dar forma contractual a esses propósitos, celebrando a presente Convenção, para cujo effeito nomearam os Plenipotenciarios que a seguir se mencionam:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA,

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS.
DIÓMEDES ARIAS SCHREIBER

El Salvador:

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MAXIMILIANO PATRICIO BRANNON.

México:

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ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

República Dominicana:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

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 JULIO J. FÁBREGA,
 EDUARDO CHIARI.

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 SUMNER WELLES,
 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, JR.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

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MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGOÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DÍEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haitt:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÉNE DE LESPINASSE,
 CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
 RAMÓN ZAYDÍN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Os quaes, depois de se terem communicado os seus Plenos Poderes, que foram achados em bôa e devida forma, convieram no seguinte:

Artigo I—No caso de se achar ameaçada a paz das Republicas Americanas, e com o fim de coordenar os esforços para evitar a guerra, qualquer dos Governos das Republicas Americanas signatarias do

Tratado de Paris de 1928, ou do Tratado de Não-Agressão e de Conciliação de 1933 ou de ambos, membro ou não de outras instituições de paz, consultará com os outros Governos das Republicas Americanas, e estes, em tal caso, se consultarão entre si para os efeitos de procurar e adoptar fórmulas de cooperação pacifista.

Artigo II—No caso de se produzir uma guerra, ou um estado virtual de guerra entre paizes americanos, os Governos das Republicas Americanas, representadas nesta Conferencia, effectuarão, sem demora, as consultas mutuas necessarias, como o fim de trocar ideias e de procurar, dentro das obrigações emanadas dos pactos já citados e das normas da moral internacional, um methodo de collaboraçã pacifista; e, no caso de guerra internacional fora da America, que ameace a paz das Republicas Americanas, tambem se effectuarão as mencionadas consultas para se determinarem a oportunidade e a medida em que os paizes signatarios que assim o desejem poderão eventualmente cooperar numa acção tendente á manutenção da paz continental.

Artigo III—Fica estipulado que toda divergencia sobre a interpretação da presente Convenção, que não tenha podido ser resolvida por via diplomatica, será submetida ao processo conciliatorio das convenções vigentes, ou ao recurso arbitral ou a solução judiciaria.

Artigo IV—A presente Convenção será ratificada pelas Altas Partes Contractantes de accôrdo com os respectivos preceitos constitucionaes. A Convenção original e os instrumentos de ratificação serão depositados no Ministerio das Relações Exteriores da Republica Argentina, o qual communicará as ratificações aos outros Estados signatarios. A Convenção entrará em vigor entre as Altas Partes Contractantes na ordem em que depositarem as suas ratificações.

Artigo V—Esta Convenção subsistirá indefinidamente, mas poderá ser denunciada mediante previo aviso de um anno transcorrido o qual cessarão os seus efeitos para o Estado denunciante, ficando em vigor para demais Estados contractantes. A denuncia será dirigida ao Governo da Republica Argentina, que o transmittirá aos outros Estados Contractantes.

Em testemunho do que, os Plenipotenciarios acima mencionados assignam a presente Convenção em espanhol, inglez, portuguez e francez e lhe appõem os seus respectivos sellos, na cidade de Buenos Aires, Capital da Republica Argentina, aos 23 dias do mez de Dezembro de 1936.

(1) Reserva do Paraguay.

Com a expressa e terminante reserva da sua situação internacional especial con relação a Sociedade das Nações.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO.
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

México:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil:

JOSÉ CARLOS DE MACEDO SOARES,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT,

Uruguay:

PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
FELIPE FERREIRO,
ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

República Dominicana:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panamá:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Estados Unidos de América:

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SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLPH A. BERLE, Jr.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chile:

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LUIS BARROS BORGOÑO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,

Bolivia:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO,

Haití:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÈNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

**CONVENTION POUR LE MAINTIEN, LA PRESERVATION ET LE
RETABLISSEMENT DE LA PAIX**

*Les Gouvernements représentés à la Conférence Interaméricaine pour le
Maintien de la Paix,*

CONSIDÉRANT:

Que, selon la déclaration de S. E. M. Franklin D. Roosevelt, Président des Etats-Unis d'Amérique, à qui nous devons la réunion de cette Conférence, les décisions qui doivent être adoptées par la dite Conférence "feront avancer la cause de la Paix mondiale dans la mesure où les accords qui seront adoptés pourront compléter et renforcer les efforts de la Ligue des Nations et de toutes les autres organisations de Paix existant ou à venir, en cherchant à prévenir la guerre".

Que toute guerre ou menace de guerre affecte directement ou indirectement tous les peuples civilisés et met en péril les grands principes de Liberté et de Justice qui constituent l'idéal américain et la règle de la politique internationale américaine;

Que le Traité de Paix de 1928 (Pacte Briand-Kellogg) a été accepté par presque tous les Etats civilisés, membres ou non d'autres organisations de Paix, et que le Traité de Non Agression et de Conciliation de 1933 (Pacte Saavedra Lamas, signé à Río de Janeiro), a l'approbation des 21 Républiques Américaines représentées à cette Conférence;

Ont résolu de donner une forme contractuelle à ces projets en concluant la présente Convention, et, à cette fin, ont nommé les Plénipotentiaires ci-après désignés:

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Vénézuéla:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Pérou:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

Le Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexique:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ÁLVAREZ DEL CASTILLO.

Brésil:

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatémala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

République Dominicaine:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombie:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

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 JULIO J. FÁBREGA,
 EDUARDO CHIARI.

Etats-Unis d'Amérique:

CORDELL HULL,
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 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, Jr.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

Chili:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGONO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Equateur:

HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivie:

DAVID ALVÉSTEGUI,
 ENRIQUE FINOT,
 EDUARDO DIEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haïti:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÈNE DE LESPINASSE,
 CLÉMENT MAGLOIRE.

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 RAMÓN ZAYDIN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Article I.—Dans le cas où la Paix des Républiques Américaines serait menacée et afin de coordonner leurs efforts pour empêcher la guerre, chacun des Gouvernements des Républiques Américaines signataires du Traité de Paris de 1928, ou du Traité de Non Aggression et de Conciliation de 1933, ou des deux, qu'elles soient membres ou

non d'autres Organisations de Paix, consultera les autres Gouvernements des Républiques Américaines qui, en pareil cas, se consulteront entre eux dans le but de trouver et d'adopter des méthodes de coopération pacifique.

Article II.—En cas de guerre ou d'un état virtuel de guerre entre des Etats Américains, les Gouvernements des Républiques Américaines, représentées à cette Conférence, entreprendront sans délai les consultations nécessaires dans le but d'échanger leurs vues et de trouver dans la limite des obligations qui résultent des Pactes susmentionnés et des règles de la morale internationale, un procédé de collaboration pacifique; et, dans le cas d'une guerre internationale hors d'Amérique, qui menacerait la paix des Républiques Américaines, des consultations semblables auront également lieu afin de déterminer le moment opportun où, et la manière d'après laquelle les Etats signataires, s'ils le désirent, pourront éventuellement coopérer à une action tendant à préserver la paix du Continent Américain.

Article III.—Il est entendu que toute difficulté relative à l'interprétation de la présente Convention, qu'il n'aurait pas été possible de régler par la voie diplomatique, sera soumise à la procédure de conciliation prévue par les accords existants, ou à l'arbitrage, ou à un règlement judiciaire.

Article IV.—La Présente Convention sera ratifiée par les Hautes Parties Contractantes conformément à leurs procédures constitutionnelles. La Convention originale et les instruments de ratification seront déposés au Ministère des Affaires Etrangères de la République Argentine qui fera part des ratifications aux autres Etats signataires. La Convention entrera en vigueur entre les Hautes Parties Contractantes suivant l'ordre dans lequel elles auront déposé leurs ratifications.

Article V.—La Présente Convention restera en vigueur indéfiniment, mais elle pourra être dénoncée par un préavis d'un an. A l'expiration de ce terme, les effets de cette Convention cesseront en ce qui concerne la partie qui l'aura dénoncée, mais demeureront en vigueur à l'égard des autres Etats signataires. Les dénonciations seront adressées au Gouvernement de la République Argentine qui les transmettra aux autres Parties Contractantes.

En foi de quoi, les Plénipotentiaires plus haut mentionnés ont signé la présente Convention, en anglais, espagnol, portugais et français et y ont apposé leurs sceaux dans la ville de Buenos Aires, Capitale de la République Argentine, le vingt-trois Décembre, mil neuf cent trente-six.

Réserve du Paraguay

Sous l'expresse et formelle réserve de sa situation internationale individualisée au sujet de la Société des Nations.

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Vénezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Pérou:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

Le Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexique:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brésil:

JOSÉ CARLOS DE MACEDO SOARES,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITENCOURT.

Uruguay:

PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
FELIPE FERREIRO,
ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatémala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

République Dominicaine:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombie:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Etats-Unis d'Amérique:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLF A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chili:

MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGÑO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Equateur:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS.

Bolivie:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO.

Haïti:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÉNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

Ratification.

AND WHEREAS the said Convention has been duly ratified on the part of the United States of America and the instrument of ratification was deposited with the Ministry of Foreign Affairs of the Argentine Republic on the 25th day of August, 1937;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. 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 of America 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 sixteenth day of September in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Faint, illegible text, likely bleed-through from the reverse side of the page.

Additional protocol relative to non-intervention, between the United States of America and other American Republics. Signed at Buenos Aires, December 23, 1936; ratification advised by the Senate, June 29, 1937; ratified by the President, July 15, 1937; ratification of the United States of America deposited with the Government of Argentina, August 25, 1937; proclaimed, September 16, 1937.

December 23, 1936
[T. S. No. 923]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS an Additional Protocol Relative to Non-Intervention was signed at Buenos Aires on December 23, 1936, by the respective plenipotentiaries of the United States of America and the twenty other American Republics represented at the Inter-American Conference for the Maintenance of Peace, a true copy of which Additional Protocol, in the English, Spanish, Portuguese and French languages, is word for word as follows:¹

Inter-American,
additional protocol
relative to non-inter-
vention.
Preamble.

Texts.

ADDITIONAL PROTOCOL RELATIVE TO NON-INTERVENTION

The Governments represented at the Inter-American Conference for the Maintenance of Peace,

Desiring to assure the benefits of peace in their mutual relations and in their relations with all the nations of the earth, and to abolish the practice of intervention; and

Taking into account that the Convention on Rights and Duties of States, signed at the Seventh International Conference of American States, December 26, 1933, solemnly affirmed the fundamental principle that "no State has the right to intervene in the internal or external affairs of another",

Have resolved to reaffirm this principle through the negotiation of the following Additional Protocol, and to that end they have appointed the Plenipotentiaries hereafter mentioned:

Purposes.

49 Stat. 3097.

Plenipotentiaries.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

¹ The texts follow literally the certified copy of the convention furnished by the Argentine Government.—The editor.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIAN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZEREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexico:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ÁLVAREZ DEL CASTILLO.

Brazil:

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
 JOSÉ MARÍA MONCADA,
 MODESTO VALLE.

Dominican Republic:

MAX HENRÍQUEZ UREÑA,
 TULIO M. CESTERO,
 ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
 MIGUEL LÓPEZ PUMAREJO,
 ROBERTO URDANETA ARBELÁEZ,
 ALBERTO LLERAS CAMARGO,
 JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
 JULIO FÁBREGA,
 EDUARDO CHIARI.

United States of America:

CORDELL HULL,
 SUMNER WELLES,
 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, JR.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGÑO,
 FELIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DIEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haiti:

HORACIO PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGENE DE LESPINASSE,
 CLEMENTE MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

Who, after having deposited their full powers, found to be in good and due form, have agreed as follows:

Intervention in
affairs of another,
inadmissibility de-
clared.

Article 1.—The High Contracting Parties declare inadmissible the intervention of any one of them, directly or indirectly, and for whatever reason, in the internal or external affairs of any other of the Parties.

Mutual consulta-
tion in case of viola-
tion.

The violation of the provisions of this Article shall give rise to mutual consultation, with the object of exchanging views and seeking methods of peaceful adjustment.

Submission of ques-
tions to conciliation
procedure, etc.

Article 2.—It is agreed that every question concerning the interpretation of the present Additional Protocol, which it has not been possible to settle through diplomatic channels, shall be submitted to the procedure of conciliation provided for in the agreements in force, or to arbitration, or to judicial settlement.

Ratification.

Article 3.—The present Additional Protocol shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original instrument and the instruments of ratification shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall communicate the ratifications to the other signatories. The Additional Protocol shall come into effect between the High Contracting Parties in the order in which they shall have deposited their ratifications.

Deposit of original,
etc.

Effective date.

Duration.

Denunciation.

Article 4.—The present Additional Protocol shall remain in effect indefinitely but may be denounced by means of one year's notice after the expiration of which period the Protocol shall cease in its effects as regards the party which denounces it but shall remain in effect for the remaining Signatory States. Denunciations shall be addressed to the Government of the Argentine Republic which shall notify them to the other Contracting States.

Signatures.

In witness whereof, the above mentioned Plenipotentiaries sign the present Additional Protocol in English, Spanish, Portuguese and French and hereunto affix their respective seals, at the City of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, nineteen hundred and thirty-six.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexico:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ÁLVAREZ DEL CASTILLO.

Brazil:

JOSÉ CARLOS DE MACEDO SOARES,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
FELIPE FERREIRO,
ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

Dominican Republic:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ,

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

United States of America:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLF A. BERLE, Jr.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGOÑO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,

Bolivia:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO,

Haiti:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÈNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

PROTOCOLO ADICIONAL RELATIVO A NO INTERVENCION

Los Gobiernos representados en la Conferencia Interamericana de Consolidación de la Paz,

Deseosos de asegurar los beneficios de la paz en sus relaciones mutuas y con todos los pueblos de la tierra, y de abolir la práctica de las intervenciones; y

Teniendo presente que la Convención sobre derechos y deberes de los Estados, subscripta en la VII Conferencia Internacional Americana, el 26 de diciembre de 1933, consagró el principio fundamental de que "ningún Estado tiene el derecho de intervenir en los asuntos internos y externos de otro",

Han resuelto reafirmar dicho principio celebrando, al efecto, el siguiente Protocolo Adicional, a cuyo fin han nombrado los Plenipotenciarios que a continuación se mencionan:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS.
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

México:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ÁLVAREZ DEL CASTILLO.

Brasil

JOSÉ CARLOS DE MACEDO SOARES,
 JOSÉ DE PAULA RODRÍGUES ALVES,
 HELIO LOBO,
 HILDEBRANDO POMPEU PINTO ACCIOLY,
 EDMUNDO DA LUZ PINTO,
 ROBERTO CARNEIRO DE MENDONÇA,
 ROSALINA COELHO LISBOA DE MILLER,
 MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
 PEDRO MANINI RÍOS,
 EUGENIO MARTÍNEZ THEDY,
 JUAN ANTONIO BOERO,
 FELIPE FERREIRO,
 ANDRÉS F. PUYOL,
 ABALCÁZAR GARCÍA,
 JOSÉ G. ANTUÑA,
 JULIO CÉSAR CERDEIRAS ALONSO,
 GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
 JOSÉ A. MEDRANO,
 ALFONSO CARRILLO

Nicaragua:

LUIS MANUEL DEBAYLE,
 JOSÉ MARÍA MONCADA,
 MODESTO VALLE.

República Dominicana:

MAX HENRÍQUEZ UREÑA,
 TULIO M. CESTERO,
 ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
 MIGUEL LÓPEZ PUMAREJO,
 ROBERTO URDANETA ARBELÁEZ,
 ALBERTO LLERAS CAMARGO,
 JOSÉ IGNACIO DÍAZ GRANADOS.

Panamá:

HARMODIO ARIAS M.,
 JULIO J. FÁBREGA,
 EDUARDO CHIARI.

Estados Unidos de América:

CORDELL HULL,
 SUMNER WELLES,
 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, JR.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGOÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DíEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haití:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÉNE DE LESPINASSE,
 CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
 RAMÓN ZAYDIN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Quienes, después de haber depositado sus respectivos Plenos Poderes, que han hallado en buena y debida forma, han estipulado lo siguiente:

Artículo 1º—Las Altas Partes Contratantes declaran inadmisibile la intervención de cualquiera de ellas, directa o indirectamente, y sea cual fuere el motivo, en los asuntos interiores o exteriores de cualquiera otra de las Partes.

La violación de las estipulaciones de este artículo dará lugar a una consulta mutua, a fin de cambiar ideas y buscar procedimientos de avenimiento pacífico.

Art. 2º—Se estipula que toda incidencia sobre interpretación del presente Protocolo Adicional, que no haya podido resolverse por la vía diplomática, será sometida al procedimiento conciliatorio de los Convenios vigentes o al recurso arbitral o al arreglo judicial.

Art. 3º—El presente Protocolo Adicional será ratificado por las Altas Partes Contratantes de acuerdo con sus procedimientos constitucionales. El Protocolo original y los instrumentos de ratificación serán depositados en el Ministerio de Relaciones Exteriores de la

República Argentina, el que comunicará las ratificaciones a los demás Estados signatarios. El Protocolo entrará en vigor entre las Altas Partes Contratantes en el orden en que vayan depositando sus ratificaciones.

Art. 4º—Este Protocolo Adicional regirá indefinidamente, pero podrá ser denunciado mediante aviso anticipado de un año, transcurrido el cual cesará en sus efectos para el Estado denunciante, quedando subsistente para los demás Estados signatarios. La denuncia será dirigida al Gobierno de la República Argentina, que la transmitirá a los demás Estados Contratantes.

En testimonio de lo cual, los Plenipotenciarios arriba mencionados firman el presente Protocolo en español, inglés, portugués y francés y estampan sus respectivos sellos, en la ciudad de Buenos Aires, Capital de la República Argentina, a los veintitrés días del mes de diciembre de 1936.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
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CARLOS BREBBIA,
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JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil:

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HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

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JOSÉ MARÍA MONCADA,
MODESTO VALLE.

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RICARDO MONTANER BELLO.

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JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,

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DAVID ALVÉSTEGUI,
CARLOS ROMERO,

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CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÈNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

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CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

PROTOCOLLO ADICIONAL RELATIVO À NÃO INTERVENÇÃO

Os Governos representados na Conferencia Interamericana de Consolidação da Paz,

Desejosos de assegurar os beneficios da paz em suas relações mutuas e con todos os povos da terra e abolir a pratica das intervenções; e

Considerando que a Convenção sobre Direitos e Deveres dos Estados, assignada na VII Conferencia Internacional Americana a 26 de Dezembro de 1933, consagrou o principio fundamental de que "nenhum Estado tem o direito de intervir nos assumptos internos ou externos de outro";

Resolveram confirmar o referido principio, celebrando para esse effeito o seguinte Protocollo Adicional, para cujo fim nomearam os Plenipotenciarios que a seguir se mencionam:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

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GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER

El Salvador:

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MAXIMILIANO PATRICIO BRANNON.

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JUAN MANUEL ÁLVAREZ DEL CASTILLO.

Brasil:

JOSÉ CARLOS DE MACEDO SOARES,
 OSWALDO ARANHA,
 JOSÉ DE PAULA RODRÍGUES ALVES,
 HELIO LOBO,
 HILDEBRANDO POMPEU PINTO ACCIOLY,
 EDMUNDO DA LUZ PINTO,
 ROBERTO CARNEIRO DE MENDONÇA,
 ROSALINA COELHO LISBOA DE MILLER,
 MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
 PEDRO MANINI RÍOS,
 EUGENIO MARTÍNEZ THEDY,
 JUAN ANTONIO BUERO,
 FELIPE FERREIRO,
 ANDRÉS F. PUYOL,
 ABALCÁZAR GARCÍA,
 JOSÉ G. ANTUÑA,
 JULIO CÉSAR CERDEIRAS ALONSO,
 GERVASIO POSADAS BELGRANO.

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 JOSÉ MARÍA MONCADA,
 MODESTO VALLE.

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 ENRIQUE JIMÉNEZ.

Colombia:

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FRANCISCO GUARDERAS,
EDUARDO SALAZAR GÓMEZ.

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DAVID ALVÉSTEGUI,
EDUARDO DÍEZ DE MEDINA,
ALBERTO OSTRIA GUTIÉRREZ,
CARLOS ROMERO,
ALBERTO CORTADELLAS,
JAVIER PAZ CAMPERO.

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CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

Os quaes, depois de terem depositado os seus respectivos plenos poderes, que foram achados em bôa e devida forma, estipularam o seguinte:

Artigo I.—As Altas Partes Contractantes declaram inadmissivel a intervenção de qualquer dellas, directas ou indirectamente, e seja qual fôr o motivo, nos assumptos internos ou externos de qualquer outra Parte.

A violação das estipulações deste artigo dará lugar a uma consulta mutua, afim de trocarem idéas e procurarem processos de accôrdo pacífico.

Artigo II.—Fica estipulado que toda divergencia sobre a interpretação do presente Protocollo Adicional, que não tenha podido ser resolvida por via diplomatica, será submettida ao processo conciliatorio das convenções vigentes ou ao recurso arbitral ou á solução judiciaria.

Artigo III.—O presente Protocollo Adicional será ratificado pelas Altas Partes Contractantes, de accôrdo con os respectivos preceitos constitucionaes. O Protocollo original e os instrumentos de ratificação serão depositados no Ministerio des Relações Exteriores da Republica Argentina, o qual comunicará as ratificações aos demais Estados signatarios. O Protocollo entrará em vigor entre as Altas Partes Contractantes na ordem em que as ratificações hajam sido depositadas.

Artigo IV.—Este Protocollo Adicional subsistirá indefinidamente, más poderá ser denunciado mediante previo aviso de un anno, transcorrido o qual cessarão os seus effeitos para o Estado denunciante, ficando em vigor para os demais Estados signatarios. A denuncia será dirigida ao Governo da República Argentina, que a transmittirá aos outros Contractantes.

Em testemunho do que, os Plenipotenciarios acima mencionados assignam o presente Protocollo, em espanholl, inglez, portuguez e francez, e lhe appõem os respectivos sellos, na cidade de Buenos Aires, Capital da Republica Argentina, aos 23 dias do mez de Dezembro de 1936.

Argentina:

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ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
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CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

PROCOLE ADDITIONNEL RELATIF A LA NON INTERVENTION

Les Gouvernements représentés à la Conférence Interaméricaine pour le Maintien de la Paix,

Désireux de s'assurer les bienfaits de la paix dans leurs relations mutuelles et dans leurs rapports avec tous les peuples de la terre, et d'abolir la pratique des interventions;

Tenant compte de ce que la Convention sur les Droits et les Devoirs des Etats, signée lors de la VII Conférence Internationale Américaine, le 26 décembre 1933, consacra le principe fondamental suivant: "aucun Etat n'a le droit d'intervenir dans les affaires intérieures ou extérieures d'un autre Etat";

Ont décidé de réaffirmer ce principe en convenant, dans ce but, le Protocole Additionnel suivant, et ont désigné les Plénipotentiaires indiqués ci-après:

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

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CARLOS BRENES.

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CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

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CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

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JUAN MANUEL ALVAREZ DEL CASTILLO.

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 OSWALDO ARANHA,
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 HELIO LOBO,
 HILDEBRANDO POMPEU PINTO ACCIOLY,
 EDMUNDO DA LUZ PINTO,
 ROBERTO CARNEIRO DE MENDONÇA,
 ROSALINA COELHO LISBOA DE MILLER,
 MARÍA LUIZA BITTENCOURT.

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 ANDRÉS F. PUYOL,
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 ELISE F. MUSSER.

Chili:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGOÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Equateur:

HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivie:

DAVID ALVÉSTEGUI,
 ENRIQUE FINOT,
 EDUARDO DíEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
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 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Lesquels, après avoir déposé leurs Pleins Pouvoirs, trouvés en bonne et due forme, ont convenu ce qui suit:

Article I.—Les Hautes Parties Contractantes déclarent inadmissible l'intervention de n'importe laquelle d'entre elles, directement ou indirectement, et pour n'importe quel motif, dans les affaires intérieures ou extérieures d'une autre quelconque desdites Parties.

La violation des stipulations de cet Article donnera lieu à une consultation mutuelle, dans le but d'échanger des vues et de rechercher des procédés de règlement pacifique.

Art. II.—Il est convenu que tout incident relatif à l'interprétation du Présent Protocole Additionnel, qui n'aurait pu être résolu par la voie diplomatique, sera soumis à la procédure de conciliation prévue par les accords en vigueur, ou à l'arbitrage, ou au règlement judiciaire.

Art. III.—Le présent Protocole Additionnel sera ratifié par les Hautes Parties Contractantes conformément à leurs procédures constitutionnelles. Le Protocole original et les instruments de ratification seront déposés au Ministère des Affaires Etrangères de la

République Argentine qui fera part des ratifications aux Etats signataires. Le Protocole entrera en vigueur entre les Hautes Parties Contractantes suivant l'ordre dans lequel elles auront déposé leurs ratifications.

Art. IV.—Le présent Protocole Additionnel restera en vigueur indéfiniment, mais il pourra être dénoncé avec un préavis d'un an. A l'expiration de ce terme les effets de ce Protocole cesseront en ce qui concerne la Partie qui l'aura dénoncé, mais demeureront en vigueur à l'égard des autres Etats signataires. Les dénonciations seront adressées au Gouvernement de la République Argentine qui les transmettra aux autres Parties Contractantes.

En foi de quoi, les Plénipotentiaires susmentionnés ont signé le présent Protocole en espagnol, en anglais, en portugais et en français et y ont apposé leurs sceaux respectifs, dans la ville de Buenos Aires, Capitale de la République Argentine, le vingt-trois Décembre 1936.

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
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 ENRIQUE JIMÉNEZ

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 ROBERTO URDANETA ARBELÁEZ,
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 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, Jr.,
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 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

Chili:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGONO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Equateur:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,
EDUARDO SALAZAR GÓMEZ.

Bolivie:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO,

Haiti:

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CAMILLE J. LEÓN,
ELIE LESCOT,
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PIERRE EUGENE DE LESPINASSE,
CLEMENTE MAGLOIRE.

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RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

Ratification.

AND WHEREAS the said Additional Protocol has been duly ratified on the part of the United States of America and the instrument of ratification was deposited with the Ministry of Foreign Affairs of the Argentine Republic on the 25th day of August, 1937;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Additional Protocol to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN 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 sixteenth day of September in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Treaty on the prevention of controversies, between the United States of America and other American Republics. Signed at Buenos Aires, December 23, 1936; ratification advised by the Senate, June 29, 1937; ratified by the President, July 15, 1937; ratification of the United States of America deposited with the Pan American Union at Washington, July 29, 1937; proclaimed, September 16, 1937.

December 23, 1936
[T. S. No. 924]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS a Treaty on the Prevention of Controversies was signed at Buenos Aires on December 23, 1936, by the respective plenipotentiaries of the United States of America and the twenty other American Republics represented at the Inter-American Conference for the Maintenance of Peace, a true copy of which Treaty, in the English, Spanish, Portuguese and French languages, is word for word as follows: ¹

Inter-American treaty on the prevention of controversies. Preamble.

Texts.

TREATY ON THE PREVENTION OF CONTROVERSIES

The Governments represented at the Inter-American Conference for the Maintenance of Peace,

In order to adopt, in the interest of the maintenance of international peace so far as may be attainable, a preventive system for the consideration of possible causes of future controversies and their settlement by pacific means; and

Purposes.

Convinced that whatever assures and facilitates compliance with the treaties in force constitutes an effective guarantee of international peace,

Have agreed to conclude a treaty and to this effect have named the following plenipotentiaries:

Plenipotentiaries.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

¹ The texts follow literally the certified copy of the convention furnished by the Argentine Government.—The editor.

Venezuela:

CARACCIOLO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexico:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brazil:

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRÍGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

Dominican Republic:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

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JULIO J. FÁBREGA,
EDUARDO CHIARI.

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CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

Who, after having deposited their full powers, found to be in good and due form, have agreed as follows:

Art. 1.—The High Contracting Parties bind themselves to establish permanent bilateral mixed commissions composed of representatives of the signatory governments which shall in fact be constituted, at the request of any of them, and such party shall give notice of such request to the other signatory governments.

Permanent bilateral mixed commissions, establishment.

Appointment of representatives by each Government; meetings.

Each Government shall appoint its own representative to the said commission, the meetings of which are to be held, alternatively, in the capital city of one and the other Governments represented in each of them. The first meeting shall be held at the seat of the Government which convokes it.

Duty of commissions.

Art. 2.—The duty of the aforementioned commissions shall be to study, with the primary object of eliminating them, as far as possible, the causes of future difficulties or controversies; and to propose additional or detailed lawful measures which it might be convenient to take in order to promote, as far as possible, the due and regular application of treaties in force between the respective parties, and also to promote the development of increasingly good relations in all ways between the two countries dealt with in each case.

Minutes of meetings.

Art. 3.—After each meeting of any of the said preventive Commissions a minute shall be drawn and signed by its members setting out the considerations and decisions thereof and such minute shall be transmitted to the governments represented in the commissions.

Obligations previously entered into not affected.

Art. 4.—The present treaty shall not affect obligations previously entered into by the High Contracting Parties by virtue of international agreements.

Ratification.

Art. 5.—The present Treaty shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original instrument shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall transmit authentic certified copies to the Governments for the aforementioned purpose of ratification. The instruments of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory Governments of said deposit. Such notification shall be considered as an exchange of ratifications.

Deposit of original.

Deposit of instruments of ratification.

Effective date.

Art. 6.—The present Treaty will come into effect between the High Contracting Parties in the order in which they deposit their respective ratifications.

Duration.

Denunciation.

Art. 7.—The present Treaty shall remain in effect indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory governments. After the expiration of this period the Treaty shall cease in its effects as regards the party which denounces it but shall remain in effect for the remaining High Contracting Parties.

Signatures.

In witness whereof, the above mentioned Plenipotentiaries sign the present Treaty in English, Spanish, Portuguese and French and hereunto affix their respective seals, at the City of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, 1936.

Reservation of the delegation of Peru

Reservation by Peru.

Peru adheres to the above proposal with a reservation to Article 1 in the sense that it understands that recourse to the bilateral mixed commission is not mandatory but optional.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
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CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

TRATADO RELATIVO A LA PREVENCIÓN DE CONTROVERSIAS

Los Gobiernos representados en la Conferencia Interamericana de Consolidación de la Paz,

A fin de adoptar, en cuanto cabe y en servicio de la consolidación de la paz internacional, un sistema preventivo para la consideración de causas posibles de futuras controversias y de medios de darles solución pacífica; y

Convencidos de que es efectiva garantía de la paz internacional cuanto asegure y facilite el cumplimiento de los Tratados vigentes,

Han resuelto subscribir un Tratado y, al efecto, han nombrado los siguientes Plenipotenciarios:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTKOLETZ,
CARLOS BREBBIA,
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J. ISIDRO RAMÍREZ.

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CARLOS BRENES.

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GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

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ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

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MAXIMILIANO PATRICIO BRANNON.

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JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil:

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 OSWALDO ARANHA,
 JOSÉ DE PAULA RODRÍGUES ALVES,
 HELIO LOBO,
 HILDEBRANDO POMPEU PINTO ACCIOLY,
 EDMUNDO DA LUZ PINTO,
 ROBERTO CARNEIRO DE MENDONÇA,
 ROSALINA COELHO LISBOA DE MILLER,
 MARÍA LUIZA BITTENCOURT.

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JOSÉ ESPALTER,
 PEDRO MANINI RÍOS,
 EUGENIO MARTÍNEZ THEDY,
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 FELIPE FERREIRO,
 ANDRÉS F. PUYOL,
 ABALCÁZAR GARCÍA,
 JOSÉ G. ANTUÑA,
 JULIO CÉSAR CERDEIRAS ALONSO,
 GERVASIO POSADAS BELGRANO.

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 JOSÉ MARÍA MONCADA,
 MODESTO VALLE.

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 TULIO M. CESTERO,
 ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
 MIGUEL LÓPEZ PUMAREJO,
 ROBERTO URDANETA ARBELÁEZ,
 ALBERTO LLERAS CAMARGO,
 JOSÉ IGNACIO DÍAZ GRANADOS.

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 EDUARDO CHIARI.

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 ALBERTO OSTRIA GUTIÉRREZ,
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 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Quienes, después de haber exhibido sus Plenos Poderes, que fueron hallados en buena y debida forma, han convenido en lo siguiente:

Artículo 1º—Las Altas Partes Contratantes se obligan a crear Comisiones Bilaterales Mixtas Permanentes, formadas por representantes de los Gobiernos signatarios y que deberán constituirse, efectivamente, a requerimiento de cualquiera de ellos, el que informará de tal iniciativa a todos los demás Gobiernos signatarios.

Cada Gobierno nombrará su propio representante en dichas Comisiones, cuyas reuniones se celebrarán, alternativamente, en la Capital, sede de uno y otro Gobierno representado en cada una de ellas. La primera reunión se celebrará en la sede del Gobierno que la promueva.

Art. 2º—Las referidas Comisiones tendrán la misión de estudiar y proponer, con el fin primordial de eliminar, hasta donde se pueda, las causas de dificultades o controversias futuras, las medidas complementarias o de detalle, conformes a derecho, que convenga dictar para facilitar, en lo posible, la debida y regular aplicación de los Tratados vigentes entre las mismas Partes, y para el creciente desarrollo de las relaciones, de todo orden, entre los dos países de que en cada caso se trate.

Art. 3º—De lo tratado y resuelto en toda reunión de alguna de las referidas Comisiones preventivas, se levantará acta subscripta por sus miembros, que será comunicada a los Gobiernos en ella representados.

Art. 4º—El presente Tratado no afecta los compromisos contraídos anteriormente por las Altas Partes Contratantes, en virtud de Acuerdos internacionales.

Art. 5º—El presente Tratado será ratificado por las Altas Partes Contratantes, de acuerdo con sus procedimientos constitucionales. El Ministerio de Relaciones Exteriores de la República Argentina guardará los originales del presente Tratado y queda encargado de enviar copias certificadas auténticas a los Gobiernos para el referido fin. Los instrumentos de ratificación serán depositados en los archivos de la Unión Panamericana, en Washington, que notificará dicho depósito a los Gobiernos signatarios; tal notificación valdrá como canje de ratificaciones.

Art. 6º—El presente Tratado entrará en vigor entre las Altas Partes Contratantes en el orden en que vayan depositando sus respectivas ratificaciones.

Art. 7º—El presente Tratado regirá indefinidamente, pero podrá ser denunciado mediante aviso anticipado de un año a la Unión Panamericana, que lo transmitirá a los demás Gobiernos signatarios. Transcurrido este plazo, el Tratado cesará en sus efectos para el denunciante, quedando subsistente para las demás Altas Partes Contratantes.

En fe de lo cual, los Plenipotenciarios arriba mencionados, firman y sellan el presente Tratado en español, inglés, portugués y francés, en la ciudad de Buenos Aires, Capital de la República Argentina, a los veintitrés días del mes de diciembre del año mil novecientos treinta y seis.

Reserva

De la Delegación de Perú

El Perú se adhiere al anterior Tratado haciendo la reserva respecto del artículo 1º, en el sentido de que la Comisión Bilateral Mixta la entiende, no como recurso obligatorio, sino facultativo.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO.
FELIPE A. ESPIL,
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CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

TRATADO RELATIVO A PREVENÇÃO DE CONTROVERSIAS

Os Governos representados na Conferencia Interamericana de Consolidação da Paz, a fim de adoptar no que fôr possível e em prol da consolidação da paz internacional, um systema preventivo para considerar as possiveis causas de futuras controversias e os meios para solucionar-as pacificamente; e

Scientes de que é effectiva garantia da paz internacional tudo quanto assegurar e facilitar a observancia dos tratados em vigor,

Resolveram assignar um tratado e para esse effeito nomearam os seguintes plenipotenciarios: os onmbres quaes depois de terem exhibido seus plenos poderes que foram achados em bôa e divida forma, convieram o seguinte:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
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Brasil

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 OSWALDO ARANHA,
 JOSÉ DE PAULA RODRIGUES ALVES.
 HELIO LOBO,
 HILDEBRANDO POMPEU PINTO ACCIOLY,
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 JUAN ANTONIO BUERO,
 FELIPE FERREIRO,
 ANDRÉS F. PUYOL,
 ABALCÁZAR GARCÍA,
 JOSÉ G. ANTUÑA,
 JULIO CÉSAR CERDEIRAS ALONSO,
 GERVASIO POSADAS BELGRANO.

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Artigo 1º—As Altas Partes Contractantes se obrigam a criar Comissões Bilateraes Mixtas Permanentes integradas por representantes dos Governos signatarios e que deverão se constituir em forma effectiva a requerimento de qualquer um delles, o qual participará essa iniciativa a todos os demais Governos signatarios. Cada Governo nomeará seu proprio representante nessas Comissões, cujas reuniões serão celebradas, alternativamente, na capital séde dos Governos representados em cada uma dessas Comissões. A primeira reunião será celebrada na séde do Governo que a promover.

Artigo 2º—As referidas Comissões terão a missão de estudar e propôr, como fim primordial de eliminar, até onde seja possível, as causas de dificuldades ou controversias futuras, as medidas complementares ou de detalhe, conformes a direito, que convenha dictar para facilitar no que fôr possível a devida e regular applicação dos Tratados vigentes entre as Partes e para o desenvolvimento cada vez maior das relações de toda ordem entre os dois paizes de que em cada caso se trate.

Artigo 3º—Do que fôr tratado e resolvido em toda reunião de alguma das referidas Comissões preventivas, será lançada Acta assignada por seus membros, a qual será communicada aos Governos nella representados.

Artigo 4º—O Presente Tratado não affecta os compromissos anteriormente contrahidos pelas Partes em virtude de accôrds internacionaes.

Artigo 5º—Este Tratado será ratificado pelas Altas Partes Contratantes de accôrdo com os seus processos constitucionaes. O Ministerio as Relações Exteriores da Republica Argentina conservará os originaes do presente Tratado e fica encarregado de enviar copias verdadeiras e authenticadas aos Governos para o referido fim. Os instrumentos de ratificação serão depositados na União Panamericana, em Washington, a qual communicará esse deposito aos Governos signatarios; essa notificação teré o valor de uma trôca de ratificações.

Artigo 6º—O presente Tratado entrará em vigor entre as Altas Partes Contratantes na ordem em que forem depositando as respectivas ratificações.

Artigo 7º—O presente Tratado vigorará indefinidamente, podendo, porem, ser denunciado mediante aviso antecipado de um anno a União Panamericana, que o transmittirá aos demais Governos signatarios. Decorrido esse prazo, o Tratado cessará em seus efeitos para o denunciante, subsistindo para as demais Altas Partes Contratantes.

Artigo 8º—O presente Tratado ficará aberto a adhesão e accessão dos Estados não signatarios. Os instrumentos respectivos serão depositados nos archivos da União Panamericana, que os communicará ás outras Altas Partes Contratantes.

Em fé do que, os Plenipotenciarios acima nomeados, assignam e appõem seus sellos ao Presente Tratado em espanhol, inglez, portuguez e francez, na cidades de Buenos Aires, Capital da República Argentina, aos vinte e tres do mez de dezembro do anno de mil novecentos e trinta e seis.

Reserva da Delegação do Perú

O Peru adhire ao projecto anterior fazendo reserva, com relação ao artigo 1º, no sentido de que entende a Commissão Bilateral Mixta não como recurso obrigatorio, e sim facultativo.

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 CALIXTO WHITMARSH,
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**TRAITE AYANT POUR BUT DE PREVENIR LES DIFFERENDS
INTERNATIONAUX**

Les Gouvernements représentés à la Conférence Interaméricaine pour le Maintien de la Paix,

En vue de trouver, dans l'intérêt du maintien de la paix internationale, un système de prévention des causes possibles de controverses et les moyens de les résoudre pacifiquement, et

Convenant que la garantie effective de la paix internationale consiste à assurer et faciliter l'application des Traités en vigueur.

Ont décidé de souscrire à un Traité et ont, à cet effet, désigné les Plénipotentiaires suivants:

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

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J. ISIDRO RAMÍREZ.

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GUSTAVO HERRERA,
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Lesquels, après avoir déposé leurs Pleins Pouvoirs qui ont été trouvés en bonne et due forme, ont convenu ce qui suit:

Article I.—Les Hautes Parties Contractantes s'engagent à créer des Commissions Bilatérales Mixtes Permanentes composées des représentants des Gouvernements signataires et qui devront être effectivement formées sur la demande de l'un ou l'autre Gouvernement qui fera part de cette initiative à tous les autres Gouvernements signataires.

Chaque Gouvernement désignera son propre représentant dans les dites Commissions dont les réunions auront lieu successivement dans la capitale de chaque Gouvernement représenté. La première réunion aura lieu au siège du Gouvernement qui en aura eu l'initiative.

Art. II.—Les Commissions en question auront la mission d'étudier et de proposer, principalement dans le but d'éliminer autant que possible les causes de difficultés ou de controverses futures, les mesures complémentaires ou de détail, conformes au droit, qu'il conviendra de suggérer pour faciliter le plus possible l'application régulière et conforme des Traités existants entre les mêmes Parties ainsi que l'harmonie des relations de tous ordres entre les deux pays dont il serait question.

Art. III.—Il sera communiqué aux Gouvernements représentés dans lesdites Commissions Préventives les actes qui auront été souscrits par leurs Membres, à chacune des réunions de ces Commissions.

Art. IV.—Le présent Traité n'affecte pas les dispositions arrêtées antérieurement par les Hautes Parties Contractantes, en vertu d'accords internationaux.

Art. V.—Le présent Traité sera ratifié par les Hautes Parties Contractantes, selon leurs procédures constitutionnelles. Le Ministère des Affaires Etrangères de la République Argentine gardera les originaux du présent Traité. Il est chargé d'en adresser des copies certifiées authentiques aux Gouvernements, pour les fins envisagées. Les instruments de ratification seront déposés à Washington, aux archives de l'Union Panaméricaine qui notifiera le dit dépôt aux Gouvernements signataires; cette notification équivaldra à un échange de ratifications.

Art. VI.—Le présent Traité entrera en vigueur entre les Hautes Parties Contractantes suivant l'ordre dans lequel elles auront déposé leurs ratifications.

Art. VII.—Le présent Traité restera en vigueur indéfiniment mais il pourra être dénoncé moyennant un préavis d'un an donné à l'Union Panaméricaine qui le transmettra aux autres Gouvernements signataires. Passé ce délai, le Traité cessera d'être en vigueur pour la Partie qui l'aura dénoncé, mais restera en vigueur pour les autres Hautes Parties Contractantes.

Art. VIII.—Le présent Traité reste ouvert à l'adhésion des Etats non signataires. Les instruments correspondants seront déposés aux archives de l'Union Panaméricaine qui les communiquera aux autres Hautes Parties Contractantes.

En foi de quoi, les Plénipotentiaires ci-dessus désignés ont signé le présent Traité, en espagnol, en anglais, en portugais et en français et y ont apposé leurs sceaux respectifs.

Fait à Buenos Aires, Capitale de la République Argentine, le 23 Décembre 1936.

Réserve de la Délégation du Pérou

Le Pérou adhère à ce traité avec la réserve au sujet de l'article premier, à savoir: que la Commission Bilatérale Mixte doit être considérée non comme un recours obligatoire mais seulement facultatif.

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JOSÉ MARÍA CANTILO,
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JOSÉ MANUEL CARBONELL.

AND WHEREAS the said Treaty has been duly ratified on the part of the United States of America and the instrument of ratification was deposited with the Pan American Union at Washington on the 29th day of July, 1937;

Ratification.

NOW, THEREFORE, be it known that I, Franklin D. 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 of America 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 sixteenth day of September in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

December 23, 1936
[T. S. No. 925]

Treaty on good offices and mediation, between the United States of America and other American Republics. Signed at Buenos Aires, December 23, 1936; ratification advised by the Senate, June 29, 1937; ratified by the President, July 15, 1937; ratification of the United States of America deposited with the Pan American Union at Washington, July 29, 1937; proclaimed, September 16, 1937.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Inter-American
treaty on good offices
and mediation.
Preamble.

WHEREAS an Inter-American Treaty on Good Offices and Mediation was signed at Buenos Aires on December 23, 1936, by the respective plenipotentiaries of the United States of America and the twenty other American Republics represented at the Inter-American Conference for the Maintenance of Peace, a true copy of which Treaty, in the English, Spanish, Portuguese and French languages, is word for word as follows: ¹

Texts.

INTER-AMERICAN TREATY ON GOOD OFFICES AND MEDIATION

Purposes.

The Governments represented at the Inter-American Conference for the Maintenance of Peace;

Considering that, notwithstanding the pacts which have been concluded between them, it is desirable to facilitate, even more, recourse to peaceful methods for the solution of controversies,

Plenipotentiaries.

Have resolved to celebrate a treaty of Good Offices and Mediation between the American Countries, and to this end have named the following Plenipotentiaries:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

¹ The texts follow literally the certified copy of the convention furnished by the Argentine Government.—The editor.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

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MAXIMILIANO PATRICIO BRANNON.

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ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brazil:

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OSWALDO ARANHA,
JOSÉ DE PAULA RODRÍGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

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PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
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EDUARDO DÍEZ DE MEDINA,
ALBERTO OSTRIA GUTIÉRREZ,
CARLOS ROMERO,
ALBERTO CORTADELLAS,
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CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

Who, after having deposited their full powers, found to be in good and due form, have agreed as follows:

Art. I.—When a controversy arises between them, that cannot be settled by the usual diplomatic means, the High Contracting Parties may have recourse to the good offices or mediation of an eminent citizen of any of the other American countries, preferably chosen from a general list made up in accordance with the following article.

Art. II.—To prepare the aforementioned list, each Government, as soon as the present treaty is ratified, shall name two citizens selected from among the most eminent by reason of their high character and juridical learning.

The designations shall immediately be communicated to the Pan American Union, which shall prepare the list and shall forward copies thereof to the contracting parties.

Art. III.—According to the hypothesis set forth in Article I, the countries in controversy shall, by common agreement, select one of the persons named on this list, for the purposes indicated in this treaty.

The person selected shall name the place where, under his chairmanship, one duly authorized representative of each of the parties shall meet in order to seek a peaceful and equitable solution of the difference.

If the parties are unable to agree concerning the selection of the person lending his good offices or mediation, each one shall choose one of those named on the list. The two citizens chosen in this way shall select, from among the names listed, a third person who shall undertake the functions referred to, endeavoring, in so far as possible, to make a choice that shall be acceptable to both parties.

Art. IV.—The mediator shall determine a period of time, not to exceed six nor be less than three months for the parties to arrive at some peaceful settlement. Should this period expire before the parties have reached some solution, the controversy shall be submitted to the procedure of conciliation provided for in existing inter-American agreements.

Art. V.—During the procedure established in this Treaty each of the interested parties shall provide for its own expense and shall contribute equally to common costs or honoraria.

Art. VI.—The present Treaty shall not affect obligations previously entered into by the High Contracting Parties by virtue of international agreements.

Art. VII.—The present Treaty shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original instrument shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall transmit authentic certified copies to the Governments for the aforementioned purpose of ratification. The instruments of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications.

Art. VIII.—The present Treaty will come into effect between the High Contracting Parties in the order in which they deposit their respective ratifications.

Art. IX.—The present Treaty shall remain in effect indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory Governments. After the expiration of this period the Treaty shall cease in its effects as regards the Party which denounces it, but shall remain in effect for the remaining High Contracting Parties.

Controversy, diplomatic settlement not possible.
Recourse to mediator chosen from general list.

Preparation of list; designations by each Government.

Notices to contracting parties.

Selection of mediator.

Place of meeting.

Procedure if parties unable to agree.

Time allotment for peaceful settlement.

Action if no solution reached.

Expense and contributions.

Obligations previously entered into not affected.

Ratification.

Deposit of original.

Deposit of instruments of ratification.

Effective date.

Duration.
Denunciation.

Signatures.

In witness whereof, the above mentioned Plenipotentiaries sign the present Treaty in English, Spanish, Portuguese and French, and hereunto affix their respective seals, at the City of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, 1936.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
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MARÍA LUIZA BITTENCOURT.

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 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

TRATADO INTERAMERICANO SOBRE BUENOS OFICIOS Y MEDIACION

Los Gobiernos representados en la Conferencia Interamericana de Consolidación de la Paz,

CONSIDERANDO:

Que a pesar de los Pactos subscritos entre ellos, es conveniente facilitar, aun más, el recurso a los métodos pacíficos de solución de controversias,

Han resuelto celebrar un Tratado sobre buenos oficios y mediación entre los países americanos; y, a ese fin, han nombrado los siguientes Plenipotenciarios:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILÓ,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

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J. ISIDRO RAMÍREZ.

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JULIÁN LÓPEZ PINEDA.

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CARLOS BRENES.

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MODESTO VALLE.

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ENRIQUE JIMÉNEZ.

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MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panamá:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Estados Unidos de América:

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 JOSÉ MANUEL CARBONELL.

Quienes, después de haber exhibido sus Plenos Poderes, que fueron hallados en buena y debida forma, han convenido en lo siguiente:

Artículo 1º—Las Altas Partes Contratantes podrán recurrir en primer término, a los buenos oficios o a la mediación de un ciudadano eminente de cualquiera de los demás países americanos, escogido, de preferencia, de una lista general, formada de acuerdo con el artículo siguiente, cuando surja entre ellas una controversia que no pueda ser resuelta por los medios diplomáticos usuales.

Art. 2º—Para formar la lista mencionada en el artículo anterior cada Gobierno nombrará, tan pronto como ratifique el presente Tratado, dos de sus ciudadanos elegidos de entre los más eminentes por sus virtudes y versación jurídica.

Estas designaciones serán inmediatamente comunicadas a la Unión Panamericana, que se encargará de elaborar la lista y de comunicarla a las Partes Contratantes.

Art. 3º—En la hipótesis prevista en el artículo 1º, los países en controversia elegirán, de común acuerdo, para las funciones indicadas en este Tratado, a uno de los componentes de dicha lista.

El elegido indicará el lugar en el cual deberán reunirse bajo su presidencia, sendos representantes de las Partes, debidamente autorizados, con el fin de procurar una solución pacífica y equitativa de la diferencia.

Si las Partes no se pusieren de acuerdo en cuanto a la elección de la persona que debe prestar sus buenos oficios o su mediación, cada una de ellas escogerá uno de los componentes de la lista. Los dos ciudadanos así nombrados elegirán, de entre los nombres de la misma lista, la persona que haya de desempeñar las mencionadas funciones, procurando, en lo posible, que ella sea del agrado de ambas Partes.

Art. 4º—El mediador fijará un plazo que no excederá de seis meses ni será menor de tres, para que las Partes lleguen a alguna solución pacífica. Expirado este plazo sin haberse alcanzado algún acuerdo entre las Partes, la controversia será sometida al procedimiento de conciliación previsto en los Convenios interamericanos vigentes.

Art. 5º—Durante el procedimiento establecido en este Tratado, cada una de las Partes interesadas proveerá a sus propios gastos y contribuirá, por mitad, a los gastos u honorarios comunes.

Art. 6º—El presente Tratado no afecta los compromisos contraídos anteriormente por las Altas Partes Contratantes en virtud de Acuerdos internacionales.

Art. 7º—El presente Tratado será ratificado por las Altas Partes Contratantes, de acuerdo con sus procedimientos constitucionales. El Ministerio de Relaciones Exteriores de la República Argentina guardará los originales del presente Tratado y queda encargado de enviar copias certificadas auténticas a los Gobiernos para el referido fin. Los instrumentos de ratificación serán depositados en los archivos de la Unión Panamericana, en Washington, que notificará dicho depósito a los Gobiernos signatarios; tal notificación valdrá como canje de ratificaciones.

Art. 8º—El presente Tratado entrará en vigor entre las Altas Partes Contratantes en el orden en que vayan depositando sus respectivas ratificaciones.

Art. 9º—El presente Tratado regirá indefinidamente, pero podrá ser denunciado mediante aviso anticipado de un año a la Unión Panamericana, que lo transmitirá a los demás Gobiernos signatarios. Transcurrido este plazo, el Tratado cesará en sus efectos para el denunciante, quedando subsistente para las demás Altas Partes Contratantes.

Art. 10.—En fe de lo cual, los Plenipotenciarios arriba mencionados, firman y sellan el presente Tratado en español, inglés, portugués y francés, en la ciudad de Buenos Aires, Capital de la República Argentina, a los veintitres días del mes de diciembre del año mil novecientos treinta y seis.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
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JOSÉ MANUEL CARBONELL.

TRATADO INTERAMERICANO SOBRE BONS OFFICIOS E MEDIACAO

Os Governos representados na Conferencia Interamericana de Consolidação da Paz,

CONSIDERANDO:

Que apesar dos pactos entre elles assignados, é conveniente facilitar, ainda mais, e recurso aos methodos pacificos de solução de controversias;

Resolveram celebrar um Tratado sobre bons officios e mediação entre os paizes americanos; e para esse fim nomearam seus Plenipotenciarios:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
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GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

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 JOSÉ MANUEL CARBONELL.

Os quaes, depois de terem exhibido suas credenciaes, achadas em boa e divida forma, convieran nas seguintes disposições:

Artigo 1º—As Altas Partes Contractantes poderão recorrer previamente aos bons officios ou á mediação d'um cidadão eminente de qualquer um dos demais paizes americanos, escolhido, de preferencia, d'uma lista geral organizada de accôrdo com o artigo seguinte, quando surgir entre ellas una controversia que não possa ser resolvida pelos canaes diplomaticos usuaes.

Artigo 2º—Para organizar a lista mencionada no artigo precedente, cada Governo designará, immediatamente depois de ratificar o presente Tratado dois cidadãos seus, escolhidos dentre os mais eminente pelas suas virtudes e competencia juridica.

Estas designações serão immediatamente communicadas á União Panamericana que ficará encarregada de organizar a lista e de communicar-a ás Partes Contractantes.

Artigo 3º—Na hypothese prevista no artigo 1º, os paizes em dissidio escolherão, de commum accôrdo, para as funcções neste Tratado indicadas, a um dos componentes dessa lista.

O eleito indicará o lugar em que deverão se reunir sob a sua presidencia os representantes de cada uma das Partes, devidamente autorizados, com o fim de procurar uma solução pacifica e equitativa para o dissidio.

Si as partes não se puzerem de accôrdo quanto á escolha da pessoa que deve prestar os seus bons officios ou a sua mediação, cada uma d'ellas escolherá um dos nomes da lista. Os dois cidadãos por esta forma designados escolherão de entre os nomes da mesma lista, a pessoa que deve desempenhar as referidas funcções, procurando no que fôr possivel que ella seja grata a ambas as partes.

Artigo 4º—O mediador marcará um prazo que não poderá exceder de 6 mezes nem poderá ser menor de 3, para que as partes cheguem a alguma solução pacifica.

Findo este prazo sem ter-se chegado a algum accôrdo entre as partes, o dissidio será submettido ao processo de conciliação previsto nos Convenios interamericanos em vigor.

Artigo 5º—Durante o processo estabelecido neste Tratado cada uma das partes interessadas attenderá ás suas proprias despezas e pagará a metade dos gastos ou despezas communs.

Artigo 6º—Este Tratado não affecta os compromissos anteriormente contrahidos pelas Altas Partes Contratantes em virtudes de Accôrds internacionais.

Artigo 7º—O presente Tratado será ratificado pelas Altas Partes Contratantes de accôrdo com os seus processos constitucionaes. O Ministerio das Relações Exteriores da Republica Argentina conservará os originaes do presente Tratado e fica encarregado de enviar copias verdadeiras e authenticadas aos demais Governos para o referido fim. Os instrumentos de ratificação serão depositados nos archivos da União Panamericana, em Washington, a qual communicará o dito deposito aos Govêrnos signatarios; tal communicação terá o valor de uma troca de ratificações.

Artigo 8º—O presente Tratado entrará em vigor entre as Altas Partes Contratantes na ordem em que forem depositando as respectivas ratificações.

Artigo 9º—O presente Tratado vigorará indefinidamente, podendo ser denunciado mediante aviso anticipado em um anno á União Panamericana, a qual o transmittirá aos demais Estados signatarios. Decorrido este prazo, o Tratado cessará em seus effeitos para o denunciante, subsistindo para as demais Altas Partes Contratantes.

Artigo 10.—Em fe do que os Plenipotenciarios acima nomeados, assignam e appõem seus sellos a este Tratado em espanhol, inglez, portuguez e francez, na cidades de Buenos Aires, Capital da Republica Argentina, aos vinte e tres dias do mez de dezembro de mil e novecentos trinta e seis.

Argentina:

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MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO.
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JOSÉ MANUEL CARBONELL.

TRAITE INTERAMERICAIN SUR LES BONS OFFICES ET LA MEDIATION

Les Gouvernements représentés à la Conférence Interaméricaine pour le Maintien de la Paix,

CONSIDERANT:

Que malgré les pactes souscrits entre eux, il convient de faciliter dans une plus large mesure, le recours aux méthodes de solution pacifique des controverses;

Ont résolu de conclure entre les pays américains, un Traité sur les bons offices et la médiation, et, à cette fin, ont nommé les Plénipotentiaires suivants:

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

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J. ISIDRO RAMÍREZ.

Honduras:

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Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Vénézuéla:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
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 EDMUNDO DA LUZ PINTO,
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 JUAN ANTONIO BUERO,
 FELIPE FERREIRO,
 ANDRÉS F. PUYOL,
 ABALCÁZAR GARCÍA,
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 JOSÉ MANUEL CARBONELL.

Lesquels, après avoir déposé leurs Pleins Pouvoirs qui ont été trouvés en bonne et due forme, ont convenu ce qui suit:

Article I.—Les Hautes Parties Contractantes pourront recourir en premier lieu aux bons offices ou à la médiation d'un citoyen éminent de l'un quelconque des autres pays américains, choisi de préférence sur une liste générale établie conformément à l'article suivant, quand surgira entre elles une controverse qui n'aura pu être résolue par les moyens diplomatiques usuels.

Article II.—Pour former la liste dont il est question à l'article précédent, chaque gouvernement nommera, dès qu'il aura ratifié le présent Traité, deux citoyens choisis parmi les plus remarquables par leurs qualités morales et leur compétence juridique.

Ce choix sera immédiatement notifié à l'Union Panaméricaine qui se chargera de dresser la liste et de la communiquer aux Hautes Parties Contractantes.

Article III.—Dans l'hypothèse prévue à l'article I, les pays en controverse choisiront, d'un commun accord, pour remplir le rôle indiqué dans le présent Traité, l'une des personnes figurant sur ladite liste.

Celui qui aurait été choisi indiquera le lieu où devront se réunir sous sa présidence les représentants dûment autorisés des pays intéressés et s'efforcera de trouver une solution pacifique et équitable du différend.

Si les Parties ne se mettent pas d'accord sur le choix de la personne qui doit prêter ses bons offices ou sa médiation, chacune d'elles choisira un des noms de la liste. Les deux citoyens ainsi désignés choisiront à leur tour, parmi les noms de ladite liste, la personne qui aura à remplir les susdites fonctions en faisant en sorte qu'elle puisse être agréée par les deux parties.

Article IV.—Le médiateur fixera un délai qui ne dépassera pas six mois et qui ne sera pas moindre de trois mois, pour que les Parties arrivent à une solution pacifique. Ce délai expiré sans que les Parties soient parvenues à un accord, la controverse sera soumise à la procédure de conciliation prévue dans les conventions interaméricaines existantes.

Article V.—Pendant la durée de la procédure établie dans ce Traité, chacune des Parties pourvoira à ses propres frais et contribuera pour la moitié aux frais et honoraires communs.

Article VI.—Le présent Traité ne porte pas atteinte aux obligations contractées antérieurement par les Hautes Parties Contractantes en vertu d'accords internationaux.

Article VII.—Le présent Traité sera ratifié par les Hautes Parties Contractantes selon leurs procédures constitutionnelles. Le Ministre des Affaires Etrangères de la République Argentine, conservera les originaux du présent Traité. Il est chargé d'en envoyer des copies certifiées authentiques aux Gouvernements pour les fins envisagées. Les instruments de ratification seront déposés à Washington, aux archives de l'Union Panaméricaine, qui notifiera ledit dépôt aux Gouvernements signataires. Cette notification vaudra comme un échange de ratifications.

Article VIII.—Le présent Traité entrera en vigueur entre les Hautes Parties Contractantes suivant l'ordre dans lequel elles auront déposé leurs ratifications respectives.

Article IX.—Le présent Traité restera indéfiniment en vigueur, mais il pourra être dénoncé par un préavis d'un an à l'Union Panaméricaine qui le transmettra aux autres Gouvernements signataires. Passé ce délai, le Traité cessera d'être en vigueur pour les autres Hautes Parties Contractantes.

Article X.—En foi de quoi, les Plénipotentiaires ci-après indiqués, ont signé le présent Traité, en espagnol, en anglais, en portugais et en français, et y ont apposé leurs sceaux respectifs.

Fait à Buenos Aires, Capitale de la République Argentine, ce 23 Décembre 1936.

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
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JOSÉ MANUEL CARBONELL.

AND WHEREAS the said Treaty has been duly ratified on the part of the United States of America and the instrument of ratification was deposited with the Pan American Union at Washington on the 29th day of July, 1937;

Ratification.

NOW, THEREFORE, be it known that I, Franklin D. 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 of America 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 sixteenth day of September in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[Faint, mirrored text from the reverse side of the page, including phrases like 'The Government of the United States of America', 'Secretary of State', and 'Department of State']

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December 23, 1936
[T. S. No. 926]

Convention between the United States of America and other American Republics for the coordination, extension, and fulfillment of existing treaties. Signed at Buenos Aires, December 23, 1936; ratification advised by the Senate, with a declaration, June 29, 1937; ratified by the President, with the said declaration, July 15, 1937; ratification of the United States of America deposited with the Government of Argentina, August 25, 1937; proclaimed, September 16, 1937.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Convention to coordinate, extend, and assure the fulfillment of existing treaties between the American States.
Preamble.

WHEREAS a Convention to Coordinate, Extend and Assure the Fulfillment of the Existing Treaties Between the American States was signed at Buenos Aires on December 23, 1936, by the respective plenipotentiaries of the United States of America and the twenty other American Republics represented at the Inter-American Conference for the Maintenance of Peace, a true copy of which Convention in the English, Spanish, Portuguese and French languages is word for word as follows:¹

Texts.

CONVENTION TO COORDINATE, EXTEND AND ASSURE THE FULFILLMENT OF THE EXISTING TREATIES BETWEEN THE AMERICAN STATES

Purpose.

The Governments represented at the Inter-American Conference for the Maintenance of Peace,

Animated by a desire to promote the maintenance of general peace in their mutual relations;

Appreciating the advantages derived and to be derived from the various agreements already entered into condemning war and providing methods for the pacific settlement of international disputes;

Recognizing the need for placing the greatest restrictions upon resort to war; and

Believing that for this purpose it is desirable to conclude a new convention to coordinate, extend and assure the fulfillment of existing agreements, have appointed plenipotentiaries as follows:

Plenipotentiaries.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS,

¹ The texts follow literally the certified copy of the convention furnished by the Argentine Government.—The editor.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA,

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES,

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS.
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexico:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brazil:

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRÍGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

Dominican Republic:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS,

Panama:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

United States of America:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLF A. BERLE, JR.
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGÑO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,
EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
EDUARDO DÍEZ DE MEDINA,
ALBERTO OSTRIA GUTIÉRREZ,
CARLOS ROMERO,
ALBERTO CORTADELLAS,
JAVIER PAZ CAMPERO.

Haiti:

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ELIE LESCOT,
EDMÉE MANIGAT,
PIERRE EUGÈNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

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 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Who, after having deposited their full powers, found to be in good and due form, have agreed upon the following provisions:

Article 1.—Taking into consideration that, by the Treaty to Avoid and Prevent Conflicts between the American States, signed at Santiago, May 3, 1923, (known as the Gondra Treaty) the High Contracting Parties agree that all controversies which it has been impossible to settle through diplomatic channels or to submit to arbitration in accordance with existing treaties shall be submitted for investigation and report to a Commission of Inquiry;

Treaty to avoid and prevent conflicts between American States.
 44 Stat. 2527.

That by the Treaty for the Renunciation of War, signed at Paris on August 28, 1928 (known as the Kellogg-Briand Pact, or Pact of Paris) the High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies and renounce it as an instrument of national policy in their relations with one another;

Treaty for the renunciation of war.
 46 Stat. 2343.

That by the General Convention of Inter-American Conciliation, signed at Washington, January 5, 1929, the High Contracting Parties agree to submit to the procedure of conciliation all controversies between them, which it may not have been possible to settle through diplomatic channels, and to establish a "Commission of Conciliation" to carry out the obligations assumed in the Convention;

Inter-American conciliation convention.
 46 Stat. 2209.

That by the General Treaty of Inter-American Arbitration, signed at Washington, January 5, 1929, the High Contracting Parties bind themselves to submit to arbitration, subject to certain exceptions, all differences between them of an international character, which it has not been possible to adjust by diplomacy and which are juridical in their nature by reason of being susceptible of decision by the application of the principles of law, and moreover, to create a procedure of arbitration to be followed; and

Inter-American arbitration treaty.
 49 Stat. 3153.

That by the Treaty of Non-Aggression and Conciliation, signed at Rio de Janeiro October 10, 1933, (known as the Saavedra Lamas Treaty), the High Contracting Parties solemnly declare that they condemn wars of aggression in their mutual relations or in those with other states and that the settlement of disputes or controversies between them shall be effected only by pacific means which have the sanction of international law, and also declare that as between them territorial questions must not be settled by violence, and that they will not recognize any territorial arrangement not obtained by pacific means, nor the validity of the occupation or acquisition of territories brought about by force of arms, and, moreover, in a case of non-compliance with these obligations, the contracting states undertake to adopt, in their character as neutrals, a common and solidary attitude and to exercise the political, juridical or economic means authorized by international law, and to bring the influence of public opinion to bear, without, however, resorting to intervention, either diplomatic or armed, subject nevertheless to the attitude that may be incumbent upon them by virtue of their collective treaties; and, furthermore, undertake to create a procedure of conciliation;

Treaty of non-aggression and conciliation.
 49 Stat. 3363.

Obligations reaffirmed.

The High Contracting Parties reaffirm the obligations entered into to settle, by pacific means, controversies of an international character that may arise between them.

Object stated.
Ante, p. 15.

Article 2.—The High Contracting Parties, convinced of the necessity for the co-operation and consultation provided for in the Convention for the Maintenance, Preservation and Reestablishment of Peace signed by them on this same day, agree that in all matters which affect peace on the Continent, such consultation and co-operation shall have as their object to assist, through the tender of friendly good offices and of mediation, the fulfillment by the American Republics of existing obligations for pacific settlement, and to take counsel together, with full recognition of their juridical equality, as sovereign and independent states, and of their general right to individual liberty of action, when an emergency arises which affects their common interest in the maintenance of peace.

Provisions in case of threat of war.
Ante, p. 15.

Article 3.—In case of threat of war, the High Contracting Parties shall apply the provisions contained in Articles 1 and 2 of the Convention for the Maintenance, Preservation and Reestablishment of Peace, above referred to, it being understood that, while such consultation is in progress and for a period of not more than six months, the parties in dispute will not have recourse to hostilities or take any military action whatever.

Settlement of disputes.

Article 4.—The High Contracting Parties further agree that, in the event of a dispute between two or more of them, they will seek to settle it in a spirit of mutual regard for their respective rights, having recourse for this purpose to direct diplomatic negotiation or to the alternative procedures of mediation, commissions of inquiry, commissions of conciliation, tribunals of arbitration, and courts of justice, as provided in the treaties to which they may be parties; and they also agree that, should it be impossible to settle the dispute by diplomatic negotiation and should the States in dispute have recourse to the other procedures provided in the present Article, they will report this fact and the progress of the negotiations to the other signatory States. These provisions do not affect controversies already submitted to a diplomatic or juridical procedure by virtue of special agreements.

Pending controversies.

Stipulations governing in the event of hostilities.

Article 5.—The High Contracting Parties agree that, in the event that the methods provided by the present Convention or by agreements previously concluded should fail to bring about a pacific settlement of differences that may arise between any two or more of them, and hostilities should break out between two or more of them, they shall be governed by the following stipulations:

Attitude as neutrals.
49 Stat. 3375.

(a) They shall, in accordance with the terms of the Treaty of Non-Aggression and Conciliation (Saavedra Lamas Treaty), adopt in their character as neutrals a common and solidary attitude; and shall consult immediately with one another, and take cognizance of the outbreak of hostilities in order to determine either jointly or individually, whether such hostilities shall be regarded as constituting a state of war so as to call into effect the provisions of the present Convention.

Decision as to state of war when hostilities in progress.

(b) It is understood that, in regard to the question whether hostilities actually in progress constitute a state of war, each of the High Contracting Parties shall reach a prompt decision. In any event, should hostilities be actually in progress between two or more of the Contracting Parties, or between two or more signatory States not at the time parties to this Convention by reason of failure to ratify it, each Contracting Party shall take notice of the situation and shall adopt such an attitude as would be consistent with other multilateral treaties to which it is a party or in accordance with its municipal legislation. Such action shall not be deemed an unfriendly act on the part of any state affected thereby.

Attitude to be adopted.

Article 6.—Without prejudice to the universal principles of neutrality provided for in the case of an international war outside of America and without affecting the duties contracted by those American States members of the League of Nations, the High Contracting Parties reaffirm their loyalty to the principles enunciated in the five agreements referred to in Article 1, and they agree that in the case of an outbreak of hostilities or threat of an outbreak of hostilities between two or more of them, they shall, through consultation, immediately endeavor to adapt in their character as neutrals a common and solidary attitude, in order to discourage or prevent the spread or prolongation of hostilities.

Loyalty to principles enunciated in designated agreements reaffirmed.

With this object, and having in mind the diversity of cases and circumstances, they may consider the imposition of prohibitions or restrictions on the sale or shipment of arms, munitions and implements of war, loans or other financial help to the states in conflict, in accordance with the municipal legislation of the High Contracting Parties, and without detriment to their obligations derived from other treaties to which they are or may become parties.

Arms, etc., embargo.

Article 7.—Nothing contained in the present Convention shall be understood as affecting the rights and duties of the High Contracting Parties which are at the same time members of the League of Nations.

Rights and duties of signatories which are members of League of Nations.

Article 8.—The present Convention shall be ratified by the High Contracting Parties in accordance with their constitutional procedures. The original convention and the instruments of ratification shall be deposited with the Ministry of Foreign Affairs of the Argentine Republic, which shall communicate the ratifications to the other Signatory States. It shall come into effect when ratifications have been deposited by not less than eleven Signatory States.

Ratification.

Deposit of original and instruments of ratification.

Effective date.

The Convention shall remain in force indefinitely; but it may be denounced by any of the High Contracting Parties, such denunciation to be effective one year after the date upon which such notification has been given. Notices of denunciation shall be communicated to the Ministry of Foreign Affairs of the Argentine Republic which shall transmit copies thereof to the other Signatory States. Denunciation shall not be regarded as valid if the Party making such denunciation shall be actually in a state of war, or shall be engaged in hostilities without fulfilling the provisions established by this Convention.

Duration.

Denunciation.

In witness whereof, the Plenipotentiaries above mentioned have signed this Treaty in English, Spanish, Portuguese, and French, and have affixed thereto their respective seals, in the City of Buenos Aires, Capital of the Argentine Republic, this twenty-third day of December, of the year 1936.

Signatures.

Reservations:

Reservations.

Reservation of the Argentine Delegation:

(1.) In no case, under Article VI, can foodstuffs or raw materials destined for the civil populations of belligerent countries be considered as contraband of war, nor shall there exist any duty to prohibit credits for the acquisition of said foodstuffs or raw materials which have the destination indicated.

Argentine delegation.

With reference to the embargo on arms, each Nation may reserve freedom of action in the face of a war of aggression.

Reservation of the Delegation of Paraguay:

(2.) In no case, under Article VI, can foodstuffs or raw materials destined for the civil populations of belligerent countries be considered as contraband of war, nor shall there exist any duty to prohibit credits for the acquisition of said foodstuffs or raw materials which have the destination indicated.

Delegation of Paraguay.

With reference to the embargo on arms, each Nation may reserve freedom of action in the face of a war of aggression.

Reservation of the Delegation of El Salvador:

Delegation of El Salvador.

(3.) With reservation with respect to the idea of continental solidarity when confronted by foreign aggression.

Reservation of the Delegation of Colombia:

Delegation of Colombia.

(4.) In signing this Convention, the Delegation of Colombia understands that the phrase "in their character as neutrals," which appears in Articles V and VI, implies a new concept of international law which allows a distinction to be drawn between the aggressor and the attacked, and to treat them differently. At the same time, the Delegation of Colombia considers it necessary, in order to assure the full and effective application of this Pact, to set down in writing the following definition of the aggressor:

That State shall be considered as an aggressor which becomes responsible for one or several of the following acts:

a) That its armed forces, to whatever branch they may belong, illegally cross the land, sea or air frontiers of other States. When the violation of the territory of a State has been effected by irresponsible bands organized within or outside of its territory and which have received direct or indirect help from another State, such violation shall be considered equivalent, for the purposes of the present Article, to that effected by the regular forces of the State responsible for the aggression;

b) That it has intervened in a unilateral or illegal way in the internal or external affairs of another State;

c) That it has refused to fulfil a legally given arbitral decision or sentence of international justice.

No consideration of any kind, whether political, military, economic or of any other kind, may serve as an excuse or justification for the aggression here anticipated.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

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Costa Rica:

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CARLOS BRENES.

Venezuela:

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GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:

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ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

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Brazil:

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Uruguay:

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Nicaragua:

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Dominican Republic:

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Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

United States of America:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLF A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGONO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS.

Bolivia:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
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PIERRE EUGÉNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

CONVENCION PARA COORDINAR, AMPLIAR Y ASEGURAR EL CUMPLIMIENTO DE LOS TRATADOS EXISTENTES ENTRE LOS ESTADOS AMERICANOS

Los Gobiernos representados en la Conferencia Interamericana de Consolidación de la Paz, animados por el deseo de consolidar la paz general en sus relaciones mutuas;

Apreciando las ventajas que se han derivado, y habrán de derivarse, de los diversos Pactos celebrados que condenan la guerra y establecen los métodos para la solución pacífica de las diferencias de carácter internacional;

Reconociendo la necesidad de imponer las mayores restricciones al recurso de la guerra; y,

Creyendo que con este fin conviene celebrar una nueva Convención que coordine los Acuerdos existentes, los amplíe y asegure su cumplimiento, han nombrado Plenipotenciarios, a saber:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

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CARLOS BRENES.

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CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
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CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
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México:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
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JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil:

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OSWALDO ARANHA,
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HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
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ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

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FELIPE FERREIRO,
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Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

República Dominicana:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panamá:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Estados Unidos de América:

CORDELL HULL,
 SUMNER WELLES,
 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, JR.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
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 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Quienes, después de depositar sus Plenos Poderes, que fueron hallados en buena y debida forma, han convenido lo siguiente:

Artículo I.—Teniendo en cuenta: Que por el Tratado para evitar o prevenir conflictos entre los Estados Americanos, suscripto en Santiago el 3 de mayo de 1923, (conocido como el Tratado Gondra), las Altas Partes Contratantes acuerdan que toda cuestión que no hubiera podido ser resuelta por la vía diplomática ni llevada al arbitraje en virtud de Tratados existentes, será sometida a la investigación e informe de una Comisión de Investigación;

Que por el Tratado de Proscripción de la Guerra, subscripto en París el 28 de agosto de 1928 (conocido como el Pacto Kellogg-Briand o el Pacto de París), las Altas Partes Contratantes declaran solemnemente, a nombre de sus respectivas Naciones, que condenan el recurso de la guerra para la solución de las controversias internacionales, y renuncian a ella como instrumento de política nacional en sus relaciones mutuas;

Que por la Convención General de Conciliación Interamericana, subscripta en Washington el 5 de enero de 1929, las Altas Partes Contratantes se obligan a someter al procedimiento de conciliación todas sus controversias que no haya sido posible resolver por la vía diplomática, y a establecer una "Comisión de Conciliación" para llevar a efecto las obligaciones que asumen en la Convención;

Que por el Tratado General de Arbitraje Interamericano, subscripto en Washington el 5 de enero de 1929, las Altas Partes Contratantes se obligan a someter a arbitraje, con ciertas excepciones, todas sus diferencias de carácter internacional, que no haya sido posible ajustar por la vía diplomática y que sean de naturaleza jurídica por ser susceptibles de decisión mediante la aplicación de los principios del derecho, y, además, a crear el procedimiento de arbitraje a seguir; y,

Que por el Tratado Antibélico de No Agresión y Conciliación, subscripto en Río de Janeiro el 10 de octubre de 1933, (conocido como el Tratado Saavedra Lamas), las Altas Partes Contratantes declaran solemnemente que condenan las guerras de agresión en sus relaciones mutuas o con otros Estados, y que el arreglo de los conflictos o divergencias de cualquier clase que se susciten entre ellas, no deberá realizarse sino por los medios pacíficos que consagra el derecho internacional, y también declaran que entre ellas las cuestiones territoriales no deben resolverse por la violencia, y que no reconocerán arreglo territorial alguno que no sea obtenido por medios pacíficos, ni la validez de la ocupación o adquisición de territorios que sea lograda por la fuerza de las armas; y además, en caso de incumplimiento de estas obligaciones, los Estados contratantes se comprometen a adoptar, en su calidad de neutrales, una actitud común y solidaria y a ejercer los medios políticos, jurídicos o económicos autorizados por el derecho internacional, y a hacer gravitar la influencia de la opinión pública, sin recurrir, no obstante, a la intervención, sea diplomática o armada, salvo la actitud que pudiera corresponderles en virtud de sus Tratados colectivos; y se comprometen, además, a crear un procedimiento de conciliación;

Las Altas Partes Contratantes reafirman las obligaciones contraídas de solucionar, por medios pacíficos, las controversias de carácter internacional que puedan surgir entre ellas.

Art. II.—Las Altas Partes Contratantes, convencidas de la necesidad de la cooperación y de la consulta estipulada en la Convención sobre el mantenimiento, afianzamiento y restablecimiento de la Paz, celebrada en esta misma fecha entre ellas, acuerdan que en todo asunto que afecte la paz en el continente, dichas consultas y cooperación tendrán por objeto facilitar por el ofrecimiento amigable de sus buenos oficios y de su mediación, el cumplimiento por parte de las Repúblicas Americanas de las obligaciones existentes para una solución pacífica y deliberar, dentro de su plena igualdad jurídica como Estados soberanos e independientes y con su derecho a la libertad de acción individual, cuando surja una divergencia que afecte su interés común de mantener la paz.

Art. III.—En caso de amenaza de guerra, las Altas Partes Contratantes promoverán la aplicación de las disposiciones contenidas en los artículos I y II de la Convención sobre el mantenimiento, afianza-

miento y restablecimiento de la paz, celebrada en esta misma fecha, entendiéndose que mientras duren las consultas, y por un plazo no mayor de seis meses, las Partes en conflicto no recurrirán a las hostilidades ni ejercerán acción militar alguna.

Art. IV.—Las Altas Partes Contratantes acuerdan, además que, en caso de que surja una controversia entre dos o más de ellas, tratarán de resolverla dentro de un espíritu de mutuo respeto de sus respectivos derechos, recurriendo con este propósito a negociaciones diplomáticas directas o a los procedimientos alternativos de mediación: comisiones de investigación, comisiones de conciliación, tribunales de arbitraje, y cortes de justicia, según estipulen los Tratados de que sean parte; y también acuerdan que si la controversia no ha podido resolverse por la negociación diplomática, y los países en disputa recurrieren a los otros procedimientos previstos en el presente artículo, deberán informar de ello y de la marcha de las negociaciones a los demás Estados signatarios. Estas estipulaciones no afectan las controversias ya sometidas a un procedimiento diplomático o jurídico en virtud de pactos especiales.

Art. V.—Las Altas Partes Contratantes acuerdan que si mediante los métodos establecidos por la presente Convención, o por los acuerdos anteriormente celebrados, no se lograre obtener una solución pacífica de las diferencias que puedan surgir entre dos o más de ellas, y llegare a producirse el rompimiento de las hostilidades, procederán de acuerdo con las siguientes estipulaciones:

a) — Adoptarán, según los términos del Tratado de No Agresión y Conciliación (Tratado Saavedra Lamas), en su calidad de neutrales, una actitud común y solidaria; consultarán inmediatamente las unas con las otras, y tomarán conocimiento de la ruptura de las hostilidades para determinar, conjunta o individualmente, si ha de considerarse que dichas hostilidades constituyen un estado de guerra, a efecto de poner en vigor las disposiciones de la presente Convención.

b) — Queda entendido que, respecto de la cuestión de si las hostilidades que están desarrollándose constituyen o no un estado de guerra, cada una de las Altas Partes Contratantes adoptará una pronta decisión. De todos modos, si están desarrollándose hostilidades entre dos o más de las Partes Contratantes, o entre dos o más Estados signatarios que en esa fecha no sean parte de esta Convención, cada Parte Contratante tomará conocimiento de la situación y adoptará la actitud que le corresponda conforme con los otros Tratados colectivos de que sea parte o según su legislación interna. Este acto no será considerado hostil por ningún Estado afectado por el mismo.

Art. VI. — Sin perjuicio de los principios universales sobre neutralidad previstos para el caso de guerra internacional fuera de América, y sin que se afecten los deberes contraídos por los Estados Americanos que sean miembros de la Sociedad de las Naciones, las Altas Partes Contratantes reafirman su fidelidad a los principios enunciados en los cinco pactos referidos en el artículo I y acuerdan que en caso de ruptura de hostilidades o amenaza de ruptura de hostilidades entre dos o más de ellas, inmediatamente tratarán de adoptar, en su calidad de neutrales, por medio de la consulta, una actitud común y solidaria con el fin de desalentar o evitar la propagación o prolongación de las hostilidades.

Con este objeto, y teniendo en cuenta la diversidad de los casos y de las circunstancias, podrán considerar la imposición de prohibiciones o restricciones a la venta o embarque de armas, municiones y pertrechos de guerra, empréstitos u otra ayuda financiera a los Estados en conflicto, de acuerdo con la legislación interna de las Altas Partes Contratantes, y sin detrimento de sus obligaciones derivadas de otros tratados de que sean o llegaren a ser partes.

Art. VII.—Nada de lo establecido en la presente Convención se entenderá como que afecta los derechos y deberes de las Altas Partes Contratantes que fueren al propio tiempo miembros de la Sociedad de las Naciones.

Art. VIII.—La presente Convención será ratificada por las Altas Partes Contratantes de acuerdo con sus procedimientos constitucionales. La Convención original y los instrumentos de ratificación serán depositados en el Ministerio de Relaciones Exteriores de la República Argentina, que comunicará las ratificaciones a los demás Estados signatarios. Entrará en vigencia cuando hayan depositado sus ratificaciones no menos de once Estados signatarios.

La Convención regirá indefinidamente, pero podrá ser denunciada por cualquiera de las Altas Partes Contratantes, entrando en vigor la denuncia un año después de la fecha en que se hiciera la notificación al respecto. La denuncia será dirigida al Ministerio de Relaciones Exteriores de la República Argentina, el que transmitirá copias de ella a los demás Estados signatarios. La denuncia no se considerará válida si la Parte denunciante se encontrara en estado de guerra o entrara en hostilidades sin llenar los requisitos establecidos en la presente Convención.

En testimonio de lo cual, los Plenipotenciarios arriba mencionados firman la presente Convención en español, inglés, portugués y francés, y estampan sus respectivos sellos en la ciudad de Buenos Aires, Capital de la República Argentina, a los veintitrés días del mes de diciembre del año 1936.

Reservas

Reserva de la Delegación Argentina.

1.—Por el artículo VI, en ningún caso podrán considerarse como contrabando de guerra los artículos alimenticios o materias primas destinados a las poblaciones civiles de los países beligerantes, ni existirá el deber de prohibir los créditos para adquisición de dichos artículos o materias primas que tengan el destino señalado.

En lo que respecta al embargo de los armamentos, cada Nación podrá reservar su actitud frente a una guerra de agresión.

Reserva de la Delegación de Paraguay.

2.—Por el artículo VI, en ningún caso, podrán considerarse como contrabando de guerra los artículos alimenticios o materias primas destinados a las poblaciones civiles de los países beligerantes, ni existirá el deber de prohibir los créditos para adquisición de dichos artículos o materias primas que tengan el destino señalado.

En lo que respecta al embargo de los armamentos, cada Nación podrá reservar su actitud frente a una guerra de agresión.

Reserva de la Delegación de El Salvador.

3.—Con la reserva de la idea de solidaridad continental frente a la agresión extraña.

Reserva de la Delegación de Colombia.

4.—La Delegación de Colombia entiende al suscribir esta Convención, que la frase "en su calidad de neutrales", que aparece en los artículos V y VI implica un nuevo concepto del Derecho Internacional que permite distinguir entre el agresor y el agredido y darles un tratamiento diferente. Al propio tiempo, la Delegación de Colombia considera necesario, para asegurar la plena y efectiva aplicación de este Pacto, dejar consignada la siguiente definición del agresor:

Se considerará como agresor al Estado que se haga responsable de uno o varios de los actos siguientes:

- a) Que sus fuerzas armadas, a cualquier arma a que pertenezcan, hayan traspasado indebidamente las fronteras terrestres, marítimas o aéreas de otros Estados. Cuando la violación del territorio de un Estado haya sido efectuada por bandas de irregulares organizadas dentro o fuera de su territorio, y que hayan recibido apoyo directo o indirecto de otro Estado, tal violación será asimilada, para los efectos del presente artículo, a la efectuada por las fuerzas regulares del Estado responsable de la agresión;
- b) Que haya intervenido de una manera unilateral o ilegal en los asuntos interiores o exteriores de otro Estado;
- c) Que se haya negado al cumplimiento de un fallo arbitral o de una sentencia de la justicia internacional, legalmente pronunciado.

Ninguna consideración de orden político, militar, económico o de otra clase, podrá servir de excusa o de justificación a la agresión aquí prevista.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

México:

FRANCISCO CASTILLO NÁJERA,
 ALFONSO REYES,
 RAMÓN BETETA,
 JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil:

JOSÉ CARLOS DE MACEDO SOARES,
 JOSÉ DE PAULA RODRÍGUES ALVES,
 HELIO LOBO,
 HILDEBRANDO POMPEU PINTO ACCIOLY,
 EDMUNDO DA LUZ PINTO,
 ROBERTO CARNEIRO DE MENDONÇA,
 ROSALINA COELHO LISBOA DE MILLER,
 MARÍA LUIZA BITTENCOURT.

Uruguay:

PEDRO MANINI RÍOS,
 EUGENIO MARTÍNEZ THEDY,
 FELIPE FERREIRO.
 ABALCÁZAR GARCÍA,
 JULIO CÉSAR CERDEIRAS ALONSO,
 GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
 JOSÉ A. MEDRANO,
 ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
 JOSÉ MARÍA MONCADA,
 MODESTO VALLE.

República Dominicana:

MAX HENRÍQUEZ UREÑA,
 TULIO M. CESTERO,
 ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
 MIGUEL LÓPEZ PUMAREJO,
 ROBERTO URDANETA ARBELÁEZ,
 ALBERTO LLERAS CAMARGO,
 JOSÉ IGNACIO DÍAZ GRANADOS.

Panamá:

HARMODIO ARIAS M.,
 JULIO J. FÁBREGA,
 EDUARDO CHIARI.

Estados Unidos de América:

CORDELL HULL,
 SUMNER WELLES,
 ALEXANDER W. WEDDELL.
 ADOLPH A. BERLE, Jr.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGÑO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,

Bolivia:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO,

Haití:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÈNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,

CONVENÇÃO PARA COORDENAR, AMPLIAR E ASSEGURAR A OBSERVANCIA DOS TRATADOS EXISTENTES ENTRE OS ESTADOS AMERICANOS

Os Governos representados na Conferencia Interamericana de Consolidação da Paz,

Animados pelo desejo de consolidar a paz geral nas suas mutuas relações;

Apreciando as vantagens que derivaram e se derivarão dos diversos pactos celebrados que condemnam a guerra e estabelecem methods para a solução pacífica dos dissídios de caracter internacional;

Reconhecendo a necessidade de impôr as maiores restricções ao recurso á guerra;

Julgando que, com este fim, é conveniente celebrar uma nova convenção que coordene os accôrdos existentes, os amplie e assegure a sua observancia, designaram os seguintes Plenipotenciarios:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
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MANUEL F. JIMÉNEZ,
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ALBERTO ZÉREGA FOMBONA.

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JUAN MANUEL ÁLVAREZ DEL CASTILLO.

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OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARIA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

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CARLOS SALAZAR,
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JORGE SOTO DEL CORRAL,
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JOSÉ IGNACIO DÍAZ GRANADOS.

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 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DÍEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haiti:

H. PAULEUS SANNON,
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 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Os quaes, depois de depositarem os seus plenos poderes, que foram achados em bôa e devida forma, convieram no seguinte:

Artigo I

CONSIDERANDO:

Que, pelo tratado para evitar ou prevenir conflictos entre os Estados Americanos, assignado em Santiago no dia 3 de Maio de 1923 (conhecido como Tratado Gondra), as Altas Partes Contractantes concordam em que toda questão que não tenha podido ser resolvida pela via diplomatica, nem levada á arbitragem, em virtude de Tratados existentes, será submettida á investigação e informação duma Comissão de Investigação;

Que, pelo tratado de proscricção da guerra, assignado em Paris a 28 de Agosto de 1928 (conhecido como Pacto Briand-Kellogg, ou Pacto de Paris), as Altas Partes Contractantes declaram solennemente, em nome das suas respectivas nações, que condemnam o recurso á guerra para á solução das controversias internacionaes, e á ella renunciam, como instrumento de politica nacional, nas suas mutuas relações;

Que, pela Convenção Geral de Conciliação Interamericana, assignada em Washington a 5 de Janeiro de 1929, as Altas Partes Contrac-

tantes obrigam-se a submeter ao processo de conciliação todas as suas controversias que não tenha sido possível resolver pela via diplomatica e a estabelecer uma "commissão de conciliação para levar a effeito as obrigações que assumen nessa Convenção;

Que, pelo Tratado Geral de Arbitramento Interamericano, assignado em Washington a 5 de Janeiro de 1929, as Altas Partes Contractantes se obrigam a submeter á arbitragem, com certas excepções, todos os seus litigios de character internacional que não tenha sido possível resolver pela via diplomatica e que se considerem de natureza juridica por serem susceptiveis de decisão mediante a applicação dos principios do direito, e, além disso a criar o processo de arbitragem a ser seguido; e

Que, pelo Tratado de não-Aggressão e Conciliação, assignado no Rio de Janeiro a 10 de Outubro de 1933 (conhecido como Tratado Saavedra Lamas), as Altas Partes Contractantes declaram solenemente que condemnam as guerras de aggressão nas suas mutuas relações, ou com outros Estados, e que a solução dos conflictos ou divergencias de qualquer classe que se suscitem entre ellas, não se deverá realizar senão pelos meios pacificos que consagra o direito internacional, e tambem declaram que, entre ellas, as questões territoriaes não se deverão resolver pela violencia e que não reconhecerão ajuste territorial algum que não seja obtido por meios pacificos, nem a validade da occupação ou aquisição de territorios que seja conseguida pela força das armas, e, além disso, que, no caso de falta de cumprimento destas obrigações, os Estados Contratantes se compromettem a adoptar, na sua qualidade de neutros, uma attitude commum e solidaria e a exercer os meios politicos, juridicos ou economicos autorizados pelo direito internacional, e a fazer pesar a influencia da opinião publica, sem, contudo, recorrer a intervenção, seja diplomatica ou armada, resalvada a attitude que lhes possa corresponder em virtude dos seus Tratados collectivos; e ao demais, se comprometem a criar um processo de conciliação;

As Altas Partes Contractantes ratificam as obrigações contrahidas para resolver, por meios pacificos, as controversias de ordem internacional que possam surgir entre ellas.

Artigo II.

As Altas Partes Contractantes, convencidas da necessidade de cooperação e da consulta estipulada na Convenção sobre a manutenção, garantia e restabelecimento da paz entre ellas assignada nesta mesma data accordam em que, em qualquer assumpto que attinja a paz do continente, as referidas consultas e cooperação terão por objecto facilitar, pelo offercimento amistoso dos seus bons officios e da sua mediação, a observancia, por parte das Republicas americanas, das obrigações existentes para uma solução pacifica bem como as suas deliberações, dentro da plena igualdades juridica, como Estados soberanos e independentes e com direito á liberdade de acção individual, quando surgir uma divergencia que attinja seu commum interesse de manter a paz.

Artigo III

Em caso de ameaça de guerra, as Altas Partes Contractantes promoverão a applicação das disposições contenidas no artigo I e II da Convenção celebrada nesta mesma data, tendo-se por entendido que, emquanto durarem as consultas e por um prazo não superior a seis mezes, as Partes em litigio não recorrerão ás hostilidades, nem exercerão acção militar alguna.

Artigo IV

As Altas Partes Contractantes concordam, tambem, em que no caso de surgir uma controversia entre duas ou mais dellas, tratarão de solucioná-la dentro dum espirito de mutuo respeito de seus respectivos direitos, recorrendo com esse fim a negociações diplomaticas directas ou aos processos alternativos de mediação, commissões de investigação, commissões de conciliação, tribunaes de arbitragem e côrtes de justica, segundo estipulem os tratados de que sejam partes; e accordam, tambem, em que, se não tiver sido possivel a solução da controversia pela negociação diplomatica e os paizes em litigio recorrerem aos outros processos previstos no presente artigo, disto, bem como da marcha das negociações, deverão informar aos demais Estados signatarios. Estas estipulações não attingem as controversias ja submettidas a um processo diplomatico ou juridico em virtude de pactos especiaes.

Artigo V.

As Altas Partes Contractantes accordam em que se, mediante os methodos estabelecidos pela presente Convenção ou por accórdos anteriormente celebrados, não se obtiver uma solução pacifica das divergencias que possam surgir entre duas ou mais dellas e chegar a se produzir o rompimiento das hostilidades, procederão de accôrdo com as seguintes estipulações:

a) Adoptarão, segundo os termos do Tratado de Não-Agressão e Conciliação (Tratado Saavedra Lamas), em seu caracter de neutros, uma attitudo commum e solidaria; consultar-se-ão immediatamente uma com as outras e tomarão conhecimento do rompimento das hostilidades para determinar, conjunta ou individualmente, se deve considerar que as referidas hostilidades constituem um estado de guerra, afim de se pôrem em vigencia as disposições da presente Convenção.

b) Fica entendido que, com relação á questão de saber se as hostilidades que se estão desenrolando constituem ou não um estado de guerra, cada uma das Altas Partes Contractantes adoptará prompta decisão. De qualquer modo, se se estiverem desenrolando hostilidades entre duas ou mais Partes Contractantes, ou entre dois ou mais Estados signatarios que nessa data não sejam parte desta Convenção, cada Parte Contractante tomará conhecimento da situação e adoptará a attitudo que lhe competir de conformidade com os outros Tratados collectivos de que seja parte ou segundo a sus legislação interna. Este acto não será considerado hostile por nenhum Estado por elle attingido.

Artigo VI

Sem prejuizo dos preceitos universaes sobre neutralidade previstos para o caso de guerra internacional fora contrahidos pelos Estados americanos que forem membros da Sociedade das Nações, as Altas Partes Contractantes reaffirman sua fidelidade aos principios enunciados nos cinco pactos mencionados no artigo primeiro e accordam em que, em caso de rompimento de hostilidades, entre duas ou mais dellas, tratarão immediatamente de adoptar, em sua condicão de neutros, por meio de consultas, una attitudo commum e solidaria, com o proposito de desalentar ou evitar a propagação ou prolongação das hostilidades.

Para tal fim, e considerando a diversidade dos casos e das circunstancias, poderão considerar a imposição de prohibições ou restricções sobre a venda ou embarque de armas, municões ou petrechos de

guerra, empréstimos ou outro auxílio financeiro aos Estados em conflicto, de accôrdo com a legislação interna das Altas Partes Contractantes, e sem prejuizo das suas abrigações derivadas de outros tratados de que forem ou vierem a ser partes.

Artigo VII

Nada do que está estabelecido na presente Convenção será entendido como attingindo os direitos e deveres das Altas Partes Contractantes que forem ao mesmo tempo membros da Sociedade das Nações.

Artigo VIII

A presente Convenção, será ratificada pelas Altas Partes Contractantes, de accôrdo com os seus preceitos constitucionaes. A Convenção original e os instrumentos de ratificação serão depositados no Ministerio das Relações Exteriores da República Argentina, que comunicará as ratificações aos demais Estados signatarios. Esta Convenção entrará em vigor quando pelo menos onze Estados signatarios tiverem depositado as suas ratificações.

A Convenção vigorará indefinidamente, podendo, porém, ser denunciada por qualquer das Altas Partes Contractantes, entrando a denuncia em vigor um anno depois da data em que fôr feita a respectiva comunicação. A denuncia será dirigida ao Ministerio das Relações Exteriores da República Argentina, a qual transmittirá copias da mesma aos demais Estados signatarios. A denuncia não será considerada valida se a Parte denunciante estiver em estado de guerra ou entrar em hostilidades sem preencher os requisitos estabelecidos na presente Convenção.

Em fé do que os Plenipotenciarios acima nomeados assignan esta Convenção em espanhol, inglez, portuguez e frances e lhe appõem seus respectivos sellos na cidade de Buenos Aires, Capital da República Argentina, aos vinte e tres dias do mez de dezembro do anno de mil novecentos e trinta e seis.

Reservas:

Reserva da Delegação Argentina.

1.—Pero artigo VI em nenhum caso poder-se-ão considerar como contrabando de guerra as substancias alimenticias ou materias primas destinadas ás povoações civis dos paizes belligerantes, nem existirá o dever de prohibir os credits para aquisição das referidas substancias ou materias primas que tiverem o destino indicado.

No que respeita ao embargo des armamentos, cada Nação poderá reservar sua attitude em face de uma guerra de aggressão.

Reserva da Delegação do Paraguay.

2.—Pelo artigo VI, en caso algum poderão ser consideradas como contrabando de guerra as substancias alimenticias ou as materias primas destinadas ás povoações civis de paizes belligerentes, nem existirá a obrigação de prohibir os credits para aquisição das referidas substancias ou materias primas que tiverem o destino indicado.

No que respeita ao embargo de armamentos, cada nação poderá reservar a sua attitude em face de uma guerra de aggressão.

Reserva da Delegação de El El Salvador.

3.—Com a reserva da idéa da solidariedade continental em face de uma aggressão estranha.

Reserva da Delegação da Colombia.

4.—A Delegação da Colombia julga, ao assignar esta Convenção, que a phrase "em seu character de neutral", que apparece nos artigos V o VI significa um conceito novo de Direito Internacional que permite distinguir entre o aggressor o o agredido e dar-lhes um trato diverso.

Ao mesmo tempo, a Delegação da Colombia considera necessario para assegurar a plena e effectiva applicação deste Pacto, deixar consignada a seguinte definição do aggressor:

Considerar-se-á como aggressor aquelle Estado que se fizer responsavel de um ou varios dos actos seguintes:

- a) Que as suas forças armadas, seja qual fôr a arma a que pertencerem, tenham transposto indevidamente as fronteiras terrestres, maritimas ou aereas de outros Estados. Quanto a violação do territorio de um Estado tenha sido realizada por bandas de irregulares organizadas dentro ou fuora de seu territorio e que tenham recebido apoio directo ou indirecto de outro Estado, tal violação será assimilada, para os affeitos desde artigo á realizada por forças regulares do Estado responsavel pela aggressão;
- b) Que tenha tido intervenção de forma unilateral e illegal em assumptos interiores ou exteriores de outro Estado;
- c) Que se tenha negado a cumprir un laudo arbitral ou uma sentença da justiça internacional, legalmente proferidos;

Nenhuma consideração de ordem politica, militar, economica ou de outra classe, poderá servir de excusa ou de justificativo a aggressão aqui prevista.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

México:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil:

JOSÉ CARLOS DE MACEDO SOARES,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
FELIPE FERREIRO,
ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

República Dominicana:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panamá:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Estados Unidos de América:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLPH A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGONO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,

Bolivia:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO,

Haiti:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÉNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDÍN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

**CONVENTION POUR COORDONNER, ETENDRE LES TRAITES EXISTANT
ENTRE LES ETATS AMERICAINS ET EN ASSURER L'EXECUTION**

Les Gouvernements représentés à la Conférence Interaméricaine pour le Maintien de la Paix,

Animés du désir d'assurer le maintien de la paix générale dans leurs relations mutuelles, appréciant les avantages qui ont découlé et découleront des divers pactes en vigueur qui condamnent la guerre et établissent des méthodes pour le règlement pacifique des différends internationaux;

Reconnaissant la nécessité d'imposer de plus grandes restrictions au recours à la guerre;

Et convaincus que pour atteindre ce but, il y a lieu de conclure une nouvelle Convention qui coordonne les accords existants, les amplifie et assure leur exécution, ont désigné à cette fin les Plénipotentiaires suivants:

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Vénézuéla:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Pérou:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

Le Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexique:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brésil:

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatémala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

République Dominicaine:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombie:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Etats-Unis d'Amérique:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLF A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chili:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGOÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Equateur:

HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivie:

DAVID ALVÉSTEGUI,
 ENRIQUE FINOT,
 EDUARDO DÍEZ DE MEDINA,
 ALBERTO OSTRÍA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haïti:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÈNE DE LESPINASSE,
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 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Lesquels, ayant déposé leurs Pleins Pouvoirs trouvés en bonne et due forme, ont convenu ce qui suit:

Article I.—Considérant que, par le Traité pour éviter ou empêcher les Conflits Internationaux entre les Etats Américains, signé à Santiago le 3 Mai 1923 (connu sous le nom de traité Gondra), les Hautes Parties Contractantes ont convenu que toute question qui n'aurait pu être résolue par la voie diplomatique ni soumise à l'arbitrage, en vertu des traités existants, sera soumise à une Commission d'enquête qui en fera rapport;

Que, par le Traité de Renonciation à la Guerre, signé à Paris le 28 août 1928 (connu sous le nom de Pacte Kellogg-Briand ou Pacte de Paris), les Hautes Parties Contractantes ont déclaré solennellement, au nom de leurs nations respectives, qu'elles condamnent tout recours à la guerre pour le règlement des différends internationaux et y renoncent comme instrument de politique nationale dans leurs relations mutuelles;

Que, par la Convention Générale de Conciliation Interaméricaine, signée à Washington le 5 janvier 1929, les Hautes Parties Contractantes ont convenu de soumettre à la procédure de conciliation tous les différends qui peuvent s'élever entre elles et qu'il n'aurait pas été possible de régler par la voie diplomatique, et d'établir une Commission de Conciliation pour exécuter les obligations assumées dans la dite Convention;

Que, par le Traité Général d'Arbitrage Interaméricain, signé à Washington le 5 janvier 1929, les Hautes Parties Contractantes se sont engagées à soumettre à l'arbitrage, sauf certaines exceptions, tous les différends de caractère international, qui n'auraient pas été réglés par la voie diplomatique, et ayant un caractère juridique, c'est-à-dire susceptibles d'être décidés par l'application des principes de droit, et en outre, à établir entre elles et à suivre une procédure d'arbitrage;

Que par le Traité de Non Agression et de Conciliation, signé à Rio de Janeiro, le 10 octobre 1933 (connu sous le nom de Traité Saavedra Lamas), les Hautes Parties Contractantes ont déclaré solennellement qu'elles condamnent les guerres d'agression dans leurs relations mutuelles ou avec d'autres Etats; que le règlement des conflits ou différends de toutes sortes qui s'élèveront entre elles ne devra être obtenu que par des moyens pacifiques consacrés par le droit international, qu'elles ont également déclaré, en ce qui les concerne, que les questions territoriales ne doivent pas être réglées par la violence, et qu'elles ne reconnaîtront aucun règlement territorial qui ne soit pas obtenu par des moyens pacifiques, ni la validité de l'occupation ou de l'acquisition de territoires, effectuée par la force des armes, en outre, qu'en cas de non-accomplissement de ces engagements, les Etats Contractants adopteront, en leur qualité de neutres, une attitude commune et solidaire, et mettront en oeuvre les moyens politiques, juridiques ou économiques autorisés par le Droit International et qu'ils porteront l'opinion publique à agir par son influence, tout en évitant de recourir à aucune intervention diplomatique ou armée, sans cependant renoncer à l'attitude que leur imposent leurs traités collectifs;

Et qu'ils s'engagent, en outre, à établir une procédure de conciliation;

Les Hautes Parties Contractantes réaffirment les engagements contractés par elles de donner une solution par des moyens pacifiques, aux controverses d'ordre international qui peuvent surgir entre elles.

Art. II.—Les Hautes Parties Contractantes, convaincues de l'utilité de la coopération et de la consultation stipulées dans la Convention pour le Maintien, la Préservation et le Rétablissement de la Paix, signée entre elles le 23 décembre 1936, conviennent qu'en toutes questions qui affectent la paix sur le continent, la consultation et la coopération susmentionnées auront pour objet de faciliter, par l'offre amicale de leurs bons offices, et de leur médiation l'accomplissement par les Républiques Américaines, des engagements existants pour un règlement pacifique, et de délibérer, en pleine reconnaissance de leur égalité juridique comme Etats souverains et indépendants et de tous leurs droits à la liberté d'action individuelle, lorsque surgira une divergence capable d'affecter leur intérêt commun ou le maintien de la paix.

Art. III.—En cas de menace de guerre, les Hautes Parties Contractantes exécuteront les dispositions contenues dans les articles I et II de la Convention pour le Maintien, la Préservation et le Rétablissement de la Paix; il est entendu que, pendant la durée de la consultation et pour une période ne dépassant pas six mois, les Parties en désaccord ne recourront pas aux hostilités et s'abstiendront de toute action militaire.

Art. IV.—Les Hautes Parties Contractantes conviennent de plus qu'en cas de difficultés entre deux ou plus d'entre elles, elles chercheront à les régler dans un esprit de respect mutuel de leurs droits respectifs, en recourant, pour cet objet, à des négociations diplomatiques ou successivement à des procédures de médiation, aux commissions d'enquête, aux commissions de conciliation, aux tribunaux d'arbitrage et aux cours de justice comme il est prévu dans les traités auxquels elles

sont parties; elles conviennent également que s'il était impossible de régler ces différends par la voie diplomatique et si les Etats en désaccord ont recours aux autres procédures prévues dans le présent article, elles en informeront les autres Etats signataires et les tiendront au courant de la marche des négociations.

Ces stipulations ne concernent pas les différends déjà soumis à une procédure diplomatique ou judiciaire en vertu d'accords spéciaux.

Art. V.—Les Hautes Parties Contractantes conviennent que, dans le cas où les méthodes prévues par la présente Convention ou par des accords antérieurs n'aboutiraient pas à un règlement pacifique des différends qui peuvent s'élever entre deux ou plus d'entre elles, et que s'ouvriraient les hostilités, elles procéderont conformément aux stipulations suivantes:

a) Elles adopteront, selon les termes du Traité de Non Agression et de Conciliation (Traité Saavedra Lamas), en leur qualité de neutres, une attitude commune et solidaire; elles se consulteront immédiatement entre elles et prendront connaissance de l'ouverture des hostilités pour déterminer, conjointement ou séparément, si les dites hostilités constituent un état de guerre afin d'appliquer les stipulations de la présente Convention.

b) Il est entendu qu'en ce qui concerne la question de savoir si les hostilités en cours constituent ou non un état de guerre, chacune des Hautes Parties Contractantes devra prendre une prompte décision. Dans tous les cas, si les hostilités se poursuivent entre deux ou plus des Parties Contractantes ou entre deux ou plus des Etats signataires qui, à ce moment, ne seraient pas parties à cette Convention pour ne l'avoir pas ratifiée, chacune des Parties Contractantes prendra connaissance de la situation et adoptera l'attitude qui lui incombe en vertu d'autres traités multilatéraux dont elle est partie ou conformément à sa législation interne. Cet acte ne devra pas être considéré comme inamicale de la part d'aucun état qu'il affecterait.

Art. VI.—Sans préjudice des principes universels sur la neutralité prévus pour le cas de guerre internationale hors d'Amérique, et des obligations contractées par les Etats américains qui seraient membres de la Société des Nations, les Hautes Parties Contractantes réaffirment leur fidélité aux principes énoncés dans les cinq Pactes visés à l'article I, et conviennent que, dans le cas d'ouverture d'hostilités ou de menace d'ouverture d'hostilités entre deux ou plus d'entre elles, elles s'efforceront immédiatement d'adopter, en leur qualité de neutres, au moyen d'une consultation, une attitude commune et solidaire dans le but de décourager ou de prévenir l'extension ou la prolongation des hostilités.

Dans ce but, et tenant compte de la diversité des cas et des circonstances, elles pourront envisager des mesures de prohibition ou de restriction concernant la vente ou l'expédition d'armes, munitions et matériel de guerre, emprunts ou autre aide financière aux Etats en conflit, selon la législation interne des Hautes Parties Contractantes, et sans préjudice de leurs obligations dérivant d'autres Traités dont elles sont ou peuvent devenir parties.

Art. VII.—Rien de ce qui est stipulé dans la présente Convention ne pourra être interprété comme affectant les droits et les obligations de celles des Hautes Parties Contractantes qui seraient en même temps membres de la Société des Nations.

Art. VIII.—La présente Convention sera ratifiée par les Hautes Parties Contractantes conformément à leurs procédures constitutionnelles. La Convention originale et les instruments de ratification seront déposés au Ministère des Affaires Etrangères de la République Argentine, qui fera part des ratifications aux autres Etats signataires. Elle entrera en vigueur lorsque onze au moins des Etats signataires auront fait le dépôt de leurs instruments de ratification.

La Convention restera indéfiniment en vigueur mais elle pourra être dénoncée par l'une quelconque des Parties Contractantes; cette dénonciation deviendra effective un an après la date de sa notification. La dénonciation sera adressée au Ministère des Affaires Etrangères de la République Argentine, qui en transmettra copie aux autres États signataires. Aucune dénonciation ne sera considérée valable si la Partie qui dénonce se trouve en état de guerre ou est engagée dans des hostilités sans avoir accompli les obligations stipulées dans la présente Convention.

En foi de quoi, les Plénipotentiaires précités ont signé la présente Convention, en espagnol, en anglais, en portugais et en français, et y ont apposé leurs sceaux. Fait dans la ville de Buenos Aires, Capitale de la République Argentine, le 23 Décembre 1936.

Réserve de la Délégation Argentine

1. De par l'Article VI, dans aucun cas, ne pourront être considérées comme contrebande de guerre les denrées alimentaires ou matières premières destinées aux populations civiles des pays belligérants, et il n'existera pas le devoir de prohiber les crédits destinés à l'acquisition desdites denrées ou matières premières qui auraient la destination sus-mentionnée.

En ce qui concerne la saisie des armements, chaque Nation pourra réserver son attitude face à une guerre d'agression.

Réserve de la Délégation du Paraguay

2. De par l'Article VI, dans aucun cas ne pourront être considérées comme contrebande de guerre les denrées alimentaires ou matières premières destinées aux populations civiles des pays belligérants, et il n'existera pas le devoir de prohiber les crédits destinés à l'acquisition desdites denrées ou matières premières qui auraient la destination sus-mentionnée.

En ce qui concerne la saisie des armements, chaque Nation pourra réserver son attitude face à une guerre d'agression.

Réserve de la Délégation du Salvador

3. Sous la réserve de l'idée de solidarité continentale face à l'agression étrangère.

Réserve de la Délégation de Colombie

4. La Délégation de Colombie entend, en signant cette Convention, que la phrase "en leur qualité de neutres", qui figure aux Articles V et VI, implique un nouveau concept du Droit International qui permet de distinguer l'attaquant de l'attaqué et de leur octroyer un traitement différent. En même temps, la Délégation de Colombie juge utile, afin d'assurer la pleine et effective application de ce Pacte, de consigner la définition suivante de l'agresseur:

On considérera comme agresseur l'État qui se rendra responsable d'un ou de plusieurs des actes suivants:

a) Dont les forces armées, de n'importe quelle arme, auront franchi indûment les frontières terrestres, maritimes ou aériennes, d'autres États. Lorsque la violation du territoire d'un État aura été effectuée par des bandes irrégulières, organisées à l'intérieur ou hors de son territoire, et qu'elles auront reçu un appui direct ou indirect d'un autre État, la violation sera assimilée, aux effets du présent Article, à celle effectuée par les forces régulières de l'État responsable de l'agression;

b) Qui sera intervenu d'une manière unilatérale ou illégale dans les affaires intérieures ou étrangères d'un autre Etat;

c) Qui se sera refusé à accomplir une sentence arbitrale ou une sentence de la justice internationale, légalement rendue.

Aucune considération d'ordre politique, militaire, économique ou d'un autre ordre, ne pourra servir d'excuse ou de justification à l'agression ici prévue.

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Vénézuéla:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Pérou:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

Le Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexique:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brésil:

JOSÉ CARLOS DE MACEDO SOARES,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
FELIPE FERREIRO,
ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

République Dominicaine:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombie:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Etats-Unis D'Amérique:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLPH A. BERLE, Jr.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chili:

MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGONO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Equateur:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS.

Bolivie:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO.

Haiti:

H. PAULEUS SANNON,
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ELIE LESCOT,
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PIERRE EUGÉNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

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RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

AND WHEREAS the said Convention has been duly ratified on the part of the United States of America and the instrument of ratification was deposited with the Ministry of Foreign Affairs of the Argentine Republic on the 25th day of August, 1937, subject to a declaration, made a part of such ratification, as follows:

Deposit of ratification subject to a declaration.

"The United States of America holds that the reservations to this Convention do not constitute an amendment to the text, but that such reservations, interpretations, and definitions by separate governments are solely for the benefit of such respective governments and are not intended to be controlling upon the United States of America."

NOW, THEREFORE, be it known that I, Franklin D. 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 of America and the citizens thereof, subject to the declaration aforesaid.

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 sixteenth day of September in the year of our Lord one thousand nine hundred and thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

The text follows literally the certified copy of the convention furnished by the Argentine Government.—The editor.

December 23, 1936
[T. S. No. 927]

Convention on the Pan American Highway, between the United States of America and other American Republics. Signed at Buenos Aires, December 23, 1936; ratification advised by the Senate, June 29, 1937; ratified by the President, July 15, 1937; ratification of the United States of America deposited with the Pan American Union at Washington, July 29, 1937; proclaimed, September 16, 1937.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Convention on the
Pan American High-
way.
Preamble.

WHEREAS a Convention on the Pan American Highway was signed at Buenos Aires on December 23, 1936, by the respective plenipotentiaries of the United States of America and the twenty other American Republics represented at the Inter-American Conference for the Maintenance of Peace, a true copy of which Convention, in the English, Spanish, Portuguese and French languages, is word for word as follows: ¹

Texts.

CONVENTION ON THE PAN AMERICAN HIGHWAY

Purpose.

The Governments represented at the Inter-American Conference for the Maintenance of Peace,

Cognizant of the fact that the primary purpose of the Inter-American Conference is the strengthening of the bonds of friendship already existing between the countries of this Continent;

Convinced that direct and material contact between the American peoples necessarily would strengthen those bonds, consolidating therefore the peace of the Continent;

Knowing that the general welfare will be greater when there is greater facility for the exchange of the products of said countries;

Considering, finally, that one of the most adequate and efficient means for the attainment of the moral and material end aimed at jointly by the American Republics, is the termination of a highway which establishes a permanent communication between their respective territories,

Plenipotentiaries.

Have decided to conclude a convention on that subject and for such purpose, have appointed the following plenipotentiaries:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

¹ The texts follow literally the certified copy of the convention furnished by the Argentine Government.—The editor.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA.
JULIO CÉSAR CERDEIRAS ALONSO.
GERVASIO POSADAS BELGRANO.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

Dominican Republic:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

United States of America:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLF A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexico:

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ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brazil:

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRÍGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGOÑO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,
EDUARDO SALAZAR GÓMEZ.

Bolivia:

DAVID ALVÉSTEGUI,
ENRIQUE FINOT,
EDUARDO DíEZ DE MEDINA,
ALBERTO OSTRIA GUTIÉRREZ,
CARLOS ROMERO,
ALBERTO CORTADELLAS,
JAVIER PAZ CAMPERO.

Haiti:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÉNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
 RAMÓN ZAYDIN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Who, after exhibiting their Full Powers, found to be in good and due form, have agreed as follows:

Art. 1.—The High Contracting Parties agree to collaborate, with all diligence and by all adequate means, in the speedy completion of a Pan American Highway, which will permit at all times the transit of motor vehicles.

Pan American Highway, speedy completion.

Art. 2.—The High Contracting Parties shall form a Commission of technical experts with the object of coordinating the work of the different governments and also to complete the studies and formulate the necessary projects in those countries which, not having heretofore completed this work, may need the cooperation of the Commission.

Commission of technical experts to be formed; functions, etc.

Art. 3.—Immediately after ratifying the present Convention, the High Contracting Parties shall consult among each other with a view to appointing a financial committee composed of the representatives of three of the ratifying Governments. This Committee shall study the problems concerning the speedy completion of the Pan American Highway, and within a period not more than six months from the date of its constitution shall submit a detailed report for the consideration of the Governments, accompanied by a plan for the solution of said problems.

Financial committee; composition, studies, report, etc.

Art. 4.—Finally the High Contracting Parties bind themselves to establish or designate at once in their respective territories at least one permanent public office, for the purpose of giving information on the work in progress, the sections of the Highway which are passable, the local transit regulations and all other information which nationals and tourists of the signatory countries may require.

Permanent public office to be established.

Art. 5.—The present Convention shall not affect obligations previously entered into by the High Contracting Parties by virtue of international agreements.

Previously entered obligations not affected.

Art. 6.—The present Convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original instrument shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall transmit authentic certified copies to the Governments for the aforementioned purpose of ratification. The instruments of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications.

Ratification.

Deposit of original.

Deposit of instruments of ratification.

Art. 7.—The present Convention will come into effect between the High Contracting Parties in the order in which they deposit their respective ratifications.

Effective date.

Art. 8.—The present Convention shall remain in effect indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory governments. After the expiration of this period the Convention shall cease in its effects as regards the party which denounces it but shall remain in effect for the remaining High Contracting Parties.

Duration.

Denunciation.

Adherence and
accession.

Art. 9.—The present Convention shall be open for the adherence and accession of States which are not signatories. The corresponding instruments shall be deposited in the archives of the Pan American Union, which shall communicate them to the other High Contracting Parties.

Signatures.

In witness whereof, the above mentioned Plenipotentiaries sign the present Convention in English, Spanish, Portuguese and French, and hereunto affix their respective seals, at the City of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, 1936.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCIOLO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

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FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ÁLVAREZ DEL CASTILLO.

Brazil:

JOSÉ CARLOS DE MACEDO SOARES,
 JOSÉ DE PAULA RODRIGUES ALVES,
 HELIO LOBO,
 HILDEBRANDO POMPEU PINTO ACCIOLY,
 EDMUNDO DA LUZ PINTO,
 ROBERTO CARNEIRO DE MENDONÇA,
 ROSALINA COELHO LISBOA DE MILLER,
 MARÍA LUIZA BITTENCOURT.

Uruguay:

PEDRO MANINI RÍOS,
 EUGENIO MARTÍNEZ THEDY,
 FELIPE FERREIRO,
 ABALCÁZAR GARCÍA,
 JULIO CÉSAR CERDEIRAS ALONSO,
 GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
 JOSÉ A. MEDRANO,
 ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
 JOSÉ MARÍA MONCADA,
 MODESTO VALLE,
 MAX HENRÍQUEZ UREÑA,
 TULIO M. CESTERO,
 ENRIQUE JIMÉNEZ,

Colombia:

JORGE SOTO DEL CORRAL,
 MIGUEL LÓPEZ PUMAREJO,
 ROBERTO URDANETA ARBELÁEZ,
 ALBERTO LLERAS CAMARGO,
 JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
 JULIO J. FÁBREGA,
 EDUARDO CHIARI.

United States of America:

CORDELL HULL,
 SUMNER WELLES,
 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, Jr.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,

Chile:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGONO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Ecuador:

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ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,

Bolivia:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO,

Haiti:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÈNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

CONVENCION SOBRE CARRETERA PANAMERICANA

Los Gobiernos representados en la Conferencia Interamericana de Consolidación de la Paz,

Conscientes de que el principal propósito de las Conferencias Interamericanas es el estrechamiento de los vínculos de amistad que ya existen entre los países de este Continente;

Convencidos de que el contacto directo y material entre los pueblos americanos necesariamente vendría a robustecer dichos lazos, y a afianzar, por lo tanto, la paz continental;

Sabedores de que el bienestar común será mayor mientras más fácil sea el intercambio de los productos de dichos países; y,

Considerando, por último, que uno de los medios más indicados y eficaces para alcanzar los fines morales y materiales que comúnmente persiguen las Repúblicas americanas, es la terminación de una carretera que establezca la comunicación permanente entre sus respectivos territorios,

Han resuelto concluir una Convención sobre la materia y, al efecto, han nombrado los siguientes Plenipotenciarios:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA,

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS.
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

México:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

República Dominicana:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panamá:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Estados Unidos de América:

CORDELL HULL,
 SUMNER WELLES,
 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, Jr.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGOÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DÍEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haití:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÈNE DE LESPINASSE,
 CLÉMENT MAGLOIRE.

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 RAMÓN ZAYDIN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Quienes, después de haber exhibido sus Plenos Poderes, que fueron hallados en buena y debida forma, han convenido en lo siguiente:

Artículo 1º—Las Altas Partes Contratantes se comprometen a colaborar con todo empeño y por todos los medios adecuados, a la pronta terminación de una carretera panamericana, que permita en todo tiempo el tránsito de vehículos de motor.

Art. 2º—Las Altas Partes crean una comisión, integrada por sus respectivos representantes técnicos, la cual tendrá por objeto coordinar los trabajos de los distintos Gobiernos, así como realizar los estudios y formular los proyectos a que haya lugar, en aquellos países que, no habiéndolos realizado, requieran la colaboración de la Comisión.

Art. 3º—Inmediatamente después que las Altas Partes Contratantes ratifiquen la presente Convención, consultarán entre sí con el objeto de nombrar una Comisión Financiera integrada por los representantes de tres de los Gobiernos que la hubieran ratificado. Esta Comisión estudiará los problemas relacionados con la pronta terminación de la carretera panamericana y, dentro de un período no mayor de seis meses, contados a partir de la fecha de su constitución, someterá un informe detallado a la consideración de los Gobiernos, con el cual habrá de presentarse un plan que haga posible la solución de dichos problemas.

Art. 4º—Las Altas Partes se obligan, finalmente, a establecer o designar, desde luego, dentro de sus respectivos territorios, cuando menos una oficina pública permanente que dé a conocer el estado en que se encuentren las obras que vayan realizando, los tramos de la carretera que sean transitables, los reglamentos locales de tránsito, y todos los demás informes que puedan necesitar los nacionales y turistas de los países signatarios.

Art. 5º—La presente Convención no afecta los compromisos contraídos anteriormente por las Altas Partes Contratantes en virtud de acuerdos internacionales.

Art. 6º—La presente Convención será ratificada por las Altas Partes Contratantes, de acuerdo con sus procedimientos constitucionales. El Ministerio de Relaciones Exteriores de la República Argentina guardará los originales de la presente Convención y queda encargado de enviar copias certificadas auténticas a los Gobiernos para el referido fin. Los instrumentos de ratificación serán depositados en los archivos de la Unión Panamericana, en Washington, que notificará dicho depósito a los Gobiernos signatarios; tal notificación valdrá como canje de ratificaciones.

Art. 7º—La presente Convención entrará en vigor entre las Altas Partes Contratantes en el orden en que vayan depositando sus respectivas ratificaciones.

Art. 8º—La presente Convención regirá indefinidamente, pero podrá ser denunciada mediante aviso anticipado de un año a la Unión Panamericana, que lo transmitirá a los demás Gobiernos signatarios. Transcurrido este plazo, la Convención cesará en sus efectos para el denunciante, quedando subsistente para las demás Altas Partes Contratantes.

Art. 9º—La presente Convención quedará abierta a la adhesión y accesión de los Estados no signatarios. Los instrumentos correspondientes serán depositados en los archivos de la Unión Panamericana, que los comunicará a las otras Altas Partes Contratantes.

En fe de lo cual, los Plenipotenciarios arriba mencionados, firman y sellan la presente Convención en español, inglés, portugués y francés, en la ciudad de Buenos Aires, Capital de la República Argentina, a los veintitrés días del mes de diciembre del año mil novecientos treinta y seis.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

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JULIÁN LÓPEZ PINEDA.

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CARLOS BRENES.

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ALBERTO ZÉREGA FOMBONA.

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DIÓMEDES ARIAS SCHREIBER.

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MAXIMILIANO PATRICIO BRANNON.

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RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

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JOSÉ DE PAULA RODRÍGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

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JULIO CÉSAR CERDEIRAS ALONSO,
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ALFONSO CARRILLO.

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JOSÉ MARÍA MONCADA,
MODESTO VALLE.

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TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

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MIGUEL LÓPEZ PUMAREJO,
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ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

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JULIO J. FÁBREGA,
EDUARDO CHIARI.

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SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLPH A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chile:

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LUIS BARROS BORGONO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,

Bolivia:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO,

Haití:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÈNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

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RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

CONVENÇÃO SOBRE ESTRADA PANAMERICANA

Os Governos representados na Conferencia Interamericana de Consolidação da Paz;

Scientes de que o proposito principal da União Panamericana, é estreitar os laços de amizade entre os povos do Continente;

Convencidos de que o contacto directo e material entre os povos americanos viria necessariamente robustecer taes laços, e concorrer, por conseguinte, para o paz continental;

Considerando que o bemestar commum será tanto maior quanto mais facil o intercambio dos productos dos ditos paizes; e

Considerando, finalmente, que um dos meios mais indicados e efficientes para alcançar os fines moraes o materiaes que communmente perseguem as Republicas Americanas, consiste na terminação duma estrada que estabeleça communicações permanentes entre os respectivos territorios.

Resolvem celebrar a seguinte convenção nomeando para tal fin os plenipotenciarios seguintes:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

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MAXIMILIANO PATRICIO BRANNON.

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ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

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OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

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PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

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JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

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JOSÉ MARÍA MONCADA,
MODESTO VALLE.

República Dominicana:

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TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

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MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

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ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
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FÉLIX NIETO DEL RÍO.
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FRANCISCO GUARDERAS,
EDUARDO SALAZAR GÓMEZ.

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CARLOS ROMERO,
ALBERTO CORTADELLAS,
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CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

Os quaes depois de terem exhibido seus plenos poderes, que foram achados em boa e devida forma convieram no seguinte:

Artigo I.—As Altas Partes Contractantes comprometter-se-ão a collaborar com o maior empenho e pelos meios proprios, para a prompta terminação de uma estrada panamericana que permita, em qualquer época, o transito de vehiculos a motor.

Artigo II.—As Altas Partes cream uma Comissão composta pelos seus respectivos representantes thecnicos, a qual terá por missao coordenar os trabalhos dos differentes Góvernos, bem como realizar estudos e formular os projectos que deven ser effectuados naquelles paizes e que, não se tendo realizado, careçam da collaboração da Comissão.

Artigo III.—Immediatamente depois das Altas Partes Contractantes terem ratificado a presente Convenção, consultarão entre si com o fim de nomear uma Commissão financeira integrada pelos representantes de tres dos Governos que o tiverem ratificado. Esta Commissão estudarã os problemas relativos á prompta terminação da estrada panamericana e dentro d'um prazo não superior a seis mezes, contados a partir da data da sua constituição, submetterã um relatorio detalhado á consideração dos Governos, ao qual será annexo um plano que torne possivel a solução desses problemas.

Artigo IV.—As Altas Partes Contractantes, obrigar-se-ão, finalmente, a estabelecer ou designar, dentro dos seus respectivos territorios, pelo menos uma repartição publica permanente que tome conhecimento do estado em que se encontrem as obras que forem realizando os trechos da estrada que sejam transitaveis, os regulamentos locais do transito e todas as demais informações que possam precisar os nacionaes e turistas dos paizes signatarios.

Artigo V.—A presente Convenção não affecta os compromissos anteriormente contrahidos pelas Altas Partes Contratantes em virtude do accôrdos internacionaes.

Artigo VI.—A presente Convenção será ratificada pelas Altas Partes Contratantes de accôrdo com os seus preceitos constitucionaes. O Ministerio das Relações Exteriores da Republica Argentina conservara os originaes de presente Convenção, ficando encarregado de enviar copias authenticas para o referido fim. Os instrumentos de ratificação serão depositados nos archivos da União Panamericana, em Washington, a qual communicará o referido deposito aos Governos signatarios; essa notificação terá o valor de troca de ratificações.

Artigo VII.—A presente Convenção entrará em vigor entre as Altas Partes Contratantes na ordem em que forem depositando as respectivas ratificações.

Artigo VIII.—A presente Convenção vigorará indefinidamente, podendo, porem, ser denunciada mediante aviso antecipado de um anno á União Panamericana, a qual o transmittirá aos demais Governos signatarios. Decorrido esse prazo, a Convenção deixará de surtir effeito para o denunciante, subsistindo para as demais Altas Partes Contratantes.

Artigo IX.—A presente Convenção ficará aberta á adhesão e accessão dos Estados não signatarios. Os instrumentos respectivos serão depositados nos archivos da União Panamericana, que os communicará ás outras Altas Partes Contratantes.

Na fé do qual, os Plenipotenciarios que acima se nomeiam assignam e appõem os respectivos sellos á presente Convenção em espanhol, inglez, porguez e francez, na cidade de Buenos Aires, Capital da Republica Argentina, aos vinte e tres dias do mez de dezembro do anno mil novecentos e trinta e seis.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
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CÉSAR DÍAZ CISNEROS.

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J. ISIDRO RAMÍREZ.

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JULIÁN LÓPEZ PINEDA.

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CARLOS BRENES.

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GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

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ALBERTO ULCOA,
FELIPE BARREDA LAOS,
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ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

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RICARDO MONTANER BELLO.

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ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS.

Bolivia:

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DAVID ALVÉSTEGUI,
CARLOS ROMERO.

Haití:

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CAMILLE J. LEÓN,
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EDMÉ MANIGAT,
PIERRE EUGÉNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

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CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

**CONVENTION EN VUE DE L'ETABLISSEMENT D'UNE ROUTE
PANAMERICAINE**

Les Gouvernements représentés à la Conférence Interaméricaine pour le Maintien de la Paix,

Conscients de ce que le dessein primordial des Conférences Inter-américaines est de resserrer les liens d'amitié entre les pays de ce Continent;

Convaincus que le contact direct et matériel entre les peuples américains viendrait nécessairement fortifier ces liens et affermir par conséquent la paix continentale;

Sachant bien que le bien-être commun sera plus grand quand l'échange des produits de ces pays deviendra plus facile;

Considérant, en dernier lieu, qu'un des moyens les plus indiqués et les plus efficaces pour obtenir les fins morales et matérielles que poursuivent en commun les Républiques Américaines, est l'achèvement d'une route qui établisse la communication permanente entre leurs territoires respectifs;

Ont décidé de conclure la suivante Convention, et, à cet effet, ont nommé les Plénipotentiaires suivants:

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO.
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Vénézuéla:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Pérou:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

Le Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexique:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ÁLVAREZ DEL CASTILLO.

Brésil:

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JULIÁN LÓPEZ PINEDA.
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatémala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

République Dominicaine:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombie:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Etats-Unis d'Amérique:

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 SUMNER WELLES,
 ALEXANDER W. WEDDELL,
 ADOLPH A. BERLE, Jr.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

Chili:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGOÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Equateur:

HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivie:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DIEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haïti:

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 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Lesquels après avoir déposé leurs pleins pouvoirs trouvés en bonne et due forme, ont convenu ce qui suit:

Article I.—Les Hautes Parties Contractantes s'engagent à collaborer de tout leur zèle et par les moyens appropriés, au prompt achèvement d'une route panaméricaine qui permette, en tout temps, le transit de véhicules à moteur.

Art. II.—Les Hautes Parties créent une Commission composée de leurs respectifs représentants techniques, qui aura pour but de coordonner les travaux des divers Gouvernements, de réaliser les études et de formuler les projets nécessaires, dans les pays qui, ne les ayant pas réalisés, solliciteraient la collaboration de la Commission.

Art. III.—Immédiatement après que les Hautes Parties Contractantes auront ratifié la présente Convention, elles se consulteront dans le but de nommer une Commission Financière composée par les représentants de trois des Gouvernements qui l'auraient ratifiée. Cette Commission étudiera les problèmes se rapportant au prompt achèvement de la route panaméricaine, et, dans un délai qui ne devra pas dépasser six mois, comptés à partir de la date de sa constitution, elle soumettra un rapport détaillé à la considération des Gouvernements, rapport auquel sera joint un plan qui permette la solution des dits problèmes.

Art. IV.—Les Hautes Parties s'engagent finalement à établir ou à désigner, tout d'abord, dans les limites de leurs territoires respectifs, au moins un bureau public permanent qui fera connaître l'état où se trouvent les travaux qui se réaliseront, les parties de la route qui seront voiturables, les règlements locaux de transit et tous les autres renseignements dont pourraient avoir besoin les ressortissants et les touristes des pays étrangers.

Art. V.—La présente Convention n'affecte pas les engagements pris antérieurement par les Hautes Parties Contractantes, en vertu d'accords internationaux.

Art. VI.—La présente Convention sera ratifiée par les Hautes Parties Contractantes, conformément à leurs procédures constitutionnelles. Le Ministère des Affaires Etrangères de la République Argentine conservera les originaux de la présente Convention, et est chargé d'en envoyer des copies certifiées authentiques aux Gouvernements pour la ratification. Les instruments de ratification seront déposés aux Archives de l'Union Panaméricaine, à Washington, qui fera part du dépôt aux Gouvernements signataires; cette notification vaudra comme échange de ratifications.

Art. VII.—La présente Convention entrera en vigueur entre les Hautes Parties Contractantes, suivant l'ordre dans lequel elles auront déposé leurs ratifications respectives.

Art. VIII.—La présente Convention restera indéfiniment en vigueur, mais elle pourra être dénoncée moyennant un préavis d'un an à l'Union Panaméricaine qui le transmettra aux autres Gouvernements signataires. Passé ce délai, les effets de cette Convention cesseront à l'égard de la partie qui l'aura dénoncée, mais la Convention restera en vigueur à l'égard des autres Parties Contractantes.

Art. IX.—La présente Convention restera ouverte à l'adhésion des Etats non signataires. Les instruments correspondants seront déposés aux Archives de l'Union Panaméricaine, à Washington, qui les communiquera aux autres Hautes Parties Contractantes.

En foi de quoi, les Plénipotentiaires sus-désignés ont signé la présente Convention en espagnol, en anglais, en portugais et en français, dans la ville de Buenos Aires, Capitale de la République Argentine, ce 23 Décembre, mil neuf cent trente-six.

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Pérou:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

Le Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexique:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brésil:

JOSÉ CARLOS DE MACEDO SOARES,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
FELIPE FERREIRO,
ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

République Dominicaine:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombie:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Etats-Unis d'Amérique:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLPH A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chili:

MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGOÑO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Equateur:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS.

Bolivie:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO.

Haiti:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÉNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDÍN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTE WHITMARSH,
JOSÉ MANUEL CARBONELL.

December 23, 1936
[T. S. No. 928]

Convention between the United States of America and other American Republics for the promotion of Inter-American cultural relations. Signed at Buenos Aires, December 23, 1936; ratification advised by the Senate, June 29, 1937; ratified by the President, July 15, 1937; ratification of the United States of America deposited with the Pan American Union at Washington, July 29, 1937; proclaimed, September 16, 1937.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION

Convention for the
promotion of Inter-
American cultural re-
lations.
Preamble.

WHEREAS a Convention for the Promotion of Inter-American Cultural Relations was signed at Buenos Aires on December 23, 1936, by the respective plenipotentiaries of the United States of America and the twenty other American Republics represented at the Inter-American Conference for the Maintenance of Peace, a true copy of which Convention, in the English, Spanish, Portuguese and French languages, is word for word as follows: ¹

Texts.

CONVENTION FOR THE PROMOTION OF INTER-AMERICAN CULTURAL RELATIONS

Purpose.

The Governments represented at the Inter-American Conference for the Maintenance of Peace;

Considering that the purpose for which the Conference was called would be advanced by greater mutual knowledge and understanding of the people and institutions of the countries represented and a more consistent educational solidarity on the American continent; and

That such results would be appreciably promoted by an exchange of professors, teachers and students among the American countries, as well as by the encouragement of a closer relationship between unofficial organizations which exert an influence on the formation of public opinion,

Plenipotentiaries.

Have resolved to conclude a convention for that purpose and to that effect have designated the following plenipotentiaries:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

¹The texts follow literally the certified copy of the convention furnished by the Argentine Government.—The editor.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexico:

FRANCISCO CASTILLO NÁJERA
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brazil:

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRÍGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
 JOSÉ MARÍA MONCADA,
 MODESTO VALLE.

Dominican Republic:

MAX HENRÍQUEZ UREÑA,
 TULIO M. CESTERO,
 ENRIQUE JIMÉNEZ.

Colombia:

JORGE SOTO DEL CORRAL,
 MIGUEL LÓPEZ PUMAREJO,
 ROBERTO URDANETA ARBELÁEZ,
 ALBERTO LLERAS CAMARGO,
 JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
 JULIO J. FÁBREGA,
 EDUARDO CHIARI.

United States of America:

CORDELL HULL,
 SUMNER WELLES,
 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, Jr.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGOÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DÍEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haiti:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÈNE DE LESPINASSE,
 CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
 RAMÓN ZAYDIN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Who, after having deposited their Full Powers, found to be in good and due form, have agreed as follows:

Article I.—Every year each Government shall award to each of two graduate students or teachers of each other country selected in accordance with the procedure established in Article II hereof, a fellowship for the ensuing scholastic year. The awards shall be made after an exchange between the two Governments concerned of the panels referred to in Article II hereof. Each fellowship shall provide tuition and subsidiary expenses and maintenance at an institution of higher learning to be designated by the country awarding the fellowship, through such agency as may seem to it appropriate, in cooperation with the recipient so far as may be practicable. Traveling expenses to and from the designated institution and other incidental expenses shall be met by the recipient or the nominating Government. Furthermore, each Government agrees to encourage, by appropriate means, the interchange of students and teachers of institutions within its territory and those of the other contracting countries, during the usual vacation periods.

Article II.—Each Government shall have the privilege of nominating and presenting to each other Government on or before the date fixed at the close of this article a panel of the names of five graduate students or teachers together with such information concerning them as the Government awarding the fellowship shall deem necessary, from which panel the latter Government shall select the names of two persons. The same students shall not be nominated for more than two successive years; and, except under unusual circumstances, for more than one year. There shall be no obligation for any country to give consideration to the panel of any other country not nominated and presented on or before the date fixed at the close of this article, and fellowships for which no panel of names is presented on or before the date specified may be awarded to applicants nominated on the panels of any other country but not receiving fellowships. Unless otherwise agreed upon between the countries concerned, the following dates shall prevail:

Countries of South America, November 30th.
 All other countries, March 31st.

Article III.—If for any reason it becomes necessary that a student be repatriated the Government awarding the fellowship may effect the repatriation, at the expense of the nominating Government.

Article IV.—Each High Contracting Party shall communicate to each of the other High Contracting Parties through diplomatic channels, on the first of January of every alternate year, a complete list of the full professors available for exchange service from the outstanding universities, scientific institutions and technical schools of each country. From this list each one of the other High Contracting Parties shall arrange to select a visiting professor who shall either give lectures in various centers, or conduct regular courses of instruction, or pursue special research in some designated institution and who shall in other appropriate ways promote better understanding between the

Annual awards of fellowships.

Tuition, etc., expenses.

Interchange of students and teachers during vacation periods.

Nomination, selection, etc., of students.

Qualifying provision.

Dates specified.

Repatriation of students.

List of full professors available for exchange service to be provided.

Selection; work of exchange professor.

Expenses; salaries of professors.	parties cooperating, it being understood, however, that preference shall be given to teaching rather than to research work. The sending Government shall provide the expenses for travel to and from the capital where the exchange professor resides and the maintenance and local travel expenses while carrying out the duties for which the professor was selected. Salaries of the professors shall be paid by the sending country.
Administration of assumed obligations.	Article V.—The High Contracting Parties agree that each Government shall designate or create an appropriate agency or appoint a special officer, charged with the responsibility of carrying out in the most efficient way possible the obligations assumed by such Government in this Convention.
Independence of institutions of learning, etc., not affected.	Article VI.—Nothing in this convention shall be construed by the High Contracting Parties as obligating any one of them to interfere with the independence of its institutions of learning or with the freedom of academic teaching and administration therein.
Regulations concerning details; framing; distribution of copies.	Article VII.—Regulations concerning details for which it shall appear advisable to provide, shall be framed, in each of the contracting countries, by such agency as may seem appropriate to its Government, and copies of such regulations shall be promptly furnished, through the diplomatic channel, to the Governments of the other High Contracting Parties.
Previously entered obligations not affected.	Article VIII.—The present Convention shall not affect obligations previously entered into by the High Contracting Parties by virtue of international agreements.
Ratification.	Article IX.—The present Convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original instrument shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall transmit authentic certified copies to the Governments for the aforementioned purpose of ratification. The instruments of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory Governments of said deposit. Such notification shall be considered as an exchange of ratifications.
Deposit of original.	
Deposit of instruments of ratification.	
Effective date.	Article X.—The present Convention will come into effect between the High Contracting Parties in the order in which they deposit their respective ratifications.
Duration. Denunciation.	Article XI.—The present Convention shall remain in effect indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory Governments. After the expiration of this period the Convention shall cease in its effects as regards the party which denounces it but shall remain in effect for the remaining High Contracting Parties.
Signatures.	In witness whereof, the above mentioned Plenipotentiaries sign the present Convention in English, Spanish, Portuguese and French and hereunto affix their respective seals, at the city of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, 1936.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

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GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

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FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brazil:

JOSÉ CARLOS DE MACEDO SOARES,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
FELIPE FERREIRO,
ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

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JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

Dominican Republic:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ,

Colombia:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

United States of America:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLF A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGOÑO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,

Bolivia:

ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO,

Haiti:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÉNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

CONVENCION PARA EL FOMENTO DE LAS RELACIONES CULTURALES
INTERAMERICANAS

Los Gobiernos representados en la Conferencia Interamericana de Consolidación de la Paz,

CONSIDERANDO:

Que se adelantaría el propósito con que fué convocada la Conferencia, mediante un mayor conocimiento y entendimiento de los pueblos y de las instituciones de los países representados y una más estrecha solidaridad educacional en el continente americano; y

Que facilitaría apreciablemente la consecución de tales fines el intercambio de profesores, maestros y estudiantes, entre los países americanos, y el estímulo de relaciones más estrechas entre los organismos sin carácter oficial que contribuyen a moldear la opinión pública,

Han resuelto celebrar una convención con ese objeto y, al efecto, han nombrado los siguientes Plenipotenciarios:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

México:

FRANCISCO CASTILLO NÁJERA,
 ALFONSO REYES,
 RAMÓN BETETA,
 JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil

JOSÉ CARLOS DE MACEDO SOARES,
 OSWALDO ARANHA,
 JOSÉ DE PAULA RODRÍGUES ALVES,
 HELIO LOBO,
 HILDEBRANDO POMPEU PINTO ACCIOLY,
 EDMUNDO DA LUZ PINTO,
 ROBERTO CARNEIRO DE MENDONÇA,
 ROSALINA COELHO LISBOA DE MILLER,
 MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
 PEDRO MANINI RÍOS,
 EUGENIO MARTÍNEZ THEDY,
 JUAN ANTONIO BUERO,
 FELIPE FERREIRO,
 ANDRÉS F. PUYOL,
 ABALCÁZAR GARCÍA,
 JOSÉ G. ANTUÑA,
 JULIO CÉSAR CERDEIRAS ALONSO,
 GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
 JOSÉ A. MEDRANO,
 ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
 JOSÉ MARÍA MONCADA,
 MODESTO VALLE.

Colombia:

JORGE SOTO DEL CORRAL,
 MIGUEL LÓPEZ PUMAREJO,
 ROBERTO URDANETA ARBELÁEZ,
 ALBERTO LLERAS CAMARGO,
 JOSÉ IGNACIO DÍAZ GRANADOS.

Panamá:

HARMODIO ARIAS M.,
 JULIO J. FÁBREGA,
 EDUARDO CHIARI.

Estados Unidos de América:

CORDELL HULL,
 SUMNER WELLES,
 ALEXANDER W. WEDDELL,
 ADOLF A. BERLE, Jr.,
 ALEXANDER F. WHITNEY,
 CHARLES G. FENWICK,
 MICHAEL FRANCIS DOYLE,
 ELISE F. MUSSER.

Chile:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Ecuador:

HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DÍEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,

Haití:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÉNE DE LESPINASSE,
 CLÉMENT MAGLOIRE.

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 RAMÓN ZAYDIN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Quienes, después de haber exhibido sus Plenos Poderes, que fueron hallados en buena y debida forma, han convenido lo siguiente:

Artículo I.—Todos los años cada Gobierno concederá a dos estudiantes graduados o maestros de cada uno de los otros países, escogidos conforme al procedimiento que establece el artículo II de la presente Convención, una beca para el año escolar siguiente. Las becas se concederán después que los dos gobiernos interesados canjeen las nóminas a que se refiere el artículo II de la presente Convención. Cada beca proporcionará derechos de matrícula y gastos subsidiarios y pensión en una institución de enseñanza superior designada por el país que concede la beca, por intermedio del órgano que considere apropiado y, en cuanto sea posible, en cooperación con el favorecido. Los gastos de ida y vuelta al lugar de la institución designada, y otros gastos incidentales, serán sufragados por el favorecido o por el Gobierno que lo nombre. Además, cada Gobierno conviene en alentar, por medios apropiados, el intercambio de estudiantes y maestros durante los períodos usuales de vacaciones, entre instituciones dentro de su territorio y otras en los demás países contratantes.

Art. II.—Cada Gobierno tendrá la facultad de preparar y entregar a cada uno de los otros Gobiernos, a más tardar en la fecha fijada al final de este artículo, una nómina de cinco estudiantes graduados o

maestros, junto con las informaciones respecto a ellos que el Gobierno que concede la beca considere necesarias. Este último escogerá de dicha nómina los nombres de dos personas. Los mismos estudiantes no deberán ser designados durante más de dos años consecutivos y, excepto en casos excepcionales, para más de un año. Ningún país estará obligado a considerar la nómina de cualquier otro país si no ha sido formada y presentada con anterioridad a la fecha estatuida al final de este artículo, y las becas para las cuales no se hubiere presentado una nómina con anterioridad a la fecha fijada, podrán ser otorgadas a solicitantes indicados en las nóminas de cualquier otro país, que no hayan recibido becas.

Salvo que los países interesados convengan otra cosa, regirán las siguientes fechas:

Países de América del Sur, 30 de noviembre, y los demás países, 31 de marzo.

Art. III.—Si por cualquier motivo fuese necesario repatriar a un estudiante, el Gobierno que concede la beca podrá efectuar la repatriación por cuenta del Gobierno que lo designó.

Art. IV.—Cada una de las Altas Partes Contratantes enviará a las demás, por la vía diplomática, el 1º de enero, año por medio, una lista completa de los catedráticos reconocidos de las principales universidades, instituciones científicas y escuelas técnicas de cada país, que estén en disposición para un intercambio de servicios. De esta lista cada una de las Altas Partes Contratantes dispondrá que se escoja un profesor visitante, quien dictará conferencias en diversos centros, o explicará cursos regulares de estudios, o hará investigaciones especiales en la institución que se designe, y de otras maneras adecuadas fomentará el buen entendimiento entre las Partes que cooperan, debiendo entenderse, sin embargo, que se dará preferencia a la obra de enseñanza más bien que a la labor de investigación. El Gobierno que envía al profesor visitante cubrirá sus gastos de viaje de ida y vuelta a la ciudad donde resida y los gastos de mantenimiento y de viajes locales mientras el profesor desempeñe las funciones para las que fué escogido. El sueldo de los profesores será pagado por el país que los envía.

Art. V.—Las Altas Partes Contratantes acuerdan que cada Gobierno designará o creará un órgano apropiado, o nombrará un funcionario especial, que tenga la responsabilidad de llevar a efecto, de la manera más eficiente posible, las obligaciones que tal Gobierno asume en esta Convención.

Art. VI.—Nada en esta Convención será interpretado por las Altas Partes Contratantes como una obligación de cualquiera de ellas de interferir con la independencia de sus instituciones docentes o su libertad académica y administrativa.

Art. VII.—En cada uno de los países Contratantes, y por el órgano que se estime adecuado, se dictarán reglamentos acerca de los detalles que se considere necesario estipular y, con la debida premura, se proporcionarán copias de tales reglamentos, por conducto diplomático, a los Gobiernos de las otras Altas Partes Contratantes.

Art. VIII.—La presente Convención no afecta los compromisos contraídos anteriormente por las Altas Partes Contratantes en virtud de acuerdos internacionales.

Art. IX.—La presente Convención será ratificada por las Altas Partes Contratantes, de acuerdo con sus procedimientos constitucionales. El Ministerio de Relaciones Exteriores de la República Argentina guardará los originales de la presente Convención y queda encargado de enviar copias certificadas auténticas a los Gobiernos para el referido fin. Los instrumentos de ratificación serán depositados

en los archivos de la Unión Panamericana, en Washington, que notificará dicho depósito a los Gobiernos signatarios; tal notificación valdrá como canje de ratificaciones.

Art. X.—La presente Convención entrará en vigor entre las Altas Partes Contratantes en el orden en que vayan depositando sus respectivas ratificaciones.

Art. XI.—La presente Convención regirá indefinidamente, pero podrá ser denunciada mediante aviso anticipado de un año a la Unión Panamericana, que lo transmitirá a los demás Gobiernos signatarios.

Transcurrido este plazo, la Convención cesará en sus efectos para el denunciante, quedando subsistente para las demás Altas Partes Contratantes.

En fe de lo cual, los Plenipotenciarios arriba mencionados, firman y sellan la presente Convención en español, inglés, portugués y francés, en la ciudad de Buenos Aires, Capital de la República Argentina, a los veintitrés días del mes de diciembre del año mil novecientos treinta y seis.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
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JOSÉ MARÍA CANTILLO.
FELIPE A. ESPIL,
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ISIDORO RUIZ MORENO.
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 HELIO LOBO,
 HILDEBRANDO POMPEU PINTO ACCIOLY,
 EDMUNDO DA LUZ PINTO,
 ROBERTO CARNEIRO DE MENDONÇA,
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 LUIS BARROS BORGOÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Ecuador:

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ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS,

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ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO,

Haiti:

H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÈNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:

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RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

**CONVENÇÃO PARA PROMOVER AS RELAÇÕES CULTURAES
INTERAMERICANAS**

Os Governos representados na Conferencia Interamericana de Consolidação da Paz,

Considerando que sería levado avante o objeto para que foi convocada a Conferencia, mediante um maior conhecimento e entendimento dos povos e das instituições dos paizes representados e uma mais estreita solidariedade educacional no Continente Americano; e

Que facilitaria notavelmente, a obtenção de taes fins o intercambio de professores, mestres e estudantes entre os paizes americanos e o estímulo de mais estreitas relações entre os organismos sem caracter official que contribuem a formar a opinião publica,

Resolveram celebrar uma Convenção para esse fim e, para isso, nomeraram os plenipotenciarios seguintes:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

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J. ISIDRO RAMÍREZ.

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CARLOS BRENES.

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GUSTAVO HERRERA,
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ALBERTO ULLOA,
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DIÓMEDES ARIAS SCHREIBER.

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ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brasil:

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

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TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

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 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DíEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haiti:

H. PAULEUS SANNON,
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 ELIE LESCOT,
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 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Os quaes depois de terem exhibido seus plenos poderes, que foram achados em boa e devida forma convierom no seguinte:

Artigo I.—Todos os annos cada Governo concederá a dois estudantes formados ou mestres de cada um dos outros paizes, escolhidos de conformidade com o procedimento que estabelece o artigo 2º da presente Convenção, uma beca para o anno escolar seguinte. As becas serão concedidas depois de que os dois Governos interessados troquem as listas a que se refere o artigo 2º da presente convenção. Cada beca dará direitos de matricula despesas subsidiarias e pensão em uma instituição de ensino superior designada pelo paiz que outorga a beca por intermedio do órgão que considerar apropriado e, no que fôr possível, em cooperação com o favorecido. As despesas de ida e volta ao logar da instituição designada e outras despesas accessorias, serão pagas pelo favorecido o pelo Governo que o nomear. Demais, cada Governo convem em animar, pelos meios apropriados, o intercambio de estudantes e mestres durante os periodos communs de férias, entre instituições dentro do seu territorio e outras nos demais paizes contractantes.

Artigo II.—Cada Governo terá facultade de preparar e entregar a cada um dos outros Governos, a mais tardas na data marcada na tabella que está no fim de este artigo, uma lista de cinco estudantes

formados ou mestres, bem como as informações a respeito delles consideradas necessarias pelo Governo que concede a beca. Este Governó escolherá da referida lista os nomens de duas possõas. Os mesmos estudantes não poderão ser designados durante mais de dois annos consecutivos e, excepto em casos excepcionaes, para mais de um anno. Nenhum paiz estará obrigado a considerar a lista de qualquer outro paiz si não fôr ella organizada e apresentada com antecedencia á data estabelecida na tabella que está no fim deste artigo e as becas para as quaes não tiver sido apresentada uma lista com antecedencia á data marcada, poderão ser outorgadas a solicitantes indicados nas listas de qualquer outro paiz, que não tenham recebido becas.

Salvo de que os paizes interessados convienen em outra coussa vigorarão as seguintes datas: Paizes da America do Sul, 30 de Novembro e os demais paizes, 31 de Março.

Artigo III.—Si por qualquer motivo fosse necessario repatriar um estudante, o Governo que outorga a beca poderá fazer a repatriaçã por conta do Governo que o designou.

Artigo IV.—Cada uma das Altas Partes Contractantes enviará ás demais, por via diplomatica, a 1º de Janeiro, anno de por meio, uma lista completa dos cathedricos reconhecidos das principaes universidades, instituicoes scientificas e escolas technicas de cada paiz, que estiverem em condições para um intercambio de servicios. Desta lista, cada uma das Altas Partes Contractantes disporá que seja scollhido um professor visitante, o qual dará conferencias em diversos centros, ou explicará cursos regulares de estudos, ou fará investigações especiaes em instituição a ser designada e, por outras formas adequadas, promoverá o bom entendimento entre as partes que cooperam devendo entender-se, entre tanto, que será dada preferencia á obra de ensino mais do que a tarefa de investigação. O Governo que enviar o lente visitante cobrirá suas despezas de viagem de ida e volta á cidade onde residia e as despezas de manutenção o de viagens locaes emquanto o professor estiver desempenhando as funcções para que foi scollhido. O vencimiento dos professores será pago pelo paiz que os envia.

Artigo V.—As Altas Partes Contractantes convem em que cada Governo designará ou criará um órgão adequado, ou nomeará um funcionario especial que tenha a responsabilidade de levar a effeito, pela forma mais efficiente possivel, as obrigações que esse Governo assume nesta Convenção.

Artigo VI.—Nada do que está estipulado nesta Convenção será interpretado pelas Altas Partes Contractantes como uma obrigação de quaquer uma dellas, de interferir na independencia das suas instituicoes docentes ou na sua liberdades academica e administrativa.

Artigo VII.—Em cada um dos paizes contractantes, e pelo órgão que julgar adequado, serão proferidos regulamentos sobre os detalhes que se considerar necessario estipular e, com a devida antecedencia serão fornecidas copias desses regulamentos, por conducto diplomatico aos Governos das outras Altas Partes Contractantes.

Artigo VIII.—A presente Convenção não affecta os compromissos contrahidos anteriormente pelas Altas Partes Contractantes em virtude de accórdos internacionaes.

Artigo IX.—A presente Convenção será ratificada pelas Altas Partes Contractantes de accórdo com os seus preceitos constitucionaes. O Ministerio de Relações Exteriores da Republica Argentina conservará os originaes da presente Convenção e fica encarregado de enviar copias verdadeiras authenticadas aos Governos para o dito fin. Os instrumentos de ratificação serão depositados nos archivos de União Panamericana em Washington, a qual communicará esse deposito aos Governos signatarios; essa notificação terá o valor de uma tróca de ratificações.

Artigo X.—A presente Convenção entrará em vigor entre as Altas Partes Contractantes na ordem em que forem depositando as suas respectivas ratificações.

Artigo XI.—A presente Convenção vigorará indefinidamente, podendo ser denunciada mediante aviso antecipado de um anno á União Panamericana que o transmittirá aos demais Governos signatarios.

Decorrido este prazo, a Convenção deixará de surtir effeito para o Estado denunciante, subsistindo para os demais.

Em fé do que, os Plenipotenciarios acima mencionados assignam y appõem seus sellos á presente Convenção, em espanhol, inglez, portuguez o francez, na cidade de Buenos Aires, Capital da Republica Argentina, aos vinte e tres dias do mez de dezembro do anno de mil novecentos e trinta e seis.

Argentina:

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CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

**CONVENTION EN VUE D'ENCOURAGER LES RELATIONS CULTURELLES
INTERAMERICAINES**

Les Gouvernements représentés à la Conférence Interaméricaine pour le Maintien de la Paix,

Considérant que l'on approcherait du but dans lequel fut convoquée la Conférence, moyennant une plus grande connaissance et compréhension des peuples et des institutions des pays représentés ainsi qu'une plus étroite solidarité d'éducation sur le continent américain; que la poursuite de ce but serait facilitée d'une manière appréciable par l'échange de professeurs, d'instituteurs et d'étudiants entre les pays américains, et par la stimulation de relations plus étroites entre les organismes sans caractère officiel qui contribuent à modeler l'opinion publique,

Ont décidé de conclure une convention dans ce but, et ont désigné les Plénipotentiaires suivants:

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
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JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Vénézuéla:

CARACCIOLO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Pérou:

CARLOS CONCHA,
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DIÓMEDES ARIAS SCHREIBER.

Le Salvador:

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JUAN MANUEL ALVAREZ DEL CASTILLO.

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JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
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JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
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 CARLOS ROMERO,
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 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Lesquels, après avoir déposé leurs Pleins Pouvoirs trouvés en bonne et due forme, ont convenu ce qui suit:

Article I.—Tous les ans, chaque Gouvernement concèdera à deux étudiants diplômés ou instituteurs de chacun des autres pays, désignés conformément au procédé établi par l'article II de la présente Convention, une bourse pour l'année scolaire suivante. Les bourses seront accordées après que les deux Gouvernements intéressés aient échangé les listes visées à l'article II de la présente Convention. Chaque bourse donnera droit à la matricule, au subside et à la pension dans une institution d'enseignement supérieur désignée par le pays qui concède la bourse, par l'intermédiaire de l'organe qu'il considèrera approprié et, dans la mesure du possible, en coopération avec le

bénéficiaire. Les frais de voyage (aller et retour) au pays ou se trouvera l'institution désignée et tous autres frais, seront à la charge du bénéficiaire ou du Gouvernement qui l'aura désigné. Chaque Gouvernement convient d'encourager, par des moyens appropriés, l'échange d'étudiants et d'instituteurs pendant les périodes normales de vacances, entre les institutions de son propre territoire et celles des autres pays contractants.

Article II.—Chaque Gouvernement aura la faculté de préparer et de remettre à chacun des autres Gouvernements, au plus tard à la date établie par le tableau final de cet article, une liste de cinq étudiants diplômés ou d'instituteurs, ainsi que les renseignements concernant leurs personnes, qu'il jugera nécessaires. Ces derniers choisiront deux noms sur ladite liste. Les mêmes étudiants ne pourront pas être désignés pendant plus de deux ans consécutifs, et, sauf dans les cas exceptionnels, pour plus d'un an. Aucun pays ne sera obligé de prendre en considération la liste d'un autre pays si elle n'a pas été établie et présentée antérieurement à la date fixée à la fin du présent article, et les bourses pour lesquelles n'aurait pas été présentée une liste antérieurement à la date établie, pourront être concédées aux personnes indiquées sur les listes de n'importe quel autre pays, qui n'aurait pas eu de bourse.

Sauf dans le cas où les pays intéressés en conviendraient autrement, les dates suivantes régiront: pays de l'Amérique du Sud: 30 Novembre; autres pays: 31 Mars.

Article III.—Si pour n'importe quel motif il était nécessaire de rapatrier un étudiant, le Gouvernement qui accorde la bourse pourrait effectuer le rapatriement pour compte du Gouvernement qui avait désigné l'étudiant.

Article IV.—Chacune des Hautes Parties Contractantes enverra aux autres, par la voie diplomatique, le premier Janvier, tous les deux ans, une liste complète des professeurs reconnus des principales universités, institutions scientifiques et écoles techniques de chaque pays, qui puissent être désignés pour un échange de services. Chacune des Hautes Parties Contractantes disposera qu'il soit choisi sur ladite liste un professeur visiteur qui dictera des conférences dans divers centres, ou expliquera des cours réguliers d'études ou fera des investigations spéciales à l'institution que l'on désignera, et de toute autre façon appropriée, encouragera la bonne entente entre les Parties qui coopèrent; il doit être entendu cependant, que l'on donnera la préférence à l'oeuvre d'enseignement plutôt qu'à celle d'investigation. Le Gouvernement qui envoie le professeur visiteur paiera ses frais de voyage (aller et retour) jusqu'à la ville où il résidera ainsi que les frais d'entretien et de voyages locaux pendant que le professeur remplira les fonctions pour lesquelles il a été désigné. Le traitement des professeurs sera payé par le pays qui les enverra.

Article V.—Les Hautes Parties Contractantes conviennent que chaque Gouvernement désignera ou créera un organe approprié, ou désignera un fonctionnaire spécial qui aura la responsabilité de mettre en pratique, de la façon la plus efficace possible, les obligations assumées par ce Gouvernement, en vertu de cette Convention.

Article VI.—Rien dans cette Convention ne sera interprété par les Hautes Parties Contractantes comme une obligation pour aucune d'entre elles de porter atteinte à l'indépendance de ses institutions pédagogiques ou à sa liberté académique et administrative.

Article VII.—Dans chacun des pays contractants et par l'intermédiaire de l'organe que l'on jugera approprié, on établira des règlements relativement aux détails qui seraient jugés nécessaires, et, avec l'anticipation voulue, on fournira des copies de ces règlements par la voie diplomatique, aux Gouvernements des autres Hautes Parties Contractantes.

Article VIII.—La présente Convention n'affecte pas les engagements contractés antérieurement par les Hautes Parties Contractantes, en vertu d'accords internationaux.

Article IX.—La présente Convention sera ratifiée par les Hautes Parties Contractantes conformément à leurs procédures constitutionnelles. Le Ministère des Affaires Etrangères de la République Argentine conservera les originaux de la présente Convention et est chargé d'en envoyer des copies certifiées authentiques aux Gouvernements. Les instruments de ratification seront déposés aux archives de l'Union Panaméricaine, à Washington, qui fera part de ce dépôt aux Gouvernements signataires; cette notification équivaudra à l'échange des ratifications.

Article X.—La présente Convention entrera en vigueur entre les Hautes Parties Contractantes suivant l'ordre où elles déposeront leurs respectives ratifications.

Article XI.—La présente Convention restera indéfiniment la vigueur, mais pourra être dénoncée moyennant un préavis d'un an à l'Union Panaméricaine qui le transmettra aux autres Gouvernements signataires.

Une fois ce délai écoulé, les effets de la Convention cesseront en ce qui concerne le dénonciateur et elle restera en vigueur pour les autres Hautes Parties Contractantes.

En foi de quoi, les Plénipotentiaires indiqués ci-après, signent et scellent la présente Convention, en espagnol, en anglais, en portugais et en français, dans la ville de Buenos Aires, Capitale de la République Argentine, ce 23 Décembre 1936.

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

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JULIÁN LÓPEZ PINEDA.

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CARLOS BRENES.

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JUAN MANUEL ALVAREZ DEL CASTILLO.

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HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

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EUGENIO MARTÍNEZ THEDY,
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JULIO CÉSAR CERDEIRAS ALONSO,
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CARLOS SALAZAR,
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JOSÉ MARÍA MONCADA,
MODESTO VALLE.

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ENRIQUE JIMÉNEZ.

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ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

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Etats-Unis d'Amérique:

CORDELL HULL,
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ADOLF A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chili:

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 RICARDO MONTANER BELLO.

Equateur:

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 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 CARLOS ROMERO.

Haiti:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÈNE DE LESPINASSE,
 CLÉMENT MAGLOIRE.

Cuba:

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 RAMÓN ZAYDIN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

AND WHEREAS the said Convention has been duly ratified on the part of the United States of America and the instrument of ratification was deposited with the Pan American Union at Washington on the 29th day of July, 1937;

NOW, THEREFORE, be it known that I, Franklin D. 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 of America 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 sixteenth day of September in the year of our Lord one thousand nine hundred and thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

Ratification.

Proclamation.

December 23, 1936
[T. S. No. 929]

Convention between the United States of America and other American Republics concerning artistic exhibitions. Signed at Buenos Aires, December 23, 1936; ratification advised by the Senate, June 29, 1937; ratified by the President, July 15, 1937; ratification of the United States of America deposited with the Pan American Union at Washington, July 29, 1937; proclaimed, September 16, 1937.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Inter-American
convention concern-
ing artistic exhibi-
tions.
Preamble.

WHEREAS a Convention Concerning Artistic Exhibitions was signed at Buenos Aires on December 23, 1936, by the respective plenipotentiaries of the United States of America and the twenty other American Republics represented at the Inter-American Conference for the Maintenance of Peace, a true copy of which Convention, in the English, Spanish, Portuguese and French languages, is word for word as follows: ¹

Texts.

CONVENTION CONCERNING ARTISTIC EXHIBITIONS

Purpose.

The Governments represented at the Inter-American Conference for the Maintenance of Peace;

Desirous of improving their spiritual relationships through a better acquaintance with their respective artistic creations, have resolved to conclude a Convention relative to the exhibition of artistic productions, and to this effect have named the following plenipotentiaries:

Plenipotentiaries.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

¹ The texts follow literally the certified copy of the convention furnished by the Argentine Government.—The editor.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexico:

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ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brazil:

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OSWALDO ARANHA,
JOSÉ DE PAULA RODRÍGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

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PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
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EDUARDO CHIARI.

United States of America:

CORDELL HULL,
SUMNER WELLES,
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ADOLF A. BERLE, JR.
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CHARLES G. FENWICK,
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Bolivia:

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CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

Who, after having deposited their full powers, found to be in good and due form, have agreed as follows.

Article I.—Each of the High Contracting Parties agrees to grant, so far as its legislation may permit, all possible facilities for the holding within its territory of artistic exhibitions of each of the other Parties.

Facilities for holding artistic exhibitions.

Article II.—The facilities referred to in Article I shall be granted to Government agencies and to private enterprises which are officially authorized by them and shall be extended, as far as possible, to customhouse formalities and requirements, to transport on communication lines belonging to the respective States, to rooms for exhibition or storage, and to other matters related to the object referred to.

Grant of, to Government agencies, etc.

Article III.—The present Convention shall not affect obligations previously entered into by the High Contracting Parties by virtue of international agreements.

Previously entered obligations not affected.

Article IV.—The present Convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original instrument shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall transmit authentic certified copies to the Governments for the aforementioned purpose of ratification. The instruments of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications.

Ratification.

Deposit of original.

Deposit of instruments of ratification.

Article V.—The present Convention will come into effect between the High Contracting Parties in the order in which they deposit their respective ratifications.

Effective date.

Article VI.—The present Convention shall remain in effect indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory governments. After the expiration of this period the Convention shall cease in its effects as regards the party which denounces it but shall remain in effect for the remaining High Contracting Parties.

Duration.

Denunciation.

Article VII.—The present Convention shall be open for the adherence and accession of States which are not signatories. The corresponding instruments shall be deposited in the archives of the Pan American Union, which shall communicate them to the other High Contracting Parties.

Adherence and accession.

In witness whereof, the above mentioned Plenipotentiaries sign the present Convention in English, Spanish, Portuguese and French and hereunto affix their respective seals, at the City of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, 1936.

Signatures.

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
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CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

CONVENCION SOBRE FACILIDADES A EXPOSICIONES ARTISTICAS

Los Gobiernos representados en la Conferencia Interamericana de Consolidación de la Paz,

Deseosos de fomentar sus vinculaciones espirituales mediante el mejor conocimiento recíproco de sus respectivas producciones de arte, han resuelto celebrar una Convención relativa a la exposición de producciones artísticas y, con tal fin, han nombrado los siguientes Plenipotenciarios:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

El Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

México:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ÁLVAREZ DEL CASTILLO.

Brasil

JOSÉ CARLOS DE MACEDO SOARES,
OSWALDO ARANHA,
JOSÉ DE PAULA RODRÍGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:

JOSÉ ESPALTER,
PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

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ALBERTO LLERAS CAMARGO,
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EDUARDO CHIARI.

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MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

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 LUIS BARROS BORGOÑO,
 FÉLIX NIETO DEL RÍO.
 RICARDO MONTANER BELLO.

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 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DíEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haití:

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 CLÉMENT MAGLOIRE.

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 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Quienes, después de haber exhibido sus Plenos Poderes que fueron hallados en buena y debida forma, han convenido en lo siguiente:

Artículo 1º—Cada una de las Altas Partes Contratantes se compromete a otorgar, dentro de lo que su legislación permita, todas las facilidades posibles para que se verifiquen en su territorio, exposiciones artísticas de cada una de las otras Partes.

Art. 2º—Las facilidades a que se refiere el artículo 1º pueden acordarse a las iniciativas de los Gobiernos y a las privadas auspiciadas oficialmente por ellos, y se extenderán, en lo posible, a formalidades y requisitos de carácter aduanero, de transporte por las vías de comunicación de propiedad de los respectivos Estados, de locales para exhibición o depósito y otras materias relacionadas con el enunciado objeto.

Art. 3º—La presente Convención no afecta los compromisos contraídos anteriormente por las Altas Partes Contratantes en virtud de acuerdos internacionales.

Art. 4º—La presente Convención será ratificada por las Altas Partes Contratantes, de acuerdo con sus procedimientos constitucionales. El Ministerio de Relaciones Exteriores de la República Argentina guardará los originales de la presente Convención, y queda encargado de enviar copias certificadas auténticas a los Gobiernos

para el referido fin. Los instrumentos de ratificación serán depositados en los archivos de la Unión Panamericana, en Washington, que notificará dicho depósito a los Gobiernos signatarios; tal notificación valdrá como canje de ratificaciones.

Art. 5º—La presente Convención entrará en vigor entre las Altas Partes Contratantes en el orden en que vayan depositando sus respectivas ratificaciones.

Art. 6º—La presente Convención regirá indefinidamente, pero podrá ser denunciada mediante aviso anticipado de un año a la Unión Panamericana, que lo transmitirá a los demás Gobiernos signatarios.

Transcurrido este plazo, la Convención cesará en sus efectos para el denunciante, quedando subsistente para las demás Altas Partes Contratantes.

Art. 7º—La presente Convención quedará abierta a la adhesión y accesoión de los Estados no signatarios. Los instrumentos correspondientes serán depositados en los archivos de la Unión Panamericana, que los comunicará a las otras Altas Partes Contratantes.

En fe de lo cual, los Plenipotenciarios arriba mencionados, firman y sellan la presente Convención en español, inglés, portugués y francés, en la ciudad de Buenos Aires, Capital de la República Argentina, a los veintitrés días del mes de diciembre del año mil novecientos treinta y seis.

Argentina:

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FELIPE A. ESPIL,
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DANIEL ANTOKOLETZ,
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EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

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ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
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ALFONSO CARRILLO.

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MODESTO VALLE.

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ENRIQUE JIMÉNEZ.

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ALBERTO LLERAS CAMARGO,
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 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

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 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

CONVENÇÃO SOBRE FACILIDADES PARA EXPOSIÇÕES ARTÍSTICAS

Os Governos representados na Conferencia Interamericana de Consolidação da Paz. No desejo de promover as suas vinculações espirituales mediante o melhor conhecimento reciproco de suas respectivas producções artisticas, resolveram celebrar um Tratado relativo á exposiçõ de producções de arte e, com tal fim, nomearam os seguintes Plenipotenciarios:

Argentina:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

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JULIÁN LÓPEZ PINEDA.

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CARLOS BRENES.

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CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZEREGA FOMBONA.

Perú:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

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MAXIMILIANO PATRICIO BRANNON.

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ALFOSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

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OSWALDO ARANHA,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARIA LUIZA BITTENCOURT.

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PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
JUAN ANTONIO BUERO,
FELIPE FERREIRO,
ANDRÉS F. PUYOL,
ABALCÁZAR GARCÍA,
JOSÉ G. ANTUÑA,
JULIO CÉSAR CERDEIRAS,
GERVASIO POSADAS BELGRANO.

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JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

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JOSÉ MARÍA MONCADA,
MODESTO VALLE.

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ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

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JULIO FÁBREGA,
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ADOLF A. BERLE, Jr.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chile:

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 LUIS BARROS BORGÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

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HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivia:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
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 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haiti:

HORACIO PAULEUS SANNON,
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 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Os quaes, depois de terem exhibido as suas credenciaes, que foram achadas em bôa e devida forma, convieram no seguinte:

Artigo I.—Cada uma das Altas Partes Contractantes se compromette a outorgar, na medida que a sua legislação o permitir, todas as facilidades possiveis para se realizarem no seu territorio, exposições artisticas de cada uma das outras Partes.

Artigo II.—As facilidades a que se refere o Art. I podem ser accordadas ás iniciativas dos Governos e ás iniciativas privadas por elles officialmente amparadas e estender-se-ão, na medida do possivel, a formalidades e requisitos de caracter alfandegario, de transporte pelas vias de communicacão de propriedade dos respectivos Estados, de logares para exhibição ou deposito e outros assumptos relacionados com o objectivo visado.

Artigo III.—A presente Convenção não affecta os compromissos contrahidos anteriormente pelas Altas Partes Contractantes, em virtude do accórdos internacionaes.

Artigo IV.—A presente Convenção será ratificada pelas Altas Partes Contractantes, de accórdo com os seus preceitos constitucionaes. O Ministerio de Relações Exteriores da Republica Argentina conservará os originaes desta Convenção, e fica encarregado de enviar aos Governos copias authenticadas, para o referido fim. Os instrumentos

de ratificação serão depositados nos arquivos da União Panamericana, em Washington, que comunicará tal depósito aos Governos signatarios; essa comunicação terá o valor de troca de ratificações.

Artigo V.—A presente Convenção entrará em vigor entre as Altas Partes Contractantes na ordem em que estas forem depositando as suas respectivas ratificações.

Artigo VI.—A presente Convenção vigorará indefinidamente, podendo porém, ser denunciada, mediante aviso anticipado de um anno, á União Panamericana, que o transmittirá aos demais Governos signatarios.

Decorrido este prazo, a Convenção deixará de producir effeito para o Estado denunciante, subsistindo para as demais Partes Contractantes.

Artigo VII.—A presente Convenção ficará aberta á adhesão e accessão dos Estados não signatarios. Os instrumentos correspondentes serão depositados nos Archivos da União Panamericana, que os comunicará ás outras Altas Partes Contractantes.

En testimonio do que, os Plenipotenciarios acima mencionados assignam e appõem os respectvios sellos na presente Convenção em espanhol, inglez, portuguez, e francez, na cidade de Buenos Aires, Capital da Republica Argentina, aos vinte e tres dias do mez de dezembro do anno de mil novecentos e trinta e seis.

Argentina:

CARLOS SAAVEDRA LAMAS,
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JOSÉ MARÍA CANTILLO,
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MARIA LUIZA BITTENCOURT.

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JULIO CÉSAR CERDEIRAS,
GERVASIO POSADAS BELGRANO.

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MODESTO VALLE.

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TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

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 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

**CONVENTION EN VUE D'ACCORDER DES FACILITES AUX EXPOSITIONS
ARTISTIQUES**

Les Gouvernements représentés à la Conférence Interaméricaine pour le Maintien de la Paix,

Désireux de resserrer leurs liens spirituels par la plus complète connaissance réciproque de leurs respectives productions artistiques ont décidé de conclure une Convention relative à l'exposition des oeuvres d'art et, dans ce but, ont désigné les Plénipotentiaires suivants:

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILLO.
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO.
DANIEL ANTOKOLETZ,
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Costa Rica:

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CARLOS BRENES.

Vénézuéla:

CARACCIOLO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Pérou:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

Le Salvador:

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JOSÉ MARÍA MONCADA,
MODESTO VALLE.

République Dominicaine:

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TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombie:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:

HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

Etats-Unis d'Amérique:

CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLF A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chili:

MIGUEL CRUCHAGA TOCORNAL,
 LUIS BARROS BORGOÑO,
 FÉLIX NIETO DEL RÍO,
 RICARDO MONTANER BELLO.

Equateur:

HUMBERTO ALBORNOZ,
 ANTONIO PONS,
 JOSÉ GABRIEL NAVARRO,
 FRANCISCO GUARDERAS,
 EDUARDO SALAZAR GÓMEZ.

Bolivie:

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 EDUARDO DíEZ DE MEDINA,
 ALBERTO OSTRIA GUTIÉRREZ,
 CARLOS ROMERO,
 ALBERTO CORTADELLAS,
 JAVIER PAZ CAMPERO.

Haïti:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÈNE DE LESPINASSE,
 CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
 RAMÓN ZAYDÍN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

Lesquels, après avoir déposé leurs Pleins Pouvoirs, trouvés en bonne et due forme, ont convenu ce qui suit:

Article I.—Chacune des Hautes Parties Contractantes s'engage à octroyer, dans la limite où sa législation le permettra, toutes les facilités possibles à la réalisation sur son territoire d'expositions artistiques de chacune des autres Parties.

Article II.—Les facilités dont il est question à l'article premier peuvent être accordées aux initiatives des Gouvernements et aux initiatives privées auxquelles ils accordent leur protection officielle, et s'étendront, dans la mesure du possible, aux formalités et règles douanières, au transport par les voies de communication appartenant aux Etats respectifs, aux locaux pour l'exposition ou le dépôt et autres questions en rapport avec l'objet énoncé.

Article III.—La présente Convention n'affecte pas les engagements pris précédemment par les Hautes Parties Contractantes en vertu d'accords internationaux.

Article IV.—La présente Convention sera ratifiée par les Hautes Parties Contractantes, conformément à leurs procédures constitutionnelles. Le Ministère des Affaires Etrangères de la République Argentine conservera les originaux de la présente Convention, et est chargé d'en envoyer, à cette fin, des copies certifiées authentiques aux

Gouvernements. Les instruments de ratification seront déposés aux archives de l'Union Panaméricaine, à Washington, qui en notifiera le dépôt aux Gouvernements signataires; cette notification équivaldra à l'échange des ratifications.

Article V.—La présente Convention entrera en vigueur entre les Hautes Parties Contractantes dans l'ordre où elles auront déposé leurs ratifications respectives.

Article VI.—La présente Convention restera indéfiniment en vigueur, mais pourra être dénoncée moyennant un préavis d'un an à l'Union Panaméricaine, qui le transmettra aux autres Gouvernements signataires.

Ce délai écoulé, la Convention cessera d'être en vigueur pour la partie qui l'aura dénoncée, subsistant pour les autres Hautes Parties Contractantes.

Article VII.—La présente Convention reste ouverte à l'adhésion des Etats non signataires. Les instruments d'adhésion correspondants seront déposés aux archives de l'Union Panaméricaine qui les communiquera aux autres Hautes Parties Contractantes.

En foi de quoi, les Plénipotentiaires ci-après nommés, ont signé la présente Convention en espagnol, en anglais, en portugais et en français et y ont apposé leurs sceaux, dans la ville de Buenos Aires, Capitale de la République Argentine, ce vingt-trois Décembre mil neuf cent trente-six.

Argentine:

CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:

MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:

ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:

MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Vénézuéla:

CARACCILO PARRA PÉREZ,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Pérou:

CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
DIÓMEDES ARIAS SCHREIBER.

Le Salvador:

MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexique:

FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ÁLVAREZ DEL CASTILLO.

Brésil:

JOSÉ CARLOS DE MACEDO SOARES,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT,

Uruguay:

PEDRO MANINI RÍOS,
EUGENIO MARTÍNEZ THEDY,
FELIPE FERREIRO,
ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatémala:

CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:

LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

République Dominicaine:

MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombie:

JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

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ADOLPH A. BERLE, Jr.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

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MIGUEL CRUCHAGA TOCORNAL,
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 RICARDO MONTANER BELLO.

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HUMBERTO ALBORNOZ,
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 FRANCISCO GUARDERAS,

Bolivie.

ENRIQUE FINOT,
 DAVID ALVÉSTEGUI,
 CARLOS ROMERO,

Haiti:

H. PAULEUS SANNON,
 CAMILLE J. LEÓN,
 ELIE LESCOT,
 EDMÉ MANIGAT,
 PIERRE EUGÉNE DE LESPINASSE,
 CLÉMENT MAGLOIRE.

Cuba:

JOSÉ MANUEL CORTINA,
 RAMÓN ZAYDIN,
 CARLOS MÁRQUEZ STERLING,
 RAFAEL SANTOS JIMÉNEZ,
 CÉSAR SALAYA,
 CALIXTO WHITMARSH,
 JOSÉ MANUEL CARBONELL.

AND WHEREAS the said Convention has been duly ratified on the part of the United States of America and the instrument of ratification was deposited with the Pan American Union at Washington on the 29th day of July, 1937;

NOW, THEREFORE, be it known that I, Franklin D. 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 of America 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 sixteenth day of September in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Ratification.

Proclamation.

November 21, 1936
[T. S. No. 930]

Treaty of establishment between the United States of America and Greece. Signed at Athens, November 21, 1936; ratification advised by the Senate, May 28, 1937; ratified by the President, July 23, 1937; ratified by Greece, January 9, 1937; ratifications exchanged at Athens, October 22, 1937; proclaimed, October 26, 1937.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Treaty of establishment with Greece.

WHEREAS a Treaty of Establishment between the United States of America and the Kingdom of Greece was concluded and signed by their respective Plenipotentiaries at Athens, on the twenty-first day of November, one thousand nine hundred and thirty-six, the original of which Treaty, being in the English and Greek languages is word for word as follows:

TREATY OF ESTABLISHMENT BETWEEN THE UNITED STATES OF AMERICA AND THE KINGDOM OF GREECE

Contracting powers.

The United States of America and the Kingdom of Greece, being desirous of prescribing the conditions under which the nationals, corporations and associations of each country may settle and carry on business in the territory of the other country have decided to conclude a treaty for that purpose and have appointed their plenipotentiaries;

Plenipotentiaries.

The President of the United States of America His Excellency Mr. Lincoln Mac Veagh, Envoy Extraordinary and Minister Plenipotentiary at Athens;

His Majesty the King of the Hellenes His Excellency Mr. Nicolas Mavroudis, Permanent Under Secretary of State for Foreign Affairs; who, having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following provisions:

ARTICLE I

Treatment of nationals, etc., with respect to entry, establishment, and residence.

The nationals, limited liability and other corporations and associations of the United States of America and Greece respectively, shall receive in the territories of the other country treatment with respect to entry, establishment and residence which shall be, in all respects, no less favorable than the treatment which is or shall be accorded to nationals, corporations or associations of the most favored third country.

Regulation of immigration.

Nothing in this Treaty shall be construed to affect existing statutes or regulations of either of the High Contracting Parties in relation to the immigration of aliens or the right of either Party to enact such statutes.

ARTICLE II

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Athens as soon as possible.

Ratification.

It shall take effect on the day of the exchange of ratifications and shall remain in force for three years. After this date it shall remain in force until the expiration of twelve months from the day on which notice of its termination shall have been given by either High Contracting Party to the other Party.

Effective date and duration.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed the present Treaty and have affixed their seals thereto.

Signatures.

DONE in duplicate in the English and Greek languages, both authentic, at Athens this 21st day of November one thousand nine hundred and thirty-six.

[SEAL] LINCOLN MACVEAGH

[SEAL] N. MAVROUDIS

ΣΥΝΘΗΚΗ ΕΓΚΑΤΑΣΤΑΣΕΩΣ

ΜΕΤΑΞΕ ΤΩΝ ΗΝΩΜΕΝΩΝ ΠΟΛΙΤΕΙΩΝ ΤΗΣ ΑΜΕΡΙΚΗΣ

ΚΑΙ ΤΟΥ ΒΑΣΙΛΕΙΟΥ ΤΗΣ ΕΛΛΑΔΟΣ

Αἱ Ἠνωμένα Πολιτεῖαι τῆς Ἀμερικῆς καὶ τὸ Βασίλειον τῆς Ἑλλάδος, ἐν τῇ ἐπιθυμίᾳ ὅπως καθορίσωσι τοὺς ὅρους ὑπὸ τοὺς ὁποίους οἱ πολῖται, ἐταιρεῖαι καὶ συνεταιρισμοὶ ἐκάστης χώρας θά δύνανται νὰ ἐγκατασταθῶσι καὶ διεξάγωσι τὰς ἐπιχειρήσεις των ἐν τῷ ἐδάφει τῆς ἑτέρας, ἀπεφάσισαν πρὸς τὸν σκοπὸν τοῦτον τὴν σύναψιν συνθήκης καὶ διώρισαν τοὺς πληρεξουσίους αὐτῶν ὡς ἔπεται:

Ὁ Πρόεδρος τῶν Ἠνωμένων Πολιτειῶν τῆς Ἀμερικῆς Τὴν Αὐτοῦ Ἐξοχότητα τὸν Κύριον Lincoln Mac Veagh, Ἐκτακτὸν Ἀπεσταλμένον καὶ Πληρεξούσιον Ἐμπουργόν ἐν Ἀθήναις.

Ἡ Αὐτοῦ Μεγαλειότης ὁ Βασιλεὺς τῶν Ἑλλήνων Τὴν Αὐτοῦ Ἐξοχότητα τὸν Κύριον Νικόλαον Μαυρουδῆν, Μόνιμον ἐπὶ τῶν Ἐξωτερικῶν Ἐμπουργόν οἵτινες ἀνακινώσαντες πρὸς ἀλλήλους τὰ οἰκεία αὐτῶν πληρεξούσια, εὔρον ταῦτα καλῶς ἔχοντα καὶ συνεφώνησαν ἐπὶ τῶν ἐπομένων:

Ἄρθρον 1.

Οἱ πολῖται, ἀνώνυμοι ἐταιρεῖαι καὶ λοιπαὶ ἐταιρεῖαι καὶ συνεταιρισμοὶ τῶν Ἠνωμένων Πολιτειῶν τῆς Ἀμερικῆς καὶ τῆς Ἑλλάδος θά ἀπολαμβάνωσιν ἐν τοῖς ἐδάφει τῆς ἑτέρας χώρας ὡς πρὸς τὴν εἰσόδον, ἐγκατάστασιν καὶ διαμονὴν των μεταχειρίσεως ἀπὸ πάσης ἀπόψεως οὐχὶ ὀλιγώτερον εἰνοϊκῆς τῆς παρεχομένης ἢ παρασχεθησομένης μεταχειρίσεως πρὸς τοὺς πολῖτας, ἐταιρεῖας ἢ συνεταιρισμοὺς τοῦ μᾶλλον εἰνοουμένου τρίτου κράτους.

Ἡ παρούσα Συνθήκη κατ'οὐδὲν θέλει μεταβάλλει τοὺς ἐν ἰσχύϊ νόμους καὶ κανονισμοὺς ἐκατέρου τῶν ὑψηλῶν Συμβαλλομένων Μερῶν σχετικῶς πρὸς τὴν μετανάστευσιν ἀλλοδαπῶν οὐδὲ θέλει παρεμποδίσει τὸ δικαίωμα ἐκατέρου Μέρους ὅπως θέσῃ ἐν ἰσχύϊ τοιοῦτους νόμους.

Ἄρθρον 2.

Ἡ παρούσα Συνθήκη θέλει κυρωθῇ, αἱ δὲ ἐπικυρώσεις ταύτης θά ἀνταλλαγῶσιν ἐν Ἀθήναις ὅσον οἶον τε ταχύτερον.

Θέλει ἰσχύσει ἀπὸ τῆς ἡμέρας τῆς ἀνταλλαγῆς τῶν ἐπικυρώσεων καὶ παραμείνῃ ἐν ἰσχύϊ ἐπὶ τριετίαν. Μετὰ δὲ τὴν πάροδον ταύτης θά παραμείνῃ ἐν ἰσχύϊ μέχρι τῆς παρελεύσεως δώδεκα μηνῶν ἀπὸ τῆς ἡμέρας καθ' ἣν ἐκάτερον τῶν ὑψηλῶν Συμβαλλομένων Μερῶν θέλει εἰδοποιήσει τὸ ἕτερον περὶ τοῦ τερματισμοῦ της.

Εἰς πίστωσιν τῶν ὁποίων οἱ πληρεξούσιοι ὑπέγραψαν τὴν παρούσαν Συνθήκην καὶ ἐπέθεσαν τὰς σφραγίδας των.

Ἐγένετο εἰς διπλοῦν εἰς τὴν Ἀγγλικὴν καὶ Ἑλληνικὴν, ἀμφοτέρων θεωρουμένων ὡς ἐν πρωτοτύπῳ ἐν Ἀθήναις τῇ 21ῃ τοῦ μηνὸς Νοεμβρίου τοῦ χιλιοστοῦ ἑνεακοσιοστοῦ τριακοστοῦ ἔκτου ἔτους.—

[SEAL] LINCOLN MACVEAGH

[SEAL] N. MAVROUDIS

Ratifications exchanged.

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 Athens, on the twenty-second day of October, one thousand nine hundred and thirty-seven;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. 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 of America 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-sixth day of October in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Convention and protocol of signature thereto, between the United States of America and other powers respecting bills of lading for the carriage of goods by sea. Concluded at Brussels, August 25, 1924; signed on the part of the United States of America, June 23, 1925; ratification advised by the Senate of the United States, subject to two understandings, May 6, 1937; ratified by the President of the United States, subject to the said understandings, May 26, 1937; ratification of the United States of America deposited at Brussels, June 29, 1937; proclaimed, November 6, 1937. Together with related papers.

August 25, 1924
[T. S. No. 931]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a convention for the unification of certain rules relating to bills of lading for the carriage of goods by sea and a protocol of signature thereto, dated and opened for signature at Brussels on August 25, 1924, were signed on various dates thereafter by the respective plenipotentiaries of the United States of America, Germany, Belgium, Chile, Spain, Estonia, France, Great Britain and Northern Ireland, with a reservation, Hungary, Italy, Japan (the convention only), with reservations, Poland and the Free City of Danzig, Rumania and the Kingdom of the Serbs, Croats and Slovenes (Yugoslavia), the originals of which convention and protocol of signature in the French language are word for word as follows:

International convention, etc., respecting bills of lading for the carriage of goods by sea.
Preamble.

Contracting parties.

CONVENTION INTERNATIONALE POUR L'UNIFICATION DE CERTAINES RÈGLES EN MATIÈRE DE CONNAISSEMENT SIGNÉE A BRUXELLES, LE 25 AOUT 1924.

LE PRÉSIDENT DE LA RÉPUBLIQUE ALLEMANDE, LE PRÉSIDENT DE LA RÉPUBLIQUE ARGENTINE, SA MAJESTÉ LE ROI DES BELGES, LE PRÉSIDENT DE LA RÉPUBLIQUE DU CHILI, LE PRÉSIDENT DE LA RÉPUBLIQUE DE CUBA, SA MAJESTÉ LE ROI DE DANEMARK ET D'ISLANDE, SA MAJESTÉ LE ROI D'ESPAGNE, LE CHEF DE L'ÉTAT ESTONIEN, LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE, LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE, LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE, SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES POSSESSIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES, SON ALTESSE SÉRÉNISSIME LE GOUVERNEUR DU ROYAUME DE HONGRIE, SA MAJESTÉ LE ROI D'ITALIE, SA MAJESTÉ L'EMPEREUR DU JAPON, LE PRÉSIDENT DE LA RÉPUBLIQUE DE LETTONIE, LE PRÉSIDENT DE LA RÉPUBLIQUE DU MEXIQUE, SA MAJESTÉ LE ROI DE NORVÈGE, SA MAJESTÉ LA REINE DES PAYS-BAS, LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU, LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE, LE PRÉSIDENT DE LA RÉPUBLIQUE PORTUGAISE, SA MAJESTÉ LE ROI DE ROUMANIE, SA

MAJESTÉ LE ROI DES SERBES, CROATES ET SLOVÈNES, SA MAJESTÉ LE ROI DE SUÈDE ET LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'URUGUAY,

Ayant reconnu l'utilité de fixer de commun accord certaines règles uniformes en matière de connaissance, ont décidé de conclure une Convention à cette effet et ont désigné, pour Leurs Plénipotentiaires, savoir:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE ALLEMANDE:

S. E. M. VON KELLER, Ministre d'Allemagne à Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE ARGENTINE:

SA MAJESTÉ LE ROI DES BELGES:

M. L. FRANCK, Ministre des Colonies, Président du Comité maritime international;

M. A. LE JEUNE, Sénateur, Vice-Président du Comité maritime international;

M. F. SOHR, Docteur en droit, Secrétaire Général du Comité maritime international, Professeur à l'Université de Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DU CHILI:

S. E. M. ARMANDO QUEZADA, Ministre du Chili à Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DE CUBA:

SA MAJESTÉ LE ROI DE DANEMARK ET D'ISLANDE:

SA MAJESTÉ LE ROI D'ESPAGNE:

S. E. le Marquis DE VILLALOBAR ET DE GUIMAREY, Ambassadeur d'Espagne à Bruxelles.

M. LE CHEF DE L'ÉTAT ESTONIEN:

S. E. M. PUSTA, Ministre d'Estonie à Bruxelles.

M. LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE:

S. E. M. WILLIAM PHILLIPS, Ambassadeur des États-Unis d'Amérique à Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE:

S. E. M. M. HERBETTE, Ambassadeur de France à Bruxelles

SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES POSSESSIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES:

S. E. le Très Honorable Sir GEORGE GRAHAME, G. C. V. O. K. C. M. G., Ambassadeur de Sa Majesté Britannique à Bruxelles.

SON ALTESSE SÉRÉNISSIME LE GOUVERNEUR DU ROYAUME DE HONGRIE:

M. le Comte OLIVIER WORACZICKY, Baron de Pabienitz, Chargé d'affaires de Hongrie à Bruxelles.

SA MAJESTÉ LE ROI D'ITALIE:

M. J. DANELO, Chargé d'affaires a. i. d'Italie à Bruxelles.

SA MAJESTÉ L'EMPEREUR DU JAPON:

S. E. M. M. ADATCI, Ambassadeur du Japon à Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DE LETTONIE:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DU MEXIQUE:

SA MAJESTÉ LE ROI DE NORVÈGE:

SA MAJESTÉ LA REINE DES PAYS-BAS:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE ET LA VILLE LIBRE DE DANTZIG:

S. E. M. le Comte JEAN SZEMBEK, Ministre de Pologne à Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE PORTUGAISE:

SA MAJESTÉ LE ROI DE ROUMANIE:

S. E. M. HENRI CATARGI, Ministre de Roumanie à Bruxelles.

SA MAJESTÉ LE ROI DES SERBES, CROATES ET SLOVÈNES:

MM. STRAZNICKY et VERONA.

SA MAJESTÉ LE ROI DE SUÈDE:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'URUGUAY:

Lesquels, à ce dûment autorisés, sont convenus de ce qui suit:

ARTICLE PREMIER.

Dans la présente Convention les mots suivants sont employés dans le sens précis indiqué ci-dessous:

(a) «Transporteur» comprend le propriétaire du navire ou l'affréteur, partie à un contrat de transport avec un chargeur.

(b) «Contrat de transport» s'applique uniquement au contrat de transport constaté par un connaissement ou par tout document similaire formant titre pour le transport des marchandises par mer; il s'applique également au connaissement ou document similaire émis en vertu d'une charte-partie à partir du moment où ce titre régit les rapports du transporteur et du porteur du connaissement.

(c) «Marchandises» comprend biens, objets, marchandises et articles de nature quelconque, à l'exception des animaux vivants et de la cargaison qui, par le contrat de transport, est déclarée comme mise sur le pont et, en fait, est ainsi transportée.

(d) «Navire» signifie tout bâtiment employé pour le transport des marchandises par mer.

(e) «Transport de marchandises» couvre le temps écoulé depuis le chargement des marchandises à bord du navire jusqu'à leur déchargement du navire.

ARTICLE 2.

Sous réserve des dispositions de l'article 6, le transporteur dans tous les contrats de transport des marchandises par mer sera, quant au chargement, à la manutention, à l'arrimage, au transport, à la garde, aux soins et au déchargement des dites marchandises, soumis aux responsabilités et obligations, comme il bénéficiera des droits et exonérations ci-dessous énoncés.

ARTICLE 3.

1. Le transporteur sera tenu avant et au début du voyage d'exercer une diligence raisonnable pour:

- (a) Mettre le navire en état de navigabilité;
- (b) Convenablement armer, équiper et approvisionner le navire;
- (c) Approprier et mettre en bon état les cales, chambres froides et frigorifiques et toutes autres parties du navire où des marchandises sont chargées pour leur réception, transport et conservation.

2. Le transporteur, sous réserve des dispositions de l'article 4, procédera de façon appropriée et soigneuse au chargement, à la manutention, à l'arrimage, au transport, à la garde, aux soins et au déchargement des marchandises transportées.

3. Après avoir reçu et pris en charge les marchandises, le transporteur ou le capitaine ou agent du transporteur devra, sur demande du chargeur, délivrer au chargeur un connaissement portant entre autres choses:

(a) Les marques principales nécessaires à l'identification des marchandises telles qu'elles sont fournies par écrit par le chargeur avant que le chargement de ces marchandises ne commence, pourvu que ces marques soient imprimées ou apposées clairement de toute autre façon sur les marchandises non emballées ou sur les caisses ou emballages dans lesquelles les marchandises sont contenues, de telle sorte qu'elles devraient normalement rester lisibles jusqu'à la fin du voyage;

(b) Ou le nombre de colis, ou de pièces, ou la quantité ou le poids, suivant les cas, tels qu'ils sont fournis par écrit par le chargeur;

(c) L'état et le conditionnement apparent des marchandises.

Cependant aucun transporteur, capitaine ou agent du transporteur, ne sera tenu de déclarer ou de mentionner, dans le connaissement des marques, un nombre, une quantité ou un poids, dont il a une raison sérieuse de soupçonner qu'ils ne représentent pas exactement les marchandises actuellement reçues par lui, ou qu'il n'a pas eu des moyens raisonnables de vérifier.

4. Un tel connaissement vaudra présomption, sauf preuve contraire, de la réception par le transporteur des marchandises telles qu'elles y sont décrites conformément au § 3, a), b) et c).

5. Le chargeur sera considéré avoir garanti au transporteur, au moment du chargement, l'exactitude des marques, du nombre, de la quantité et du poids tels qu'ils sont fournis par lui, et le chargeur indemnisera le transporteur de toutes pertes, dommages et dépenses provenant ou résultant d'inexactitudes sur ces points. Le droit du transporteur à pareille indemnité ne limitera d'aucune façon sa responsabilité et ses engagements sous l'empire du contrat de transport vis-à-vis de toute personne autre que le chargeur.

6. A moins qu'un avis des pertes ou dommages et de la nature générale de ces pertes ou dommages ne soit donné par écrit au transporteur ou à son agent au port de déchargement, avant ou au moment de l'enlèvement des marchandises, et de leur remise sous la garde de la personne ayant droit à la délivrance sous l'empire du contrat de

transport, cet enlèvement constituera, jusqu'à preuve contraire, une présomption que les marchandises ont été délivrées par le transporteur telles qu'elles sont décrites au connaissement.

Si les pertes ou dommages ne sont pas apparents, l'avis doit être donné dans les trois jours de la délivrance.

Les réserves écrites sont inutiles si l'état de la marchandise a été contradictoirement constaté au moment de la réception.

En tous cas le transporteur et le navire seront déchargés de toute responsabilité pour pertes ou dommages à moins qu'une action ne soit intentée dans l'année de la délivrance des marchandises ou de la date à laquelle elles eussent dû être délivrées.

En cas de perte ou dommage certains ou présumés, le transporteur et le réceptionnaire se donneront réciproquement toutes les facilités raisonnables pour l'inspection de la marchandise et la vérification du nombre de colis.

7. Lorsque les marchandises auront été chargées, le connaissement que délivrera le transporteur, capitaine ou agent du transporteur, au chargeur sera, si le chargeur le demande, un connaissement libellé «Embarqué» pourvu que, si le chargeur a auparavant reçu quelque document donnant droit à ces marchandises, il restitue ce document contre remise d'un connaissement «Embarqué». Le transporteur, le capitaine ou l'agent aura également la faculté d'annoter au port d'embarquement, sur le document remis en premier lieu, le ou les noms du ou des navires sur lesquels les marchandises ont été embarquées et la date ou les dates de l'embarquement, et lorsque ce document sera ainsi annoté, il sera, s'il contient les mentions de l'article 3, § 3, considéré aux fins de cet article comme constituant un connaissement libellé «Embarqué».

8. Toute clause, convention ou accord dans un contrat de transport exonérant le transporteur ou le navire de responsabilité pour perte ou dommage concernant des marchandises provenant de négligence, faute ou manquement aux devoirs ou obligations édictées dans cet article ou atténuant cette responsabilité autrement que ne le prescrit la présente Convention, sera nulle, non avenue et sans effet. Une clause cédant le bénéfice de l'assurance au transporteur ou toute clause semblable sera considérée comme exonérant le transporteur de sa responsabilité.

ARTICLE 4.

1. Ni le transporteur ni le navire ne seront responsables des pertes ou dommages provenant ou résultant de l'état d'innavigabilité, à moins qu'il ne soit imputable à un manque de diligence raisonnable de la part du transporteur à mettre le navire en état de navigabilité ou à assurer au navire un armement, équipement ou approvisionnement convenables, ou à approprier et mettre en bon état les cales, chambres froides et frigorifiques et toutes autres parties du navire où des marchandises sont chargées, de façon qu'elles soient aptes à la réception, au transport et à la préservation des marchandises, le tout conformément aux prescriptions de l'article 3, § 1^{er}. Toutes les fois qu'une perte ou un dommage aura résulté de l'innavigabilité, le fardeau de la

preuve en ce qui concerne l'exercice de la diligence raisonnable tombera sur le transporteur ou sur toute autre personne se prévalant de l'exonération prévue au présent article.

2. Ni le transporteur ni le navire ne seront responsables pour perte ou dommage résultant ou provenant:

(a) Des actes, négligence ou défaut du capitaine, marin, pilote ou des préposés du transporteur dans la navigation ou dans l'administration du navire;

(b) D'un incendie, à moins qu'il ne soit causé par le fait ou la faute du transporteur;

(c) Des périls, dangers ou accidents de la mer ou d'autres eaux navigables;

(d) D'un « acte de Dieu »;

(e) De faits de guerre;

(f) Du fait d'ennemis publics;

(g) D'un arrêt ou contrainte de prince, autorités ou peuple, ou d'une saisie judiciaire;

(h) D'une restriction de quarantaine;

(i) D'un acte ou d'une omission du chargeur ou propriétaire des marchandises, de son agent ou représentant;

(j) De grèves ou lock-outs ou d'arrêts ou entraves apportés au travail, pour quelque cause que ce soit, partiellement ou complètement;

(k) D'émeutes ou de troubles civils;

(l) D'un sauvetage ou tentative de sauvetage de vies ou de biens en mer;

(m) De la freinte en volume ou en poids ou de toute autre perte ou dommage résultant de vice caché, nature spéciale ou vice propre de la marchandise;

(n) D'une insuffisance d'emballage;

(o) D'une insuffisance ou imperfection de marques;

(p) De vices cachés échappant à une diligence raisonnable;

(q) De toute autre cause ne provenant pas du fait ou de la faute du transporteur ou du fait ou de la faute des agents ou préposés du transporteur, mais le fardeau de la preuve incombera à la personne réclamant le bénéfice de cette exception et il lui appartiendra de montrer que ni la faute personnelle ni le fait du transporteur ni la faute ou le fait des agents ou préposés du transporteur n'ont contribué à la perte ou au dommage.

3. Le chargeur ne sera pas responsable des pertes ou dommages subis par le transporteur ou le navire et qui proviendraient ou résulteraient de toute cause quelconque sans qu'il y ait acte, faute ou négligence du chargeur, de ses agents ou de ses préposés.

4. Aucun déroutement pour sauver ou tenter de sauver des vies ou des biens en mer, ni aucun déroutement raisonnable ne sera considéré comme une infraction à la présente Convention ou au contrat de transport, et le transporteur ne sera responsable d'aucune perte ou dommage en résultant.

5. Le transporteur comme le navire ne seront tenus en aucun cas des pertes ou dommages causés aux marchandises ou les concernant

pour une somme dépassant 100 liv. sterl. par colis ou unité, ou l'équivalent de cette somme en une autre monnaie, à moins que la nature et la valeur de ces marchandises n'aient été déclarées par le chargeur avant leur embarquement et que cette déclaration ait été insérée au connaissement.

Cette déclaration ainsi insérée dans le connaissement constituera une présomption, sauf preuve contraire, mais elle ne liera pas le transporteur, qui pourra la contester.

Par convention entre le transporteur, capitaine ou agent du transporteur et le chargeur, une somme maximum différente de celle inscrite dans ce paragraphe peut être déterminée, pourvu que ce maximum conventionnel ne soit pas inférieur au chiffre ci-dessus fixé.

Ni le transporteur ni le navire ne seront en aucun cas responsables pour perte ou dommage causé aux marchandises ou les concernant, si dans le connaissement le chargeur a fait sciemment une déclaration fautive de leur nature ou de leur valeur.

6. Les marchandises de nature inflammable, explosive ou dangereuse, à l'embarquement desquelles le transporteur, le capitaine ou l'agent du transporteur n'auraient pas consenti, en connaissant leur nature ou leur caractère, pourront à tout moment, avant déchargement, être débarquées à tout endroit ou détruites ou rendues inoffensives par le transporteur sans indemnité et le chargeur de ces marchandises sera responsable de tout dommage et dépenses provenant ou résultant directement ou indirectement de leur embarquement. Si quelqu'une de ces marchandises embarquées à la connaissance et avec le consentement du transporteur devenait un danger pour le navire ou la cargaison, elle pourrait de même façon être débarquée ou détruite ou rendue inoffensive par le transporteur, sans responsabilité de la part du transporteur si ce n'est du chef d'avaries communes, s'il y a lieu.

ARTICLE 5.

Un transporteur sera libre d'abandonner tout ou partie de ses droits et exonérations ou d'augmenter ses responsabilités et obligations tels que les uns et les autres sont prévus par la présente Convention, pourvu que cet abandon ou cette augmentation soit inséré dans le connaissement délivré au chargeur.

Aucune disposition de la présente Convention ne s'applique aux chartes-parties; mais si des connaissements sont émis dans le cas d'un navire sous l'empire d'une charte-partie, ils sont soumis aux termes de la présente Convention. Aucune disposition dans ces règles ne sera considérée comme empêchant l'insertion dans un connaissement d'une disposition licite quelconque ou sujet d'avaries communes.

ARTICLE 6.

Nonobstant les dispositions des articles précédents, un transporteur, capitaine ou agent du transporteur et un chargeur seront libres, pour des marchandises déterminées, quelles qu'elles soient, de passer un contrat quelconque avec des conditions quelconques concernant la responsabilité et les obligations du transporteur pour ces marchan-

dises, ainsi que les droits et exonérations du transporteur au sujet de ces mêmes marchandises, ou concernant ses obligations quant à l'état de navigabilité du navire dans la mesure où cette stipulation n'est pas contraire à l'ordre public, ou concernant les soins ou diligence de ses préposés ou agents quant au chargement, à la manutention, à l'arrimage, au transport, à la garde, aux soins et au déchargement des marchandises transportées par mer, pourvu qu'en ce cas aucun connaissement n'ait été ou ne soit émis et que les conditions de l'accord intervenu soient insérées dans un récépissé qui sera un document non négociable et portera mention de ce caractère.

Toute convention ainsi conclue aura plein effet légal.

Il est toutefois convenu que cet article ne s'appliquera pas aux cargaisons commerciales ordinaires, faites au cours d'opérations commerciales ordinaires, mais seulement à d'autres chargements où le caractère et la condition des biens à transporter et les circonstances, les termes et les conditions auxquels le transport doit se faire sont de nature à justifier une convention spéciale.

ARTICLE 7.

Aucune disposition de la présente Convention ne défend à un transporteur ou à un chargeur d'insérer dans un contrat des stipulations, conditions, réserves ou exonérations relatives aux obligations et responsabilités du transporteur ou du navire pour la perte ou les dommages survenant aux marchandises, ou concernant leur garde, soin et manutention, antérieurement au chargement et postérieurement au déchargement du navire sur lequel les marchandises sont transportées par mer.

ARTICLE 8.

Les dispositions de la présente Convention ne modifient ni les droits ni les obligations du transporteur tels qu'ils résultent de toute loi en vigueur en ce moment relativement à la limitation de la responsabilité des propriétaires de navires de mer.

ARTICLE 9.

Les unités monétaires dont il s'agit dans la présente Convention s'entendent valeur or.

Ceux des États contractants où la livre sterling n'est pas employée comme unité monétaire se réservent le droit de convertir en chiffres ronds, d'après leur système monétaire, les sommes indiquées en livres sterling dans la présente Convention.

Les lois nationales peuvent réserver au débiteur la faculté de se libérer dans la monnaie nationale, d'après le cours du change au jour de l'arrivée du navire au port de déchargement de la marchandise dont il s'agit.

ARTICLE 10.

Les dispositions de la présente Convention s'appliqueront à tout connaissement créé dans un des États contractants.

ARTICLE 11.

A l'expiration du délai de deux ans au plus tard à compter du jour de la signature de la Convention, le Gouvernement belge entrera en rapport avec les Gouvernements des Hautes Parties contractantes qui se seront déclarées prêtes à la ratifier, à l'effet de faire décider s'il y a lieu de la mettre en vigueur. Les ratifications seront déposées à Bruxelles à la date qui sera fixée de commun accord entre les dits Gouvernements. Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des États qui y prendront part et par le Ministre des Affaires Étrangères de Belgique.

Les dépôts ultérieurs se feront au moyen d'une notification écrite, adressée au Gouvernement belge et accompagnée de l'instrument de ratification.

Copie certifiée conforme au procès-verbal relatif au premier dépôt de ratifications, de notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratifications qui les accompagnent sera immédiatement, par les soins du Gouvernement belge et par la voie diplomatique, remise aux États qui ont signé la présente Convention ou qui auront adhéré. Dans les cas visés à l'alinéa précédent, ledit Gouvernement fera connaître, en même temps, la date à laquelle il a reçu la notification.

ARTICLE 12.

Les États non signataires pourront adhérer à la présente Convention, qu'ils aient été ou non représentés à la Conférence internationale de Bruxelles.

L'État qui désire adhérer notifie par écrit son intention au Gouvernement belge, en lui transmettant l'acte d'adhésion, qui sera déposé dans les archives du dit Gouvernement.

Le Gouvernement belge transmettra immédiatement à tous les États signataires ou adhérents copie certifiée conforme de la notification ainsi que de l'acte d'adhésion en indiquant la date à laquelle il a reçu la notification.

ARTICLE 13.

Les Hautes Parties contractantes peuvent, au moment de la signature, du dépôt des ratifications ou lors de leur adhésion, déclarer que l'acceptation qu'elles donnent à la présente Convention ne s'applique pas soit à certains soit à aucun des Dominions autonomes, colonies, possessions, protectorats ou territoires d'outre-mer, se trouvant sous leur souveraineté ou autorité. En conséquence, elles peuvent ultérieurement adhérer séparément au nom de l'un ou de l'autre de ces Dominions autonomes, colonies, possessions, protectorats ou territoires d'outre-mer, ainsi exclus dans leur déclaration originale. Elles peuvent aussi, en se conformant à ces dispositions, dénoncer la présente Convention séparément pour l'un ou plusieurs des Dominions autonomes, colonies, possessions, protectorats ou territoires d'outre-mer se trouvant sous leur souveraineté ou autorité.

ARTICLE 14.

A l'égard des États qui auront participé au premier dépôt de ratifications, la présente Convention produira effet un an après la date du procès-verbal de ce dépôt. Quant aux États qui la ratifieront ultérieurement ou qui y adhéreront, ainsi que dans les cas où la mise en vigueur se fera ultérieurement et selon l'article 13, elle produira effet six mois après que les notifications prévues à l'article 11, alinéa 2, et à l'article 12, alinéa 2, auront été reçues par le Gouvernement belge.

ARTICLE 15.

S'il arrivait qu'un des États contractants voulut dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement belge, qui communiquera immédiatement copie certifiée conforme de la notification à tous les autres États, en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation produira ses effets à l'égard de l'État seul qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement belge.

ARTICLE 16.

Chaque État contractant aura la faculté de provoquer la réunion d'une nouvelle conférence, dans le but de rechercher les améliorations qui pourraient être apportées à la présente Convention.

Celui des États qui ferait usage de cette faculté aurait à notifier un an à l'avance son intention aux autres États, par l'intermédiaire du Gouvernement belge, qui se chargerait de convoquer la conférence.

Fait à Bruxelles, en un seul exemplaire, le 25 août 1924.

Pour l'Allemagne:

KELLER.

Pour la République Argentine:

Pour la Belgique:

LOUIS FRANCK,
ALBERT LE JEUNE,
SOHR.

Pour le Chili:

ARMANDO QUEZADA.

Pour la République de Cuba:

Pour le Danemark:

Pour l'Espagne:

EL MARQUES DE VILLALOBAR.

Pour l'Estonie:

PUSTA.

Pour les États-Unis d'Amérique:

WILLIAM PHILLIPS.

Pour la Finlande:

Pour la France:

MAURICE HERBETTE.

Pour la Grande-Bretagne:

George GRAHAME.

Pour la Hongrie:

WORACZICKY.

Pour l'Italie:

Giulio DANEO.

Pour le Japon:

M. ADATCI.

Sous les réserves formulés dans la note relative à ce traité et jointe à ma lettre, datée du 25 août 1925, à S. Exc. M. ÉMILE VANDEVELDE, Ministre des Affaires Étrangères de Belgique.

Pour la Lettonie:

Pour le Mexique:

Pour la Norvège:

Pour les Pays-Bas:

Pour le Pérou:

Pour la Pologne et la Ville Libre de Dantzig:

SZEMBEK.

Pour le Portugal:

Pour la Roumanie:

HENRY CARTAGI.

Pour le Royaume des Serbes, Croates et Slovènes:

Dr Milorad STRAZNICKY,

Dr VERONA.

Pour la Suède:

Pour l'Uruguay:

Protocole de Signature

En procédant à la signature de la Convention internationale pour l'unification de certaines règles en matière de Connaissance, les Plénipotentiaires soussignés ont adopté le présent protocole qui aura la même valeur que si ses dispositions étaient insérées dans le texte même de la Convention à laquelle il se rapporte.

Les Hautes Parties contractantes pourront donner à effet à cette Convention, soit en lui donnant force de loi, soit en introduisant dans leur législation nationale les règles adoptées par la Convention sous une forme appropriée à cette législation.

Elles se réservent expressément le droit:

1° De préciser que, dans les cas prévus par l'article 4, alinéa 2, de c) à p), le porteur du connaissance peut établir la faute personnelle du transporteur ou les fautes de ses proposés non couverts par le paragraphe a);

2° D'appliquer en ce qui concerne le cabotage national l'article 6 à toutes catégories de marchandises, sans tenir compte de la restriction figurant au dernier alinéa du dit article.

Fait à Bruxelles, en un seul exemplaire, le 25 août 1924.

Pour l'Allemagne:

KELLER.

Pour la République Argentine:

Pour la Belgique:

LOUIS FRANCK,
ALBERT LE JEUNE,
SOHR.

Pour le Chili:

ARMANDO QUEZADA.

Pour la République de Cuba:

Pour le Danemark:

Pour l'Espagne:

EL MARQUES DE VILLALOBAR.

Pour l'Estonie:

PUSTA.

Pour les États-Unis d'Amérique:

WILLIAM PHILLIPS.

Pour la Finlande:

Pour la France:

MAURICE HERBETTE.

Pour la Grande-Bretagne:

GEORGE GRAHAME.

En procédant à la signature de la présente Convention, Son Excellence a fait, au nom de son Gouvernement, la déclaration dont les termes sont reproduits en annexe au présent procès-verbal.

Pour la Hongrie:

WORACZICKY.

Pour l'Italie:

GIULIO DANELO.

Pour le Japon:

Pour la Lettonie:

Pour le Mexique:

Pour la Norvège:

Pour les Pays-Bas:

Pour le Pérou:

Pour la Pologne et la Ville Libre de Dantzig:

SZEMBEK.

Pour le Portugal:

Pour la Roumanie:

HENRY CARTAGI.

Pour le Royaume des Serbes, Croates et Slovènes:

DR MILORAD STRAZNICKY,
DR VERONA.

Pour la Suède:

Pour l'Uruguay:

I, the Undersigned, His Britannic Majesty's Ambassador at Brussels, on affixing my signature to the Protocol of Signature of the International Convention for the unification of certain rules relating to Bills of Lading, on this 15th day of November 1924, hereby make the following Declarations by direction of my Government:

I declare that His Britannic Majesty's Government adopt the last reservation in the additional Protocol of the Bills of Lading Convention.

I further declare that my signature applies only to Great Britain and Northern Ireland, I reserve the right of each of the British Dominions, Colonies, Overseas Possessions and Protectorates, and of each of the territories over which His Britannic Majesty exercises a mandate to accede of this Convention under Article 13.

GEORGE GRAHAME.

His Britannic Majesty's Ambassador at Brussels.

Brussels, this 15th day of November 1924.

AMBASSADE IMPÉRIALE
DU
JAPON

Note annexée à la lettre de S. Exc. M. l'Ambassadeur du Japon à M. le Ministre des Affaires Étrangères de Belgique, du 25 août 1925.

Au moment de procéder à la signature de la Convention internationale pour l'unification de certaines règles en matière de connaissement, le soussigné, Plénipotentiaire du Japon, fait les réserves suivantes:

a) A L'ARTICLE 4:

Le Japon se réserve, jusqu'à nouvel ordre l'acceptation des dispositions du a) à l'alinéa 2 de l'article 4.

b) Le Japon est d'avis que la Convention, dans sa totalité, ne s'applique pas au cabotage national; par conséquent, il n'y aurait pas lieu d'en faire l'objet de dispositions au Protocole. Toutefois, s'il n'en est pas ainsi, le Japon se réserve le droit de régler librement le cabotage national par sa propre législation.

M. ADATCI.

Bruxelles, le 25 août 1925.

AND WHEREAS the said convention, in accordance with a provision in Article 14 thereof, came into force on June 2, 1931, one year after the deposit with the Government of Belgium of the ratifications of the States which took part in the first deposit of ratifications on June 2, 1930, namely, Belgium, Great Britain and Northern Ireland, Spain, and Hungary;

AND WHEREAS the said convention was duly ratified on May 26, 1937, on the part of the United States of America, subject to two understandings as follows:

1. "Notwithstanding the provisions of Article 4, Section 5, and the first paragraph of Article 9 of the convention, neither the carrier nor the ship shall in any event be or become liable within the jurisdiction of the United States of America for any loss or damage to or in connection with goods in an amount exceeding \$500.00, lawful money of

Date convention
came into force.
Post, p. 254.

Ratification by
United States subject
to specified under-
standings.

Limitation on liability
for loss or damage
in U. S. jurisdiction.
Post, pp. 252, 253.

the United States of America, per package or unit unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading."

"Carriage of Goods by Sea Act" to prevail should conflict arise.
49 Stat. 1207.
46 U. S. C., Supp. III, §§ 1300-1315.

2. "That should any conflict arise between the provisions of the convention and the provisions of the Act of April 16, 1936, known as the 'Carriage of Goods by Sea Act', the provisions of said Act shall prevail."

Deposit of ratification, provisions governing.
Post, p. 253.

AND WHEREAS Article 11 of the said convention provides that the deposits of ratifications subsequent to the first deposit of ratifications shall be made by means of a written notification addressed to the Belgian Government and accompanied by the instrument of ratification;

Notification and instrument of ratification addressed to Belgian Government.

AND WHEREAS a written notification of the ratification of the convention by the United States of America, accompanied by the instrument of ratification, was addressed to the Belgian Government on June 26, 1937, by the Chargé d'Affaires ad interim of the United States of America at Brussels;

Receipt by Belgian Government; deposit of instrument of ratification.

AND WHEREAS the said notification and instrument of ratification were duly received by the Belgian Government and the instrument of ratification was deposited on June 29, 1937 in the archives of the Belgian Foreign Office at Brussels;

Effective date in respect of United States.

AND WHEREAS, in accordance with a further provision of Article 14, the said convention shall take effect in respect of the United States of America six months after the written notification accompanied by the instrument of ratification was received by the Belgian Government, that is to say, on the twenty-ninth day of December, one thousand nine hundred and thirty-seven;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention to be made public to the end that, subject to the two understandings aforesaid, the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof, on and after December 29, 1937, the day on which the convention shall take effect with respect to the United States of America.

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 sixth day of November in the year of our Lord one thousand nine hundred and thirty-
[SEAL] seven and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D. ROOSEVELT

By the President:

SUMNER WELLES

Acting Secretary of State.

[Translation]

**INTERNATIONAL CONVENTION FOR THE UNIFICATION OF
CERTAIN RULES RELATING TO BILLS OF LADING, SIGNED
AT BRUSSELS, AUGUST 25, 1924**

The President of the German Republic, the President of the Argentine Republic, His Majesty the King of the Belgians, the President of the Republic of Chile, the President of the Republic of Cuba, His Majesty the King of Denmark and Iceland, His Majesty the King of Spain, the Chief of the Estonian State, the President of the United States of America, the President of the Republic of Finland, the President of the French Republic, His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Possessions Beyond the Seas, Emperor of India, His Serene Highness the Regent of the Kingdom of Hungary, His Majesty the King of Italy, His Majesty the Emperor of Japan, the President of the Republic of Latvia, the President of the Republic of Mexico, His Majesty the King of Norway, Her Majesty the Queen of the Netherlands, the President of the Republic of Peru, the President of the Republic of Poland, the President of the Portuguese Republic, His Majesty the King of Rumania, His Majesty the King of the Serbs, Croats and Slovenes, His Majesty the King of Sweden and the President of the Republic of Uruguay,

Contracting Powers.

Having recognized the utility of laying down in common accord certain uniform rules relating to bills of lading, have decided to conclude a Convention to that effect and have designated as their Plenipotentiaries, namely:

Plenipotentiaries.

THE PRESIDENT OF THE GERMAN REPUBLIC:

His Excellency Mr. von Keller, Minister of Germany at Brussels.

THE PRESIDENT OF THE ARGENTINE REPUBLIC:

HIS MAJESTY THE KING OF THE BELGIANS:

Mr. L. Franck, Minister of Colonies, President of the International Maritime Committee;

Mr. A. Le Jeune, Senator, Vice President of the International Maritime Committee;

Mr. F. Sohr, Doctor of Law, Secretary General of the International Maritime Committee; Professor at the University of Brussels.

THE PRESIDENT OF THE REPUBLIC OF CHILE:

His Excellency Mr. Armando Quezada, Minister of Chile at Brussels.

THE PRESIDENT OF THE REPUBLIC OF CUBA:

HIS MAJESTY THE KING OF DENMARK AND ICELAND:

HIS MAJESTY THE KING OF SPAIN:

His Excellency the Marquis of Villalobar and Guimarey, Ambassador of Spain at Brussels.

CHIEF OF THE ESTONIAN STATE:

His Excellency Mr. Pusta, Minister of Estonia at Brussels.

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

His Excellency Mr. William Phillips, Ambassador of the United States of America at Brussels.

THE PRESIDENT OF THE REPUBLIC OF FINLAND:

THE PRESIDENT OF THE FRENCH REPUBLIC:

His Excellency Mr. M. Herbette, Ambassador of France at Brussels.

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH POSSESSIONS BEYOND THE SEAS, EMPEROR OF INDIA:

His Excellency the Right Honorable Sir George Grahame, G. C. V. O., K. C. M. G., Ambassador of His Britannic Majesty at Brussels.

HIS SERENE HIGHNESS THE REGENT OF THE KINGDOM OF HUNGARY:

Count Olivier Woraczizky, Baron of Pabienitz, Chargé d'Affaires of Hungary at Brussels.

HIS MAJESTY THE KING OF ITALY:

Mr. J. Daneo, Chargé d'Affaires ad interim of Italy at Brussels.

HIS MAJESTY THE EMPEROR OF JAPAN:

His Excellency Mr. M. Adatci, Ambassador of Japan at Brussels.

THE PRESIDENT OF THE REPUBLIC OF LATVIA:

THE PRESIDENT OF THE REPUBLIC OF MEXICO:

HIS MAJESTY THE KING OF NORWAY:

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

THE PRESIDENT OF THE REPUBLIC OF PERU:

THE PRESIDENT OF THE REPUBLIC OF POLAND AND THE FREE CITY OF DANZIG:

His Excellency Count Jean Szembek, Minister of Poland at Brussels.

THE PRESIDENT OF THE PORTUGUESE REPUBLIC:

HIS MAJESTY THE KING OF RUMANIA:

His Excellency Mr. Henry Catargi, Minister of Rumania at Brussels.

HIS MAJESTY THE KING OF THE SERBS, CROATS AND SLOVENES:

Messrs. Straznicky and Verona.

HIS MAJESTY THE KING OF SWEDEN:

THE PRESIDENT OF THE REPUBLIC OF URUGUAY:

Who, duly authorized therefor, have agreed on the following:

ARTICLE 1

In this convention the following words are employed with the meanings set out below:

(a) "Carrier" includes the owner of the vessel or the charterer who enters into a contract of carriage with a shipper.

(b) "Contract of carriage" applies only to contracts of carriage covered by a bill of lading or any similar document of title, insofar as such document relates to the carriage of goods by sea; it also applies to any bill of lading or any similar document as aforesaid issued under or pursuant to a charter party from the moment at which such instrument regulates the relations between a carrier and a holder of the same.

(c) "Goods" includes goods, wares, merchandise, and articles of every kind whatsoever except live animals and cargo which by the contract of carriage is stated as being carried on deck and is so carried.

(d) "Ship" means any vessel used for the carriage of goods by sea.

(e) "Carriage of goods" covers the period from the time when the goods are loaded on to the time they are discharged from the ship.

ARTICLE 2

Subject to the provisions of Article 6 under every contract of carriage of goods by sea the carrier, in relation to the loading, handling, stowage, carriage, custody, care, and discharge of such goods shall be subject to the responsibilities and liabilities, and entitled to the rights and immunities hereinafter set forth.

ARTICLE 3

1. The carrier shall be bound before and at the beginning of the voyage to exercise due diligence to:—

(a) Make the ship seaworthy;

(b) Properly man, equip, and supply the ship;

(c) Make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage, and preservation.

2. Subject to the provisions of Article 4 the carrier shall properly and carefully load, handle, stow, carry, keep, care for, and discharge the goods carried.

3. After receiving the goods into his charge the carrier or the master or agent of the carrier shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things:

(a) The leading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shown clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as should ordinarily remain legible until the end of the voyage;

(b) Either the number of packages or pieces, or the quantity, or weight, as the case may be, as furnished in writing by the shipper;

Definitions.

Carrier; responsibilities, rights, etc.
Post, p. 252.

Duties, before and at beginning of voyage.

Loading, etc., of goods.
Post, p. 251.

Bill of lading; issuance to shipper.

- (c) The apparent order and condition of the goods;
- Proviso.*
Checking goods. Provided that no carrier, master, or agent of the carrier shall be bound to state or show in the bill of lading any marks, number, quantity, or weight which he has reasonable grounds for suspecting not accurately to represent the goods actually received or which he has had no reasonable means of checking.
- Evidence of receipt. 4. Such a bill of lading shall be prima facie evidence of the receipt by the carrier of the goods as therein described in accordance with paragraph 3 (a), (b), and (c).
- Accuracy of marks, etc. 5. The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him, and the shipper shall indemnify the carrier against all loss, damages, and expenses arising or resulting from inaccuracies in such particulars. The right of the carrier to such indemnity shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.
- Indemnity for error. 6. Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the delivery by the carrier of the goods as described in the bill of lading.
- Removal to be prima facie evidence of delivery. If the loss or damage is not apparent, the notice must be given within three days of the delivery.
- Notice of loss when damage not apparent. The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.
- Exception. In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered.
- Failure to bring suit; discharge of liability. In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.
- Mutual rights, in case of loss. 7. After the goods are loaded the bill of lading to be issued by the carrier, master, or agent of the carrier to the shipper shall, if the shipper so demands, be a "shipped" bill of lading, provided that if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the "shipped" bill of lading. At the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted, if it shows the particulars mentioned in paragraph 3 of Article 3, it shall for the purpose of this article be deemed to constitute a "shipped" bill of lading.
- "Shipped" bill of lading. 8. Any clause, covenant, or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with goods arising from negligence, fault, or failure in the duties and obligations provided in this article, or lessening such
- Covenant relieving from liability for negligence, etc., void.

liability otherwise than as provided in this convention, shall be null and void and of no effect. A benefit of insurance in favor of the carrier or similar clause shall be deemed to be a clause relieving the carrier from liability.

ARTICLE 4

1. Neither the carrier nor the ship shall be liable for loss or damage arising or resulting from unseaworthiness unless caused by want of due diligence on the part of the carrier to make the ship seaworthy and to secure that the ship is properly manned, equipped, and supplied and to make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried fit and safe for their reception, carriage, and preservation in accordance with the provisions of paragraph 1 of Article 3. Whenever loss or damage has resulted from unseaworthiness, the burden of proving the exercise of due diligence shall be on the carrier or other person claiming exemption under this article.

Rights and immunities of carriers.
Loss from unseaworthiness.

Burden of proof.

2. Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from:

Exemption from liability from designated causes.

(a) Act, neglect, or default of the master, mariner, pilot, or the servants of the carrier in the navigation or in the management of the ship;

(b) Fire, unless caused by the actual fault or privity of the carrier;

(c) Perils, dangers, and accidents of the sea or other navigable waters;

(d) Act of God;

(e) Act of war;

(f) Act of public enemies;

(g) Arrest or restraint of princes, rulers, or people or seizure under legal process;

(h) Quarantine restrictions;

(i) Act or omission of the shipper or owner of the goods, his agent, or representative;

(j) Strikes or lockouts or stoppage or restraint of labor from whatever cause, whether partial or general;

(k) Riots and civil commotions;

(l) Saving or attempting to save life or property at sea;

(m) Wastage in bulk or weight or any other loss or damage arising from inherent defect, quality, or vice of the goods;

(n) Insufficiency of packing;

(o) Insufficiency or inadequacy of marks;

(p) Latent defects not discoverable by due diligence;

(q) Any other cause arising without the actual fault or privity of the carrier, or without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage.

Other causes not fault of carrier.

Burden of proof.

3. The shipper shall not be responsible for loss or damage sustained by the carrier or the ship arising or resulting from any cause without the act, fault, or neglect of the shipper, his agents, or his servants.

Shipper not responsible for damage to carrier without fault.

Certain deviations not breaches.

4. Any deviation in saving or attempting to save life or property at sea or any reasonable deviation shall not be deemed to be an infringement or breach of this convention or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom.

Limitation on carrier's liability.

5. Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with goods in an amount exceeding 100 pounds sterling per package or unit or the equivalent of that sum in other currency unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading.

This declaration if embodied in the bill of lading shall be prima facie evidence but shall not be binding or conclusive on the carrier.

Different maximum by agreement.

By agreement between the carrier, master, or agent of the carrier and the shipper another maximum amount than that mentioned in this paragraph may be fixed, provided that such maximum shall not be less than the figure above named.

Misstatements, effect of.

Neither the carrier nor the ship shall be responsible in any event for loss or damage to, or in connection with, goods if the nature or value thereof has been knowingly misstated by the shipper in the bill of lading.

Inflammable, etc., goods; treatment, disposition, etc.

6. Goods of an inflammable, explosive, or dangerous nature to the shipment whereof the carrier, master, or agent of the carrier has not consented with knowledge of their nature and character may at any time before discharge be landed at any place or destroyed or rendered innocuous by the carrier without compensation, and the shipper of such goods shall be liable for all damages and expenses directly or indirectly arising out of or resulting from such shipment. If any such goods shipped with such knowledge and consent shall become a danger to the ship or cargo, they may in like manner be landed at any place or destroyed or rendered innocuous by the carrier without liability on the part of the carrier except to general average, if any.

ARTICLE 5

Surrender of rights, etc., and increase of responsibilities, etc.

A carrier shall be at liberty to surrender in whole or in part all or any of his rights and immunities, or to increase any of his responsibilities and liabilities under this convention provided such surrender or increase shall be embodied in the bill of lading issued to the shipper.

Inapplicability to charter parties.

The provisions of this convention shall not be applicable to charter parties, but if bills of lading are issued in the case of a ship under a charter-party they shall comply with the terms of this convention. Nothing in these rules shall be held to prevent the insertion in a bill of lading of any lawful provision regarding general average.

ARTICLE 6

Special conditions. Agreements between carrier and shipper, effect of.

Notwithstanding the provisions of the preceding articles, a carrier, master, or agent of the carrier and a shipper shall in regard to any particular goods be at liberty to enter into any agreement in any terms as to the responsibility and liability of the carrier for such

goods, and as to the rights and immunities of the carrier in respect of such goods, or concerning his obligation as to seaworthiness so far as this stipulation is not contrary to public policy, or concerning the care or diligence of his servants or agents in regard to the loading, handling, stowage, carriage, custody, care, and discharge of the goods carried by sea, provided that in this case no bill of lading has been or shall be issued and that the terms agreed shall be embodied in a receipt which shall be a nonnegotiable document and shall be marked as such.

Any agreement so entered into shall have full legal effect:

Provided that this article shall not apply to ordinary commercial shipments made in the ordinary course of trade, but only to other shipments where the character or condition of the property to be carried or the circumstances, terms, and conditions under which the carriage is to be performed are such as reasonably to justify a special agreement.

*Proviso.
Exceptions.*

ARTICLE 7

Nothing herein contained shall prevent a carrier or a shipper from entering into any agreement, stipulation, condition, reservation, or exemption as to the responsibility and liability of the carrier or the ship for the loss or damage to, or in connection with, the custody and care and handling of goods prior to the loading on, and subsequent to the discharge from, the ship on which the goods are carried by sea.

*Liability for goods
prior to loading; after
discharge from ship.*

ARTICLE 8

The provisions of this convention shall not affect the rights and obligations of the carrier under any statute for the time being in force relating to the limitation of the liability of owners of seagoing vessels.

*Rights and obligations
under statutes
respecting liability of
owners.*

ARTICLE 9

The monetary units mentioned in this convention are to be taken to be gold value.

Monetary units.

Those contracting states in which the pound sterling is not a monetary unit reserve to themselves the right of translating the sums indicated in this convention in terms of pound sterling into terms of their own monetary system in round figures.

The national laws may reserve to the debtor the right of discharging his debt in national currency according to the rate of exchange prevailing on the day of the arrival of the ship at the port of discharge of the goods concerned.

ARTICLE 10

The provisions of this convention shall apply to all bills of lading issued in any of the contracting States.

*Application of con-
vention provisions.*

ARTICLE 11

After an interval of not more than two years from the day on which the convention is signed, the Belgian Government shall place itself in communication with the governments of the high contracting

*Communication by
Belgian Government
with governments pre-
pared to ratify.*

Ratifications to be deposited at Brussels; date.
First deposit of ratifications.

parties which have declared themselves prepared to ratify the convention, with a view to deciding whether it shall be put into force. The ratifications shall be deposited at Brussels at a date to be fixed by agreement among the said governments. The first deposit of ratifications shall be recorded in a procès-verbal signed by the representatives of the powers which take part therein and by the Belgian Minister for Foreign Affairs.

Subsequent deposits.

The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Belgian Government and accompanied by the instrument of ratification.

Transmittal, by Belgian Government, of certified copy of procès-verbal and instruments of ratification to signatory, etc., powers.

A duly certified copy of the procès-verbal relating to the first deposit of ratifications, of the notifications referred to in the previous paragraph, and also of the instruments of ratification accompanying them, shall be immediately sent by the Belgian Government through the diplomatic channel to the powers who have signed this convention or who have acceded to it. In the cases contemplated in the preceding paragraph the said Government shall inform them at the same time of the date on which it received the notification.

ARTICLE 12

Accessions by non-signatory States.

Nonsignatory States may accede to the present convention whether or not they have been represented at the International Conference at Brussels.

A State which desires to accede shall notify its intention in writing to the Belgian Government, forwarding to it the document of accession, which shall be deposited in the archives of the said Government.

The Belgian Government shall immediately forward to all the States which have signed or acceded to the convention a duly certified copy of the notification and of the act of accession, mentioning the date on which it received the notification.

ARTICLE 13

Exclusion of dominions, colonies, etc., from provisions.

The high contracting parties may at the time of signature, ratification, or accession declare that their acceptance of the present convention does not include any or all of the self-governing dominions, or of the colonies, overseas possessions, protectorates, or territories under their sovereignty or authority, and they may subsequently accede separately on behalf of any self-governing dominion, colony, overseas possession, protectorate, or territory excluded in their declaration. They may also denounce the convention separately in accordance with its provisions in respect of any self-governing dominion, or any colony, overseas possession, protectorate, or territory under their sovereignty or authority.

Separate accessions.

Denunciation.

ARTICLE 14

Effective dates.

The present convention shall take effect, in the case of the States which have taken part in the first deposit of ratifications, one year after the date of the procès-verbal recording such deposit. As respects the States which ratify subsequently or which accede, and also in cases in which the convention is subsequently put into effect in

accordance with Article 13, it shall take effect six months after the notifications specified in paragraph 2 of Article 11, and paragraph 2 of Article 12, have been received by the Belgian Government.

Ante, pp. 253, 254.

ARTICLE 15

In the event of one of the contracting States wishing to denounce the present convention, the denunciation shall be notified in writing to the Belgian Government, which shall immediately communicate a duly certified copy of the notification to all the other States informing them of the date on which it was received.

Denunciation.

The denunciation shall only operate in respect of the State which made the notification, and on the expiry of one year after the notification has reached the Belgian Government.

ARTICLE 16

Any one of the contracting States shall have the right to call for a fresh conference with a view to considering possible amendments.

Call of conference for considering amendments.

A State which would exercise this right should notify its intention to the other States through the Belgian Government, which would make arrangements for convening the conference.

Done at Brussels, in a single copy, August 25, 1924.

Signatures.

For Germany:

KELLER.

For the Argentine Republic:

For Belgium:

LOUIS FRANCK.
ALBERT LE JEUNE.
SOHR.

For Chile:

ARMANDO QUEZADA.

For the Republic of Cuba:

For Denmark:

For Spain:

The Marquis of VILLALOBAR.

For Estonia:

PUSTA.

For the United States of America:

WILLIAM PHILLIPS.

For Finland:

For France:

MAURICE HERBETTE.

For Great Britain:

GEORGE GRAHAME.

For Hungary:

WORACZICZKY.

For Italy:

GIULIO DANELO.

For Japan:

M. ADATCI.

Subject to the reservations formulated in the note relative to this treaty and appended to my letter dated August 25, 1925, to His Excellency Mr. Emile Vandervelde, Minister for Foreign Affairs of Belgium.

For Latvia:

For Mexico:

For Norway:

For the Netherlands:

For Peru:

For Poland and the Free City of Danzig:

SZEMBEK.

For Portugal:

For Rumania:

HENRY CATARGI.

For the Kingdom of the Serbs, Croats and Slovenes:

DR. MILORAD STRAZNICKY.

DR. VERONA.

For Sweden:

For Uruguay:

Protocol of Signature

Protocol of signature.

In proceeding to the signature of the international convention for the unification of certain rules relating to bills of lading, the undersigned plenipotentiaries have adopted the present protocol which will have the same validity as if the provisions thereof were inserted in the very text of the convention to which it refers.

The high contracting parties may give effect to this convention either by giving it the force of law or by including in their national legislation in a form appropriate to that legislation, the rules adopted under this convention.

Rights reserved.

They may reserve the right:

Establishment of responsibility arising from personal fault, etc.

Ante, p. 251.

1. To prescribe that in the cases referred to in paragraph 2 (c) to (p) of Article 4, the holder of a bill of lading shall be entitled to establish responsibility for loss or damage arising from the personal fault of the carrier or the fault of his servants which are not covered by paragraph (a);

National coasting trade.

Ante, p. 252.

2. To apply Article 6 insofar as the national coasting trade is concerned to all classes of goods without taking account of the restriction set out in the last paragraph of that article.

Done at Brussels, in a single copy, August 25, 1924.

Signatures.

For Germany:

KELLER.

For the Argentine Republic:

For Belgium:

LOUIS FRANCK.
ALBERT LE JEUNE.
SOHR.

For Chile:

ARMANDO QUEZADA.

For the Republic of Cuba:

For Denmark:

For Spain:

The Marquis of VILLALOBAR.

For Estonia:

PUSTA.

For the United States of America:

WILLIAM PHILLIPS.

For Finland:

For France:

MAURICE HERBETTE.

For Great Britain:

GEORGE GRAHAME.

In proceeding to the signature of the present Convention, His Excellency made, in the name of his Government, the declaration of which the terms are reproduced in an annex to the present Procès-Verbal.

Post, p. 258.

For Hungary:

WORACZICKY.

For Italy:

GIULIO DANEO.

For Japan:

For Latvia:

For Mexico:

For Norway:

For the Netherlands:

For Peru:

For Poland and the Free City of Danzig:

SZEMBEK.

For Portugal:

For Rumania:

HENRY CATARGI.

For the Kingdom of the Serbs, Croats and Slovenes:

DR. MILORAD STRAZNICKY.

DR. VERONA.

For Sweden:

For Uruguay:

Declarations by
Great Britain.

I, the Undersigned, His Britannic Majesty's Ambassador at Brussels, on affixing my signature to the Protocol of Signature of the International Convention for the unification of certain rules relating to Bills of Lading, on this 15th day of November 1924, hereby make the following declarations by direction of my Government:

I declare that His Britannic Majesty's Government adopt the last reservation in the additional Protocol of the Bills of Lading Convention.

I further declare that my signature applies only to Great Britain and Northern Ireland. I reserve the right of each of the British Dominions, Colonies, Overseas Possessions and Protectorates, and of each of the territories over which His Britannic Majesty exercises a mandate to accede to this Convention under Article 13.

GEORGE GRAHAME.

His Britannic Majesty's Ambassador at Brussels.

Brussels, this 15th day of November 1924.

IMPERIAL EMBASSY
OF JAPAN

Note annexed to the letter of His Excellency the Ambassador of Japan to the Minister of Foreign Affairs of Belgium, on August 25, 1925.

Reservations by
Japan.

At the moment of proceeding to the signature of the International Convention for the unification of certain rules relating to Bills of Lading, the undersigned, Plenipotentiary of Japan, makes the following reservations:

a) *To Article 4.*

Japan reserves to itself until further notice the acceptance of the provisions in (a) of paragraph 2 of Article 4.

b) Japan is of the opinion that the Convention does not in any part apply to national coasting trade: consequently, there should be no occasion to make it the object of provisions in the Protocol. However, if it be not so, Japan reserves to itself the right freely to regulate the national coasting trade by its own law.

M. ADATCI.

Brussels, August 25, 1925.

RELATED PAPERS

Related papers.

Procès-Verbal de Depot des Ratifications

Les ratifications sur la Convention internationale pour l'unification de certaines règles en matière de connaissements, signée à Bruxelles le 25 août 1924, de même que sur le Protocole de Signature y annexé, devant, aux termes de l'article 11 de la Convention, être déposées à Bruxelles, le présent Procès-Verbal a été dressé à cet effet au Ministère des Affaires Etrangères de Belgique.

Ont été présentées au dépôt le 2 juin 1930:

Les ratifications de Sa Majesté le Roi des Belges.

PAUL HYMANS.

Les ratifications de Sa Majesté le Roi du Royaume Uni de Grande-Bretagne et de l'Irlande du Nord.

GRANVILLE.

Les ratifications de Sa Majesté le Roi d'Espagne.

FRANCISCO G. DE AGUEIRA.

Les ratifications de Son Altesse Sérénissime le Gouverneur du Royaume de Hongrie.

JOSEPH KAIL.

La date du 2 juin 1930 marquera le point de départ du délai d'un an stipulé à l'article 14 de la Convention pour la mise en vigueur de celle-ci.

Bruxelles, le 2 juin 1930.

*Le Ministre des Affaires
Etrangères de Belgique,*

PAUL HYMANS.

[SCEAU DU
MINISTÈRE DES
AFFAIRES ÉTRANGÈRES]

[Translation]

As the ratifications of the International Convention for the Unification of Certain Rules in Regard to Bills of Lading, signed at Brussels on August 25, 1924, as well as of the Protocol of Signature annexed thereto, must, under the terms of article 11 of the convention, be deposited at Brussels, this Procès-Verbal was drawn up for that purpose at the Ministry of Foreign Affairs of Belgium.

There were presented for deposit on June 2, 1930:

The ratifications of His Majesty the King of the Belgians.

PAUL HYMANS.

The ratifications of His Majesty the King of the United Kingdom of Great Britain and Northern Ireland.

GRANVILLE.

The ratifications of His Majesty the King of Spain.

FRANCISCO G. DE AGUEIRA.

The ratifications of His Most Serene Highness the Regent of the Kingdom of Hungary.

JOSEPH KAIL.

The date of June 2, 1930, will mark the beginning of the period of 1 year stipulated by article 14 of the convention for the latter to go into effect.

Brussels, June 2, 1930.

The Minister of Foreign Affairs of Belgium

PAUL HYMANS

[SEAL OF THE
MINISTRY OF
FOREIGN AFFAIRS]

**Notification Effecting Deposit of Ratification of the United States
of America**

*The American Chargé d'Affaires ad interim (Sussdorff) to the Belgian
Minister for Foreign Affairs and Foreign Commerce (Spaak)*

No. 965 EMBASSY OF THE UNITED STATES OF AMERICA,
Brussels, June 26, 1937.

EXCELLENCY,

Notification effecting deposit of ratification of the United States of America.

Acting under instructions from my Government, I have the honor to inform Your Excellency that the United States of America has ratified the convention for the unification of certain rules relating to bills of lading for the carriage of goods by sea and a protocol of signature thereto, dated and opened for signature at Brussels on August 25, 1924, and signed on behalf of the United States of America at Brussels on June 23, 1925.

Subject to designated understandings.

The convention is ratified by the United States of America with two understandings, to which the Senate made its advice and consent subject, namely:

"that notwithstanding the provisions of Article 4, Section 5, and the first paragraph of Article 9 of the convention, neither the carrier nor the ship shall in any event be or become liable within the jurisdiction of the United States of America for any loss or damage to or in connection with goods in an amount exceeding \$500.00, lawful money of the United States of America, per package or unit unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading"; and

"that should any conflict arise between the provisions of the convention and the provisions of the act of April 16, 1936, known as the Carriage of Goods by Sea Act, the provisions of said act shall prevail."

In accordance with the second paragraph of Article 11 of the convention, which provides that ratifications deposited subsequent to the signature of the procès-verbal relating to the first deposit of ratifications shall be made by means of a written notification addressed to Your Excellency's Government and accompanied by the instrument of ratification, I have the honor to transmit herewith the instrument of ratification of the United States of America, signed by the President on May 26, 1937.¹

¹ *Post*, p. 261.

There are also enclosed for the information of Your Excellency's Government a copy of the "Carriage of Goods by Sea Act" of 1936,¹ and of a memorandum prepared by my Government showing a comparison between the Act and the Convention.² Additional copies of the Act and the memorandum will be made available to Your Excellency at an early date for transmission to the other signatory Governments.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

LOUIS SUSSDORFF, Jr.
Chargé d'Affaires a. i.

Enclosures:

1. Instrument of ratification
2. Carriage of Goods by Sea Act
3. Memorandum (one copy only)

His Excellency

MR. PAUL H. SPAAK

Minister for Foreign Affairs and Foreign Commerce

[Enclosure 1]

[RATIFICATION OF THE UNITED STATES OF AMERICA]

FRANKLIN D. ROOSEVELT,

President of the United States of America,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, That whereas a convention for the unification of certain rules relating to bills of lading for the carriage of goods by sea and a protocol of signature thereto, dated and opened for signature at Brussels on August 25, 1924, were signed on various dates thereafter by the respective Plenipotentiaries of the United States of America, Germany, Belgium, Chile, Spain, Estonia, France, Great Britain and Northern Ireland, with a reservation, Hungary, Italy, Japan (the convention only), with reservations, Poland and the Free City of Danzig, Rumania and the Kingdom of the Serbs, Croats and Slovenes (Yugoslavia), certified copies of which convention and protocol are hereto annexed:³

Instrument of ratification.

AND WHEREAS, the Senate of the United States of America by their resolution of April 1 (legislative day March 13), 1935 (two-thirds of the Senators present concurring therein), did advise and consent to the ratification of the said convention and protocol of signature thereto, "with the understanding, to be made a part of such ratification, that, notwithstanding the provisions of Article 4, Section 5, and the first paragraph of Article 9 of the convention, neither the carrier nor the ship shall in any event be or become liable

¹ *Post*, p. 262.

² *Post*, p. 269.

³ *Ante*, pp. 233 and 243, respectively.

within the jurisdiction of the United States of America for any loss or damage to or in connection with goods in an amount exceeding \$500.00, lawful money of the United States of America, per package or unit unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading".

AND WHEREAS, the Senate of the United States of America by their resolution of May 6, 1937 (two-thirds of the Senators present concurring therein), did add to and make a part of their aforesaid resolution of April 1, 1935, the following understanding:

"That should any conflict arise between the provisions of the Convention and the provisions of the Act of April 16, 1936, known as the 'Carriage of Goods by Sea Act', the provisions of said Act shall prevail":

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, having seen and considered the said convention and protocol of signature, do hereby, in pursuance of the aforesaid advice and consent of the Senate, ratify and confirm the same and every article and clause thereof, subject to the two understandings hereinabove recited and made part of this ratification.

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

DONE at the city of Washington this twenty-sixth day of May in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[Enclosure 2]

[CARRIAGE OF GOODS BY SEA ACT ¹]

AN ACT

Relating to the carriage of goods by sea.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea to or from ports of the United States, in foreign trade, shall have effect subject to the provisions of this Act.

TITLE I

SECTION 1. When used in this Act—

(a) The term "carrier" includes the owner or the charterer who enters into a contract of carriage with a shipper.

¹ Public, No. 521, 74th Cong., 49 Stat. 1207.

(b) The term "contract of carriage" applies only to contracts of carriage covered by a bill of lading or any similar document of title, insofar as such document relates to the carriage of goods by sea, including any bill of lading or any similar document as aforesaid issued under or pursuant to a charter party from the moment at which such bill of lading or similar document of title regulates the relations between a carrier and a holder of the same.

(c) The term "goods" includes goods, wares, merchandise, and articles of every kind whatsoever, except live animals and cargo which by the contract of carriage is stated as being carried on deck and is so carried.

(d) The term "ship" means any vessel used for the carriage of goods by sea.

(e) The term "carriage of goods" covers the period from the time when the goods are loaded on to the time when they are discharged from the ship.

RISKS

SEC. 2. Subject to the provisions of section 6, under every contract of carriage of goods by sea, the carrier in relation to the loading, handling, stowage, carriage, custody, care, and discharge of such goods, shall be subject to the responsibilities and liabilities and entitled to the rights and immunities hereinafter set forth.

RESPONSIBILITIES AND LIABILITIES

SEC. 3. (1) The carrier shall be bound, before and at the beginning of the voyage, to exercise due diligence to—

- (a) Make the ship seaworthy;
- (b) Properly man, equip, and supply the ship;
- (c) Make the holds, refrigerating and cooling chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage, and preservation.

(2) The carrier shall properly and carefully load, handle, stow, carry, keep, care for, and discharge the goods carried.

(3) After receiving the goods into his charge the carrier, or the master or agent of the carrier, shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things—

(a) The leading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shown clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as should ordinarily remain legible until the end of the voyage.

(b) Either the number of packages or pieces, or the quantity or weight, as the case may be, as furnished in writing by the shipper.

(c) The apparent order and condition of the goods: *Provided*, That no carrier, master, or agent of the carrier, shall be bound to state or show in the bill of lading any marks, number, quantity, or weight which he has reasonable ground for suspecting not accurately

to represent the goods actually received, or which he has had no reasonable means of checking.

(4) Such a bill of lading shall be prima facie evidence of the receipt by the carrier of the goods as therein described in accordance with paragraphs (3) (a), (b), and (c), of this section: *Provided*, That nothing in this Act shall be construed as repealing or limiting the application of any part of the Act, as amended, entitled "An Act relating to bills of lading in interstate and foreign commerce", approved August 29, 1916 (U. S. C., title 49, secs. 81-124), commonly known as the "Pomerene Bills of Lading Act."

(5) The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him; and the shipper shall indemnify the carrier against all loss, damages, and expenses arising or resulting from inaccuracies in such particulars. The right of the carrier to such indemnity shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.

(6) Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the delivery by the carrier of the goods as described in the bill of lading. If the loss or damage is not apparent, the notice must be given within three days of the delivery.

Said notice of loss or damage may be endorsed upon the receipt for the goods given by the person taking delivery thereof.

The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.

In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered: *Provided*, That if a notice of loss or damage, either apparent or concealed, is not given as provided for in this section, that fact shall not affect or prejudice the right of the shipper to bring suit within one year after the delivery of the goods or the date when the goods should have been delivered.

In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.

(7) After the goods are loaded the bill of lading to be issued by the carrier, master, or agent of the carrier to the shipper shall, if the shipper so demands, be a "shipped" bill of lading: *Provided*, That if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the "shipped" bill of lading, but at the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships

upon which the goods have been shipped and the date or dates of shipment, and when so noted the same shall for the purpose of this section be deemed to constitute a "shipped" bill of lading.

(8) Any clause, covenant, or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with the goods, arising from negligence, fault, or failure in the duties and obligations provided in this section, or lessening such liability otherwise than as provided in this Act, shall be null and void and of no effect. A benefit of insurance in favor of the carrier, or similar clause, shall be deemed to be a clause relieving the carrier from liability.

RIGHTS AND IMMUNITIES

SEC. 4. (1) Neither the carrier nor the ship shall be liable for loss or damage arising or resulting from unseaworthiness unless caused by want of due diligence on the part of the carrier to make the ship seaworthy, and to secure that the ship is properly manned, equipped, and supplied, and to make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried fit and safe for their reception, carriage, and preservation in accordance with the provisions of paragraph (1) of section 3. Whenever loss or damage has resulted from unseaworthiness, the burden of proving the exercise of due diligence shall be on the carrier or other persons claiming exemption under this section.

(2) Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from—

(a) Act, neglect, or default of the master, mariner, pilot, or the servants of the carrier in the navigation or in the management of the ship;

(b) Fire, unless caused by the actual fault or privity of the carrier;

(c) Perils, dangers, and accidents of the sea or other navigable waters;

(d) Act of God;

(e) Act of war;

(f) Act of public enemies;

(g) Arrest or restraint of princes, rulers, or people, or seizure under legal process;

(h) Quarantine restrictions;

(i) Act or omission of the shipper or owner of the goods, his agent or representative;

(j) Strikes or lockouts or stoppage or restraint of labor from whatever cause, whether partial or general: *Provided*, that nothing herein contained shall be construed to relieve a carrier from responsibility for the carrier's own acts;

(k) Riots and civil commotions;

(l) Saving or attempting to save life or property at sea;

(m) Wastage in bulk or weight or any other loss or damage arising from inherent defect, quality, or vice of the goods;

(n) Insufficiency of packing;

(o) Insufficiency or inadequacy of marks;

(p) Latent defects not discoverable by due diligence; and

(q) Any other cause arising without the actual fault and privity of the carrier and without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage.

(3) The shipper shall not be responsible for loss or damage sustained by the carrier or the ship arising or resulting from any cause without the act, fault, or neglect of the shipper, his agents, or his servants.

(4) Any deviation in saving or attempting to save life or property at sea, or any reasonable deviation shall not be deemed to be an infringement or breach of this Act or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom: *Provided, however,* That if the deviation is for the purpose of loading or unloading cargo or passengers it shall, *prima facie*, be regarded as unreasonable.

(5) Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with the transportation of goods in an amount exceeding \$500 per package lawful money of the United States, or in case of goods not shipped in packages, per customary freight unit, or the equivalent of that sum in other currency, unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading. This declaration, if embodied in the bill of lading, shall be *prima facie* evidence, but shall not be conclusive on the carrier.

By agreement between the carrier, master, or agent of the carrier, and the shipper another maximum amount than that mentioned in this paragraph may be fixed: *Provided,* That such maximum shall not be less than the figure above named. In no event shall the carrier be liable for more than the amount of damage actually sustained.

Neither the carrier nor the ship shall be responsible in any event for loss or damage to or in connection with the transportation of the goods if the nature or value thereof has been knowingly and fraudulently misstated by the shipper in the bill of lading.

(6) Goods of an inflammable, explosive, or dangerous nature to the shipment whereof the carrier, master or agent of the carrier, has not consented with knowledge of their nature and character, may at any time before discharge be landed at any place or destroyed or rendered innocuous by the carrier without compensation, and the shipper of such goods shall be liable for all damages and expenses directly or indirectly arising out of or resulting from such shipment. If any such goods shipped with such knowledge and consent shall become a danger to the ship or cargo, they may in like manner be landed at any place, or destroyed or rendered innocuous by the carrier without liability on the part of the carrier except to general average, if any.

SURRENDER OF RIGHTS AND IMMUNITIES AND INCREASE OF RESPONSIBILITIES AND LIABILITIES

SEC. 5. A carrier shall be at liberty to surrender in whole or in part all or any of his rights and immunities or to increase any of his responsibilities and liabilities under this Act, provided such surrender or increase shall be embodied in the bill of lading issued to the shipper.

The provisions of this Act shall not be applicable to charter parties; but if bills of lading are issued in the case of a ship under a charter party, they shall comply with the terms of this Act. Nothing in this Act shall be held to prevent the insertion in a bill of lading of any lawful provision regarding general average.

SPECIAL CONDITIONS

SEC. 6. Notwithstanding the provisions of the preceding sections, a carrier, master or agent of the carrier, and a shipper shall, in regard to any particular goods be at liberty to enter into any agreement in any terms as to the responsibility and liability of the carrier for such goods, and as to the rights and immunities of the carrier in respect of such goods, or his obligation as to seaworthiness (so far as the stipulation regarding seaworthiness is not contrary to public policy), or the care or diligence of his servants or agents in regard to the loading, handling, stowage, carriage, custody, care, and discharge of the goods carried by sea: *Provided*, That in this case no bill of lading has been or shall be issued and that the terms agreed shall be embodied in a receipt which shall be a nonnegotiable document and shall be marked as such.

Any agreement so entered into shall have full legal effect: *Provided*, That this section shall not apply to ordinary commercial shipments made in the ordinary course of trade but only to other shipments where the character or condition of the property to be carried or the circumstances, terms, and conditions under which the carriage is to be performed are such as reasonably to justify a special agreement.

SEC. 7. Nothing contained in this Act shall prevent a carrier or a shipper from entering into any agreement, stipulation, condition, reservation, or exemption as to the responsibility and liability of the carrier or the ship for the loss or damage to or in connection with the custody and care and handling of goods prior to the loading on and subsequent to the discharge from the ship on which the goods are carried by sea.

SEC. 8. The provisions of this Act shall not affect the rights and obligations of the carrier under the provisions of the Shipping Act, 1916, or under the provisions of sections 4281 to 4289, inclusive, of the Revised Statutes of the United States, or of any amendments thereto; or under the provisions of any other enactment for the time being in force relating to the limitation of the liability of the owners of seagoing vessels.

TITLE II

SECTION 9. Nothing contained in this Act shall be construed as permitting a common carrier by water to discriminate between competing shippers similarly placed in time and circumstances, either (a) with respect to their right to demand and receive bills of lading subject to the provisions of this Act; or (b) when issuing such bills of lading, either in the surrender of any of the carrier's rights and immunities or in the increase of any of the carrier's responsibilities and liabilities pursuant to section 5, title I, of this Act; or (c) in any other way prohibited by the Shipping Act, 1916, as amended.

SEC. 10. Section 25 of the Interstate Commerce Act is hereby amended by adding the following proviso at the end of paragraph 4 thereof: "*Provided, however,* That insofar as any bill of lading authorized hereunder relates to the carriage of goods by sea, such bill of lading shall be subject to the provisions of the Carriage of Goods by Sea Act."

SEC. 11. Where under the customs of any trade the weight of any bulk cargo inserted in the bill of lading is a weight ascertained or accepted by a third party other than the carrier or the shipper, and the fact that the weight is so ascertained or accepted is stated in the bill of lading, then, notwithstanding anything in this Act, the bill of lading shall not be deemed to be prima facie evidence against the carrier of the receipt of goods of the weight so inserted in the bill of lading, and the accuracy thereof at the time of shipment shall not be deemed to have been guaranteed by the shipper.

SEC. 12. Nothing in this Act shall be construed as superseding any part of the Act entitled "An Act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property", approved February 13, 1893, or of any other law which would be applicable in the absence of this Act, insofar as they relate to the duties, responsibilities, and liabilities of the ship or carrier prior to the time when the goods are loaded on or after the time they are discharged from the ship.

SEC. 13. This Act shall apply to all contracts for carriage of goods by sea to or from ports of the United States in foreign trade. As used in this Act the term "United States" includes its districts, territories, and possessions: *Provided, however,* That the Philippine Legislature may by law exclude its application to transportation to or from ports of the Philippine Islands. The term "foreign trade" means the transportation of goods between the ports of the United States and ports of foreign countries. Nothing in this Act shall be held to apply to contracts for carriage of goods by sea between any port of the United States or its possessions, and any other port of the United States or its possessions: *Provided, however,* That any bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea between such ports, containing an express statement that it shall be subject to the provisions of this Act, shall be subjected hereto as fully as if subject

hereto by the express provisions of this Act: *Provided further*, That every bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea from ports of the United States, in foreign trade, shall contain a statement that it shall have effect subject to the provisions of this Act.

SEC. 14. Upon the certification of the Secretary of Commerce that the foreign commerce of the United States in its competition with that of foreign nations is prejudiced by the provisions, or any of them, of title I of this Act, or by the laws of any foreign country or countries relating to the carriage of goods by sea, the President of the United States may, from time to time, by proclamation, suspend any or all provisions of title I of this Act for such periods of time or indefinitely as may be designated in the proclamation. The President may at any time rescind such suspension of title I hereof, and any provisions thereof which may have been suspended shall thereby be reinstated and again apply to contracts thereafter made for the carriage of goods by sea. Any proclamation of suspension or rescission of any such suspension shall take effect on a date named therein, which date shall be not less than ten days from the issue of the proclamation.

Any contract for the carriage of goods by sea, subject to the provisions of this Act, effective during any period when title I hereof, or any part thereof, is suspended, shall be subject to all provisions of law now or hereafter applicable to that part of title I which may have thus been suspended.

SEC. 15. This Act shall take effect ninety days after the date of its approval; but nothing in this Act shall apply during a period not to exceed one year following its approval to any contract for the carriage of goods by sea, made before the date on which this Act is approved, nor to any bill of lading or similar document of title issued, whether before or after such date of approval in pursuance of any such contract as aforesaid.

SEC. 16. This Act may be cited as the "Carriage of Goods by Sea Act."

Approved, April 16, 1936.

[Enclosure 3]

[MEMORANDUM OF THE DEPARTMENT OF STATE]

Comparison of the Carriage of Goods by Sea Act of the United States of America, Approved April 16, 1936, and the Bills of Lading Convention concluded at Brussels, August 25, 1924.

Memorandum showing a comparison between the Act and the Convention.

By the enacting clause of the Act Relating to the Carriage of Goods by Sea, approved April 16, 1936, every bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea to or from ports of the United States, in foreign trade, shall have effect subject to the provisions of the Act.

TITLE I

1. Section 3, subsection (2) of the Act does not contain the words "Subject to the provisions of Article 4" or their equivalent with which paragraph 2 of Article 3 of the Convention begins. The subsection, the words which are in the Convention but not in the act being placed in parentheses, is as follows:

"SEC. 3. . . .

"(2) ("Subject to the provisions of Article 4) The carrier shall properly and carefully load, handle, stow, carry, keep, care for, and discharge the goods carried."

2. Section 3, subsection (4) of the Act contains a proviso which is not in the Convention reserving the Act relating to bills of lading in interstate and foreign commerce, approved August 29, 1916 (Pomerene Act). The proviso is underlined¹ in the following quotation from the Act:

"SEC. 3. . . .

"(4) Such a bill of lading shall be prima facie evidence of the receipt by the carrier of the goods as therein described in accordance with paragraphs (3) (a), (b), and (c), of this section; *Provided, That nothing in this Act shall be construed as repealing or limiting the application of any part of the Act, as amended, entitled 'An Act relating to bills of lading in interstate and foreign commerce', approved August 29, 1916 (U. S. C., title 49, secs. 81-124), commonly known as the 'Pomerene Bills of Lading Act.'*"

[This proviso is primarily for the protection of subsequent holders of bills of lading. Prior to the enactment of the Pomerene Act a number of cases had arisen in the United States in which shippers had induced representatives of common carriers to sign bills of lading receipting for goods on the shipper's assurance that the goods would later be delivered to the carrier. The shippers would then dispose of the bills of lading through the usual discounting procedure. Subsequently these shippers for various reasons sometimes failed to deliver the goods to the carrier. The courts in the United States held that the fact that the goods never came into the custody of the carrier was a good defense to relieve it of liability to the holder of the bill of lading. The Pomerene Act changed this law so as to place the liability under such situations on the carrier.]²

3. Section 3, subsection (6) of the Act contains a new paragraph, appearing as the second paragraph of the subsection, which is not in the Convention, providing that notice of loss or damage may be endorsed on the receipt given for the goods. The new paragraph is underlined¹ in the following quotation from the Act:

"SEC. 3. . . .

"(6) Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the

¹ Italicized.

² Brackets appear on original memorandum.

delivery by the carrier of the goods as described in the bill of lading. If the loss or damage is not apparent, the notice must be given within three days of the delivery.

"Said notice of loss or damage may be endorsed upon the receipt for the goods given by the person taking delivery thereof."

4. The fourth paragraph of Section 3, subsection (6) of the Act contains a proviso which is not in the Convention to the effect that in all cases suit may be brought within one year. The proviso is underlined ¹ in the following quotation from the Act:

"SEC. 3. . . .

"(6) . . .

"In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered: *Provided, That if a notice of loss or damage, either apparent or concealed, is not given as provided for in this section, that fact shall not affect or prejudice the right of the shipper to bring suit within one year after the delivery of the goods or the date when the goods should have been delivered.*"

5. The condition "if it shows the particulars mentioned in paragraph 3 of Article 3" appearing near the end of paragraph 7 of Article 3 of the Convention is not in the Act. Section 3, subsection 7, of the Act, the language which is in the Convention but not in the Act being placed in parentheses, is as follows:

"SECTION 3. . . .

"7. After the goods are loaded the bill of lading to be issued by the carrier, master, or agent of the carrier to the shipper shall, if the shipper so demands, be a 'shipped' bill of lading; *Provided* that if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the 'shipped' bill of lading, but at the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted, (if it shows the particulars mentioned in paragraph 3 of Article 3,) the same shall for the purpose of this section be deemed to constitute a 'shipped' bill of lading."

6. Section 4, subsection (2) (j) of the Act contains a proviso which is not in the Convention affirming the responsibility of the carrier for his own acts in strikes, lockouts, et cetera. The proviso is underlined ¹ in the following quotation from the Act:

"SEC. 4. . . .

"(2) Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from—

"(j) Strikes or lockouts or stoppage or restraint of labor from whatever cause, whether partial or general *Provided, That nothing herein contained shall be construed to relieve a carrier from responsibility for the carrier's own acts;*"

¹ Italicized.

7. Section 4, Subsection 2 (q) of the Act differs from Article 4, paragraph 2 (q) of the Convention in that the word "and" is used at two places near the beginning of the paragraph in the Act where "or" is used in the Convention. Section 4, subsection (2) (q) of the Act is as follows:

"SEC. 4. . . .

"(2) Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from—

"(q) Any other cause arising without the actual fault (or) *and* privity of the carrier (or) *and* without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage."

8. Section 4, subsection (4) of the Act contains a proviso which is not in the Convention to the effect that deviation for the purpose of loading or unloading cargo or passengers is prima facie unreasonable. The proviso is underlined¹ in the following quotation from the Act:

"SEC. 4. . . .

"(4) Any deviation in saving or attempting to save life or property at sea, or any reasonable deviation shall not be deemed to be an infringement or breach of this Act or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom: *Provided, however, That if the deviation is for the purpose of loading or unloading cargo or passengers it shall, prima facie, be regarded as unreasonable.*"

9. Section 4, subsection (5) of the Act contains phraseology in the first paragraph by which the reservation which the Senate made in giving its advice and consent to the ratification of the Convention substituting lawful money of the United States in place of "gold value" is adopted. In this subsection \$500 is substituted for 100 pounds sterling pursuant to the privilege reserved by the Contracting States in the second paragraph of Article 9 of the Convention. The words "the transportation of" are used before "goods" near the beginning of the subsection, and the words "binding or" which appear in the Convention are omitted from the next sentence of this subsection. The language appearing in Section 4, subsection (5) of the Act, but not in Article 4, paragraph 5 of the Convention, is underlined¹ and the words "binding or" are placed in parentheses in the following quotation from the Act:

"SEC. 4

"(5) Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with *the transportation of goods in an amount exceeding \$500 per package lawful money of the United States, or in case of goods not shipped in packages, per customary freight unit, or the equivalent of that sum in other currency, unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading. This declaration, if embodied in the bill of lading, shall be prima facie evidence, but shall not be (binding or) conclusive on the carrier.*"

¹ Italicized.

10. Section 4, subsection (5) of the Act contains a sentence in the second paragraph which is not in the Convention to the effect that in no case shall the carrier be liable for more than the amount of damage actually sustained. The sentence is underlined¹ in the following quotation from the Act:

"SEC. 4. . . .

"(5)

"By agreement between the carrier, master, or agent of the carrier, and the shipper another maximum amount than that mentioned in this paragraph may be fixed: *Provided*, That such maximum shall not be less than the figure above named. *In no event shall the carrier be liable for more than the amount of damage actually sustained.*"

11. Section 4, subsection (5) last paragraph of the Act contains the phrases "the transportation of the" before "goods" and the words "and fraudulently" after "knowingly", which do not appear in the Convention. This paragraph of the Act, the expressions mentioned being underlined,¹ reads as follows:

"SEC. 4. . . .

"(5)

"Neither the carrier nor the ship shall be responsible in any event for loss or damage to or in connection with *the transportation of the goods* if the nature or value thereof has been *knowingly and fraudulently* misstated by the shipper in the bill of lading."

12. In Section 8 of the Act reservations are made saving from the operation of the Act the provisions relating to the liability of the owners of seagoing vessels in certain Acts of the Congress of the United States,—namely the Shipping Act of 1916 and sections 4281 to 4289 inclusive of the Revised Statutes of the United States or any amendments thereof,—all of which this Government considers to be within the scope of the reservation in Article 8 of the Convention.

TITLE II

The provisions of Title II of the Act may be regarded as supplementary to the provisions of Title I, which, with the enacting clause taking the place of Article 10, correspond to the first ten articles of the Convention.

The provisions of sections 9, 11 and 12 in Title II of the Act are designed primarily to make clear that the provisions of Title I shall not be construed to affect certain features of American law and practice. Section 9 provides that a common carrier by water may not discriminate between competing shippers similarly placed in time and circumstance; section 11 provides that where under the customs of any trade the weight of any bulk cargo inserted in a bill of lading was ascertained or accepted by a third party other than the carrier or the shipper, and that fact is stated in the bill of lading, the bill of lading shall not be deemed to be prima facie evidence against the

¹ Italicized.

carrier as to the weight, and that the accuracy of the weight at the time of shipment shall not be deemed to have been guaranteed by the shipper; section 12 provides that nothing in the Carriage of Goods by Sea Act shall supersede any part of the Act of the United States entitled "An Act relating to navigation of vessels, bills of lading and to certain obligations, duties, and rights in connection with the carriage of property," approved February 13, 1893, (commonly known as "The Harter Act"), or of any other law which would be applicable in the absence of that Act, insofar as they relate to the duties, responsibilities and liabilities of the ship or carrier prior to the time when goods are loaded on or after the time they are discharged from the ship.

By section 10 an amendment is made to section 25 of the Interstate Commerce Act by adding at the end of paragraph 4 thereof a proviso to the effect that insofar as any bill of lading authorized under that paragraph relates to the carriage of goods by sea it shall be subject to the provisions of the Carriage of Goods by Sea Act.

Section 13 provides in effect that the Act applies in respect of foreign trade of the United States, including the foreign trade of territories and possessions. This section also provides that the Act does not apply to contracts for the carriage of goods by sea between ports of the United States and between ports of the United States and its possessions, or between the latter, namely in coastwise trade, but the Section also provides for the recognition of express statements applying the provisions of the Act in shipments in such trade, when they are made in bills of lading.

By section 14 authority is conferred on the President to suspend on not less than ten days notice any or all of the provisions of Title I upon certification by the Secretary of Commerce that the foreign commerce of the United States in its competition with the commerce of foreign nations is prejudiced by the operation of any of the provisions of Title I of the Act or by the laws of any foreign country or countries relating to the carriage of goods by sea.

The foregoing differences from the Convention, made in the Carriage of Goods by Sea Act, are intended primarily (1) to clarify provisions in the Convention which may be of uncertain meaning thereby avoiding expensive litigation in the United States for purposes of interpretation and (2) to coordinate the Carriage of Goods by Sea Act with other legislation of the United States.

WASHINGTON, D. C.

June 5, 1937.

Belgian Government's Acknowledgment of Notification

*The Belgian Minister for Foreign Affairs and Foreign Commerce (Spaak)
to the American Chargé d'Affaires ad interim (Sussdorff)*

MINISTÈRE
DES
AFFAIRES ÉTRANGÈRES
ET DU
COMMERCE EXTÉRIEUR

CABINET SERVICE JURIDIQUE
No. 399/20646
No. d'Ordre: 23863

BRUXELLES, le 2 juillet 1937.

MONSIEUR LE CHARGÉ D'AFFAIRES:

J'ai eu l'honneur de recevoir la lettre No. 965, en date du 26 juin dernier, par laquelle vous avez bien voulu me faire parvenir les instruments de ratification de M. le Président des Etats-Unis d'Amérique sur la convention internationale pour l'unification de certaines règles en matière de connaissement, signée à Bruxelles, le 25 août 1924.

Ces instruments étaient accompagnés du texte de la loi américaine sur le transport des marchandises par mer et d'un mémorandum établi par le Département d'Etat.

Les instruments de ratification ayant été déposés au Ministère des Affaires Etrangères et du Commerce Extérieur de Belgique, le 29 juin 1937, c'est donc le 29 décembre 1937 que cette convention sortira ses effets vis-à-vis des Etats-Unis d'Amérique.

J'ai également eu l'honneur de recevoir votre lettre No. 969 en date du 29 juin,¹ par laquelle vous avez bien voulu me faire parvenir 25 exemplaires du texte de la loi américaine du 16 avril 1936 et du Mémorandum du 5 juin 1937.

Je vous serais très obligé, Monsieur le Chargé d'Affaires, de vouloir bien me faire parvenir 30 exemplaires supplémentaires de ces deux documents.

Veillez agréer, Monsieur le Chargé d'Affaires, l'assurance de ma considération la plus distinguée.

Pour le Ministre:

Le Chef du Service Juridique,

DE RUELLE

Monsieur LOUIS SUSSDORFF Junior,
*Chargé d'Affaires des Etats-Unis d'Amérique,
Bruxelles.*

¹ Ne s'imprime pas.

[Translation]

MINISTRY
OF
FOREIGN AFFAIRS
AND
FOREIGN COMMERCE

OFFICE OF THE JURIDICAL DEPARTMENT
No. 399/20646
Serial No. 23863

BRUSSELS, *July 2, 1937.*

Belgian Govern-
ment's acknowl-
edgment of ratification.

Mr. CHARGÉ D'AFFAIRES,

I had the honor to receive the letter No. 965 dated June 26 last, by which you were good enough to transmit to me the instruments of ratification of the President of the United States of America of the international convention for the unification of certain rules relating to bills of lading, signed at Brussels on August 25, 1924.

These instruments were accompanied by the text of the American law relating to the carriage of goods by sea and a memorandum of the Department of State.

As the instruments of ratification were deposited with the Belgian Ministry of Foreign Affairs and Foreign Commerce on June 29, 1937, this convention will go into effect with respect to the United States of America on December 29, 1937.

I also had the honor to receive your letter No. 969 dated June 29th,¹ by which you were good enough to transmit to me 25 copies of the text of the American law of April 16, 1936, and of the Memorandum of June 5, 1937.

I should be very much obliged to you, Mr. Chargé d'Affaires, if you would transmit to me 30 additional copies of these two documents.

Please accept, Mr. Chargé d'Affaires, the assurance of my most distinguished consideration.

For the Minister:

Chief of the Juridical Department,

DE RUELLE

Mr. LOUIS SUSSDORFF Junior,
Chargé d'Affaires of the United States of America,
Brussels.

¹ Not printed.

INTERNATIONAL AGREEMENTS
OTHER THAN TREATIES

Agreement between the United States of America and France concerning
certain problems for commercial, religious, and pedagogical insti-
tutions in Syria and the Lebanon. Signed by exchange of notes
signed February 14, 1925. Last session of the French High Commis-
sioner for Syria, March 20, 1925.

The French Mission for Foreign Affairs (Délégation) to the American
Ambassador (Délégation)

Monsieur

INTERNATIONAL AGREEMENTS

OTHER THAN TREATIES

Délégation de
Paris, ce 14 février 1925.
de la République Française, le Haut-Commissaire de la République Française
en Syrie et au Liban a pris, le 20 décembre 1924, un arrêté portant
sur les droits et privilèges relatifs à la situation des établissements
religieux, scolaires, médicaux et philanthropiques dans les États
sous mandat. Mon Gouvernement américain a été informé par
un communiqué que le Gouvernement américain a accepté les
dispositions de cet arrêté et a tenu à en faire connaître les
principales dispositions par l'intermédiaire de notes protocolaires.

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma
haute estime personnelle.

Le Commissaire d'Honneur
WILLIAM C. BOSTER
Ambassadeur des États-Unis d'Amérique

Yves Fassin

En foi de quoi, le
Commissaire d'Honneur

MINISTRY
OF
FOREIGN AFFAIRS
BRUSSELS

Paris, July 4, 1887.

Mr. Charles de Brouckere,

I had the honor to receive the letter No. 705 dated June 29 last, by which you were good enough to transmit to me the instruments of ratification of the Protocol of the United States of America of the 22nd March 1887, for the ratification of certain rules relating to the navigation of the Scheldt, signed at Brussels on August 25, 1835.

These instruments were accompanied by the text of the Agreement relating to the navigation of the Scheldt, a communication of the 22nd March 1887.

In the execution of my duties, I was instructed by the Belgian Minister of Foreign Affairs and Foreign Commerce on June 29, 1887, to send to your Excellency the instruments of ratification of the said Agreement, and to inform you of the fact that the said Agreement has been ratified by the United States of America on June 29, 1887.

INTERNATIONAL AGREEMENTS
OTHER THAN TREATIES

The instruments of ratification of the said Agreement, and the text of the said Agreement, are herewith transmitted to you for your information.

For the Minister
of the Department
of Foreign Affairs

The United States of America
Department of State
Washington, D.C.

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

Agreement between the United States of America and France concerning customs privileges for educational, religious, and philanthropic institutions in Syria and the Lebanon. Effected by exchange of notes signed February 18, 1937. And decree of the French High Commissioner dated March 27, 1937.

February 18, 1937
[E. A. S. No. 107]

The French Minister for Foreign Affairs (Delbos) to the American Ambassador (Bullitt)

MINISTÈRE
DES
AFFAIRES ÉTRANGÈRES
DIRECTION POLITIQUE

PARIS, le 18 Février 1937.

MONSIEUR L'AMBASSADEUR,

Désireux de rendre encore plus clairs les principes qui ont inspiré les notes échangées entre M. Poincaré et l'Ambassadeur Herrick, à Paris, respectivement datées du 2 novembre 1923¹ et du 18 décembre de la même année,¹ le Haut Commissaire de la République française en Syrie et au Liban a pris, le 20 décembre 1934, un arrêté n°292/L.R dont copie est ci-jointe; ce texte apporte certaines précisions au sujet des droits et privilèges relatifs à la franchise douanière accordée aux établissements scolaires, religieux et philanthropiques dans les Etats sous mandat. Mon gouvernement accueillerait avec sympathie tout commentaire que le Gouvernement américain voudrait bien faire sur les dispositions de cet arrêté et leurs effets sur les intérêts américains envisagés par l'échange des notes précitées./.

Agreement with France concerning customs privileges in Syria and the Lebanon.

Veillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

YVON DELBOS

Son Excellence l'Honorable
WILLIAM C. BULLITT²

*Ambassadeur des Etats Unis d'Amérique
Paris*

¹ Ne s'imprime pas.

² Ainsi dans l'original.

[Enclosure]

DOUANES

ARRETE N° 292/LR
du 20 Décembre 1934

portant exonération des droits de douane à l'égard des importations effectuées par les communautés religieuses, missions évangéliques, établissements d'enseignement et oeuvres d'assistance

Le Haut-Commissaire de la République Française,
Vu les décrets du Président de la République Française en date du 23 Novembre 1920 et 16 Juillet 1933,
Vu le règlement douanier ottoman du 31 décembre 1910,
Vu les arrêtés N°s 1734 du 22 décembre 1922, 1228 du 13 Mai 1927, 1711 du 20 décembre 1927 et 2045 du 27 Juillet 1928.

ARRETE:

ARTICLE 1.—L'exonération des droits de douane est accordée, dans les conditions et sous les réserves prévues par les textes susvisés, aux articles et produits limitativement désignés ci-après, importés par les communautés religieuses, missions évangéliques, établissements d'enseignement et oeuvres d'assistance:

A) *Objets destinés à la célébration du culte dans les églises, temples, mosquées, synagogues et autres maisons spéciales de prières:*

Dons envoyés par les souverains et les chefs d'états.

Crucifix—reliquaires de tous genres, ornés ou non ornés.

Calices, ostensoirs, ciboires, bassins, aiguières, encensoirs, navettes, burettes, plateaux et autres ustensiles, en or, argent ou vermeil.

Candélabres—chandeliers—vases à fleurs ornés ou non ornés, fleurs artificielles—dais—voiles—étoffes en toile pour l'autel—tentures et étoffes en soie ou en coton, pour l'ornementation—galons et franges en soie ou en argent—crosses de tous genres—tableaux ornés ou non ornés.

Vêtements sacerdotaux et autres, confectionnés ou non, destinés exclusivement au service religieux.

Tapis en laine, en velours, ou brodés d'or et d'argent.

Lustres et lampes en argent, vermeil, métal ou cristaux—or et argent en feuilles—couleurs et peintures destinées à l'ornementation—vitraux peints ou non peints—cierges—cire brute pour confectionner les cierges—encens—chapelets—médailles en or et argent—images—statues et statuettes.

Orgues et harmoniums—musique liturgique—missels—livres de prière ou de chants et, en général, tous les livres destinés à la célébration du culte.

Les articles repris ci-dessus ne peuvent bénéficier de la franchise douanière, que sous réserve d'être importés au nom de communautés religieuses ou de missions évangéliques.

B) *Articles et produits importés par les communautés religieuses et missions évangéliques pour l'entretien de leurs membres:*

Articles d'habillement: vêtements confectionnés et accessoires du vêtement (à l'exclusion des fourrures et autres garnitures de luxe)—coiffures—chaussures—cuirs et peau—bonneterie de laine ou de coton—lingerie de coton—rubans, cordonnets fils et tissus de soie, laine ou coton.

Articles et produits d'entretien: literie—articles en verre, faïence, porcelaine ou fer émaillé, pour la table ou la toilette—couteaux de table, fourchettes et cuillers, en métal ordinaire—batterie de cuisine—articles de ménage—outils de jardinage—graines potagères et florales—savon ordinaire.

Produits d'alimentation: farine de blé—sucre—riz—café—thé—chicorée—amidon—épices—légumes secs—pommes de terre—graisses—beurre, huiles, pâtes et conserves alimentaires—fromage—vin de table.

Articles de bureau: papier—crayons—plumes et porte-plumes—encre—encriers ordinaires—enveloppes en papier.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 7.000 P. L. S. par personne.

C) *Articles et produits importés par les maisons d'éducation religieuse (séminaires et autres) pour l'entretien et l'instruction de leurs pensionnaires, ou pour l'instruction seule des élèves non entretenus par elles:*

Articles d'habillement repris au paragraphe B ci-dessus, à l'exclusion des rubans, cordonnets, fils et tissus de soie.

Articles et produits d'entretien repris au paragraphe B ci-dessus.

Produits d'alimentation repris au paragraphe B ci-dessus, à l'exclusion du vin de table.

Articles de bureau repris au paragraphe B ci-dessus.

Articles scolaires: craie—tableaux noirs—cartes géographiques et autres livres.

Articles et produits spéciaux: articles de sport—instruments et produits pour cabinet de physique et de chimie—appareils de projections lumineuses fixes.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 2.500 P. L. S. par pensionnaire, ou 1.000 P. L. S. par élève non entretenu.

D) *Articles et produits importés par les établissements d'enseignement général ou technique pour l'instruction de leurs élèves:*

Articles de bureau repris au paragraphe B ci-dessus.

Articles scolaires repris au paragraphe C ci-dessus, auxquels il convient d'ajouter: tablettes d'ardoise ou de carton noir—couleurs et accessoires pour peinture artistique.

Articles et produits spéciaux repris au paragraphe C ci-dessus, auxquels il convient d'ajouter: instruments de musique—objet de collection destinés à des établissements possédant un musée d'histoire naturelle—machines à écrire, machines à polycopier et accessoires, destinés à des établissements possédant un cours commercial—

appareils de T. S. F. ou de radiophonie, instruments et produits de laboratoire, instruments de chirurgie et de médecine, instruments dentaires et produits pharmaceutiques, destinés à des établissements d'enseignement technique.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 1.000 P. L. S. par élève.

E) *Articles et produits importés par les hôpitaux pour l'entretien et le soin des malades:*

Articles d'habillement: bonneterie de laine ou de coton—lingerie de coton—fils de laine ou de coton—tissus de coton.

Articles et produits d'entretien repris au paragraphe B ci-dessus.

Produits d'alimentation repris au paragraphe B ci-dessus, à l'exclusion du vin de table, mais auxquels il convient d'ajouter: cacao—chocolat—confiseries—biscuits—lait condensé.

Articles et produits spéciaux: instruments de chirurgie et de médecine—instruments dentaires—instruments et produits de laboratoire—médicaments—pansements—produits antiseptiques—alcool.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 7.000 P. L. S. par lit.

F) *Articles et produits importés par les dispensaires pour le soin des malades:*

Articles et produits d'entretien: articles de ménage—savon ordinaire.

Articles et produits spéciaux repris au paragraphe E ci-dessus.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 1.200 P. L. S. par assisté.

G) *Articles et produits importés par les orphelinats pour l'entretien et l'instruction de leurs pensionnaires:*

Articles d'habillement repris au paragraphe B ci-dessus, à l'exclusion des cuirs et peaux, et des rubans, cordonnets, fils et tissus de soie.

Articles et produits d'entretien repris au paragraphe B ci-dessus.

Produits alimentation visés au paragraphe E ci-dessus.

Articles de bureau repris au paragraphe B ci-dessus.

Articles scolaires visés au paragraphe D ci-dessus.

Articles et produits spéciaux repris au paragraphe C ci-dessus auxquels il convient d'ajouter: instruments de musique—récompenses pour prix (livres ornés, cadres, boîtes et jouets d'enfants)—modèles de lingerie fine, ouvrages de tapisserie échantillonées et articles de mercerie, destinés à des orphelinats de filles—outils et instruments pour travaux manuels, destinés à des orphelinats de garçons.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 2.500 P. L. S. par orphelin.

H) *Articles et produits importés par les hospices pour l'entretien de leurs pensionnaires:*

Articles d'habillement visés au paragraphe G ci-dessus.

Articles et produits d'entretien repris au paragraphe B ci-dessus.

Produits d'alimentation visés au paragraphe E ci-dessus.

Articles de bureau repris au paragraphe B ci-dessus.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 7.000 P. L. S. par assisté.

ARTICLE 2.—Les importations de matériaux de construction, matériaux d'installation et d'entretien des bâtiments, matériels mécaniques, moteurs, engins, appareils et appareils de toute nature (installations électriques, pompes, etc.), effectuées par les établissements visés à l'article 1 du présent arrêté, demeurent régies par les arrêtés N^{os} 6/LR, 166/LR, 211/LR et 232/LR, des 31 janvier 1931, 30 Juillet, 13 septembre et 4 Octobre 1934.

Toutefois, ces matériaux et matériels ne bénéficient de l'exemption des droits de douane que lorsqu'ils sont introduits par un port des Etats du Levant sous Mandat Français.

ARTICLE 3.—Pourront être exclus du bénéfice de l'exonération douanière, sur simple décision de l'autorité supérieure, ceux des articles, produits, matériaux et matériels, énumérés ci-dessus, qui auraient sur le marché intérieur des similaires provenant de l'agriculture ou de l'industrie locales.

ARTICLE 4.—Les articles, produits, matériaux et matériels, repris aux articles 1 et 2 du présent arrêté, ne sont admis en franchise douanière que s'ils sont importés de pays faisant partie de la Société des Nations, des Etats-Unis d'Amérique ou de pays bénéficiant d'accords tarifaires spéciaux.

Les marchandises de toute nature, introduites par des établissements ou groupements privilégiés, acquittent les droits du tarif maximum lorsqu'elles sont originaires de pays autres que ceux visés ci-dessus.

ARTICLE 5.—Bien que n'étant pas comprises parmi les établissements auxquels s'appliquent les dispositions des articles premier et 2 du présent arrêté, les cliniques privées pourront bénéficier, pour leurs lits gratuits, de la franchise prévue au paragraphe E de l'article premier ci-dessus.

ARTICLE 6.—Sont et demeurent abrogés toutes dispositions antérieures contraires au présent arrêté qui entrera en vigueur à compter du 1er janvier 1935.

ARTICLE 7.—Le Secrétaire Général et l'Inspecteur Général des Douanes sont chargés, chacun en ce qui le concerne, de l'exécution du présent arrêté.

Beyrouth, le 20 décembre 1934

Le Secrétaire Général
LAGARDE

Le Conseiller Législatif
A. MAZAS

L'Inspecteur Général des
Douanes
ROUX

Le Haut-Commissaire
D. DE MARTEL

Le Conseiller du Haut-Commissariat
aux Affaires Financières
ABADIE GASQUIN

[Translation]

MINISTRY FOR FOREIGN AFFAIRS
POLITICAL DIVISION

PARIS, *February 18, 1937.*

MR. AMBASSADOR:

Being desirous of further clarifying the principles animating the exchange of notes between M. Poincaré and Ambassador Herrick, dated at Paris, respectively, on November 2, 1923,¹ and December 18 of the same year,¹ the High Commissioner of the French Republic in Syria and the Lebanon formulated a decree, No. 292/LR, which was issued on December 20, 1934, a copy of which is enclosed; this text makes certain clarifications with respect to the rights and privileges of free importation for educational, religious and philanthropic institutions in the States under Mandate. My Government would welcome the comment of the American Government on the provisions of this decree and their effect on the American interests envisaged in the exchange of notes above referred to.

Please accept, Mr. Ambassador, the assurances of my very high consideration,

YVON DELBOS

His Excellency

The Honorable WILLIAM C. BULLITT,
*Ambassador of the United States of America,
Paris.*

[Enclosure—translation]

CUSTOMS

DECREE NO. 292/LR
of December 20, 1934,

carrying exemption from customs duties for importations made by religious communities, evangelical missions, educational establishments and philanthropic institutions

Decree of French
High Commissioner.

The High Commissioner of the French Republic,
In view of the decrees of the President of the French Republic under date of November 23, 1920, and July 16, 1933,
In view of the Ottoman customs regulations of December 31, 1910,
In view of Decrees Nos. 1734 of December 22, 1922, 1228 of May 13, 1927, 1711 of December 20, 1927, and 2045 of July 27, 1928.

DECREES:

ARTICLE 1. Exemption from customs duties is accorded, under the conditions and with the reservations provided for in the above texts, to the articles and products limitatively described below, imported by religious communities, evangelical missions, educational establishments and philanthropic institutions:

¹ Not printed.

A) *Articles intended to be used in conducting religious worship in churches, temples, mosques, synagogues and other special houses of prayer:*

Gifts sent by sovereigns and chiefs of states.

Crucifixes, reliquaries of all kinds, ornamented or not ornamented.

Chalices, ostensories, ciboria, basins, ewers, censers, incense boats, altar-cruets, trays and other utensils, of gold, silver or vermeil.

Candelabra, chandeliers, flower vases, whether ornamented or plain, artificial flowers, canopies, veils, cloth materials for the altar, hangings and materials, of silk or cotton, for ornamentation, braids and fringes of silk or silver, croziers of all kinds, altar pieces, whether ornamented or plain.

Sacerdotal or other clothing, made up or not, intended exclusively for the religious service.

Carpets, wool, velvet, or embroidered with gold or silver.

Chandeliers (*lustres*) and lamps of silver, vermeil, metal or glass, gold and silver leaf, colors and paints intended for ornamentation, stained or unstained glass windows, candles, crude wax for making candles, incense, rosaries, gold and silver medals, pictures, statues and statuettes.

Organs and harmoniums, liturgical music, missals, prayer or song-books and, in general, all books intended for conducting worship.

The articles listed above cannot profit from the exemption from customs duties except when imported in the name of religious communities or evangelical missions.

B) *Articles and products imported by religious communities and evangelical missions for the support of their members:*

Articles of apparel: ready-made clothing and dress accessories (excluding furs and other luxurious furnishings), headdress, shoes, leather and hides, woolen or cotton hosiery, cotton underclothing, silk, woolen or cotton ribbons, cords, threads and woven goods.

Articles and products for maintenance: bedding; articles of glass, faience, porcelain or enameled iron, for the table or toilet; table knives, forks and spoons, of ordinary metal; kitchen utensils; house-keeping articles; gardening tools; vegetable and flower seeds, ordinary soap.

Food products: wheat flour, sugar, rice, coffee, tea, chicory, starch, spices, dry vegetables, potatoes, greases and fats, butter, oils, alimentary pastes and canned foods, cheese, table wine.

Office supplies: paper, pencils, pens and penholders, ink, ordinary inkwells, envelopes of paper.

The value of the goods which are admissible annually free of duty cannot exceed 7,000 Libano-Syrian piasters per person.

C) *Articles and products imported by houses of religious education (seminaries and others) for the maintenance and instruction of their boarding pupils, or for the instruction only, of pupils not boarded by them:*

Articles of apparel listed in paragraph B above, with the exception of ribbons, cords, threads and tissues of silk.

Articles and products for maintenance listed in paragraph B above.

Alimentary products listed in paragraph B above, except table wine.

Office supplies listed in paragraph B above.

School supplies: chalk, blackboards, geographical maps and other books.

Special articles and products: sport goods, instruments and products for physical and chemical laboratories, apparatus for fixed luminous projections.

The value of the goods which are admissible annually duty free cannot exceed 2,500 Libano-Syrian piasters per boarded pupil, or 1,000 Libano-Syrian piasters per pupil not boarded.

D) *Articles and products imported by establishments of general or technical education for the instruction of their pupils:*

Office supplies listed in paragraph B above.

School goods listed in paragraph C above, to which should be added: tablets of slate or black cardboard, colors and accessories for artistic painting.

Special articles and goods listed in paragraph C above, to which should be added: musical instruments, collection specimens intended for establishments possessing a natural history museum, typewriters, duplicating machines and accessories, intended for establishments having a commercial course, wireless or radio sets, laboratory instruments and products, surgical and medical instruments, dental instruments and pharmaceutical products, intended for establishments of technical education.

The value of the goods which are admissible annually duty free cannot exceed 1,000 Libano-Syrian piasters per pupil.

E) *Articles and products imported by hospitals for the subsistence and care of the sick:*

Articles of apparel: woolen or cotton hosiery, cotton underclothing, wool or cotton thread, cotton cloth.

Subsistence articles and products listed in paragraph B above.

Alimentary products listed in paragraph B above, excluding table wine, but to which should be added: cocoa, chocolate, preserves, biscuits, condensed milk.

Special articles and products: surgical and medical instruments, dental instruments, laboratory instruments and products, medicines, dressings, antiseptic products, alcohol.

The value of the goods which are admissible annually duty free cannot exceed 7,000 Libano-Syrian piasters per bed.

F) *Articles and products imported by dispensaries for the care of the sick:*

Subsistence articles and products; household articles, ordinary soap.

Special articles and products listed in paragraph E above.

The value of the goods admissible annually duty free cannot exceed 1,200 Libano-Syrian piasters per person assisted.

G) *Articles and products imported by orphanages for the support and instruction of their inmates:*

Articles of apparel listed in paragraph B above, excluding leathers and hides, and silk ribbons, cords, threads and cloth.

Subsistence articles and products listed in paragraph B above.

Alimentary products referred to in paragraph E above.

Office supplies listed in paragraph B above.

School goods referred to in paragraph D above.

Special articles and products listed in paragraph C above, to which should be added: musical instruments, recompenses for prizes (ornamented books, frames, boxes and children's toys), patterns of fine lingerie, works of tapestry, samples and articles of dry goods, intended for girls' orphanages, tools and instruments for manual work, intended for boys' orphanages.

The value of the goods admissible annually duty free cannot exceed 2,500 Libano-Syrian piasters per orphan.

H) *Articles and products imported by hospices for the sustenance of their inmates:*

Articles of apparel contemplated in paragraph G above.

Sustenance articles and products listed in paragraph B above.

Alimentary products contemplated in paragraph E above.

Office supplies listed in paragraph B above.

The value of the goods admissible annually duty free cannot exceed 7,000 Libano-Syrian piasters per person assisted.

ARTICLE 2. The importations of construction materials, materials for the installation and maintenance of buildings, mechanical equipment, motors, appliances, apparatus and gear of all kind (electrical installations, pumps, etc.), made by the establishments contemplated in article 1 of this decree, continue to be governed by decrees Nos. 6/LR, 166/LR, 211/LR and 232/LR of January 31, 1931, July 30, September 13 and October 4, 1934.

Nevertheless, such materials and equipment do not benefit from exemption from customs duties unless they are introduced through a port of the Levantine States under French Mandate.

ARTICLE 3. Those articles, products, materials and equipment, enumerated above, for which like articles are found on the domestic market, produced by local industry or agriculture, may, simply by decision of the superior authorities, be excluded from the benefit of exemption from customs duties.

ARTICLE 4. The articles, products, materials and equipment listed in articles 1 and 2 of this decree are admitted duty free only if they are imported from countries that are members of the League of Nations, from the United States of America, or from countries benefiting from special tariff agreements.

Goods of all kinds, imported by privileged establishments or groups pay the maximum rate of duty when they originate in countries other than those referred to above.

ARTICLE 5. Although not included among the establishments to which the provisions of articles 1 and 2 of this decree apply, private clinics may benefit, for their free beds, from the exemption from duty provided for in paragraph E of article 1 above.

ARTICLE 6. All prior provisions contrary to this decree, which will come into force on January 1, 1935, are and remain revoked.

ARTICLE 7. The Secretary General and Inspector General of Customs are charged, each one in that which concerns him, with the execution of this decree.

BEIRUT, December 20, 1934.

The Secretary General
LAGARDE

The Legislative Adviser
A. MAZAS

The Inspector General of Customs
ROUX

The High Commissioner
D. DE MARTEL

*The Adviser of the High Commission
in Financial Affairs*

ABADIE GASQUIN

*The American Ambassador (Bullitt) to the French Minister for Foreign
Affairs (Delbos)*

No. 221 EMBASSY OF THE UNITED STATES OF AMERICA,
Paris, February 18, 1937.

EXCELLENCY:

Proposal for modification of decree.

I have received Your Excellency's note enclosing a copy of the decree of the French High Commissioner in Syria, No. 292/LR of December 20, 1934, which was destined to make precise the privileges granted in the exchange of notes between M. Poincaré and Ambassador Herrick, dated, respectively, November 2, 1923,¹ and December 18 of the same year,¹ for the American educational, religious and philanthropic institutions in Syria and the Lebanon. I note that you invite the comment of my Government.

This matter has been made the subject of considerable correspondence between the Embassy and the Ministry, and the Consulate General at Beirut and the High Commission, and my Government has always reserved the rights granted it by the Convention between the United States of America and France regarding the Mandate for Syria and the Lebanon, dated April 4, 1924, and more specifically mentioned in the exchange of notes above referred to, and

¹ Not printed.

therefore will consider Decree No. 292/LR of December 20, 1934, as an interpretation of the privileges granted, subject to two modifications:

First, the liberalization of the amounts to be imported free of duty by the American University of Beirut. The desire for this modification arises from the fact that scientific instruments, equipment for teaching, hospitals, etc., which must all be imported by the University, create a proportion of importation relative to the number of students far higher than similar importations which might be required by secondary institutions and other foundations. Therefore, the creation of a special category for institutions of university standing might be in the public interest in the Mandated areas, particularly since devaluation has lessened the import value of the present allowances.

Second, it is suggested that, in case the American educational, religious and philanthropic institutions appeal from a decision of the customs inspectors, either as to amounts or classifications, no payment be made until the appeal shall have been heard and decided by the highest customs authorities. The reason which motivates this request is that appeals under the present régime tie up philanthropic funds for considerable lengths of time until decisions are acted upon, after which claims may be entered for the return of the money, and there is a long tie-up of funds destined entirely for eleemosynary purposes, as well as unnecessary administrative delay and inconvenience to both parties.

Should Your Excellency be able to consent to the two above mentioned modifications of Decree 292/LR of December 20, 1934, my Government will be most happy to consider the decree so modified as a satisfactory interpretation of the rights granted it by treaty and interpreted in the exchange of notes, by which it receives most favored nation treatment in this respect.

I avail myself of this occasion to renew to Your Excellency the assurance of my highest consideration,

WILLIAM C. BULLITT

His Excellency

Monsieur YVON DELBOS,
Minister for Foreign Affairs,
Paris.

The French Minister for Foreign Affairs (Delbos) to the American Ambassador (Bullitt)

MINISTÈRE
DES
AFFAIRES ÉTRANGÈRES
DIRECTION POLITIQUE

PARIS, le 18 Février 1937.

MONSIEUR L'AMBASSADEUR,

J'ai reçu votre note en date de ce jour par laquelle vous avez bien voulu exposer les observations de votre gouvernement sur le régime

douanier appliqué aux établissements scolaires, religieux et philanthropiques américains, et suggérer certaines modifications que votre Gouvernement croit être nécessaires pour atténuer la difficulté d'interprétation des droits accordés par la Convention conclue entre les Etats-Unis d'Amérique et la France concernant le Mandat pour la Syrie et le Liban, en date du 4 avril 1924, et l'échange des notes du 2 Novembre 1923¹ et du 18 décembre de la même année.¹

Mon gouvernement, dont l'action à ce sujet a été motivée par le désir d'interpréter l'esprit de ses engagements internationaux au mieux des intérêts des Etats du Levant sous mandat français, est heureux d'accepter les modifications que vous suggérez d'apporter à cette interprétation et prendra les mesures nécessaires en vue d'apporter aux textes en vigueur les modifications suivantes:

Le paragraphe d) de l'article 248 du code des douanes sera rectifié comme suit:

d) Articles et produits importés par les établissements d'enseignement général ou technique pour l'instruction de leurs élèves:

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 1500 P. L. S. par élève pour les établissements d'instruction primaire ou secondaire et 2500 P. L. S. par élève pour les établissements universitaires.

L'art. 251 du code des douanes sera complété comme suit:

"A titre général, les droits exigibles sur chaque importation privilégiée doivent être consignés dans les caisses de la douane. Toutefois, cette dernière peut accepter, au lieu et place de la consignation précitée, la garantie d'une banque préalablement agréée par le chef de contrôle de la douane intéressée, toutes les fois que le montant des droits liquidés excède mille livres syriennes, ou le dépôt d'un engagement de l'établissement bénéficiaire étranger, transmis par son consul."

Veillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

YVON DELBOS

Son Excellence l'Honorable

WILLIAM C. BULLIT²

Ambassadeur des Etats Unis d'Amérique

Paris

[Translation]

MINISTRY FOR FOREIGN AFFAIRS

POLITICAL DIVISION

PARIS, *February 18, 1937.*

MR. AMBASSADOR:

I have received your note of to-day's date setting forth the observations of your Government on the customs regime for American educational, religious and philanthropic institutions, and suggesting certain modifications which your Government feels would make less difficulty in the interpretation of the rights granted by the Convention between the United States of America and France regarding the Mandate for

Acceptance of proposed modifications.

43 Stat. 1821.

¹ Ne s'imprime pas.

² Ainsi dans l'original.

Syria and the Lebanon, dated April 4, 1924, and the exchange of notes of November 2, 1923,¹ and December 18 of the same year.¹

My Government, which has been moved in its action in this matter by the desire to interpret the spirit of its international engagements for the best interests of the States of the Levant under French Mandate, is pleased to accept the modifications of that interpretation which you suggest, and will take the necessary measures in order to make the following modifications in the texts of the current laws:

Paragraph (d) of Article 248 of the Customs Code shall be rectified as follows:

(d) Articles and products imported by establishments of technical and general education for the instruction of their pupils:

The value of merchandise annually admissible in franchise may not exceed 1,500 Libano-Syrian piasters per pupil for establishments of primary and secondary grade; and 2,500 Libano-Syrian piasters per pupil for establishments of university grade.

Article 251 of the Customs Code shall be completed as follows:

"In general, the sums receivable on any privileged importation shall be paid into the account of the Customs. However, the latter may accept in lieu of the above-mentioned payments the guarantee of a bank previously consented to by the head of the interested Customs office, whenever the total of the amounts to be paid in shall exceed 1,000 Libano-Syrian pounds; or the deposit of a pledge by the foreign beneficiary establishment, transmitted by its Consul."

Please accept, Mr. Ambassador, the assurances of my highest consideration,

YVON DELBOS

His Excellency

The Honorable WILLIAM C. BULLITT,
Ambassador of the United States of America,
Paris.

Decree of the French High Commissioner in Syria

DOUANES

ARRETE NO. 53/L.R.
du 27 Mars 1937

portant additif et modificatif No. 14 au Code des Douanes

Le Haut-Commissaire de la République Française,
Vu les décrets du Président de la République française en date des 23 novembre 1920 et 16 juillet 1933,
Vu l'arrêté No. 137/LR, du 15 juin 1935, dit "Code des Douanes",
et les arrêtés subséquents portant additifs ou modificatifs Nos. 1 à 13 à ce Code,

¹ Not printed.

ARRÊTE:

ARTICLE 1. L'arrêté No. 137/LR, du 15 juin 1935, dit "Code des Douanes" est modifié ou complété dans les conditions ci-après:

Article 248—paragraphe d—dernier alinéa.—A remplacer par le texte suivant:

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 1.500 P. L. S. par élève pour les établissements d'enseignement primaire ou secondaire, et 2.500 P. L. S. pour les établissements universitaires.

Article 251.—A compléter comme suit:

. . . , ou le dépôt d'un engagement de l'établissement bénéficiaire étranger, transmis par son consul.

Article 334.—Premier alinéa à remplacer par le texte suivant:

L'Administration des Douanes est dispensée des formalités de timbre pour tous les actes qu'elle peut être appelée à produire en justice ou à requérir, ainsi que du paiement de tous frais judiciaires occasionnés par les instances qu'elle peut avoir à engager ou à soutenir en justice. Elle est exonérée également de tous frais d'exécution sans que le privilège du Trésor puisse être opposé au plain exercice de ses droits.

Article 351.—Nouvelle rédaction:

Pour le recouvrement de tous droits, amendes, confiscations et restitutions, l'Administration des Douanes dispose d'un privilège général sur le patrimoine mobilier des redevables. Ce privilège s'exerce en toute circonstance, même en cas de faillite et par préférence à toutes créances, excepté celles pour la conservation de la chose, pour frais de justice exposés par les tiers, et les créances bénéficiant d'un privilège général sur les meubles.

Il est de premier rang sur les sommes consignées par les redevables préalablement à l'opposition et à l'appel.

Article 351 bis nouveau.—

La caution qui paye à la Douane le montant garanti est subrogée dans les droits, privilèges et hypothèques de l'Administration.

En outre, la Douane peut, sans le consentement du débiteur, céder et transférer à tous tiers, mêmes aux co-débiteurs solidaires ou non et alors même que le droit serait litigieux ou l'objet d'une instance judiciaire, toute créance qui lui est due à n'importe quel titre, et conférer au cessionnaire ou bénéficiaire subrogation dans ses droits, privilèges et hypothèques à l'encontre du débiteur et de sa caution.

La subrogation consentie par la Douane s'exerce toujours au profit du titulaire dans les mêmes conditions que l'exercerait l'Administration.

Dans tous les cas, le subrogé entre dans les droits, privilèges et hypothèques de l'Administration après paiement, à la caisse de la Douane, du montant de la créance. Le titre de subrogation est constitué, sans autre formalité, par la quittance délivrée par la Douane qui précise les conditions et limites de la subrogation.

ARTICLE 2.—Le Secrétaire Général et l'Inspecteur Général des Douanes sont chargés, chacun en ce qui le concerne, de l'exécution du présent arrêté.

Beyrouth, le 27 Mars 1937

<i>Le Secrétaire Général,</i> MEYRIER	<i>Le Haut Commissaire,</i> D. DE MARTEL
<i>Le Conseiller du Haut Commissariat aux Affaires Economiques,</i> RECLUS	<i>Pr. le Conseiller du Haut Commissariat aux Affaires Financières,</i> ROUCOLLE
<i>Le Conseiller Législatif,</i> A. MAZAS	<i>L'Inspecteur Général des Douanes,</i> ROUX

[Translation]

CUSTOMS

DECREE NO. 53/L.R.
of March 27, 1937,

making modification No. 14 to the
"Code des Douanes"

Decree of French
High Commissioner
with modifications.

The High Commissioner of the French Republic,
Considering the decrees of the President of the French Republic dated November 23, 1920, and July 16, 1933,
Considering Decree No. 137/LR of June 15, 1935, called "Code des Douanes", and subsequent decrees making modifications Nos. 1 to 13 in this Code,

DECREES:

ARTICLE 1.—Decree No. 137/LR of June 15, 1935, called "Code des Douanes" is modified or completed as follows:

Article 248—Section d—Last paragraph.—To be replaced by the following text:

The value of merchandise admitted annually free of duty may not exceed 1,500 Syrian piasters per pupil for establishments of primary or secondary instruction, and 2,500 Syrian piasters for university establishments.

Article 251.—To be completed as follows:

. . . , or the deposit of a guarantee of the foreign institution in question transmitted by its consul.

Article 334.—The first paragraph to be replaced by the following text:

The Customs Administration is exempted from stamp formalities for all instruments which it might be called upon to produce or to demand judicially, as well as from payment of all judicial expenses occasioned by the actions which it might have to initiate or to defend judicially. It is likewise exempted from all costs of executions of judgments, and the Treasury's preferential claim cannot be alleged against the full exercise of its rights.

Article 351.—New text:

For the recovery of all rights, fines, confiscations and restitutions, the Customs Administration disposes of a general privilege upon the movable patrimony of its debtors. This privilege may be exercised under all circumstances, even in case of bankruptcy and by preference over all debts, except those for the conservation of the subject matter (*res*), for judicial costs incurred by third parties, and claims benefited by general privilege upon household effects.

It has first claim on sums deposited by the debtors as a preliminary to an opposition or appeal.

Article 351 bis, new.—

The bondsman who pays to the Customs the amount guaranteed is subrogated in the rights, privileges and mortgages of the Administration.

Furthermore, the Customs may, without the consent of the debtor, cede or transfer to any third party, even to joint debtors and even when the right may be doubtful or the object of judicial action, any debt which is due to it by any right whatsoever, and may confer upon the grantee or beneficiary subrogation in its rights, privileges and mortgages against the debtor and his bondsman.

The subrogation granted by the Customs shall be exercised always for the benefit of the titular owner in the same conditions under which the Administration would exercise it.

In any case, the person subrogated enters into the rights, privileges and mortgages of the Administration after payment into the funds of the Customs of the amount of the obligation. The quality of subrogation is established, without further formality, by the receipt delivered by the Customs which defines the conditions and limits of the subrogation.

ARTICLE 2.—The Secretary General and the Inspector General of Customs are charged, each within his own province, with the execution of the present decree.

BEIRUT, March 27, 1937.

The Secretary General,
MEYRIER

*Economic Adviser of the High
Commission,*

RECLUS

Legislative Adviser,
A. MAZAS

The High Commissioner,
D. DE MARTEL

*For the Financial Adviser of
the High Commission,*

ROUCOLLE

Inspector General of Customs,
ROUX

Parcel post agreement between the United States of America and the Kingdom of the Netherlands. Signed at Washington, September 5, 1937, and at The Hague, September 20, 1937; approved by the President, October 18, 1937.

September 5, 1937
September 20, 1937

PARCEL POST AGREEMENT

BETWEEN

THE UNITED STATES OF AMERICA

AND

THE KINGDOM OF THE NETHERLANDS

The undersigned, provided with full powers by their respective governments, have by mutual consent and subject to ratification by the competent superior authorities, drawn up the following agreement:

Parcel post agreement with the Netherlands.

ARTICLE I.

Object of the agreement.

Between the United States of America (including Alaska, Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii) on one hand, and the Kingdom of the Netherlands on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the maximum weight and the maximum dimensions indicated in the Regulations of Execution.

Object.

Territory embraced.

Post, p. 395.

ARTICLE II.

Transit parcels.

1. Each Postal Administration guarantees the right of transit through its service, to or from any country with which it has parcel post communication, of parcels originating in or addressed for delivery in the service of the other contracting Administration.

2. Each Postal Administration shall inform the other to which countries parcels may be sent through it as intermediary, and the amount of the charges due to it therefor, as well as other conditions.

3. To be accepted for onward transmission, parcels sent by one of the contracting Administrations through the service of the other Administration must comply with the conditions prescribed from time to time by the intermediate Administration.

Transit parcels.

Rights guaranteed.

Notice.

Intermediate Administration, requirements.

ARTICLE III.

Monetary standard.

The franc used as the monetary unit in the provisions of the present Agreement is the gold franc of 100 centimes, weighing 10/31 of a gram and having a fineness of 0.900.

Monetary standard.

Gold franc, weight and fineness.

ARTICLE IV.

Postage and fees.

Prepayment of postage and fees.

Collection from sender.

1. The Administration of origin is entitled to collect from the sender of each parcel the postage and the fees for requests for information as to the disposal of a parcel made after it has been posted, and also, in the case of insured parcels, the insurance fees and the fees for return receipts, that may from time to time be prescribed by its regulations.

Prepayment.

2. Except in the case of returned or redirected parcels, prepayment of the postage and such of the fees mentioned in the preceding section as are applicable, is compulsory.

ARTICLE V.

Preparation of parcels.

Preparation of parcels.

Packing.

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

Post, p. 305.

ARTICLE VI.

Prohibitions.

Prohibitions.

Articles specified.

1. The following articles are prohibited transmission by parcel post:

Dangerous articles.

(a) Articles which, from their nature or by their packing, may expose postal officials to danger, or soil or damage other parcels;

Narcotics.

(b) Opium, morphine, cocaine and other narcotics;

Nonadmissible articles.

(c) Any article the admission of which is forbidden by the customs or other laws or regulations in force in either country;

Letters, etc.

(d) A letter or any document which constitutes an actual and personal correspondence. Nevertheless, it is permitted to enclose in a parcel an open invoice, confined to the particulars which constitute an invoice, and also a simple copy of the address of the parcel, with mention of the address of the sender;

Obscene, etc., articles.

(e) Obscene or immoral articles;

Enclosures with different address.

(f) An enclosure which bears an address different from that placed on the cover of the parcel;

Explosives.

(g) Explosive, inflammable, or dangerous substances;

Live animals.

(h) Any live animal, except leeches;

Coin, etc.

(i) Coin, bullion, jewelry, or any other precious article in uninsured parcels.

Parcel contravening above prohibitions; procedure.

2. When a parcel contravening any of these prohibitions is handed over by one Administration to the other, the latter shall proceed in accordance with its laws and inland regulations. Explosive or inflammable articles, as well as documents, pictures and other articles injurious to public morals may be destroyed on the spot by the Administration which has found them in the mails.

Parcel containing a letter.

The fact that a parcel contains a letter, or a communication having the nature of a letter, may not, in any case, entail return of the parcel to the sender. The letter is, however, marked for collection of postage due from the addressee at the regular rate.

List of Prohibited Articles.

The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not assume, on that account, any responsibility towards the customs or police authorities, or the sender.

3. If parcels wrongly admitted to the post are neither returned to origin nor delivered to the addressee, the Administration of origin must be informed in a precise manner of the treatment accorded to the parcels.

Parcels wrongly admitted.

ARTICLE VII.

Insurance.

Parcels may be insured up to the amount of 500 gold francs or its equivalent in the currency of the country of origin. However, the Chiefs of the Postal Administrations of the two contracting countries may, by mutual consent, increase or decrease this maximum amount of insurance.

Insurance.

Maximum.

A parcel cannot give rise to the right to an indemnity higher than the actual value of its contents, but it is permissible to insure it for only part of that value.

Limitation.

ARTICLE VIII.

Responsibility. Indemnity.

1. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel.

Responsibility.

2. Except in the cases mentioned in the Article following, the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction of or damage to their contents, or a part thereof.

The sender, or other rightful claimant, is entitled to compensation corresponding to the actual amount of the loss, abstraction or damage. The amount of indemnity is calculated on the basis of the actual value (current price, or, in the absence of current price, the ordinary estimated value) at the place where and the time when the parcel was accepted for mailing, provided in any case that the indemnity may not be greater than the amount for which the parcel was insured, and on which the insurance fee has been collected or the maximum amount of 500 gold francs.

Indemnity.

3. No indemnity is paid for indirect damages or loss of profits resulting from the loss, rifling, damage, non-delivery, misdelivery or delay of an insured parcel dispatched in accordance with the conditions of the present agreement.

Indirect damages, etc.

4. In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to return of the postal charges, if claimed. However, the insurance fees are not returned in any case.

Return of postage on loss of parcel.

5. In the absence of special agreement to the contrary between the countries involved, which agreement may be made by correspondence, no indemnity will be paid by either country for the loss of transit insured parcels, that is, parcels originating in a country not participating in this agreement and destined for one of the two contracting countries or parcels originating in one of the two contracting countries and destined for a country not participating in this agreement.

Loss of transit insured parcels.

6. When an insured parcel originating in one country and destined to be delivered in the other country is reforwarded from there to a third country or is returned to a third country, at the request of the sender or of the addressee, the party entitled to the indemnity in case of loss, rifling or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such a case, only to the indemnity which

Parcels reforwarded to a third country, etc.

Responsibility for defects in packing, etc.

Exceptions to principle of responsibility.

Release; when.

Unconditional acceptance.

Loss, etc., through force majeure.

Destruction of official documents.

Damage through fault of sender, addressee, etc.

Prohibited articles.

Declared above real value.

Seized, because of false declaration.

Indemnity unclaimed within a year.

Matter of no intrinsic value, etc.

Termination of responsibility.

Reservations.

the country where the loss, rifling or damage occurred consents to pay, or which that country is obliged to pay in accordance with the agreement made between the countries directly interested in the reforwarding or return. Either of the two countries signing the present agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limits of the present agreement.

7. The sender is responsible for defects in the packing and insufficiency in the closing and sealing of insured parcels. Moreover, the two Administrations are released from all responsibility in case of loss, rifling or damage caused by defects not noticed at the time of mailing.

ARTICLE IX.

Exceptions to the principle of responsibility.

The Administrations are relieved from all responsibility:

(a) In case of parcels of which the addressee has accepted delivery without reservation;

(b) In case of loss or damage through force majeure (causes beyond control) although either Administration may at its option and without recourse to the other Administration pay indemnity for loss or damage due to force majeure even in cases where the Administration of the country in the service of which the loss or damage occurred recognizes that the damage was due to force majeure. The country responsible for the loss, abstraction or damage must decide, in accordance with its internal legislation, whether this loss, abstraction or damage is due to circumstances constituting a case of force majeure;

(c) When, their responsibility not having been proved otherwise, they are unable to account for parcels in consequence of the destruction of official documents through force majeure;

(d) When the damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, or when it is due to the nature of the article;

(e) For parcels which contain prohibited articles;

(f) In case the sender of an insured parcel, with intent to defraud, shall declare the contents to be above their real value; this rule, however, shall not prejudice any legal proceedings necessitated by the legislation of the country of origin;

(g) For parcels seized by the customs because of false declaration of contents;

(h) When no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the insured parcel;

(i) For parcels which contain matter of no intrinsic value or perishable matter or which did not conform to the stipulations of this agreement or which were not posted in the manner prescribed, but the country responsible for the loss, rifling or damage may pay indemnity in respect of such parcels without recourse to the other Administration.

ARTICLE X.

Termination of responsibility.

Administrations cease to be responsible for parcels of which they have effected delivery in accordance with their internal regulations for parcels of the same nature.

Responsibility is, however, maintained when the addressee or, in case of return, the sender makes reservations in taking delivery of a parcel the contents of which have been abstracted or damaged.

ARTICLE XI.

Payment of compensation.

The obligation to pay compensation, as well as the postage charges due to be refunded, rests with the Administration to which the office of origin of the parcel is subordinate. However, in cases where the compensation is paid to the addressee in accordance with Article VIII, Section 2, second paragraph, the obligation shall rest with the Administration of destination.

The paying Administration retains the right to make a claim against the Administration responsible.

Payment of compensation.

Ante, p. 297.

ARTICLE XII.

Period for payment of compensation.

1. The payment of compensation for an insured parcel shall be made to the rightful claimant as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.

However, the Administration responsible for making payment may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.

2. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes payment of compensation is authorized to pay indemnity on behalf of the Office, which, after being duly informed of the application for indemnity, has let nine months pass without settling the matter.

Period for payment of compensation.

Deferred payment.

Payment, when delayed nine months.

ARTICLE XIII.

Fixing of responsibility.

1. Until the contrary is proved, responsibility for an insured parcel rests with the Administration which, having received the parcel without making any reservation, and being put in possession of all the regulation means of investigation, cannot establish the disposal of the parcel.

2. When the loss, rifling or damage of an insured parcel is detected upon opening the receptacle at the receiving exchange office and has been regularly pointed out to the dispatching exchange office, the responsibility falls on the Administration to which the latter office belongs, unless it be proved that the irregularity occurred in the service of the receiving Administration.

3. If the loss, rifling or damage has taken place in the course of transportation, without its being possible to establish on the territory or in the service of which country the act took place, the Offices involved bear the loss in equal shares.

4. The Administration paying compensation takes over, to the extent of the amount paid, the rights of the person who has received it, in any action which may be taken against the addressee, the sender, or a third party.

5. If a parcel which has been regarded as lost is subsequently found, the person to whom compensation has been paid must be informed that he is at liberty to take possession of the parcel against repayment of the amount of compensation.

Fixing of responsibility.

Responsible office.

Loss, etc., detected at receiving exchange office.

Loss, etc., in transit.

Rights taken over by paying office.

If lost parcel is found.

ARTICLE XIV.

Repayment of compensation.

Repayment to country effecting payment.

1. The Administration responsible for the loss, rifling, or damage, and on whose account the payment is effected, is bound to repay the amount of the indemnity to the country which has effected the payment. This reimbursement must take place without delay, and at the latest within the period of nine months after notification of payment.

Without expense.

2. These repayments to the creditor country must be made without expense for that Office, by money order or draft, in money valid in the creditor country or in any other way to be agreed upon mutually by correspondence.

ARTICLE XV.

Fee for customs clearance.

Customs clearance.

Fee.

The office of delivery may collect from the addressee either in respect of delivery to the customs and clearance through the customs or in respect of delivery to the customs only, a fee not exceeding 50 gold centimes per parcel.

ARTICLE XVI.

Delivery.

Delivery to the addressee. Fee for delivery at the place of address.

To addressee.

Fee.

Parcels are delivered to the addressees as quickly as possible in accordance with the conditions in force in the country of destination. This country may collect in respect of delivery of parcels to the addressee a fee not exceeding 50 gold centimes per parcel. The same fee may be charged, if the case arises, for each presentation after the first at the addressee's residence or place of business.

ARTICLE XVII.

Warehousing charges.

Warehousing charge.

The country of destination is authorized to collect the warehousing charge fixed by its legislation for parcels addressed "General Delivery" or which are not claimed within the prescribed period. This charge may in no case exceed five gold francs.

ARTICLE XVIII.

Customs charges.

Customs charges.

Collectible by country of destination.

The parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel in accordance with the customs regulations of the country of destination.

ARTICLE XIX.

Customs charges.

Customs charges to be cancelled.

Cancellation, if returned or redirected.

The customs charges on parcels sent back to the country of origin or redirected to another country shall be cancelled as far as the customs regulations allow, both in the Netherlands and in the United States of America.

ARTICLE XX.

Recall and change of address.

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be changed. The Postal Administration of the country of origin may collect and retain, for this service, the charge fixed by its regulations. The requests for recall or change of address of parcels to be delivered in the United States of America shall be addressed to the Central Administration at Washington; those relating to parcels for delivery in the Netherlands shall be addressed to the offices of destination.

Recall and change of address.

ARTICLE XXI.

Certificate of mailing. Receipts.

The sender will, on request at the time of mailing an ordinary (uninsured) parcel, receive a certificate of mailing from the post office where the parcel is mailed, on a form provided for the purpose; and each country may fix a reasonable fee therefor.

Certificate of mailing.

Furnished sender on request.

The sender of an insured parcel receives without charge, at the time of posting, a receipt for his parcel.

Receipt.

ARTICLE XXII.

Return receipts and inquiries.

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charges, if any, as the country of origin of the parcel shall stipulate and under the conditions laid down in the Regulations.

Return receipts and inquiries.

Advice of delivery; charge.

2. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of an ordinary parcel and also for an insured parcel made after it has been posted if the sender has not already paid the special fee to obtain an advice of delivery.

Inquiry charge.

3. A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which prima facie was not due to the fault of the Postal Service.

Irregularity.

ARTICLE XXIII.

Missent parcels.

Ordinary parcels, when missent, are reforwarded to their correct destination by the most direct route at the disposal of the reforwarding Administration. They must not be charged with customs or other charges by that Administration. Insured parcels, when missent, may not be reforwarded to their destination except as insured mail. If this is impossible they must be returned to origin.

Missent parcels.

Ordinary parcels.

Insured parcels.

When the reforwarding involve¹ return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification.

Refund, if parcel returned.

When the reforwarding involves dispatch of a parcel to a third country and if the amount credited to the retransmitting Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Administration allows to the Administration to which it forwards the parcel the credits due it; it then recovers the amount of the deficiency by claiming it from the office of exchange from which the missent parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification.

Reforwarding to a third country.

¹ So in original.

ARTICLE XXIV.

Reforwarding.

Reforwarding.

Redirection in country of destination.

1. A parcel may be redirected in consequence of the addressee's change of address in the country of destination, at the request of either the sender or the addressee.

Supplementary charges.

The reforwarding of a parcel within one of the contracting countries gives rise to collection of the supplementary charges provided for by the Administration of that country. The same is true, if occasion arises, in regard to the delivery of such parcel to another person at the original place of destination. These charges shall not be cancelled even in case the parcel is returned to origin or reforwarded to another country.

Reforwarding to one of signatory countries.

2. If a parcel must be reforwarded to one of the two countries signatory to the present agreement, it is liable to new postage charges, and, if occasion arises, new insurance fees, unless such charges and fees have been paid in advance. The new fees are collected from the addressee by the Administration effecting the delivery. Insured parcels must be reforwarded as such.

Parcels reforwarded or returned to another country.

3. At the request of the sender or addressee, parcels may also be reforwarded or returned to another country. Insured parcels may not, however, be reforwarded or returned except as such. The senders may mark the parcels: "Do not forward to a third country". In that case, the parcels must not be reforwarded to any other country. In case of loss, rifling or damage of an insured parcel reforwarded to another country or returned by that country, the indemnity is decided upon exclusively in accordance with the provisions of Article VIII, Section 6.

Ante, p. 297.

ARTICLE XXV.

Nondelivery.

Non-delivery.

Returned to sender; new charges, etc.

1. Undeliverable parcels returned to the sender are liable to new postage charges as well as insurance fees if necessary, and are returned as parcels of the same class in which they were received. The charges are collectible from the sender, and are collected by the Administration delivering the parcels to him.

Treatment, in case of nondelivery.

2. At the time of mailing, the sender must state how his parcel is to be disposed of in the event of non-delivery: that is, the sender must mark the parcel and the customs declarations with one of the following notes:

"In case of non-delivery, the parcel should be returned immediately";

"In case of non-delivery, the parcel should be considered as abandoned";

"In case of non-delivery, the parcel should be delivered to _____".

Undeliverable parcels; return to origin.

No note other than those provided for above, or note of similar import is permitted, except as provided in Article XXIV, Section 3.

3. Barring contrary instructions, undeliverable parcels are returned to origin, without previous notification, 30 days after their arrival at the office of destination. Parcels which the addressee refuses to accept shall be returned immediately. In all cases, the reason for non-delivery must be indicated on the parcel.

Parcels liable to deterioration, disposition.

4. Parcels liable to deterioration or corruption may be sold immediately, even en route, on the outward or return voyage, without previous notice and without judicial formality, for the profit of the rightful party.

¹ So in original.

If, for any reason, sale is impossible, the deteriorated or corrupted articles are destroyed. The sale or destruction gives rise to the making of a report which is sent to the Administration of origin.

5. Undeliverable parcels which the sender has abandoned may, at the expiration of a 30-day period, be sold for the profit of the Administration of the country of destination. However, in the case of an insured parcel, a report is made up, which must be sent to the Administration of the country of origin. Likewise, the Administration of the country of origin must be advised when an insured parcel which is undeliverable is not returned to origin.

6. The provisions of Article XXVI, Section 2, shall be applied to a parcel which is returned in consequence of non-delivery.

ARTICLE XXVI.

Charges.

1. For each parcel exchanged between the contracting countries, the dispatching Office credits to the Office of destination in the parcel bills the quotas due to the latter, and indicated in the Regulations of Execution.

2. In case of reforwarding or return to origin of a parcel, if new postage and new insurance fees (in the case of insured parcels) are collected by the redispaching Office, the parcel is treated as if it had originated in that country. Otherwise, the redispaching Office recovers from the other Office the quota due to it and indicated in the Regulations of Execution.

In the case of reforwarding or return to a third country, the accrued charges, that is, such of the charges mentioned in Article 9, Section 2 (a), (b), (c), and (d) of the Regulations as are applicable, shall follow the parcel, but in the case that the third country concerned refuses to assume the charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

In the case of a parcel returned or reforwarded in transit through one of the two Administrations to or from the other, the intermediary Administration may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

ARTICLE XXVII.

Postal charges other than those prescribed not to be collected.

The parcels to which this agreement applies shall not be subject to any postal charges other than those contemplated by the different articles hereof.

ARTICLE XXVIII.

Air parcels.

The Chiefs of the Postal Administrations of the two contracting countries have the right to fix by mutual consent the air surtax and other conditions in the case where the parcels are conveyed by the air routes.

ARTICLE XXIX.

Temporary suspension of service.

In extraordinary circumstances such as will justify the measure, either Administration may temporarily suspend the parcel post serv-

Abandoned parcels.

Provisions governing nondeliverable parcels.

Charges.

Credits.

Post, p. 305.

Reforwarding or return to origin, etc.

Post, p. 305.

Reforwarding or return to a third country.

Post, p. 309.

Returned or reforwarded in transit.

Charges other than prescribed.

Restriction on collection.

Air parcels.

Surtax.

Temporary suspension of service.

ice, either entirely or partially, or restrict it to certain offices, on condition of giving immediate notice, if necessary by telegraph, to the other Administration.

ARTICLE XXX.

Matters not provided for in the present agreement.

Matters not herein provided for.

Universal Postal Convention, etc., to govern.

49 Stat. 2741.

Details to be fixed by common consent.

Mutual notice of postal laws, etc.

1. Unless they are provided for in the present agreement, all questions concerning requests for recall or change of address of parcels and the obtaining and disposition of return receipts and settlement of indemnity claims in connection with insured parcels shall be treated in accordance with the provisions of the Universal Postal Convention and its Regulations of Execution, in so far as they are applicable and are not contrary to the foregoing provisions. If the case is not provided for at all, the domestic legislation of the United States of America or of the Netherlands, or the decisions made by one country or the other, are applicable in the respective country.

2. The details relative to the application of the present agreement will be fixed by the two Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence. A similar agreement through correspondence may be made with a view to the exchange of collection-delivery parcels.

3. The two Administrations notify each other mutually of their laws, ordinances and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made.

ARTICLE XXXI.

Duration of the agreement.

Former Convention abrogated.
44 Stat. 2483.

Entry into force.

Duration.

Signatures.

1. This agreement substitutes and abrogates the Parcel Post Convention signed at Washington the 11th day of December, 1926, and at The Hague, the 16th day of November, 1926.

2. It shall become effective on ratification, but pending ratification, it may be put into force administratively on a date to be mutually settled between the Administrations of the two countries.

3. It shall remain in effect as long as it has not been terminated six months in advance by one or the other of the two Administrations.

Done in duplicate and signed at Washington, the 5th day of September 1937, and at The Hague, the 20th day of September 1937.

[SEAL]

JAMES A FARLEY
*The Postmaster General of the
United States of America.*

M H DAMME
*Director General of Posts and Telegraphs
of The Netherlands.*

Approval by the President.

The foregoing Agreement between the United States of America and the Kingdom of the Netherlands for the exchange of parcels by parcel post 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]

FRANKLIN D ROOSEVELT

By the President.

CORDELL HULL

Secretary of State.

WASHINGTON, October 18, 1937.

DETAILED REGULATIONS FOR THE EXECUTION OF THE PARCEL POST AGREEMENT.

The following Detailed Regulations for the Execution of the Parcel Post Agreement have been agreed upon by the Chiefs of the Postal Administrations of the United States of America and the Kingdom of the Netherlands.

Regulations for execution.

ARTICLE 1.

Limits of weight and size.

1. Parcels are admitted up to the weight of 20 kilograms (44 pounds). They may not exceed the length of 1 meter 25 centimeters or 4 feet in any direction, nor have a volume greater than 113 cubic decimeters or 4 cubic feet.

Limits of weight and size.

2. In regard to the exact calculation of the weight, volume and dimensions, the indications furnished by the dispatching office will be accepted save in case of obvious error.

ARTICLE 2.

Preparation of parcels.

1. The name and address of the sender and of the addressee must be legibly and correctly written in every case on the parcel itself when possible, or on a label gummed thereto, and must also be written on a separate slip which slip must be enclosed in the package. Parcels will not be accepted when sent by or addressed to initials, unless the initials are the adopted trade name of the senders or addressees.

Preparation of parcels.

Addresses in ordinary pencil are not allowed, but copying ink or indelible pencil on a surface previously dampened may be used.

2. Each parcel must be packed in such a manner that the contents are protected over the whole route, and in such a way as to prevent the contents from damaging other parcels or objects or injuring postal agents. The packing must protect the contents sufficiently that, in case of rifling, the traces thereof may be easily discovered.

Ordinary parcels may be sealed at the option of the sender, or careful tying is sufficient as a mode of closing. Insured parcels must be sealed by means of wax, by lead or other seals.

As a protective measure, either Administration may require that a special imprint or mark of the sender appear on the wax or lead seals closing insured parcels.

The Customs Administration of the country of destination is authorized to open the parcels. To that end, the seals or any other fastenings may be broken. Parcels opened by the Customs must be refastened and also officially resealed.

3. Each insured parcel must be marked or labelled or stamped "Insured" or "Valeur déclarée" in a conspicuous manner on the address side, and in close proximity to such indorsement there must appear the insurance number given to the parcel. The dispatch note must also be marked or labelled or stamped "Insured" or "Valeur déclarée".

4. On the address side of each insured parcel there must be written, both in Arabic figures and in Roman letters, the amount for which the parcel is insured in the currency of the country of origin.

This amount must be converted into gold francs by the sender or the office of origin and the result of the conversion must be added below the original inscription. The amount of the insured value must also be stated in the accompanying dispatch note.

5. The labels¹ or postage stamps affixed to insured parcels must be spaced so that they cannot serve to conceal injuries to the packing. Neither may they be folded over two faces of the wrapping so as to cover the edge.

6. Liquids and easily liquefiable substances must be sent in a double receptacle. Between the first (bottle, flask, box, etc.) and the second (box of metal, strong wood, or strong carton of fiberboard, or receptacle of equal strength), there must be left a space to be filled with sawdust, bran or other absorbent material, in sufficient quantity to absorb all the liquid in case the receptacle is broken.

7. Powders and dyes in powder form must be packed in strong boxes of tin or other metal, which, after soldering, must be placed in turn in substantial outer covers in such a way as to avoid all damage to other articles.

ARTICLE 3.

Customs declarations and dispatch notes.

Customs declarations and dispatch notes.

1. The sender must make out a dispatch note for each parcel in accordance with the forms in use in the country of origin. The sender shall also prepare one customs declaration for each parcel sent from the Kingdom of the Netherlands, and three customs declarations for each parcel sent from the United States of America, upon a special form provided for the purpose, which customs declaration¹ shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, the sender's name and address, and the name and address of the addressee, and shall be securely attached to the parcel.

However, as an exception to the foregoing provision concerning customs declarations, when more than one parcel is mailed simultaneously by the same sender in one country to the same addressee at the same address in the other country, the sender need prepare only one customs declaration for the entire shipment, in the case of parcels sent from the Kingdom of the Netherlands, and three customs declarations for the entire shipment, in the case of parcels sent from the United States, which customs declarations shall show, in addition to the particulars set forth in the preceding sentence, the total number of parcels comprising the shipment, and shall be securely attached to one of the parcels. The parcels comprising the entire shipment shall be clearly marked in such case with a fractional number, the numerator of which will indicate, in Arabic figures, the number of the parcel and the denominator the number of parcels comprising the shipment; for example, if a single shipment were composed of 15 parcels, each parcel would be numbered, respectively, 1/15, 2/15, 3/15, etc.

2. The Administrations accept no responsibility for the correctness of the customs declarations.

ARTICLE 4.

Return receipts.

Return receipts.

1. As to a parcel for which a return receipt is asked, the office of origin places on the parcel the letters or words "A. R." or "Return receipt requested". The office of origin or any other office appointed by the dispatching Administration shall fill out a return receipt form

¹ So in original.

and attach it to the parcel. If the form does not reach the office of destination, that office makes out a duplicate.

2. The office of destination, after having duly filled out the return receipt form, returns it free of postage to the address of the sender of the parcel.

3. When the sender applies for a return receipt after a parcel has been mailed, the office of origin duly fills out a return receipt form and attaches it to a form of inquiry which is entered with the details concerning the transmission of the parcel and then forwards it to the office of destination of the parcel. In the case of the due delivery of the parcel, the office of destination withdraws the inquiry form, and the return receipt is treated in the manner prescribed in the foregoing Section.

ARTICLE 5.

Receptacles.

1. The Postal Administrations of the two contracting countries shall provide the respective bags necessary for the dispatch of their parcels and each bag shall be marked to show the name of the office or country to which it belongs.

Receptacles.

2. Bags must be returned empty to the dispatching office by the next mail. Empty bags to be returned are made up in bundles of ten, enclosing nine bags in one. The total number of bags returned shall be entered on the relative parcel bills.

3. In case ten per cent of the total number of bags used during the year have not been returned, the value of the missing bags must be repaid to the Administration of origin.

ARTICLE 6.

Method of exchange of parcels.

1. The parcels shall be exchanged, in sacks duly fastened and sealed, by the Offices appointed by agreement between the two Administrations, and shall be dispatched to the country of destination by the country of origin at its cost and by such means as it provides.

Method of exchange of parcels.

2. Insured parcels shall be enclosed in separate sacks from those in which ordinary parcels are contained, and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

ARTICLE 7.

Billing of parcels.

1. Separate parcel bills must be prepared for the ordinary parcels on the one hand, and for the insured parcels on the other hand.

Billing of parcels.

The parcel bills are prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the sacks. The sack containing the parcel bill is designated by the letter "F" traced in a conspicuous manner on the label.

2. The ordinary (uninsured) parcels included in each dispatch sent to the Netherlands shall be advised in bulk on a parcel bill, but by classes of parcels up to 1 kilogram, from 1 to 5 kilograms, from 5 to 10 kilograms, from 10 to 15 kilograms and from 15 to 20 kilograms.

The ordinary parcels included in each dispatch sent to the United States are to be entered on the parcel bills to show the total number of parcels and the total net weight thereof.

The total amounts to be credited by one Administration to the other and the total number of sacks comprising each dispatch must also be shown on the parcel bills.

3. Insured parcels shall be entered individually on the parcel bills to show the insurance number and the name of the office of origin.

In the case of insured parcels for the Netherlands, the parcel bills must also show the indication of the division of weight to which the parcel belongs.

In the case of insured parcels for the United States of America, the parcel bills must also show the total net weight of the parcels.

4. Parcels sent "à découvert" must be entered separately on the parcel bills.

5. Redirected or returned parcels shall be entered individually. Redirected parcels shall be designated as such in the parcel bills by means of the note "Redirected"; returned parcels by the note "Returned". A statement of the charges which may be due on these parcels should be shown in the "Observations" column.

6. Each dispatching exchange office numbers the parcel bills in the upper left-hand corner in accordance with an annual series. The last number of the preceding year must be mentioned on the first bill of the following year.

7. The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this agreement, shall be settled by mutual agreement through correspondence between the two Administrations.

ARTICLE 8.

Verification by the exchange office.

Verification by exchange office.

1. Upon receipt of a dispatch, the exchange office of destination proceeds to verify it. The entries in the parcel bill must be verified exactly. Each error or omission must be brought immediately to the knowledge of the dispatching exchange office by means of a bulletin of verification. A dispatch is considered as having been found in order in all regards when no bulletin of verification is made up.

If an error or irregularity is found upon receipt of a dispatch, all objects which may serve later on for investigations, or for examination of requests for indemnity, must be kept.

2. The dispatching exchange office to which a bulletin of verification is sent returns it after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are not justified by supporting papers are considered as devoid of value.

3. If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the Office sending such telegram.

4. In case of shortage of a parcel bill, a duplicate is prepared, a copy of which is sent to the exchange office of origin of the dispatch.

5. The office of exchange which receives from a corresponding office a parcel which is damaged or insufficiently packed must redispach such parcel after repacking, if necessary, preserving the original packing as far as possible.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the wrapper of the parcel itself. That indication will be followed by the note "Repacked at -----", and the signature of the agents who have effected such repacking.

ARTICLE 9.

Charges.

1. For each parcel (ordinary or insured) exchanged between the contracting countries, the dispatching Office credits to the Office of destination, in the parcel bills, the quotas due to the latter. The terminal quotas to be credited are the following:

Charges.

I. By the United States to the Netherlands:

a. a rate by weight:

up to 1 kg.....	50	gold	centimes
from 1 to 5 kgs.....	80	"	"
" 5 to 10 kgs.....	130	"	"
" 10 to 15 kgs.....	195	"	"
" 15 to 20 kgs.....	260	"	"

b. a rate of 10 gold centimes in addition to the rate by weight for each insured parcel.

II. By the Netherlands to the United States:

a. a rate by weight, based on the bulk net weight of each dispatch:

70	gold	centimes	per	kg	for	parcels	for	the	United	States
35	"	"	"	"	"	"	"	"	"	" Puerto Rico (when sent direct)
105	"	"	"	"	"	"	"	"	"	" (when sent via New York)
105	"	"	"	"	"	"	"	"	"	" the Virgin Islands (sent via Puerto Rico)
185	"	"	"	"	"	"	"	"	"	" Guam, Hawaii, Samoa (sent via New York)
220	"	"	"	"	"	"	"	"	"	" Alaska

b. a rate by value of 10 gold centimes in addition to the rate by weight for each parcel with insured value addressed for delivery in continental United States and Puerto Rico (when sent direct), 20 centimes for parcels for the Canal Zone, the Virgin Islands and Puerto Rico (when sent via New York), and 30 centimes for parcels for all other United States possessions.

These terminal charges may be reduced or increased on three months previous notice given by one country to the other. These reductions or increases shall hold good for at least one year.

2. In the event of reforwarding or return to origin of a parcel the redispaching Office recovers from the other Office the quota due to it in accordance with Section 1 above and in addition such of the following charges as may be applicable:

a. the delivery, customs-clearance and storage charges provided for in Articles XV, XVI and XVII;

Ante, p. 300.

b. the reforwarding charges within the country of destination contemplated by Article XXIV, Section 1;

Ante, p. 302.

c. the non-postal charges of which cancellation is impossible;

d. the charges for reforwarding or return.

3. The amounts to be allowed in respect to parcels sent from one Administration to the other for onward transmission to a third country shall be fixed by the intermediary Administration.

ARTICLE 10.

Accounting.

Accounting.

1. At the end of each quarter, each Administration makes up an account on the basis of the parcel bills.

2. These accounts, expressed in francs, accompanied by the parcel bills and, if any, by copies of verification notes relating thereto, shall be submitted to the examination of the corresponding Administration in the course of the month following the quarter to which they relate.

3. The recapitulation, transmission, examination and acceptance of these accounts must not be delayed, and the payment of the balance shall take place, at the latest, at the expiration of the following quarter.

4. The balance resulting from the adjustment of the accounts between the two Administrations shall be effected in the manner which may be mutually agreed upon by correspondence. The expenses of payment are chargeable to the debtor Administration.

ARTICLE 11.

Miscellaneous notifications.

Miscellaneous notifications.

The Administrations shall communicate to each other a summary of the provisions of their laws or regulations applicable to the parcels exchanged between the two contracting countries, and other items necessary for carrying out the exchange of parcels.

Effective date and duration.

These Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as the Agreement.

Signatures.

Done in duplicate and signed at Washington, the 5th day of September 1937, and at The Hague, the 20th day of September 1937.

[SEAL]

JAMES A FARLEY
*Postmaster General of the
United States of America.*

M H DAMME
*Director General of Posts and
Telegraphs of the Netherlands.*

Approval by the President.

The foregoing Regulations for the Execution of the Parcel Post Agreement between the United States of America and the Kingdom of the Netherlands have been negotiated and concluded with my advice and consent and are hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President.

CORDELL HULL

*Secretary of State.*WASHINGTON, *October 18, 1937.*

Agreement between the United States of America and Mexico concerning the exchange of official journals and parliamentary documents. Effected by exchange of notes, signed September 9 and 24, 1937.

September 9, 24, 1937
[E. A. S. No. 108]

The American Ambassador (Daniels) to the Mexican Minister for Foreign Affairs (Hay)

No. 2408 EMBASSY OF THE UNITED STATES OF AMERICA,
Mexico, September 9, 1937.

EXCELLENCY:

I have the honor to refer to Your Excellency's note No. 39838 of August 31, 1937,¹ informing me that the Mexican Government is prepared to enter into an agreement with the American Government providing for an exchange of official journals and parliamentary documents. It appears that a draft of this proposed agreement has already been approved by our respective Governments which have agreed that it shall take the form of an exchange of notes incorporating the text.

Agreement with Mexico concerning the exchange of official journals and parliamentary documents.

My Government is, therefore, prepared to give immediate effect to the following agreement as soon as a corresponding note may be received from Your Excellency:

"There shall be an immediate exchange of official journals and parliamentary documents between the United States of America and the United Mexican States, which shall be conducted in accordance with the following provisions:

1. The Government of the United States of America shall furnish regularly, immediately upon publication, one copy of each of the following publications: (a) the *Federal Register*, or any other general official gazette that may be published; (b) the *Congressional Record*, containing the debates of the Senate and of the House of Representatives; (c) Bills printed for the use of either the Senate or the House of Representatives; and (d) Hearings before Congressional committees.

2. The Government of the United Mexican States shall furnish regularly, immediately upon publication, one copy of each of the following publications: (a) the *Diario Oficial*, or any other general official gazette that may be published; (b) the *Diario de los Debates* of the Senate and of the Chamber of Deputies; (c) Bills printed for the use of either Chamber; and (d) Other documents printed for the use of either Chamber or of the committees of either Chamber.

3. The sendings shall be received on behalf of the United States of America by the Library of Congress; on behalf of the United Mexican States by the Departamento Autónomo de Publicidad y Propaganda.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

His Excellency
Señor General EDUARDO HAY,
Minister for Foreign Affairs,
Mexico.

JOSEPHUS DANIELS

¹ Not printed.

*The Mexican Minister for Foreign Affairs (Hay) to the American Ambassador (Daniels)*SECRETARIA DE RELACIONES EXTERIORES
ESTADOS UNIDOS MEXICANOS

MEXICO

310990

MÉXICO, 24 de septiembre de 1937.

SEÑOR EMBAJADOR:

Tengo la honra de acusar recibo a Vuestra Excelencia de su atenta nota número 2408, fechada el 9 del presente, en la cual se sirve comunicarme que el Gobierno de los Estados Unidos de América está dispuesto a poner en vigor el Convenio con el de los Estados Unidos Mexicanos para el canje de periódicos oficiales y documentos parlamentarios, cuyas negociaciones se han venido llevando a cabo, y de acuerdo con el texto inserto en la misma nota, tan pronto como el Gobierno mexicano manifieste su aquiescencia por medio de la nota correspondiente.

En debida respuesta me es grato comunicar a Vuestra Excelencia que el Gobierno de los Estados Unidos Mexicanos está también dispuesto a poner en vigor desde luego el siguiente Convenio:

"Habrá intercambio inmediato de periódicos oficiales y documentos parlamentarios entre los Estados Unidos Mexicanos y los Estados Unidos de América, y se efectuará de acuerdo con las disposiciones siguientes:

1.—El Gobierno de los Estados Unidos Mexicanos suministrará regularmente, inmediatamente después de su publicación, un ejemplar de las siguientes publicaciones: (a) el "*Diario Oficial*" o cualquiera otra gaceta oficial general que se publique; (b) el "*Diario de los Debates*" del Senado y de la Cámara de Diputados; (c) los proyectos de ley que se impriman para uso de cualquiera de las Cámaras; y (d) cualquier otro documento impreso para el uso de cualquiera de las dos Cámaras o de sus respectivas Comisiones.

2.—El Gobierno de los Estados Unidos de América suministrará regularmente, inmediatamente después de su publicación, un ejemplar de cada una de las siguientes publicaciones: (a) El "*Federal Register*" o cualquiera otra gaceta oficial general que se publique; (b) El "*Congressional Record*", que contiene los debates del Senado y de la Cámara de Representantes; (c) los proyectos de ley impresos para el uso del Senado o de la Cámara de Representantes; y (d) discusiones efectuadas ante las Comisiones del Congreso.

3.—Los envíos, se recibirán, por parte de los Estados Unidos Mexicanos, por el Departamento Autónomo de Publicidad y Propaganda; por parte de los Estados Unidos de América, por la Biblioteca del Congreso."

Aprovecho la oportunidad para renovar a Vuestra Excelencia el testimonio de mi más alta y distinguida consideración.

EDUARDO HAY

Excelentísimo señor JOSEPHUS DANIELS,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América.

Presente.

[Translation]

MINISTRY FOR FOREIGN AFFAIRS
UNITED MEXICAN STATES
MEXICO.

310990

MEXICO, *September 24, 1937.*

MR. AMBASSADOR:

I have the honor to acknowledge the receipt of Your Excellency's note No. 2408, dated September 9, in which you kindly advised me that the Government of the United States of America is prepared to enter into an agreement with that of the United Mexican States for the exchange of official journals and parliamentary documents, which negotiations have been in progress, and according to the text presented in the same note, as soon as the Mexican Government makes known its acquiescence by means of the corresponding note.

In reply I am pleased to inform Your Excellency that the Government of the United Mexican States is also prepared to enter immediately into this agreement as follows:

"There shall be an immediate exchange of official journals and parliamentary documents between the United Mexican States and the United States of America, which shall be conducted in accordance with the following provisions:

1. The Government of the United Mexican States shall furnish regularly, immediately upon publication, one copy of each of the following publications: (a) the "*Diario Oficial*", or any other general official gazette that may be published; (b) the "*Diario de los Debates*" of the Senate and of the Chamber of Deputies; (c) Bills printed for the use of either Chamber; and (d) any other document printed for the use of either Chamber or of the committees of either Chamber.

2. The Government of the United States of America shall furnish regularly, immediately upon publication, one copy of each of the following publications: (a) the *Federal Register*, or any other general official gazette that may be published; (b) the *Congressional Record*, containing the debates of the Senate and of the House of Representatives; (c) Bills printed for the use of either the Senate or the House of Representatives; and (d) Hearings before Congressional committees.

3. The sendings shall be received on behalf of the United Mexican States by the Departamento Autónomo de Publicidad y Propaganda; on behalf of the United States of America by the Library of Congress."

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

EDUARDO HAY

His Excellency Mr. JOSEPHUS DANIELS,
Ambassador Extraordinary and Plenipotentiary
of the United States of America,
City.

Mar. 2, 10, Aug. 17,
Sept. 8, 20, Oct. 9,
1937
[E. A. S. No. 109]

Agreement between the United States of America and Canada regarding the exchange of information concerning issuance of radio licenses. Effected by exchanges of notes, signed March 2 and 10, 1937, August 17, 1937, September 8 and 20, 1937, and October 9, 1937.

The Minister of Canada (Marler) to the Secretary of State (Hull)

No. 46:

CANADIAN LEGATION,
Washington, March 2, 1937

SIR:

Agreement with
Canada regarding the
exchange of informa-
tion concerning issua-
nce of radio licenses.

I have the honour to refer to the Canadian Legation's Aide Memoire of January 7th, 1937,¹ and the Department of State's reply of January 19th¹ concerning the application of the Power City Broadcasting Corporation and the Niagara Falls Gazette Publishing Company of Niagara Falls, New York, for permission to establish a broadcasting station on a frequency of 630 kilocycles. This exchange of correspondence dealt with the possible interference which might be caused by the proposed station at Niagara Falls to Station CFCO operating on a frequency of 630 kilocycles at Chatham, Ontario.

It may be expected that from time to time the competent authorities of the Government of the United States will receive applications for permission to establish new broadcasting stations on frequency channels shared between Canada and the United States and for alteration in the assignment of such channels. In certain cases the granting of such applications might give rise to interference with Canadian stations operating on the same channel.

I have been instructed to enquire whether the Government of the United States would be agreeable to communicating with the Canadian Government in future before issuing licenses for new stations or altering the assignment of frequencies of existing stations on channels now shared between the United States and Canada, in cases where interference might be caused to the free and unrestricted use of such channels in Canada. The purpose of such a notification would be to give an opportunity to the Canadian Government of expressing their views in connection therewith.

I have the honour to be, with the highest consideration, Sir,

Your most obedient, humble servant,

HERBERT M. MARLER

The Hon. CORDELL HULL,

Secretary of State of the United States,
Washington, D. C.

¹Not printed.

The Secretary of State (Hull) to the Minister of Canada (Marler)

DEPARTMENT OF STATE,
Washington, March 10, 1937.

SIR:

I have received your note of March 2, 1937, inquiring whether the Government of the United States would be agreeable to communicating with the Canadian Government in the future before issuing licenses for new stations or altering the assignment of frequencies of existing stations on channels now shared between the United States and Canada, in cases where interference might be caused to the free and unrestricted use of such channels in Canada.

In reply I take pleasure in informing you that a copy of the note under acknowledgment is being transmitted to the Chairman of the Federal Communications Commission. As soon as a reply shall have been received from Mr. Prall, I shall not fail to communicate with you again concerning this matter.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:

R. WALTON MOORE

The Honorable

SIR HERBERT MARLER, P. C., K. C. M. G.,
Minister of Canada.

The Secretary of State (Hull) to the Minister of Canada (Marler)

DEPARTMENT OF STATE,
Washington, August 17, 1937.

SIR:

Reference is made to your note of March 2, 1937, and my reply of March 10, 1937, in regard to the communication by the United States to the Canadian Government of information concerning the prospective issuance of new radio licenses or the possible alteration of frequencies which may affect the use in Canada of the radio channels involved.

The Government of the United States is prepared to communicate with the Canadian Government regarding proposed action on all applications for new or additional broadcast facilities which may involve interference with existing Canadian stations, provided the Canadian Government will likewise inform the Government of the United States of any new or additional facilities for broadcast stations for which application has been made to it and which may involve interference with existing stations in the United States.

It should be understood in this connection that the determination of interference would be made by means of the current mileage separation tables published by the Federal Communications Commission

of this Government or from field intensity measurements combined with mutually agreeable standards of allocation.

I shall appreciate a statement of your Government's acquiescence in the proposed arrangement and an indication of the date upon which it is to be made effective.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:

R. WALTON MOORE

The Honorable

SIR HERBERT MARLER, P. C., K. C. M. G.,

E. E. and M. P.,

Minister of Canada.

The Chargé d'Affaires ad interim of Canada (Wrong) to the Secretary of State (Hull)

No. 185:

CANADIAN LEGATION,
Washington, September 8, 1937

SIR:

I have the honour to refer to your note of August 17, 1937 in which you replied to the suggestion made in this Legation's note No. 46 of March 2, 1937, with regard to informing the Government of Canada concerning the prospective issuance of new radio licenses or the possible alteration of frequencies which might affect the use in Canada of the radio channels involved.

I am now instructed to inform you that the Government of Canada agree in principle with the views expressed in your note of August 17 and are prepared to exchange information with the Government of the United States, commencing immediately, in the matter of any new or additional broadcast facilities which may involve interference with existing stations.

With reference to the third paragraph of your note, it is assumed that it will be understood that, in the event of an agreement being signed as a result of the forthcoming Conference in Havana, the use of shared waves and the methods of determining interference shall be governed by such agreement.

I have the honour to be, with the highest consideration, Sir,

Your most obedient, humble servant,

H H WRONG

Chargé d'Affaires

The Hon. CORDELL HULL,

Secretary of State of the United States,

Washington: D. C.

The Acting Secretary of State (Moore) to the Chargé d'Affaires ad interim of Canada (Wrong)

DEPARTMENT OF STATE,
Washington, September 20, 1937.

SIR:

I have received your note of September 8, 1937 in further relation to the communication by the United States to the Canadian Government of any information concerning the prospective issuance of new radio licenses or the possible alteration of frequencies which may affect the use in Canada of the radio channels involved. I have duly noted that the Government of Canada agrees in principle with the views expressed in my note of August 17, 1937, and that it is prepared to exchange information with the Government of the United States, commencing immediately, in the matter of any new or additional broadcast facilities which may involve interference with existing stations.

I am sending a copy of your note under acknowledgment to the Federal Communications Commission with a request that I be advised concerning the inquiry contained in the third paragraph of your note with regard to the use of shared waves and the methods of determining interference. As soon as I receive a reply from the Commission, I shall communicate with you again.

Accept, Sir, the renewed assurances of my high consideration.

R. WALTON MOORE
Acting Secretary of State

MR. HUME WRONG,
Chargé d'Affaires ad interim of Canada.

The Secretary of State (Hull) to the Minister of Canada (Marler)

DEPARTMENT OF STATE,
Washington, October 9, 1937.

SIR:

I refer to a note of September 8, 1937, from your Legation, and my reply of September 20, 1937, in further relation to the communication by the United States to the Canadian Government, on a reciprocal basis, of information concerning the prospective issuance of new radio licenses or the possible alteration of frequencies which may affect the use in Canada of the radio channels involved, and now advise you that the Department has received a letter from the Federal Communications Commission concerning the inquiry contained in the third paragraph of the note of September 8, in regard to the use of shared waves and the methods of determining interference.

The Commission states that it is in accord with the understanding of your Government that, in the event of an agreement being signed as a result of the forthcoming conference in Habana, the use of shared waves and the methods of determining interference shall be governed by such agreement. The Commission adds that in the meantime it is felt that the determination of the interference should be made by the current mileage separation tables published by the Commission or from field intensity measurements combined with mutually agreeable standards of allocation.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:

R. WALTON MOORE

The Honorable

SIR HERBERT MARLER, P. C., K. C. M. G.,
Minister of Canada.

Arrangement between the United States of America and the Irish Free State respecting air navigation. Effected by exchange of notes signed September 29, 1937, and November 4, 1937; effective December 4, 1937.

Sept. 29 and Nov. 4,
1937
[E. A. S. No. 110]

The American Minister (Cudahy) to the Minister for External Affairs of the Irish Free State (de Valera)

No. 7 LEGATION OF THE UNITED STATES OF AMERICA,
Dublin, September 29, 1937.

EXCELLENCY,

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Saorstát Eireann¹ for the conclusion of a reciprocal air navigation arrangement between the United States of America and Saorstát Eireann, governing the operation of civil aircraft of the one country in the other country.

Reciprocal air navigation arrangement with the Irish Free State.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

ARTICLE 1.

Pending the conclusion of a convention between the United States of America and Saorstát Eireann on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions:

Tentative provisions.

ARTICLE 2.

The present arrangement shall apply to Continental United States of America, exclusive of Alaska, and to Saorstát Eireann, including the territorial waters of the two countries.

Area affected.

ARTICLE 3.

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

Aircraft defined.

ARTICLE 4.

Each of the Parties undertakes to grant liberty of passage to and over its territory in time of peace to the aircraft of the other Party, provided that the conditions set forth in the present arrangement are observed.

Liberty of passage.

¹The Irish Free State.

Regular air routes,
etc., consent required.

It is, however, agreed that no regular air route or service may be established or operated to, within or over territory of either Party, with or without a landing there, except by prior consent of such Party.

Submission of application for operating rights through diplomatic channels.

Any air transport company of either Party applying for operating rights in territory of the other Party, on a route or service between the territories of the two Parties, shall be required to submit its application through diplomatic channels.

ARTICLE 5.

Jurisdiction over aircraft, passengers, etc.

The aircraft of each of the Parties to this arrangement, their crews and passengers, and goods carried thereon shall, while within the territory of the other Party, be subject to the laws in force in that territory, including all regulations relating to air traffic applicable to foreign aircraft, the transport of passengers and goods, and public safety and order, as well as any regulations concerning immigration, quarantine and customs.

Subject to the provisions of the preceding paragraph and to the laws and regulations therein specified, the carriage of passengers and the import or export of all merchandise which may be legally imported or exported will be permitted in aircraft of the one Party into or from the territory of the other Party and, subject to the provisions of the preceding paragraph and to the laws and regulations therein specified, the aircraft of the one Party, their crews, passengers and cargoes shall enjoy in the territory of the other Party the same privileges as the aircraft of such other Party, their crews, passengers and cargoes enjoy in that territory, and shall not merely by reason of the nationality of the aircraft be subjected to duties or charges other or higher than those which are or may be imposed on aircraft of the territory referred to, or on aircraft of any foreign country engaged in international commerce, or on their crews, passengers or cargoes, it being understood that in this respect the claimant has the choice of national or most-favored-nation treatment.

Each of the Parties to this arrangement may reserve to its own aircraft air commerce as defined in the last paragraph of this article. Nevertheless the aircraft of each Party may proceed from any aerodrome in the territory of the other Party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination are not both points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that both such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

"Air commerce" defined.

The term "air commerce" as used in the preceding paragraph shall, with respect to the Parties to this arrangement, be understood to mean:—(a) navigation of aircraft in territory of either Party in furtherance of a business; (b) navigation of aircraft from one place in territory of either Party to another place in that territory in the conduct of a business; and (c) the commercial transport of persons or goods between any two points in the territory of either Party.

ARTICLE 6.

Each of the Parties to this arrangement shall have the right to prohibit air traffic over certain areas of its territory, provided that no distinction in this matter is made between its aircraft engaged in international commerce and the aircraft of the other Party likewise engaged. The areas above which air traffic is thus prohibited by either Party must be notified to the other Party.

Restricted areas.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

ARTICLE 7.

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory in which the prohibited area is situated and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

Aircraft over prohibited areas.

ARTICLE 8.

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

Identification.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

Certificates of registration, etc.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificate of airworthiness, certificates of competency and licences issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

ARTICLE 9.

The fuel and lubricants retained on board aircraft of either Party arriving in or leaving territory of the other Party shall be exempt from customs duty, even though the fuel and lubricants so retained are used by the aircraft on a flight in that territory, provided that such a flight is part of a journey from or to a place outside that territory.

Fuel and lubricants, exemption from customs duty.

ARTICLE 10.

Wireless apparatus;
license, regulations.

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a licence to install and work such apparatus (which licence must be carried in the aircraft) shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating. Such apparatus shall be used only by such members of the crew as are provided with a special licence for the purpose issued by the competent authorities of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

ARTICLE 11.

Transportation of
munitions of war, etc.

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party in or above the territory of the other Party or by the crew or passengers except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

ARTICLE 12.

Inspection.

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

ARTICLE 13.

Availability of aerodromes, services, etc.

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services and the day and night signalling services, in so far as the several classes of services are under the control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

ARTICLE 14.

Landings, and departures from specified aerodromes.

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of customs, passport, quarantine and immigration regulations and clearance of aircraft, and no intermediate landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which the above-mentioned facilities have been arranged. The prohibition of any intermediate landing applies also in such cases.

In the event of a forced landing or of a landing as provided in Article 7 not at an aerodrome of the class mentioned in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs, passport, quarantine and immigration regulations in force in the territory in which the landing has been made.

Ante, p. 321.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as customs aerodromes.

ARTICLE 15.

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6, the frontiers of the territories of the Parties to this arrangement may be crossed at any point.

Flight restrictions.

ARTICLE 16.

As ballast, only fine sand or water may be dropped from an aircraft.

Ballast.

ARTICLE 17.

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

Unloading, etc., in flight, restriction.

ARTICLE 18.

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

Nationality of aircraft.

ARTICLE 19.

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

Exchange of regulations.

ARTICLE 20.

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

Duration of arrangement.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on the 4th day of December, 1937.

Effective date.

Accept, Excellency, the renewed assurances of my highest consideration.

JOHN CUDAHY

His Excellency
EAMON DE VALERA,
Minister for External Affairs,
Dublin.

*The Minister for External Affairs of the Irish Free State (de Valera)
to the American Minister (Cudahy)*

SAORSTÁT ÉIREANN¹

ROINN GNÓTHAI COIGRICHE
Department of External Affairs

BAILE ÁTHA CLIATH
Dublin

4th November, 1937.

EXCELLENCY,

Acceptance by the
Irish Free State.

I have the honour to refer to your Note No. 7 of the 29th day of September, in which Your Excellency communicated to me the text of the reciprocal air navigation arrangement between Saorstát Éireann and the United States of America governing the operation of civil aircraft of one country in the other country as understood by you to have been agreed to during the negotiations, now terminated, between the two countries.

The text which you have communicated to me is as follows:—

ARTICLE 1.

Pending the conclusion of a convention between the United States of America and Saorstát Éireann on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions:

ARTICLE 2.

The present arrangement shall apply to Continental United States of America, exclusive of Alaska, and to Saorstát Éireann, including the territorial waters of the two countries.

ARTICLE 3.

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

ARTICLE 4.

Each of the Parties undertakes to grant liberty of passage to and over its territory in time of peace to the aircraft of the other Party, provided that the conditions set forth in the present arrangement are observed.

It is, however, agreed that no regular air route or service may be established or operated to, within or over territory of either Party, with or without a landing there, except by prior consent of such Party.

Any air transport company of either Party applying for operating rights in territory of the other Party, on a route or service between the territories of the two Parties, shall be required to submit its application through diplomatic channels.

¹The Irish Free State.

ARTICLE 5.

The aircraft of each of the Parties to this arrangement, their crews and passengers, and goods carried thereon shall, while within the territory of the other Party, be subject to the laws in force in that territory, including all regulations relating to air traffic applicable to foreign aircraft, the transport of passengers and goods, and public safety and order, as well as any regulations concerning immigration, quarantine and customs.

Subject to the provisions of the preceding paragraph and to the laws and regulations therein specified, the carriage of passengers and the import or export of all merchandise which may be legally imported or exported will be permitted in aircraft of the one Party into or from the territory of the other Party and, subject to the provisions of the preceding paragraph and to the laws and regulations therein specified, the aircraft of the one Party, their crews, passengers and cargoes shall enjoy in the territory of the other Party the same privileges as the aircraft of such other Party, their crews, passengers and cargoes enjoy in that territory, and shall not merely by reason of the nationality of the aircraft be subjected to duties or charges other or higher than those which are or may be imposed on aircraft of the territory referred to, or on aircraft of any foreign country engaged in international commerce, or on their crews, passengers or cargoes, it being understood that in this respect the claimant has the choice of national or most-favored-nation treatment.

Each of the Parties to this arrangement may reserve to its own aircraft air commerce as defined in the last paragraph of this article. Nevertheless the aircraft of each Party may proceed from any aerodrome in the territory of the other Party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination are not both points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that both such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

The term "air commerce" as used in the preceding paragraph shall, with respect to the Parties to this arrangement, be understood to mean:—(a) navigation of aircraft in territory of either Party in furtherance of a business; (b) navigation of aircraft from one place in territory of either Party to another place in that territory in the conduct of a business; and (c) the commercial transport of persons or goods between any two points in the territory of either Party.

ARTICLE 6.

Each of the Parties to this arrangement shall have the right to prohibit air traffic over certain areas of its territory, provided that no distinction in this matter is made between its aircraft engaged in international commerce and the aircraft of the other Party likewise engaged. The areas above which air traffic is thus prohibited by either Party must be notified to the other Party.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to

limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

ARTICLE 7.

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory in which the prohibited area is situated and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

ARTICLE 8.

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificate of airworthiness, certificates of competency and licences issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

ARTICLE 9.

The fuel and lubricants retained on board aircraft of either Party arriving in or leaving territory of the other Party shall be exempt from customs duty, even though the fuel and lubricants so retained are used by the aircraft on a flight in that territory, provided that such a flight is part of a journey from or to a place outside that territory.

ARTICLE 10.

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a licence to install and work such apparatus (which licence must be carried in the aircraft) shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating. Such apparatus shall be used only by such members of the crew as are provided with a special licence for the purpose issued by the competent authorities of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

ARTICLE 11.

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party in or above the territory of the other Party or by the crew or passengers except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

ARTICLE 12.

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

ARTICLE 13.

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services and the day and night signalling services, in so far as the several classes of services are under the control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

ARTICLE 14.

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of customs, passport, quarantine and immigration regulations and clearance of aircraft, and no intermediate landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which the above-mentioned facilities have been arranged. The prohibition of any intermediate landing applies also in such cases.

In the event of a forced landing or of a landing as provided in Article 7 not at an aerodrome of the class mentioned in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs, passport, quarantine and immigration regulations in force in the territory in which the landing has been made.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as customs aerodromes.

ARTICLE 15.

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do

so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6, the frontiers of the territories of the Parties to this arrangement may be crossed at any point.

ARTICLE 16.

As ballast, only fine sand or water may be dropped from an aircraft.

ARTICLE 17.

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

ARTICLE 18.

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

ARTICLE 19.

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

ARTICLE 20.

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

I am glad to assure Your Excellency that the foregoing text is the text which has been accepted by my Government in the course of the negotiations and is approved by them.

In accordance with your suggestion, it is understood that the arrangement will come into force on the 4th day of December, 1937.

Accept, Excellency, the renewed assurance of my highest consideration.

ÉAMON DE VALÉRA

Minister for External Affairs.

His Excellency JOHN CUDAHY,
*Envoy Extraordinary & Minister Plenipotentiary
of the United States of America,
Dublin.*

Arrangement between the United States of America and Poland effecting the adherence of the Free City of Danzig to the agreement between the United States of America and Poland respecting mutual recognition of ship measurement certificates, effected by exchanges of notes signed January 17, March 14, and April 22, 1930, and October 5, 1934. Effected by exchange of notes, signed December 4, 1937; effective December 19, 1937.

December 4, 1937
[E. A. S. No. 111]

The Polish Ambassador (Potocki) to the Secretary of State (Hull)

99/SZ-4

AMBASADA RZECZYPOSPOLITEJ POLSKIEJ,

le 4 decembre 1937.

MONSIEUR LE SECRÉTAIRE D'ÉTAT,

D'ordre de mon Gouvernement j'ai l'honneur de porter à la connaissance de Votre Excellence ce qui suit:

Le Gouvernement Polonais, auquel il appartient d'assurer la conduite des affaires extérieures de la Ville Libre de Dantzig en vertu de l'article 104 du Traité de Paix, signé à Versailles le 28 Juin 1919 et des articles 2 et 6 de la Convention entre la Pologne et la Ville Libre de Dantzig, signée à Paris le 9 Novembre 1920, en agissant pour la Ville Libre de Dantzig, tient à proposer au Gouvernement des Etats-Unis d'Amérique l'adhésion de la Ville Libre de Dantzig à l'Arrangement entre la Pologne et les Etats-Unis sous forme de notes échangées le 17 janvier, le 14 mars, le 22 avril 1930, et le 5 octobre 1934, concernant la reconnaissance réciproque des certificats de jaugeage des navires, cette adhésion devant produire ses effets à partir du 15-ème jour de la date de la notification, par laquelle le Gouvernement des Etats-Unis constaterait l'acceptation de la proposition susvisée.

Je serais obligé à Votre Excellence de vouloir bien m'informer, si le Gouvernement des Etats-Unis accepte cette proposition.

Veillez agréer, Monsieur le Secrétaire d'Etat, les assurances de ma plus haute considération.

JERZY POTOCKI

Son Excellence

Monsieur CORDELL HULL,

Secrétaire d'Etat.

The Secretary of State (Hull) to the Polish Ambassador (Potocki)

DEPARTMENT OF STATE,
Washington, December 4, 1937.

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of today's date, a translation of which reads as follows:

Proposal by Poland for adherence of Free City of Danzig to agreement for mutual recognition of ship measurement certificates.

"Under instructions from my Government, I have the honor to communicate to Your Excellency the following proposal:

"The Polish Government which is entrusted with the conduct of the foreign affairs of the Free City of Danzig by virtue of Article 104 of the Treaty of Peace, signed at Versailles, June 28, 1919, and of Articles 2 and 6 of the Convention between Poland and the Free City of Danzig, signed at Paris, November 9, 1920, acting for the Free City of Danzig, proposes to the Government of the United States of America, the adherence of the Free City of Danzig to the agreement between Poland and the United States of America for the mutual recognition of ship measurement certificates, effected by exchange of notes signed January 17, March 14, and April 22, 1930, and October 5, 1934, this adherence to become effective from the fifteenth day following the date of the notification whereby the Government of the United States shall have declared its acceptance of the aforementioned proposal.

49 Stat. 3663.

"I should be appreciative if Your Excellency would be good enough to inform me whether the Government of the United States accepts this proposal."

Acceptance by United States.

In view of the following (1) that the tonnage measurement regulations adopted by Danzig have been found by the competent American authority to be substantially the same as those of the United States, (2) that reciprocity now exists between the United States and the Free City of Danzig in the recognition of the tonnage noted in the certificates of registry or other national papers of the vessels of each, and (3) that the present regulations in force in Danzig are not substantially different from those which formed the basis of the present informal arrangement I have the honor on behalf of the Government of the United States to accept the proposal contained in your note of this date. Accordingly, the adherence of the Free City of Danzig to the agreement between the United States of America and Poland for the mutual recognition of ship measurement certificates is recognized as becoming effective from December 19, 1937, the fifteenth day following the date of this note.

Effective date.

Accept, Excellency, the renewed assurances of my highest consideration.

CORDELL HULL

His Excellency
COUNT JERZY POTOCKI,
Ambassador of Poland.

Agreement between the United States of America and Chile for exchange of official publications. Effected by exchange of notes, signed October 22 and 27, 1937.

October 22, 27, 1937
[E. A. S. No. 112]

The American Ambassador (Philip) to the Chilean Minister for Foreign Affairs (Gutiérrez)

No. 565. EMBASSY OF THE UNITED STATES OF AMERICA,
Santiago, October 22, 1937.

EXCELLENCY:

With reference to my memorandum No. 473 of June 8 ultimo and to Your Excellency's Notes No. 6777 of August 2 and No. 7659 of August 24, 1937,¹ I have the honor to express our agreement for the exchange of official publications between the Governments of the United States of America and of Chile as follows:

Agreement with
Chile for exchange of
official publications.

There shall be a complete exchange of official publications between the Government of the United States of America and the Government of Chile, which shall be conducted in accordance with the following provisions:

1. The official exchange office for the transmission of publications of the United States is the Smithsonian Institution. The official exchange office on the part of Chile is the National Library in Santiago.

2. The exchange sendings shall be received on behalf of the United States by the Library of Congress; on behalf of Chile by the National Library in Santiago.

3. The Government of Chile shall furnish regularly in one copy a full set of the official publications of its several departments, bureaus, offices, and institutions. A list of such departments and instrumentalities is attached (List No. 1).² This list shall be extended to include, without the necessity of subsequent negotiation, any new offices that the Government may create in the future.

4. The Government of the United States shall furnish regularly in one copy a full set of the official publications of its several departments, bureaus, offices, and institutions. A list of such departments and instrumentalities is attached (List No. 2).³ This list shall be extended to include, without the necessity of subsequent negotiation, any new offices that the Government may create in the future.

5. With respect to departments and instrumentalities which at this time do not issue publications and which are not mentioned in the attached lists, it is understood that publications issued in the future by these offices shall be furnished in one copy.

¹ None printed.

² For list as furnished by the Chilean Government, see p. 335.

³ For list, see p. 347.

6. Neither government shall be obligated by this agreement to furnish confidential publications, blank forms, or circular letters not of a public nature.

7. Each party to the agreement shall bear the postal, railroad, steamship, and other charges arising in its own country.

8. Both parties express their willingness as far as possible to expedite shipments.

9. This agreement shall not be understood to modify the already existing exchange agreements between the various government departments and instrumentalities of the two countries.

Upon the receipt of an identic note from Your Excellency my Government will consider that the foregoing agreement enters into effect.

I avail myself of this opportunity to reiterate to Your Excellency the assurances of my highest and most distinguished consideration.

HOFFMAN PHILIP

His Excellency

Señor Don JOSÉ RAMON GUTIÉRREZ ALLIENDE,
Minister for Foreign Affairs,
Santiago.

The Chilean Minister for Foreign Affairs (Gutiérrez) to the American Ambassador (Philip)

REPÚBLICA DE CHILE.
MINISTERIO
DE RELACIONES ESTERIORES.
EBC.

Nº E 8/1/23/21 9902

SANTIAGO, 27 de Octubre de 1937.

SEÑOR EMBAJADOR:

En respuesta a su atenta nota Nº 565, fecha 22 de Octubre en curso, tengo el honor de manifestar a Vuestra Excelencia el acuerdo del Gobierno de Chile para celebrar con el de los Estados Unidos de América el siguiente Convenio sobre intercambio de publicaciones oficiales:

Habrá un completo intercambio de publicaciones oficiales entre el Gobierno de Chile y el Gobierno de los Estados Unidos, que se rejirá por las siguientes normas:

1º.—La oficina oficial de intercambio para la transmisión de publicaciones de los Estados Unidos será el Instituto Smithsonian. La oficina oficial de intercambio será, en Chile, la Biblioteca Nacional de Santiago.

2º.—Las publicaciones serán recibidas en los Estados Unidos por la Biblioteca del Congreso y en Chile por la Biblioteca Nacional de Santiago.

3º.—El Gobierno de Chile remitirá regularmente un ejemplar de cada una de las publicaciones editadas por sus diversos departamentos,

reparticiones e instituciones. Se acompaña una lista de estos departamentos y de las publicaciones (Lista 1°).¹ En esta lista se incluirá, sin necesidad de posteriores negociaciones, cualesquiera nueva oficina que pudiera crear posteriormente el Gobierno.

4°.—El Gobierno de los Estados Unidos remitirá regularmente un ejemplar de cada una de las publicaciones editadas por sus diversos departamentos, reparticiones e instituciones. Se acompaña una lista de estos departamentos y de las publicaciones (Lista N° 2).² En esta lista se incluirá, sin necesidad de posteriores negociaciones, cualesquiera nueva repartición que pudiera crear posteriormente el Gobierno.

5°.—Queda entendido que las publicaciones editadas en el futuro por los departamentos e instituciones que actualmente no editan publicaciones y que no están citadas en las listas anexas serán remitidas en un ejemplar.

6°.—El presente Convenio no obliga a ninguno de los dos Gobiernos a proceder al intercambio de publicaciones confidenciales, formularios en blanco o cartas circulares que no tengan carácter público.

7°.—Cada Parte sufragará los gastos postales, de ferrocarriles o marítimos y otras cargas relativos al envío de las publicaciones originadas en su propio país.

8°.—Ambas Partes manifiestan su deseo de facilitar en cuanto sea posible los envíos de publicaciones.

9°.—Queda entendido que el presente Convenio no modifica los convenios ya existentes en materia de intercambio de publicaciones entre las diversas reparticiones públicas e instituciones de ambos países.

El presente acuerdo comenzará a regir desde la recepción de la presente nota por Vuestra Excelencia.

Sírvase aceptar, señor Embajador, las seguridades de mi más alta y distinguida consideración.

J RAMON GUTIERREZ

Al Excmo. Señor

HOFFMAN PHILIP,

Embajador Extraordinario y

Plenipotenciari de los Estados Unidos.

[Translation]

REPUBLIC OF CHILE
MINISTRY
OF FOREIGN RELATIONS
EBC

No. E 8/1/23/21 9902

SANTIAGO, *October 27, 1937.*

MR. AMBASSADOR:

In reply to your kind note No. 565, dated the twenty-second of the current October, I have the honor to state to Your Excellency the agreement of the Government of Chile to conclude with that of the

Confirmation by
Chile.

¹ Véase la lista, pág. 335.

² Para la lista suministrada por el Gobierno de los Estados Unidos de América, véase pág. 347.

United States of America the following agreement regarding the exchange of official publications:

There will be a complete exchange of official publications between the Government of Chile and the Government of the United States, which will be governed by the following rules:

1. The official office of exchange for the transmission of publications of the United States shall be the Smithsonian Institution. The official office of exchange in Chile shall be the National Library of Santiago.

2. The publications shall be received in the United States by the Library of Congress, and in Chile by the National Library of Santiago.

3. The Government of Chile shall transmit regularly one copy of each of the publications issued by its various departments, bureaus and institutions. There is enclosed a list of these departments and of the publications (List No. 1).¹ In this list there shall be included, without the necessity of later negotiations, any new office which the Government may later create.

4. The Government of the United States shall transmit regularly one copy each of the publications issued by its various departments, bureaus and institutions. There is enclosed a list of these departments and of the publications (List No. 2).² In this list there shall be included, without the necessity of later negotiations, any new bureaus which the Government may later create.

5. It is understood that publications issued in the future by the Departments and institutions which do not now issue publications and are not cited in the enclosed lists, will be transmitted in one copy.

6. This agreement does not oblige either one of the two Governments to proceed to the exchange of confidential publications, blank forms or circular letters which do not have a public character.

7. Each of the parties shall pay for the postal, railroad, or maritime expenses and other charges relative to the sending of the publications which originate in its own country.

8. Both parties express their desire to facilitate as much as possible the shipments of publications.

9. It is understood that this agreement does not amend the agreements already in existence on the subject of the exchange of publications between the various public bureaus and institutions of the two countries.

This agreement shall come into force from the receipt of this note by Your Excellency.

Please accept, Mr. Ambassador, the assurances of my highest and most distinguished consideration.

J RAMON GUTIERREZ

To His Excellency

HOFFMAN PHILIP,

Ambassador Extraordinary and

Plenipotentiary of the United States.

¹ For list, see p. 335.

² For list as furnished by the Government of the United States of America, see p. 347.

LISTA N° I.

[LISTA DE LOS DIVERSOS DEPARTAMENTOS, REPARTICIONES E INSTITUCIONES DEL GOBIERNO DE CHILE CUYAS PUBLICACIONES HAN DE SER REMITIDAS ASÍ COMO LOS TÍTULOS DE LAS PUBLICACIONES PRINCIPALES QUE HAN DE INCLUIRSE EN EL INTERCAMBIO.]

PRESIDENCIA.—

- 1.—Mensajes Presidenciales (anual)

CONGRESO.—

- 2.—Boletín de Sesiones del Senado.
- 3.—Boletín de Sesiones de la Cámara de Diputados.
- 4.—Reglamento del Senado.
- 5.—Reglamento de la Cámara de Diputados.

MINISTERIO DEL INTERIOR.—

- 6.—Actas oficiales del Proyecto de Constitución Política. X
- 7.—Anuario del Ministerio del Interior
- 8.—Boletín Municipal de la República.
- 9.—Boletín Oficial Dirección General de Carabineros (semanal)
- 10.—Boletín Oficial de la Dirección General de Correos y Telégrafos (mensual)
- 11.—Constitución Política de la República de Chile año 1925. X
- 12.—Decreto Ley N° 283 sobre organización del Cuerpo de Carabineros.
- 13.—Decreto N° 2490 de 25 de Marzo de 1936, que fija los límites de la provincia de Valdivia.
- 14.—Diario Oficial.
- 15.—Estatuto Orgánico de los funcionarios civiles del Estado.
- 16.—Guía Administrativa.
- 17.—Leyes electorales.
- 18.—Ley sobre Registro Electoral.
- 19.—Ley de Regimen Interior año 1885
- 20.—Ley sobre impuesto de patente municipal.
- 21.—Ley orgánica de los funcionarios civiles del Estado. Año 1928.
- 22.—Ley sobre Registro Electoral
- 23.—Memorias de la Empresa de Agua Potable.
- 24.—Memorias del Ministerio del Interior (1928)
- 25.—Padrones electorales de la República.
- 26.—Recopilación de las disposiciones relativas a las policías fiscales y comunales año 1910.
- 27.—Reglamento para las construcciones domiciliarias del alcantarillado de Santiago. 1929.—
- 28.—Reglamento General de la Dirección de Aprovisionamiento del Estado.
- 29.—Reglamento del Servicio Interno de la Contabilidad de las reparticiones dependientes del Ministerio del Interior. 1929.—
- 30.—Reglamento interno del Ministerio del Interior.
- 31.—Reglamento del servicio interno de la contabilidad del Ministerio del Interior.
- 32.—Reglamento de los Servicios de Agua Potable y Alcantarillado.
- 33.—Reglamento para el manejo, cuidado y control de los aparatos cloradores.
- 34.—Reglamento General para Instalaciones Domiciliarias de Agua Potable y Alcantarillado.
- 35.—Reglamento para los servicios Particulares de Agua Potable, salobre o de mar y de Alcantarillado.
- 36.—Memoria de, los servicios de Agua Potable y Alcantarillado.

X: Se encuentra actualmente en el depósito.—

Dirección General de Alcantarillado de Santiago.

- 37.—Reglamento para los Proyectistas y Constructores de Instalaciones domiciliarias de Alcantarillado.
- 38.—Ley Orgánica de la Dirección General de Alcantarillado de Santiago y su Reglamento.
- 39.—Reglamento General para las instalaciones domiciliarias de Alcantarillado y Agua Potable de Santiago.
- 40.—Memoria anual (año 1908)
- 41.—Memoria anual (año 1934)
- 42.—Ley N° 5613 y Decreto Supremo N° 1687 de 23 de Abril de 1935, sobre construcción de instalaciones domiciliarias de Alcantarillado y Agua Potable, financiadas por la Caja Nacional de Ahorros.
- 43.—Reglamento del Trabajo.

DIRECCION GENERAL DE CARABINEROS.

- 44.—Gaceta de Carabineros (mensual)
- 45.—Reglamento del Servicio.

Dirección de Investigaciones.

- 46.—Revista "Detective".

Dirección General de Pavimentación.

- 47.—Recopilación de Leyes sobre Pavimentación de las comunas rurales de Santiago y San Bernardo.
- 48.—Ley N° 5757 de 12 de Diciembre de 1935, de Pavimentación General, que se aplica en diversas ciudades de la República.
- 49.—Reglamento General de Ejecución de Obras de Pavimentación, aprobado por Decreto del Ministerio del Interior N° 1248 de 12 de Marzo de 1936.
- 50.—Reglamento sobre Pavimentación de nuevas poblaciones
- 51.—Reglamento sobre Conservación y Reposición de Pavimentos en las comunas rurales de Santiago.
- 52.—Memoria anual de la Dirección General de Pavimentación.

Dirección General de Aprovisionamiento del Estado.

- 53.—Ley 4800, Orgánica de Aprovisionamiento y su Reglamento.
- 54.—Pliego de Informaciones para los servicios públicos.
- 55.—Memoria de la Dirección.
- 56.—Monografía de los servicios, publicada por la Gaceta de Chile.

Ministerio de Hacienda.

- 57.—Arancel Aduanero.—Edición Oficial.
- 58.—Boletín Caja de Amortización
- 59.—Boletín de Aduanas. Superintendencia de Aduanas.—Valparaíso. (mensual)
- 60.—Boletín de la Contraloría General.
- 61.—Boletín de Hacienda.
- 62.—Disposiciones vigentes sobre Sociedades Anónimas (actualmente derogadas)
- 63.—Disposiciones sobre Instituciones de Crédito.—Fernández.
- 64.—Ley N° 5169 Impuesto a la Renta, edición hecha por el Diario Oficial.
- 65.—Rol de Avalúos de la Comuna de Villa Alemana.—Dirección General de Impuestos Internos.
- 66.—Memorias de la Superintendencia de Aduanas.
- 67.—Memorias del Ministerio de Hacienda.
- 68.—Memorias del Consejo de Defensa Fiscal.
- 69.—Memorias de la Contraloría General de la República.
- 70.—Nómina de los Decretos Leyes que establecen entradas a favor del Fisco y de las Municipalidades, 1929.

- 71.—Presupuesto de entrada ordinaria 1930
 72.—Proyecto de Presupuestos.—anual.
 73.—Proyecto de ley sobre impuesto a los tabacos año 1926.
 74.—Recopilación de Decretos con Fuerza de Ley del Ministerio de Hacienda año 1927.
 75.—Recopilación de leyes por orden numérico 21 vols. (agotados IV—XII—XIII— y XIX).
 76.—Recopilación de Decretos con Fuerza de Ley año 1927. Contraloría de la República. 3 vols. (Tomos II y III agotados).
 77.—Reglamento General de Fianzas para empleados públicos. Decreto N° 500.
 78.—Roles de avalúos de la República.
 79.—Recopilación de Decretos con Fuerza de Ley años 1930—1931—1932.—3 vols. X

Superintendencia de Aduanas.

- 80.—Ordenanza de Aduanas.
 81.—Boletín de Aduanas (mensual)

Contraloría General de la República

- 82.—Balance General de la Hacienda Pública.
 83.—Inversión del Presupuesto Ordinario de la Nación.

Superintendencia de Compañías de Seguros y Sociedades Anónimas.

- 84.—Circulares y fallos arbitrales expedidos por la Superintendencia (3 vols.) desde su fundación en 1° Enero 1928, hasta el 31 Dic. 1933.

Ministerio de Educación.

- 85.—Anales de la Universidad de Chile.
 86.—Anuario de la Universidad de Chile.
 87.—Anuario del Servicio Meteorológico de Chile.
 88.—Anuario de la Prensa chilena (Biblioteca Nacional) 1914 y 1915 hay). X
 89.—Biblioteca Escritores de Chile. Tomos I al XIII (agotados en el Depósito los tomos 2—3—4—5—6—7. X
 90.—Boletín de la Biblioteca Nacional.
 91.—Boletín Pedagógico (Dirección General de Instrucción Primaria).
 92.—Boletín Oficial del Ministerio de Educación.
 93.—Boletín del Servicio Sismológico de la Universidad de Chile.
 94.—Boletín del Museo Nacional.
 95.—Boletín del Museo Nacional de Historia Natural.
 96.—Revista de Educación.
 97.—Catálogo de Autores Griegos y Latinos (Biblioteca Nacional) X.
 98.—Catálogo del Archivo de la Real Audiencia. 3 vols. Archivo Nacional. X.—
 99.—Catálogo de la Sección Americana de la Biblioteca Nacional. X.
 100.—Catálogo de los manuscritos relativos a los antiguos jesuitas de Chile. X (Archivo Nacional)
 101.—Catálogo de la Biblioteca Medina. 6 vols. Biblioteca Nacional.
 102.—Colección de Historiadores de la Independencia J. T. Medina (tomo XXVIII) Biblioteca Nacional.
 103.—Cruz Ernesto.—Epistolario de O'Higgins. Tomo I.
 104.—Díaz Mesa.—Crónicas de la Conquista. Tomos II y III.
 105.—“ “ En plena Colonia. (Tomos II y III).
 106.—Guía del Archivo de Escribanos.—Archivo Nacional. 3 vols.
 107.—Grasel.—Manual de Bibliotecario. (2 vols.)
 108.—Ley sobre Instrucción Primaria.
 109.—Ley sobre propiedad Intelectual (agotada)
 110.—Lista sobre publicaciones periódicas chilenas (1915, 1921, 1923, 1924, 1925, 1926, 1927, 1928) Biblioteca Nacional.

- 111.-Memorias de la Biblioteca Nacional.
 112.-Memorias de la Universidad de Chile.
 113.-Memorias del Ministerio de Educación.
 114.-Prats de Sarratea. Educación de las jóvenes. X
 115.-Recopilación de Decretos Leyes del Ministerio de Instrucción, 1925.
 116.-Recopilación de Leyes y Reglamentos de Instrucción Primaria y Normal.
 117.-Reglamento General de las Escuelas Vocacionales (1930)
 118.-Reglamento que establece la censura cinematográfica.
 119.-Riquelme Daniel.—Cuentos de la Guerra. X.
 120.-Servicio Meteorológico de Chile. X.
 121.-Vaisse.—Bibliografía General de Chile. X.
 122.-Westenhofer.—Diagnóstico y Técnica de Anatomía Patológica. (agotada en el depósito)

MINISTERIO DE FOMENTO.

- 123.-Anuario Estadístico de la República de Chile.
 124.-Anuario Estadístico de Chile. Vol. IV año 1934. Minería e industria.
 125.-Anuario Estadístico año 1935. Vol. VII. Dirección General de Estadística.
 126.-Boletín Semanal de la Dirección General de Estadística.
 127.-Boletín de los FF. CC. del Estado.
 128.-Boletín del Departamento de Minas y Petróleo.
 129.-Boletín de la Inspección de Geografía y Minas.
 130.-Código de Minería (derogado)
 131.-Ley de Caminos N° 4851.—Dirección General de Obras Públicas. Departamento de Caminos.
 132.-Estadística (Publicaciones Dirección General de Estadística. (Publicaciones Dirección General de Estadística).

Año 1915

- 132 bis.-Vol. I.-Demografía.
 133.- " II.-Beneficencia, Medicina e Higiene.
 134.- " III.-Política y Administración.
 135.- " IV.-Justicia, Policía y Criminalidad.
 136.- " V.-Instrucción
 137.- " VI.-Hacienda
 138.- " VII.-Agricultura
 139.- " VIII.-Minería y Metalurgia
 140.- " IX.-Industria Manufacturera
 141.- " X.-Comercio Interior
 142.- " XI.-Comercio Exterior
 143.- " XII. Comunicaciones
 144.- " XIII. Sinopsis Estadística.

Años 1916-1917 y 1918 igual al año 1915.-

Año 1919.

- 145.-Vol. I.-Demografía
 146.- " II.-Beneficencia, Medicina e Higiene.
 147.- " III.-Política y Administración.
 148.- " IV.-Justicia, Policía y Criminalidad.
 149.- " V.-Instrucción
 150.- " VI.-Hacienda
 151.- " VII.-Agricultura
 152.- " VIII.-Minería y Metalurgia
 153.- " IX.-Industria Manufacturera
 154.- " X.-Comercio Interior
 155.- " XI.-Comercio Exterior

- 156.—Vol. XII.—Comunicaciones
Sinopsis Estadística y desde el mes de Mayo el Boletín Estadístico mensual.—

Año 1920

- 158.—Vol. I.—Demografía
159.— “ II.—Beneficencia, Medicina e Higiene
160.— “ III.—Política y Administración
161.— “ IV.—Justicia, Policía y Criminalidad.
162.— “ V.—Instrucción.
163.— “ VI.—Hacienda
164.— “ VII.—Agricultura
165.— “ VIII.—Minería y Metalurgia.
166.— “ IX.—Industria manufacturera
167.— “ X.—Comercio Interior
168.— “ XI.—Comercio Exterior
169.— “ XII.—Comunicaciones
170.— “ XIII.—Sinopsis Estadística.
Boletín Estadístico
Censo de la Población.

Años 1921, 1922, 1923, 1924, 1925 y 1926 igual al año 1919.

“En el año 1927 no se publicó “Industria Manufacturera”

Año 1928.

- 173.—Vol. I.—Demografía y Beneficencia
174.— “ II.—Administración, Justicia y Educación.
175.— “ III.—Agricultura
176.— “ IV.—Minería e Industria
177.— “ V.—Finanzas, Bancos y Cajas Sociales.
178.— “ VI.—Comercio Interior y Comunicaciones
179.— “ VII.—Comercio Exterior
180.— “ Anuario Estadístico
Revista Mensual “Estadística Chilena”
Censo de la Industria manufacturera y del Comercio.

Año 1929

- 181.—Vol. I.—Demografía y Asistencia Social
182.— “ II.—Administración, Justicia y Educación.
183.— “ III.—Agricultura
184.— “ IV.—Minería e Industria
185.— “ V.—Finanzas, Bancos y Cajas Sociales
186.— “ VI.—Comercio Interior y Comunicaciones
187.— “ VII.—Comercio Exterior
188.— “ Anuario Estadístico
189.— “ Revista Mensual “Estadística chilena”
190.— “ Censo Agropecuario
191.— “ Censo de la Población.

Año 1930.

- 192.—Vol. I.—Demografía y Asistencia Social
193.— “ II.—Política y Administración, Justicia y Educación.
194.— “ III.—Agricultura
195.— “ IV.—Minería e Industria
196.— “ V.—Finanzas, Bancos y Cajas Sociales
197.— “ VI.—Comercio Interior y Comunicaciones

- 198.-Vol. VII.-Comercio Exterior.
 199.- " Revista Mensual "Estadística Chilena"
 200.- " Anuario Estadístico
 201.- " Censo Agropecuario
 202.- " Censo de Población

Año 1931

- 203.-Vol. I.-Demografía y asistencia social.
 204.- " II.-Administración, Justicia y Educación
 205.- " III.-Agricultura
 206.- " IV.-Minería e Industrias
 207.- " V.-Finanzas, Bancos y Cajas Sociales
 208.- " VI.-Comercio Interior y comunicaciones
 209.- " VII.-Comercio Exterior
 Revista Mensual "Estadística Chilena"

Año 1932.

- 210.-Vol. I.-Demografía y Asistencia Social
 211.- " II.-Administración, Justicia y Educación.
 212.- " III.-Agricultura
 213.- " IV.-Minería e Industria
 214.- " V.-Finanzas, Bancos y Cajas Sociales.
 215.- " VI.-Comercio Interior y Comunicaciones
 216.- " VII.-Comercio Exterior
 217.- " Revista mensual "Estadística Chilena" y desde el mes de Setiembre "Barómetro Económico". (semanal)

Año 1933.

- 218.-Vol. I.-Demografía y Asistencia Social.
 219.- " II.-Administración y Justicia.
 220.- " III.-Agricultura
 221.- " IV.-Minería e Industrias.
 222.- " V.-Finanzas, Bancos y Cajas Sociales
 223.- " VI.-Comercio Interior y Comunicaciones
 224.- " VII.-Comercio Exterior
 225.- " Revista Mensual "Estadística Chilena"
 226.- " Boletín Semanal "Barómetro Económico" Hasta Nov.)
 227.- " Sinopsis Geográfico-Estadístico.
 228.- " Censo de Educación

Año 1934.

Hasta la fecha se han publicado los vols. II—III— y VII.
 Revista Mensual Estadística Chilena.
 Boletín Semanal en reemplazo de "Barómetro Económico".

Año 1935.

- Revista "Estadística Chilena" hasta el mes de Sep. Boletín Estadístico en reemplazo del Boletín Semanal hasta Julio.—
 230.-Esquiatos Betuminosos de Lonquimay y Pular.—Del Departamento de Minas y Petróleos.—Ministerio de Fomento. Chile.—
 231.-Ley N° 4531 y Reglamento General de Cooperativas Agrícolas. Ministerio de Fomento.
 232.-Estadística de los FF. CC. del Estado y Particulares.
 233.-Estadística de los FF. CC. en explotación.
 234.-Kaempfer.—Industria del Salitre y del Yodo. X.

- 235.—Ley y Reglamento de la Caja de Crédito Minero
 236.—Ley Especial de Obras Públicas y Cesantía.—1932.
 237.—Memorias de la Caja de Retiro de los FF. CC. del Estado.
 238.—Memorias del Ministerio de Fomento.
 240.—Proyecto de Creación de una Caja de Retiro y Previsión de los FF. CC. del Estado. 1916.—
 241.—Reglamento del Trabajo del Personal de Cuadrillas de vías y obras FF. CC. del Estado.
 242.—Sinopsis Estadística de la República de Chile.
 243.—Vila.—Recursos Minerales no metálicos de Chile.
 244.—Reglamento para contratos de Construcción de Edificios Fiscales.
 245.—Especificaciones Técnicas generales para la construcción de edificios fiscales.
 246.—Normas para la Mensura de las obras que se ejecutan por Administración y por Contratos a Serie de Precios.
 247.—Normas para el cálculo y la construcción de obras de hormigón armado.
 248.—Ley N° 4563 sobre Construcciones sísmicas.
 249.—Reglamento para conductores de obras.
 250.—Normas chilenas para la aceptación del cemento Portland en las obras públicas.
 251.—Reglamentos de servicio para el Archivo técnico del Departamento de Arquitectura de la Dirección General de obras Públicas.
 252.—Reglamentos para la inscripción en el Registro de Contratistas.
 253.—Reglamento Orgánico de la Oficina.
 254.—Ley General sobre Construcciones y Urbanización.

Departamento de Industrias Fabriles.

- 255.—Monografía Industrial de Chile. 1910.
 256.—Decreto Ley sobre Propiedad Industrial.
 257.—Clasificación de marcas.
 258.—Los sustitutos del arroz.
 259.—Gas pobre.

Jardín Zoológico.

- 260.—Las aves de caza en Chile. N° 1
 261.—Concordancia en el colorido de diversos insectos de la fauna chilena. N° 2.
 262.—Los vertebrados autóctonos chilenos que aun viven en libertad dentro del recinto ocupado por el Jardín Zoológico Nacional de Chile. N° 4.
 263.—Antecedentes para la historia del Jardín Zoológico Nacional de Chile. N° 4
 264.—Memoria del Jardín Zoológico Nacional de Chile (1928) presentada al señor Ministro de Fomento por el Director don Carlos S. Reed. N° 5
 265.—Instrucciones sobre el aprovechamiento de la piel y de la carne del conejo silvestre en Chile. N° 6
 266.—Memoria del Jardín Zoológico Nacional de Chile (1930) presentada al señor Ministro de Fomento por el Director señor Carlos Reed. N° 7.
 267.—Informe presentado al señor Ministro de Fomento por la Comisión nombrada para investigar el estado del Jardín Zoológico. N° 8
 268.—Nomenclatura actual y distribución geográfica de las aves continentales de Chile según el Field Museum of Natural History. Chicago U. S. A. N° 9
 269.—Las aves exóticas que viven aclimatadas en estado silvestre en algunas regiones de Chile. N° 10

Ministerio de Justicia.

- 270.—Apéndice 24° al Índice del Archivo Judicial.
 271.—Boletín del Servicio del Registro Civil (irregular)
 272.—Boletín de la Dirección General de Protección de Menores.
 273.—Boletín de la Dirección General de Prisiones

- 274.—Boletín de las Leyes y Decretos del Gobierno (mensual) X.
 275.—Código de Procedimiento Civil (agotado)
 276.—Decreto Ley N° 407 que organiza el servicio notarial en la República. X
 277.—Decretos Leyes N°s. 363 y 446 Juzgados de Menor Cuantía. X
 278.—Gaceta de los Tribunales (semestral)
 279.—Índice del Archivo Judicial. X
 280.—Letelier. Dictámenes Fiscales. X
 281.—Ley sobre Protección de Menores N° 4447
 282.—Proyecto del Código Penal. 1930
 283.—Protocolos Notariales de Valdivia. X
 284.—Recopilación de Decretos Leyes y Reglamentos del Ministerio de Justicia. 1925
 285.—Revista de Ciencias Penales.

Ministerio de Defensa Nacional.

- 286.—Anuario del Ministerio de Guerra.
 287.—Anuario Hidrográfico de la Marina de Chile.
 288.—Boletín Oficial del Instituto Geográfico Militar.
 289.—Boletín Oficial de la Subsecretaría de Aviación.
 290.—Código de Justicia Militar (agotado en el depósito)
 291.—Memorias del Ministerio de Marina
 292.—Memorias del Ministerio de Guerra
 293.—Revista de la Marina
 294.—Reglamento de Caballería. 2 vols. Ministerio de Defensa Nacional.—Comando en Jefe del Cuartel General del Ejército. 1936.

Ministerio de Guerra

Estado Mayor del Ejército

- 295.—Táctica General por el Coronel Culmann (traducción)
 296.—Tratado Guerra de Montaña, por el General Dose (traducción)
 297.—Lecciones de la Guerra, por el Comandante Bouvard. (traducción)
 298.—Servicio de Intendencia, por el General Hans von Kiesling.
 299.—Operaciones en alta montaña por el General Hans von Kiesling.
 300.—Empleo de la Caballería, por el General Bremke. (traducción)
 301.—Memorial del Ejército.—Revista Militar (bimestral)

Instituto Geográfico Militar.

- 302.—Memoria Técnica del Ejército
 303.—Anuario del Instituto (1891 a 1932)

Dirección de Reclutamiento y Tiro Nacional.

- 304.—Cartilla para las Sociedades Nacionales de Tiro, sobre Aseo, conservación, almacenamiento, recepción, devolución y reemplazo de armamentos.
 305.—Cartilla de Instrucciones para el desempeño de las funciones de Inspectores de Tiro.
 306.—Proyecto de Ley de Tiro Obligatorio.
 307.—Instrucciones sobre materias que tratarán los funcionarios que se constituyan en visita de inspección en las oficinas de Reclutamiento y Tiro Nacional.
 308.—Revista "Patria" (mensual)
 309.—Revista del Suboficial (mensual)

Departamento de Sanidad Militar.

- 310.—Cánceres traumáticos y profesionales.
 311.—Revista de Sanidad Militar. (bimensual)

Ministerio de Marina.

312.-	Publicación N°	1	Observaciones met. en mina Aguila, Bolivia. 1909
313.-	"	2	Observaciones met. Prov. 1910
314.-	"	3	Anuario Met. 1a. y 2a. parte
315.-	"	4	Observaciones met. en I. de Pascua 1911-12
316.-	"	5	Valores honorarios de Santiago 1922
317.-	"	6	Agua caída medida en 1912
318.-	"	7	Valores honorarios Santiago 1922
319.-	"	8	Anuario Met. 1912 1a. parte.
320.-	"	9	Ondas herzianas registradas en San Carlos de Ancud.
321.-	"	10	Anuario Met. 1912. 2a. parte
322.-	"	11	Valores honorarios de Punta Arenas 1911-12
323.-	"	12	Valores Honorarios de Santiago 1913
324.-	"	13	" " " Valdivia 1911-12
325.-	"	14	" " " Santiago 1914
326.-	"	15	Anuario Met. de Chile 1913.
327.-	"	16	Medida de agua caída en 1913
328.-	"	17	Anuario Met. 1913
329.-	"	18	Valores honorarios de los Andes 1911-12.
330.-	"	19	Anuario Met. 1915. 1a. parte.
331.-	"	20	Rec. de sumas de aguas caídas en Chile
332.-	"	21	Rec. de las observaciones de la Est. de Santiago 1911 a 1915 (agotada)
333.-	"	22	Anuario Met. 1915. 2a. parte
334.-	"	23	Lluvias en 1916
335.-	"	24	" " 1917
336.-	"	25	Anuario Met. 1914
337.-	"	26	" " 1916
338.-	"	27	" " 1917
339.-	"	28	Obsrv. Met. en algunas ciudades de Chile. Rs. 1911 a 1915 (agotada)
340.-	"	29	Lluvias en 1918
341.-	"	30	Anuario Met. de Chile de 1918 y Res. de valores honorarios y de las observaciones de temperatura a diferentes profundidades en Santiago 1915.
342.-	"	31	Anuario Met. 1919
343.-	"	32	" " 1920
344.-	"	33	" " 1921
345.-	"	34	" " 1922
346.-	"	35	" " 1923
347.-	"	36	" " 1924
348.-	"	37	Lluvias mensuales 1918-25. Anexo lluvias max. en diversos períodos, estudio sobre las depresiones atmosféricas en Chile y gráficos.
349.-	"	38	Anuario Met. 1925
350.-	"	39	" " 1926
351.-	"	40	" " 1927
352.-	"	41	" " 1928
353.-	"	42	" " 1929
354.-	"	43	" " 1930
355.-	"	44	" " 1931
356.-	"	45	" " 1932
357.-	"	46	" " 1933
358.-	"	47	" " 1934

Departamento de Obras Marítimas.

- 359.-Puerto de Iquique.—Proyecto del Puerto. Memoria 1927.
 360.- “ “ Iquique.—Obras fundamentales del puerto.
 361.- “ “ Antofagasta. Pliego de condiciones 1917.
 362.- “ “ “ Obras complementarias 1926.
 363.- “ “ Valparaíso.—Propuesta para la construcción de obras 1906.
 364.- “ “ “ Mejoramiento de los cauces y quebradas.
 365.- “ “ “ Pliego de condiciones para la construcción del Molo 1922.
 366.- “ “ San Antonio.—Folleto de propaganda del Puerto. 1923.
 367.- “ “ “ Pliego de condiciones 1911.
 368.- “ “ Constitución.—Proyecto de mejoramiento del puerto. 1918.
 369.- “ “ “ Pliego de condiciones para la construcción de obras fundamentales del puerto. 1923
 370.- “ “ Talcahuano.—Obras complementarias del Malecón Blanco Encalada 1913.
 371.- “ “ Lebu Planes.
 372.- “ “ “ Proyecto de mejoramiento del Puerto 1933.
 373.- “ Montt Obras de mejoramiento 1928.
 374.- “ “ Memoria de Contabilidad del Departamento de obras marítimas. 1934.

Ministerio del Trabajo.

- 375.-Boletín Oficial de la Caja Nacional de Empleados Públicos y Periodistas.
 376.-Boletín de la Inspección General del Trabajo.
 377.-Boletín del Ministerio de Bienestar Social
 378.-Frias Collao. Legislación sobre accidentes del trabajo
 379.-Ley N° 1838 sobre habitaciones para obreros
 380.-Ley N° 4563 sobre construcciones sísmicas, año 1929
 381.-Reglamento de la Ley N° 5579 sobre financiamiento de la habitación Popular. Imprenta La Nación. Edición Oficial.
 382.-Memorias del Ministerio de Bienestar Social
 383.-Memorias del Ministerio del Trabajo.

Inspección General del Trabajo.

- 384.-Revista del Trabajo (mensual)
 385.-Disposiciones legales y reglamentarias relativas a la Organización y Funcionamiento de la Inspección General del Trabajo. 1935.

Dirección General de Crédito Popular y de Casas de Martillo.

- 386.-Recopilación completa de las leyes y reglamentos de la Dirección General de Crédito Popular y de Casas de Martillo.
 387.-Memoria anual de la Dirección.

Departamento de Extensión Cultural

- 388.-El mensaje del pueblo por don Tomás Gatica Martínez.
 389.-El problema social y la cultura obrera por don Tomás Gatica Martínez.
 390.-Derechos ciudadanos por don René Hurtado Borne
 391.-Concepto de Gobierno por don René Hurtado Borne
 392.-Conceptos Generales de Educación Cívica por don René Hurtado Borne.
 393.-Feminismo Obrero por Vera Zouroff.
 394.-Boletín Informativo del Departamento (bimensual)

Ministerio de Agricultura.

- 395.—Boletín del Ministerio de Agricultura (trimestral)
 396.—Ley N° 4097 sobre contrato de Prenda Agraria
 397.—Boletín de las Escuelas Experimentales
 398.—Memorias del Ministerio de Agricultura.

Departamento de Arboricultura y Sanidad Vegetal.

- 399.—Leyes Reglamentos y disposiciones referentes a la industria frutícola.
 400.—Contribución al desarrollo de la Fruticultura en Chile.
 401.—Cuidados culturales de los huertos frutales
 402.—Cosecha, selección, preparación y embalaje de frutos para la exportación.
 403.—El cultivo del Manzano.

Departamento de Ganadería y Sanidad Animal.

- 404.—Cuadro explicativo de la Distomatosis
 405.—Cuadro explicativo de la Fiebre aftosa
 406.—Calendario de las enfermedades infecto contagiosas del ganado y la época en que deben efectuarse las vacunas preventivas.
 407.—Folleto de la Ley de Policía Sanitaria Animal (agotado)
 408.— “ “ “ Rabia
 409.— “ “ “ Fiebre Aftosa
 410.— “ del Carbunco Bacteridiano
 411.— “ de la Anoplasmosis
 412.— “ de la Sarna Ovina
 413.— “ de la Crianza del Ganado en el Territorio de Magallanes.
 414.— “ del estudio químico y efectos tóxicos del Olivillo.
 415.— “ breve reseña de los territorios de Magallanes y Aysen.

Inspección de Servicios Provinciales.

- 416.—Agricultura General de don Roberto Opazo G.
 417.—Monografía Cultural de las diversas plantas agrícolas de don Roberto Opazo G.
 418.—Plantas forrajeras y plantas industriales de don Roberto Opazo G.

Servicio de Genética

- 419.—Cuadro ilustrativo de los trigos genéticos elaborados por el servicio de Genética.
 420.—Folleto “El Control de las semillas”
 421.—Circular N° 1 del Servicio de Genética, a sus clientes referente a abonos.
 422.—Hoja descriptiva del trigo genético “Barón”
 423.— “ “ “ “ “ “ “ “General”
 424.— “ “ “ “ “ “ “ “Lucía”
 425.— “ “ “ “ “ “ “ “Sra, Verde”.

Servicio de Laboratorio de Investigaciones agrícolas.

- 426.—Estudio de la calidad industrial de algunas variedades de trigo.

Monografías publicadas y de las cuales hay existencia de ejemplares Disponibles.

- 427.—Publicación N° 1 Servicio de Sanidad Vegetal. Polisulfuro de Calcio
 428.— “ “ 2 Servicio de Sanidad Vegetal. Clado Bordalés.
 429.— “ “ 3.—Silva Figueroa Carlos. Mariposas perjudiciales. 1922
 430.— “ “ 4 Servicio de Sanidad Vegetal. Ley y Reglamento de Policía Vegetal.

- 431.-Publicación N° 5 Camacho Carlos.—Algunos insectos perjudiciales a las legumbres cultivadas el año 1919.
 432.- “ “ 6 Graf Marín Alberto. La venturia del manzano. 1933.
 433.- “ “ 7 Camacho Carlos.—El gusano del poroto 1918.
 434.- “ “ 8 Camacho Carlos.—Las cuncunillas.
 435.- “ “ 9 Silva Figueroa Carlos.—Mariposas perjudiciales. Las polillas de la papa. 1920.
 436.- “ “ 10 Espinosa B. Marcial. Contribución al conocimiento de las malezas chilenas.
 437.- “ “ 11 Servicio de Sanidad Vegetal.—El quintral, la margarita, la cizaña púrpura y la galega. Plantas declaradas plagas de la agricultura año 1929.

Ministerio de Salubridad.

- 438.-Boletín de la Dirección General de Sanidad
 439.-Boletín Sanitario
 440.-Código Sanitario (agotado)
 441.-Memorias del Ministerio de Salubridad
 442.-Proyecto del Código Sanitario año 1910.
 443.-Reglamento de Estupefacientes. Dirección General de Sanidad.
 444.-Reglamento sobre profilaxis de enfermedades infecciosas.
 445.-Reglamento de la Beneficencia Pública. Año 1923.

Dirección General de Sanidad.

- 446.-Monografías (año 1929)
 447.-Boletín del servicio Nacional de Salubridad. (actualmente interrumpido)

Ministerio de Bienestar Social.

Departamento de Previsión Social.-

- 448.-Memoria del Departamento de Previsión Social (año 1934)
 449.-Memoria del Departamento de Previsión Social (año 1936)
 450.-Boletín de “Previsión Social” (bimestral)

Ministerio de Relaciones Exteriores y Comercio.

- 451.-Boletín del Departamento de Relaciones Exteriores.
 452.-Memorias del Ministerio de Relaciones Exteriores.
 453.-Memorias del Ministerio de Comercio.
 454.-Monthly Economic Survey of Chile.—Ministry of Foreign Affairs and Commerce.—(mensual) Se publica en cuatro idiomas. (español, francés, inglés y alemán).
 455.-Proyecto de Ordenanza Consular y Decreto Orgánico año 1927.

Ministerio de Tierras y Colonización.

- 456.-Boletín del Ministerio de Propiedad Austral
 457.-Memorias de la Inspección de Tierras y Colonización.
 458.-Memorias de la Oficina de Mensura de Tierras
 459.-Memorias del Ministerio de Tierras y Colonización.

X: Se encuentra actualmente en el depósito.—

LIST NO. 2.

LIST OF THE VARIOUS DEPARTMENTS AND INSTRUMENTALITIES OF THE UNITED STATES GOVERNMENT THE PUBLICATIONS OF WHICH ARE TO BE FURNISHED TOGETHER WITH THE TITLES OF THE PRINCIPAL SERIAL PUBLICATIONS TO BE INCLUDED IN THE EXCHANGE.

AGRICULTURE DEPARTMENT

- Crops and markets, monthly
- Department leaflet
- Farmer's bulletin, irregular
- Journal of agricultural research, semi-monthly
- Technical bulletin, irregular
- Yearbook of agriculture, bound.
- Agricultural economics bureau*
 - Agricultural situation, monthly
 - Statistical bulletin
 - Report, annual
- Agricultural engineering bureau*
 - Report, annual
- Animal Industry bureau*
 - Service and regulatory announcements
- Biological survey bureau*
 - North American fauna
 - Report, annual
- Chemistry and soils bureau*
 - Soil survey reports
 - Report, annual
- Dairy industry bureau*
 - Report, annual
- Entomology and plant quarantine bureau*
 - Report, annual
- Experiment station office*
 - Experiment station record, monthly
 - Report on agricultural experiment stations, annual
- Extension service*
 - Extension service review, monthly
- Food and drug administration*
- Forest service*
 - Report, annual
- Home economics bureau*
 - Report, annual
- Information office,*
 - Report, annual
- Plant industry bureau*
- Public roads bureau*
 - Public roads, journal of highway research, monthly
 - Report, annual
- Soil conservation service*
 - Soil conservation, monthly
 - Report, annual
- Weather bureau*
 - Climatological data for U. S., monthly
 - Monthly weather review

- CIVIL SERVICE COMMISSION**
 Official register of the U. S., annual bound
 Report, annual
- COMMERCE DEPARTMENT**
 Annual report of the Secretary of commerce
Air commerce bureau
- Census bureau*
 Decennial census
 Biennial census of manufactures
 Birth, stillbirth and infant mortality statistics, annual
 Financial statistics of cities over 100,000, annual
 Financial statistics of state and local governments, annual
 Mortality statistics, annual
 County and city jails, prisoners, annual
 Prisoners in state and federal prisons, annual
- Coast and geodetic survey*
 Special publications
- Fisheries bureau*
 Bulletin
 Fishery circular
 Investigational report
- Foreign and domestic commerce bureau*
 Domestic commerce series
 Survey of current business
 Foreign commerce and navigation, bound annual
 Monthly summary of foreign commerce
 Commerce reports, weekly
 Statistical abstract, annual
 Trade information bulletin
 Trade promotion series
- Lighthouses bureau*
- National bureau of standards*
 Circular
 Journal of research, monthly
 Technical news bulletin, monthly
- Navigation and steamboat inspection bureau*
 Merchant marine statistics, annual
 Merchant vessels of the United States, annual
- Patent office*
 Official gazette, weekly
 Index of trademarks, annual
 Index of patents, annual
- Shipping board bureau*
 Shipping board bureau reports
- CONGRESS**
 Congressional record, bound
 Congressional directory, bound
 Statutes at large, bound
 Code of laws and supplements, bound
- House of representatives*
 Journal, bound
 Documents, bound
 Reports, bound
- Senate*
 Journal, bound
 Documents, bound
 Reports, bound

- COURT OF CLAIMS**
Report of cases decided
- COURT OF CUSTOMS AND PATENT APPEALS**
Reports (decisional), bound
- DISTRICT OF COLUMBIA**
Reports of the various departments of the local government
- EMPLOYEES' COMPENSATION COMMISSION**
Annual report
- FARM CREDIT ADMINISTRATION**
Annual report
- FEDERAL COMMUNICATIONS COMMISSION**
Annual report
- FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS**
- FEDERAL HOME LOAN BANK BOARD**
Federal home loan bank review, monthly
- FEDERAL HOUSING ADMINISTRATION**
Annual report
- FEDERAL POWER COMMISSION**
Annual report
- FEDERAL RESERVE SYSTEM**
Federal reserve bulletin, monthly
Annual report
- FEDERAL TRADE COMMISSION**
Annual report
Decisions, bound
- GENERAL ACCOUNTING OFFICE**
Decisions of comptroller-general, bound
- GOVERNMENT PRINTING OFFICE**
Annual report
Documents office
Documents catalog, biennial
Monthly catalog
- INTERIOR DEPARTMENT**
Annual report
Decisions
Education office
Bulletin
Pamphlet series
School life, monthly except July and August
Vocational education bulletin
General land office

Geological survey
Bulletin
Professional paper
Water supply papers
Mines bureau
Bulletin
Minerals yearbook
Technical paper
- NATIONAL PARK SERVICE**
Reclamation bureau
Reclamation era, monthly

INTERSTATE COMMERCE COMMISSION

- Annual report
- Annual report of statistics on railways
- Interstate commerce commission reports (decisions), bound

JUSTICE DEPARTMENT

- Annual report of the Attorney General
- Opinions of the " "
- Prisons bureau*
- Federal offenders, annual

LABOR DEPARTMENT

- Annual report
- Children's bureau*
- Employment service*
- Immigration and naturalization service*

Labor standards division

- Bulletin
- Industrial health and safety series

Labor statistics bureau

- Bulletin
- Monthly labor review

Women's bureau

- Bulletin

LIBRARY OF CONGRESS

- Annual report, bound
- Copyright office*
- Catalog of copyright entries
- Documents division*
- Monthly checklist of state publications
- Legislative reference service*
- State law index, biennial, bound

NATIONAL ACADEMY OF SCIENCES

- Annual report

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

- Annual report
- Bibliography of aeronautics, annual
- Technical reports

NATIONAL ARCHIVES

NATIONAL EMERGENCY COUNCIL

- United States government manual

NATIONAL LABOR RELATIONS BOARD

- Decisions

NATIONAL MEDIATION BOARD

- Annual report

NATIONAL RESOURCES BOARD

- Report

NAVY DEPARTMENT

- Annual report of the Secretary of the Navy
- Engineering bureau*

Marine corps

NAVY DEPARTMENT—Continued.

- Medicine and surgery bureau*
 - Naval medical bulletin, quarterly
 - Annual report of the surgeon general
- Naval war college*
 - International law situations, annual bound
- Navigation bureau*
 - Navy directory, quarterly
 - Register, annual
- Hydrographic office*
 - Publications
- Nautical almanac office*
 - American ephemeris¹ and nautical almanac, annual
 - American nautical almanac, annual
- Supplies and accounts bureau*
 - Naval expenditures, annual

POST OFFICE DEPARTMENT

- Post¹ guide, annual with monthly supplements
- Annual report of the Postmaster general
- Postal savings system*
 - Annual report

PRESIDENT OF THE UNITED STATES

- Addresses, messages

RECONSTRUCTION FINANCE CORPORATION

- Report, quarterly

SECURITIES AND EXCHANGE COMMISSION

- Decisions
- Annual report

SMITHSONIAN INSTITUTION

- Report, annual
- Ethnology bureau*
 - Annual report
 - Bulletin
- National museum*
 - Report, annual

STATE DEPARTMENT

- Arbitration series
- Conference series
- Executive agreements series
- Foreign relations, annual, bound
- Latin American series
- Press releases weekly
- Territorial papers of the United States, bound
- Treaty series
- Treaty information bulletin, monthly

SUPREME COURT

- Official reports, bound

TARIFF COMMISSION

- Annual report
- Miscellaneous series
- Reports

TAX APPEALS BOARD

- Board of tax appeals reports

¹So in original.

TREASURY DEPARTMENT

Annual report of the Secretary of the Treasurer¹ on the state of finances
 Combined statement of receipts, expenditures, balances, etc., annual
 Treasury decisions, bound

Budget bureau

Budget, annual, bound

Bookkeeping and warrants¹ division

Digest of appropriations, annual

Coast guard

Register, annual

Comptroller of the currency

Annual report

Internal revenue bureau

Internal revenue bulletin, weekly

Annual report of the commissioner of internal revenues

Statistics of income

Mint bureau

Annual report

*Narcotics bureau**Procurement division**Public health service*

National institute of health bulletin

Public health bulletin, irregular

Public health reports, weekly

Annual report

Venereal disease information, monthly

VETERANS' ADMINISTRATION

Annual report

Medical bulletin, quarterly

WAR DEPARTMENT

Report of the Secretary of war, annual

Adjutant general's department

Official army register, annual

Army list and directory, semi-annual

Engineer department

Report of the chief of engineers (incl. commercial statistics on water-borne commerce), annual

Rivers and harbors board. Port series

*General staff corps**Insular affairs bureau*

Annual report

Medical department

Report of the surgeon general, annual

*Military intelligence division**National guard bureau**Ordnance department**Quartermaster general**Signal office*

¹ So in original.

Agreement between the United States of America and Turkey supplementary to claims agreement of October 25, 1934. Effected by exchange of notes, signed May 29, 1936, and June 15, 1936.

^{May 29, June 15, 1936}
[E. A. S. No. 113]

The American Ambassador (MacMurray) to the Turkish Minister for Foreign Affairs (Aras)

No. 10-A EMBASSY OF THE UNITED STATES OF AMERICA,
Ankara, May 29, 1936.

MR. MINISTER:

Referring to previous conversations regarding the liquidation of the unpaid balance of the account between Turkey and the United States, in the amount of \$23,824.86, covering disbursements by the United States in connection with the representation by it of the interests of Turkey in England, France and certain other foreign countries during the period 1914 to 1917, I have the honor to state that it is my understanding that your Excellency's Government desires to pay this balance in thirteen equal annual installments, in connection with the liquidation of the lump sum of \$1,300,000, to be paid by Turkey under the Claims Agreement of October 25, 1934, between the United States and Turkey. It is also my understanding that the payment of these installments will begin on June 1, 1936; and will be effected by adding the sum of \$1,832.68 to each of the installments of \$100,000 payable under the Agreement of October 25, 1934, this amount of \$1,832.68 thus paid to be applied, as and when received, solely to the liquidation of this balance of \$23,824.86 due my Government.

Agreement with
Turkey supplementary
to claims agreement
of October 25,
1934.
49 Stat. 3670.

Post, p. 359.

I am authorized by my Government to consent to the liquidation of this balance in the manner above set forth and to consummate the arrangement by an exchange of notes with your Excellency's Government in the sense of the foregoing, which shall be considered by the two Governments to be binding upon each of them and as supplementing to that extent the Agreement of October 25, 1934.

I avail myself of this occasion to present to you, Mr. Minister, the assurances of my highest consideration.

J. V. A. MACMURRAY

His Excellency Dr. TEVFIK RÜŞTÜ ARAS,
Minister for Foreign Affairs
of the Republic of Turkey,
Ankara.

The Turkish Minister for Foreign Affairs (Aras) to the American Ambassador (MacMurray)

TÜRKİYE CUMHURİYETİ
HARİCİYE VEKÂLETİ

10961/15

ANKARA, 15 Haziran 1936.

EKSELANS,

Amerika Birleşik Devletleri Hükümeti tarafından 1914-1917 seneleri zarfında İngiltere, Fransa ve sair bazı ecnebî memleketlerde Türkiye tebaasının menafîini korumak için ihtiyar olunan ve henüz ödenmemiş bulunan mesarif tutarı bakiyesi 23,824.86 dolar hakkında evvelce cereyan eden görüşmelerde aramızda tekarrür eyleyen tesviye suretini Amerika Birleşik Devletleri Hükümeti namına kabul ettiğimizi tezammun eden 29 Mayıs 1936 tarih ve 10—A sayılı Notanızı almakla şeref kazandım.

Beynimizde tekarrür eden Anlaşma mucibince Türkiye Hükümeti bu borcu onüç senede müsavi taksitlerle ödeyecek ve ilk taksit 1 Haziran 1936 da tediye olunacaktır. Beheri 1,832.68 dolar tutan bu taksitler yukarıda anılan 23,824.86 dolarlık borcun tasfiyesine tahsis edilecektir. Her taksit, Türkiye ile Amerika Birleşik Devletleri arasında 25 İkteşrin 1934 tarihinde Amerika metalibi hakkında hasıl olan anlaşma mucibince Türkiye tarafından ödenecek olan cem'an 1.300.000 dolara mahsuben beher sene tediye edilecek 100.000 dolara ilâveten Amerika Birleşik Devletleri Hükümetine tesviye olunacaktır.

Bu suretle hasıl olan Uzlaşmayı Hükümetim namına teyid ederim.

Bu vesile ile de Yüksek saygılarımın lütfen kabul buyurulmasını rica eylerim Ekselans.

Dr. T. R. ARAS

Ekselans Mr. MACMURRAY

Amerika Birleşik Devletleri Büyük Elçisi

Ankara

[Translation]

TURKISH REPUBLIC
MINISTRY OF FOREIGN AFFAIRS

10961/15

ANKARA, June 15, 1936.

EXCELLENCY:

Confirmation by
Turkey.

I have had the honor of receiving your note dated May 29, 1936, No. 10—A, in which it is stated that in the name of the Government of the United States you accept in accordance with the negotiations which have previously taken place, the form of payment of the as yet unpaid balance of \$23,824.86 of the expenses incurred by the Government of the United States during the years 1914-1917 in connection with the protection of the interests of Turkish citizens in England, France, and in certain other countries.

In accordance with the arrangement reached between us the Turkish Government will pay this debt in equal instalments in thirteen years and the first instalment will be paid on June 1, 1936. These instalments, the amount of each being \$1,832.68, will be applied to the liquidation of the \$23,824.86 of the abovementioned debt. Each instalment will be paid to the Government of the United States in connection with the liquidation of the lump sum of \$1,300,000 to be paid by Turkey under the American Claims Agreement concluded between Turkey and the United States of America on October 25, 1934, and in addition to the \$100,000 payable every year (under that Agreement).

I confirm in the name of my Government the Agreement reached in this form.

On this occasion, Excellency, please accept the assurance of my highest consideration.

Dr. T. R. ARAS.

His Excellency Mr. MACMURRAY,
Ambassador of the United States of America,
Ankara.

*The Turkish Minister for Foreign Affairs (Aras) to the American
Ambassador (MacMurray)*

TÜRKİYE CUMHURİYETİ
HARİCİYE VEKÂLETİ

10962/15

ANKARA, le 15 Juin 1936

MONSIEUR L'AMBASSADEUR,

Me référant à ma lettre No $\frac{10961}{15}$ en date de ce jour, j'ai l'honneur de porter à la connaissance de Votre Excellence que les formalités prévues par la procédure législative pour la ratification de l'Arrangement relatif à la somme de 23,824,86 Dollars provenant des déboursements effectués par les Etats-Unis pour la protection des intérêts turcs en Angleterre, France et certains autres pays étrangers durant la période 1914-1918, n'ayant pu être accomplies qu'aujourd'hui, le versement de la première annuité qui devait avoir lieu le 1er Juin 1936, se fera exceptionnellement pour cette année, avec un retard de quelques jours.

Veillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

Pour le Ministre
Le Secrétaire Général
N R MENEMENCIOLU

Son Excellence Monsieur MACMURRAY,
Ambassadeur des Etats-Unis d'Amérique
Ankara

[Translation]

TURKISH REPUBLIC
 MINISTRY OF FOREIGN AFFAIRS

10962/15

ANKARA, June 15, 1936.

MR. AMBASSADOR:

Notice regarding
 payment of first an-
 nuity.

With reference to my letter No. 10961/15, dated today, I have the honor to inform Your Excellency that the legislative formalities required for the ratification of the Agreement relative to the amount of \$23,824.86, resulting from the disbursements made by the United States for the protection of Turkish interests in England, France, and certain other foreign countries during the period 1914-1918, having been completed only today, the payment of the first annuity which should have taken place on June 1, 1936, will be effected exceptionally this year, with a delay of a few days.

Please accept, Mr. Ambassador, the assurances of my very high consideration.

For the Minister
The Secretary General
 N. R. MENEMENCIOGLU.

His Excellency Mr. MACMURRAY
Ambassador of the United States of America

Ankara

Protocol between the United States of America and Greece with respect to the interpretation of Article I of the Treaty of Extradition of May 6, 1931. Signed September 2, 1937.

September 2, 1937
[E. A. S. No. 114]

PROTOCOL

Whereas a difference has arisen between the Government of the United States of America and the Government of Greece with respect to the proper interpretation of Article I of the Treaty of Extradition concluded on May 6, 1931, between the United States and Greece, and in particular, with respect to the final clause of such Article which reads as follows:

Protocol between the United States and Greece with respect to the interpretation of Article I of the Treaty of Extradition of May 6, 1931.
47 Stat. 2185.

“Provided That such surrender shall take place only 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 apprehension and commitment for trial if the crime or offense had been there committed.”

Surrender of persons charged with crime.

Whereas it is desirable that such differences should be resolved, it is agreed as follows:

Agreement.

The final clause of Article I of the Treaty of Extradition concluded on May 6, 1931, between the United States and Greece, shall, from and after this date, be understood to mean that the court or magistrate considering the request for extradition shall examine only into the question of the sufficiency of the evidence submitted by the demanding Government to justify the apprehension and commitment for trial of the person charged; or in other words, whether the evidence discloses probable cause for believing in the guilt of the person charged. It is further understood that the quoted treaty provisions do not signify that the court or magistrate is authorized to determine the question of the guilt or innocence of the person charged.

Examination of evidence; limitation.

In faith whereof the undersigned plenipotentiaries have signed the present protocol and affixed thereto their respective seals.

Signatures.

Done in duplicate at Athens, Greece, the 2^d day of September 1937.

[SEAL] HAROLD SHANTZ

[SEAL] N. MAVROUDIS

ΠΡΩΤΟΚΟΛΛΑΟΝ

Ἐπειδὴ ἠγέρθη διαφωνία μεταξύ τῆς Κυβερνήσεως τῶν Ἠνωμένων Πολιτειῶν τῆς Ἀμερικῆς καὶ τῆς Ἑλληνικῆς Κυβερνήσεως ὅσον ἀφορᾷ τὴν ἀληθῆ ἐρμηνείαν τοῦ ἄρθρου 1 τῆς Συνθήκης Ἐκδόσεως τῆς συνομολογηθείσης τῇ 6ῃ Μαΐου 1931 μεταξύ τῶν Ἠνωμένων Πολιτειῶν καὶ τῆς Ἑλλάδος καὶ εἰδικώτερον ὅσον ἀφορᾷ τὴν τελευταίαν διάταξιν τοῦ ὡς ἄνω ἄρθρου ἣτις ἔχει ὡς ἑξῆς:

„Ἡ ἔκδοσις ἐν τούτοις δέν δύναται νά πραγματοποιηθῆ παρά ἐφ' ὅσον κατὰ τοὺς νόμους τῆς χώρας εἰς ἣν ἀνεκαλύφθη ὁ διωκόμενος ὑφίσταται ἀρκεταὶ ἀποδείξεις ἐνοχῆς δικαιολογοῦσαι τὴν σύλληψιν καὶ τὴν εἰς δίκην παραπομπὴν αὐτοῦ εἰς τὴν περίπτωσιν καθ' ἣν τὸ ἔγκλημα ἢ πλημμέλημα διεπράττετο ἐντός τῶν ὁρίων τῆς χώρας ταύτης.”

Ἐπειδὴ εἶναι εὐκταῖον ὅπως, τοιαῦται διαφωνίαι, διευθετῶνται, συμφωνοῦνται τὰ ἀκόλουθα:

Ἡ τελευταία διάταξις τοῦ ἄρθρου 1 τῆς συναφθείσης τῇ 6ῃ Μαΐου 1931 μεταξύ τῶν Ἠνωμένων Πολιτειῶν καὶ τῆς Ἑλλάδος Συνθήκης ἐκδόσεως, θά θεωρηθῆ ἀπὸ σήμερον καὶ ἐφεξῆς ὡς ἔχουσα τὴν ἔννοιαν ὅτι δικαστήριον ἢ δικαστικός ὑπάλληλος ἐξετάζων αἰτησίαν ἐκδόσεως θά κρίνῃ μόνον περὶ τοῦ ζητήματος τῆς ἐπαρκείας τῶν ἀποδείξεων κατηγορίας ὑποβληθεισῶν ὑπὸ τῆς ἐκζητούσης Κυβερνήσεως ὅπως δικαιολογήσωσι τὴν σύλληψιν καὶ παραπομπὴν εἰς δίκην τοῦ κατηγορουμένου, ἢ, ἐν ἄλλαις λέξεσι, κατὰ πόσον αἱ ὑποβληθεῖσαι ἀποδείξεις παρέχουσι πιθανότητα ἐνοχῆς τοῦ κατηγορουμένου. Ἐννοεῖται περαιτέρω ὅτι αἱ διατάξεις τῆς προμνησθείσης Συνθήκης δέν ἔχουσι τὴν ἔννοιαν ὅτι Δικαστήριον ἢ δικαστικός ὑπάλληλος δύναται νά λύσῃ τὸ ζήτημα τῆς ἐνοχῆς ἢ ἀβωότητος τοῦ κατηγορουμένου.

Εἰς πίστωσιν τούτων οἱ κάτωθι ὑπογεγραμμένοι πληρεξούσιοι ὑπέγραψαν τὸ παρὸν πρωτόκολλον καὶ ἐπέθεσαν τὰς ἑαυτῶν σφραγίδας.—

Ἐγένετο εἰς διπλοῦν ἐν Ἀθήναις τῇ 2ῃ Σεπτεμβρίου 1937.—

[SEAL] HAROLD SHANTZ

[SEAL] N. MAVROUDIS

[SEAL] HAROLD SHANTZ

[SEAL] N. MAVROUDIS

Agreement between the United States of America and Turkey for modification of Claims Agreement of October 25, 1934, and of Supplement of May 29, 1936, and June 15, 1936. Effected by exchange of notes, signed October 1, 1937, and November 3, 1937.

Oct. 1, Nov. 3, 1937
[E. A. S. No. 115]

The Acting Turkish Minister for Foreign Affairs (Menemencioglu) to the American Chargé (Washington)

TÜRKİYE CUMHURİYETİ
HARİCİYE VEKÂLETİ

29

ANKARA, le 1 Octobre 1937.

MONSIEUR LE CHARGÉ D'AFFAIRES,

En conclusion des récents échanges de vue, au cours desquels l'honorable Ambassade et mon Département s'accordèrent pour reconnaître l'opportunité de reculer légèrement l'échéance (1^{er} juin de chaque année) qui avait été fixée par les Accords des 25 octobre 1934 et 15 juin 1936 (réclamations des citoyens américains; débours effectués par le Gouvernement des Etats-Unis pour la protection des intérêts turcs à l'Étranger) mais qui, du fait de sa coïncidence avec le début de l'année budgétaire turque, s'est avérée, dans la pratique, peu propice à des remboursements ayant un caractère d'urgence, j'ai l'honneur de soumettre à l'appréciation de Votre Gouvernement, l'adoption de la date du 20 juin, qui présente l'avantage d'être située en une période de dégagement des Services intéressés, consécutive aux laborieuses occupations que leur impose la clôture annuelle des comptes.

Je Vous saurais donc gré, Monsieur le Chargé d'Affaires, de vouloir bien m'accuser réception de la présente et de me faire part de l'accord de Votre Gouvernement, quant à la consécration de la date que je viens de proposer ci-haut à Son agrément.

Veuillez agréer, Monsieur le Chargé d'Affaires, l'assurance de ma haut considération.

N. MENEMENCIOLU.

Monsieur S. WALTER WASHINGTON,
Chargé d'Affaires des Etats-Unis d'Amérique.

[Translation]

TURKISH REPUBLIC
MINISTRY FOR FOREIGN AFFAIRS

29

ANKARA, October 1, 1937.

MR. CHARGÉ D'AFFAIRES,

After the recent exchanges of view, during the course of which the honorable Embassy and my Department came to an agreement to seize the opportunity of slightly postponing the due date (the first of June of each year) which had been fixed by the Agreements of October

Modification of
claims agreement with
Turkey postponing
annual due date of
payments.
Proposal by Turkey.

⁴⁹ Stat. 3670; *ante*,
p. 353.

25, 1934, and June 15, 1936 (claims of American citizens; disbursements made by the Government of the United States for the protection of Turkish interests abroad) but which, because of its coincidence with the beginning of the Turkish fiscal year, has proved to be, in practice, little suited for making payments of an urgent character, I have the honor to submit to the consideration of your Government the adoption of the date of June 20, which has the advantage of being in a period of inactivity of the interested services, consequent upon the laborious activities imposed upon them by the annual closing of the accounts.

I should therefore be grateful to you, Mr. Chargé d'Affaires if you would please acknowledge receipt of this communication and inform me of the agreement of your Government with regard to the designation of the date that I have just proposed above.

Please accept, Mr. Chargé d'Affaires, the assurances of my high consideration.

N. MENEMENCIOLU.

Mr. S. WALTER WASHINGTON,
Chargé d'Affaires of the United States of America.

The American Chargé (Kelley) to the Turkish Minister for Foreign Affairs (Aras)

No. 104 EMBASSY OF THE UNITED STATES OF AMERICA,
Ankara, November 3, 1937.

EXCELLENCY:

Consent to change
by United States.

I have the honor to acknowledge the receipt of note No. 29 dated October 1, 1937, from the Acting Minister for Foreign Affairs, in which His Excellency referred to the recent exchanges of views between the Ministry for Foreign Affairs and the Embassy with regard to a slight postponement of the due date (June 1st of each year) of the payments provided for in the Agreements of October 25, 1934 and of June 15, 1936, because that date coincided with the beginning of the Turkish fiscal year and was therefore an inconvenient time on which to make payments of an important nature. The Acting Minister for Foreign Affairs proposed that June 20th, a more convenient and suitable date, be adopted as that on which the above payments would in future be made.

I am pleased to inform Your Excellency that in view of the foregoing considerations my Government has authorized me to consent to a change of the due date for the payment of the annual installments under the Agreements of October 25, 1934 and June 15, 1936, from June 1st to June 20th. Consequently my Government considers that the Agreements of October 25, 1934 and June 15, 1936, have been supplemented to that extent.

I avail myself of the opportunity to present to Your Excellency the assurances of my highest consideration.

ROBERT F. KELLEY

His Excellency Dr. TEVFIK RÜŞTÜ ARAS,
Minister for Foreign Affairs of the Republic of Turkey,
Ankara.

Temporary commercial arrangement between the United States of America and Italy. Effected by exchange of notes, signed December 16, 1937.

December 16, 1937
[E. A. S. No. 116]

THE AMBASSADOR OF THE UNITED STATES OF AMERICA TO THE
MINISTER OF FOREIGN AFFAIRS OF ITALY

ROME, December 16, 1937.

EXCELLENCY,

Inasmuch as the Treaty of Commerce and Navigation between the United States and Italy, signed at Florence, February 26, 1871, which terminated on December 15, 1937, in consequence of the joint notice of denunciation of December 15, 1936, provided for the most-favored-nation treatment in customs matters and negotiations for a new treaty to replace it have not been completed, it seems desirable that steps be taken now to determine the treatment which will be accorded by each country to the commerce of the other during the interval between the date on which the treaty of 1871 terminated and the date on which the proposed new treaty will come into force.

In the course of the negotiations of the proposed treaty, the governments of the two countries have tentatively agreed upon the provisions of Article VIII thereof which deals with customs duties, import prohibitions and restrictions, import licenses, exchange control, and monopolies affecting imports and is annexed hereto.

It is agreed that on its part the Government of Italy will in fact apply the provisions of Article VIII of the proposed new treaty on and after December 15, 1937, and that the Government of the United States on its part will continue to accord to articles the growth, produce or manufacture of Italy the benefits of the minimum rates of the American tariff as established in its trade agreements with other countries (Cuba excepted), until 30 days after notice by either party of its intention to discontinue such treatment.

It is understood that the stipulations of this temporary arrangement do not apply to:

A) Preferential advantages which Italy accords to Austria, Albania, Bulgaria, Hungary, and Yugoslavia between December 15, 1937 and December 31, 1937.

B) Preferential tariff advantages which Italy accords to Austria after December 31, 1937 under the terms of the treaty between Italy and Austria signed at Rome on November 30, 1937.

I avail myself of this opportunity to renew to your Excellency the expression of my highest consideration.

WILLIAM PHILLIPS.

Temporary commercial arrangement with Italy.
Treaty of 1871 terminated.
17 Stat. 845.

Tentative agreement to Article VIII of proposed treaty.
Post, p. 362.

Application of, on and after December 15, 1937.

Exceptions.

[Annex]

Annex.

Article VIII of the proposed Treaty of Friendships, Commerce and Navigation between the United States of America and Italy

Customs duties, etc.

Method of levying or collecting.
Rules and formalities.

Laws or regulations.

Import or export prohibitions or restrictions.

Quantitative restriction or control.

With respect to (1) the amount and collection of customs duties or charges of any kind, including any accessory or additional duties or charges, coefficients or increases imposed on or in connection with importation, exportation, temporary importation, temporary exportation, or warehousing or transit; (2) the method of levying or collecting such duties, charges, coefficients or increases; (3) all rules and formalities in connection with importation or exportation; and (4) all laws or regulations affecting the sale, taxation, or use of imported goods within the country; any advantage, favor, privilege or immunity which has been or may hereafter be granted by either High Contracting Party to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the territory of the other High Contracting Party.

Neither of the High Contracting Parties shall establish or maintain any import or export prohibition or restriction on any article originating in or destined for the territory of the other High Contracting Party, which is not applied to the like article originating in or destined for any third country. Any abolition of an import or export prohibition or restriction which may be granted by either High Contracting Party in favor of an article originating in or destined for a third country shall be applied immediately and unconditionally to the like article originating in or destined for the territory of the other High Contracting Party.

If either High Contracting Party establishes or maintains any form of quantitative restriction or control of the importation, sale, or exportation of any article in which the other High Contracting Party has a considerable interest, including the regulation of importations, sales or exportations thereof by licenses or permits issued to individuals or organizations, the High Contracting Party taking such action: (1) shall establish the total quantity of any such article permitted to be imported, sold, or exported during a specified period, (2) shall immediately communicate to the other High Contracting Party the provisions adopted together with the complete details with respect to the administration thereof, and (3) in the case of imports, shall allot to the other High Contracting Party for such specified period a proportion of such total quantity equivalent to the proportion of the total importation of such article which the other High Contracting Party supplied during a previous representative period, and (4) in the case of exports, shall allot to the other High Contracting Party for such specified period, a proportion of such total quantity equivalent to the proportion of the total exportation of such article which was supplied to the other High Contracting Party during a previous representative period, unless it be mutually agreed to dispense with such import or export allotment.

If either High Contracting Party establishes or maintains, directly or indirectly, any form of control of the means of international payment,¹ it shall, in the administration of such control:

Administration of control of the means of international payment.

(a) Impose no prohibition, restriction, or delay, on the transfer of payment for imports of articles the growth, produce, or manufacture of the other High Contracting Party, or on the transfer of payments necessary for and incidental to the importation of such articles;

Transfer of payments; no prohibitions, etc.

(b) With respect to rates of exchange, and taxes or surcharges on exchange transactions, in connection with payments for or payments necessary and incidental to the importation of articles the growth, produce, or manufacture of the other High Contracting Party, accord unconditionally treatment no less favorable than that accorded in connection with the importation of any article the growth, produce, or manufacture of any third country; and

Rates of exchange, etc.

(c) With respect to all rules and formalities relating to exchange transactions in connection with payments for or payments necessary and incidental to the importation of articles the growth, produce, or manufacture of the other High Contracting Party, accord unconditionally treatment no less favorable than is accorded in connection with the importation of the like article the growth produce, or manufacture of any third country.

Rules and formalities relating to exchange transactions.

With respect to non-commercial transactions each High Contracting Party shall apply every form of control of foreign exchange in a non-discriminatory manner as between the nationals of the other High Contracting Party and the nationals of any third country.

Non-commercial transactions.

In the event that either High Contracting Party establishes or maintains a monopoly for the importation, production or sale of a particular product or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular product, the High Contracting Party establishing or maintaining such monopoly, or granting such monopoly privileges, shall, in respect of the foreign purchases of such monopoly or agency, accord the commerce of the other High Contracting Party fair and equitable treatment. In making its foreign purchases of any article such monopoly or agency shall be influenced solely by competitive considerations such as price, quality, marketability, and terms of sale. Either High Contracting Party shall supply such information with respect to the foreign purchases of every such monopoly or agency as the other Party may at any time request.

Treatment of Government monopolies.

The High Contracting Parties will consult with each other in respect of any matter presented by either Party relating to the application of the provisions of this article.

Mutual consultation respecting provisions of article.

Memorandum of Interpretation of Article VIII.

Memorandum of interpretation of Article VIII.

Paragraphe¹ three.—The total amount of any permitted import, of which a share is to be assigned by either country to the other, shall include all imports of the regulated article, including such imports as may be made through public or private clearing, compensation, or payment arrangements.

Share of imports.

¹ So in original.

- Supplementary quota. If the authorities of either country permit imports additional to the amount of any quota which has been established by establishing a supplementary quota, in that event an equitable share of such supplementary quota is to be assigned unconditionally to the other country.
- "Representative" base period. It is also to be understood that the "representative" base period should be one in which the trade of the other country was not being impaired by discriminations and was not seriously affected by conditions of an unusual and temporary character.
- "Restriction" defined. *Paragraph four, sub-paragraph (a).*—To impose the condition that payment for the importation of any article must be presented in compensation would be to impose a "restriction" on the transfer of payment.
- Rates of exchange, determination. *Paragraph four, sub-paragraph (b).*—In determining most favored nation treatment with respect to rates of exchange it is suggested that a suitable criterion would be cross rates of exchange in some free market.

IL MINISTRO DEGLI AFFARI ESTERI D'ITALIA ALL'AMBASCIATORE
DEGLI STATI UNITI D'AMERICA

ROMA, 16 dicembre 1937.

SIGNOR AMBASCIATORE,

Con nota in data odierna, l'Eccellenza Vostra mi ha comunicato quanto segue:

"Poichè il Trattato di Commercio e Navigazione tra gli Stati Uniti di America e l'Italia firmato a Firenze il 26 febbraio 1871 e scaduto il 15 dicembre 1937 in conseguenza della reciproca denuncia data il 15 dicembre 1936, assicurava il trattamento della Nazione più favorita in materia doganale, e poichè i negoziati per la definizione di un nuovo Trattato in sostituzione del primo non sono stati portati a termine, sembra opportuno definire il trattamento che sarà accordato da ciascuno dei due Paesi al commercio dell'altro, durante l'intervallo tra la data di scadenza del Trattato 1871 e la data in cui verrà in applicazione il nuovo Trattato.

"Nel corso dei negoziati per il nuovo Trattato i Governi dei due Paesi si sono provvisoriamente accordati sul disposto dell'art. VIII dello stesso che riguarda i dazi doganali, proibizioni e restrizioni all'importazione, licenze di importazione, controllo dei cambi e monopoli concernenti le importazioni, articolo che è allegato alla presente nota.

"Resta inteso che il Governo italiano, da parte sua, applicherà di fatto, a partire dal 15 dicembre 1937, le norme dell'art. VIII del trattato proposto e che il Governo degli Stati Uniti d'America, da parte sua, continuerà ad accordare a tutti i prodotti ed articoli agricoli ed industriali italiani, i benefici della tariffa minima americana secondo quanto è fissata negli accordi commerciali con altri Paesi (ad eccezione di Cuba) fino a 30 giorni dopo la denuncia data da una delle parti della sua intenzione di sospendere tale trattamento.

"E' inteso che le disposizioni del presente *Modus Vivendi* non si applicano:

1° alle preferenze che l'Italia accorda all'Albania, Austria, Bulgaria, Ungheria e Jugoslavia dal 15 dicembre al 31 dicembre 1937;

2° alle preferenze doganali che l'Italia accorderà all'Austria dopo il 31 dicembre 1937, ai termini dell'Accordo tra l'Italia e l'Austria firmato il 30 novembre 1937 a Roma".

Ho l'onore di portare a conoscenza dell'E. V. che il Governo italiano è d'accordo su quanto precede.

Voglia gradire, Signor Ambasciatore, l'assicurazione della mia più alta considerazione.

CIANO

[Annesso]

Articolo VIII del Trattato di amicizia, commercio e navigazione tra l'Italia e gli Stati Uniti d'America, in corso di negoziazione

Per quanto riguarda (1) l'ammontare e la riscossione dei dazi doganali e dei diritti di ogni altro genere, inclusi diritti o tasse addizionali o accessorie, coefficienti o aumenti imposti sulla, o in relazione all'importazione, esportazione, importazione temporanea, esportazione temporanea, deposito o transito; (2) il metodo di prelevamento o riscossione di tali dazi, diritti, coefficienti o aumenti; (3) tutte le disposizioni e formalità in rapporto con l'importazione e l'esportazione; e (4) tutte le leggi o regolamenti relativi alla vendita, tassazione, od uso delle merci d'importazione nell'interno del paese; ogni vantaggio, favore, privilegio o esenzione che sia stato concesso o possa in seguito venire concesso da una delle Alte Parti contraenti per ogni prodotto originario di, o destinato a qualsiasi terzo paese, sarà immediatamente ed incondizionatamente accordato al corrispondente prodotto originario del o destinato al territorio dell'altra Alta Parte contraente.

Nessuna delle Alte Parti contraenti potrà stabilire o mantenere alcuna proibizione o restrizione all'importazione od esportazione di un prodotto originario del o destinato al territorio dell'altra Alta Parte contraente, che non sia applicato al similare prodotto originario di o destinato ad un terzo paese. Ogni abolizione di una proibizione o restrizione all'importazione o all'esportazione che sia concessa da una delle Alte Parti contraenti a favore di un prodotto originario di o destinato ad un terzo paese, sarà immediatamente e incondizionatamente estesa al similare prodotto originario del, o destinato al territorio dell'altra Alta Parte contraente.

Se una delle Alte Parti contraenti stabilisce o mantiene una qualsiasi forma di limitazione quantitativa o controllo dell'importazione, vendita o esportazione di un qualsiasi prodotto per il quale l'altra Alta Parte contraente abbia un considerevole interesse, inclusa la regolamentazione delle importazioni, vendite od esportazioni del prodotto in oggetto a mezzo di licenze o permessi rilasciati a persone singole od enti, l'Alta Parte contraente che adotta una tale misura dovrà:

(1) stabilire la totale quantità di ciascun prodotto ammessa all'importazione, alla vendita o all'esportazione durante un determinato periodo,

(2) comunicare immediatamente all'altra Alta Parte contraente le disposizioni adottate coi completi dettagli relativi alla loro applicazione; e

(3) nel caso di importazioni dovrà concedere all'altra Alta Parte contraente, per tale determinato periodo, una percentuale del totale quantitativo equivalente alla percentuale della totale importazione di detto prodotto che l'altra Alta Parte contraente aveva fornito durante un precedente periodo rappresentativo di tempo, e

(4) nel caso dell'esportazione, accorderà all'altra Alta Parte contraente, per il periodo considerato una percentuale del quantitativo totale equivalente alla percentuale della totale esportazione di tale prodotto che era stata fornita all'altra Alta Parte contraente durante un precedente periodo rappresentativo di tempo, a meno che non venga stabilito di accordo di rinunciare a tale concessione di importazione od esportazione.

Se una delle Alte Parti contraenti stabilisce o mantiene, direttamente od indirettamente, una qualsiasi forma di controllo sui mezzi di pagamento internazionale, essa dovrà, nell'effettuare tale controllo:

a) non imporre alcuna proibizione, restrizione o dilazione nel trasferimento del pagamento per l'importazione di tutti i prodotti ed articoli agricoli e industriali dell'altra Alta Parte contraente, o sul trasferimento dei pagamenti necessari e relativi all'importazione di tali prodotti;

b) in rapporto ai tassi di cambio ed ai tributi o sovrapposte sulle transazioni valutarie in connessione con pagamenti per, o con pagamenti necessari e relativi all'importazione di tutti i prodotti ed articoli agricoli e industriali dell'altra Alta Parte contraente accordare incondizionatamente un trattamento non meno favorevole di quello accordato all'importazione di qualsiasi prodotto agricolo o industriale di un terzo paese, e

c) in relazione ai regolamenti e formalità relative a transazioni valutarie connesse con pagamenti per, o con pagamenti necessari e relativi all'importazione di tutti i prodotti ed articoli agricoli ed industriali dell'altra Alta Parte contraente, accordare incondizionatamente un trattamento non meno favorevole di quello accordato in relazione all'importazione di prodotti similari agricoli o industriali di qualsiasi terzo paese.

In relazione alle transazioni non commerciali, ciascuna delle Alte Parti contraenti, nell'applicazione di qualsiasi forma di controllo dei cambi esteri non dovrà fare alcuna discriminazione tra i nazionali dell'altra Alta Parte contraente ed i nazionali di un qualsiasi terzo paese.

Nel caso in cui una delle Alte Parti contraenti stabilisca o mantenga un monopolio dell'importazione, produzione o vendita di un determinato prodotto, o conceda dei privilegi esclusivi, formalmente o di fatto, ad una o più agenzie, di importare, produrre o vendere un determinato prodotto, l'Alta Parte contraente che stabilisce o mantiene tale monopolio, o concede tali privilegi monopolistici, dovrà, per gli

acquisti che tale monopolio od agenzia farà all'estero, riservare all'altra Alta Parte contraente un giusto ed equo trattamento. Nel procedere nei suoi acquisti all'estero di un qualsiasi prodotto, tale monopolio o agenzia sarà guidata solamente da considerazioni di concorrenza, quali prezzo, qualità, commerciabilità o condizioni di vendita. Ciascuna delle Alte Parti contraenti dovrà fornire tutte le informazioni relative agli acquisti all'estero di ogni monopolio o agenzia che l'altra Alta Parte contraente potrà, in ogni momento, richiedere.

Le Alte Parti contraenti si consulteranno reciprocamente su ogni questione che l'una o l'altra parte potrà sottoporre relativamente all'applicazione delle disposizioni del presente articolo.

Memorandum per l'Interpretazione dell'Art. VIII.

Paragrafo tre.—L'ammontare totale di ogni importazione consentita di cui una quota debba essere assegnata da uno dei due Paesi all'altro, includerà tutte le importazioni della merce sottoposta a regolamentazione, comprese quelle importazioni che possano effettuarsi mediante *clearings* pubblici o privati, compensazioni, o accordi di pagamento. Nel caso in cui le Autorità di uno dei due Paesi permettessero importazioni addizionali al contingente fissato, stabilendo un contingente supplementare, un'equa parte di tale contingente supplementare dovrà essere assegnata incondizionatamente all'altro Stato.

È inoltre inteso che il periodo base "rappresentativo" dovrà essere uno in cui il commercio dell'altro Paese non veniva diminuito da discriminazioni e non era seriamente influenzato da condizioni di carattere straordinario e transitorio.

Paragrafo quattro, sotto paragrafo (a).—Imporre la condizione che il pagamento per l'importazione di qualsiasi articolo debba avvenire in compensazione, equivarrebbe a imporre una "restrizione" sul trasferimento del pagamento.

Paragrafo quattro, sotto paragrafo (b).—Nel fissare il trattamento della nazione più favorita, in materia di corsi di cambio, si suggerisce che un criterio conveniente potrebbe essere quello di un cambio che sia in parità con quello di alcuni mercati liberi.

[Translation]

THE MINISTER OF FOREIGN AFFAIRS OF ITALY TO THE AMBASSADOR
OF THE UNITED STATES OF AMERICA

ROME, December 16, 1937.

MR. AMBASSADOR:

In a note dated today, Your Excellency has communicated to me the following:

[Here follows the temporary commercial arrangement. For English text, see page 361; for Italian text, see page 364.]

I have the honor to advise Your Excellency that the Italian Government is in agreement with the foregoing.

Please accept, Mr. Ambassador, the assurance of my highest consideration.

CIANO

[Annex]

Article VIII of the Treaty of Friendship, Commerce, and Navigation Between Italy and the United States of America, in Course of Negotiation

[Here follows article VIII. For English text, see page 362; for Italian text, see page 365.]

Memorandum for the Interpretation of Article VIII

[Here follows the memorandum. For English text, see page 363; for Italian text, see page 367.]

I have the honor to inform Your Excellency that the Italian Government has agreed to the following:

That, through Mr. Antonelli, the ambassador of the Italian Republic.

Yours,

[Signed]

Article VIII of the Treaty of Friendship, Commerce and Consular Privileges between the United States of America, on the one hand, and the Italian Republic, on the other.

Article VIII of the Treaty of Friendship, Commerce and Consular Privileges between the United States of America, on the one hand, and the Italian Republic, on the other.

Interpretation of the Interpretation of Article VIII

Article VIII of the Treaty of Friendship, Commerce and Consular Privileges between the United States of America, on the one hand, and the Italian Republic, on the other.

PROCLAMATIONS

PROCLAMATIONS

PANAMA CANAL TOLL RATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 25, 1937
[No. 2247]

A PROCLAMATION

WHEREAS section 411 of title 2 of the Canal Zone Code, approved June 19, 1934, authorizes the President to prescribe and from time to time change the tolls that shall be levied by the Government of the United States for the use of the Panama Canal, and provides that no tolls when so prescribed shall be changed unless six months' notice thereof is given by the President by proclamation; and

Panama Canal toll rates.
Authority of President to prescribe, etc.
48 Stat. 1122.

WHEREAS section 412 of title 2 of the said Code requires the President to determine the tonnage of vessels on which toll charges for the use of the Panama Canal shall be based, and fixes maximum and minimum rates of tolls; and

Bases of tolls, rates, etc.

WHEREAS the act entitled "An Act to provide for the measurement of vessels using the Panama Canal, and for other purposes", approved August 24, 1937, which amends the said section 412 and which by its terms becomes effective March 1, 1938, provides, in part, that the tonnage on which tolls shall be based shall be determined in accordance with the Rules for the Measurement of Vessels for the Panama Canal prescribed by the President, and fixes maximum and minimum rates of toll:

Determination of tonnage.
50 Stat. 750.

Post, p. 373.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the aforesaid section 411 of title 2 of the Canal Zone Code, approved June 19, 1934, do hereby prescribe and proclaim the following rates of toll to be paid by vessels using the Panama Canal:

Rates of toll prescribed.

1. On merchant vessels, yachts, army and navy transports, colliers, hospital ships, and supply ships, when carrying passengers and cargo, ninety (90) cents per net-vessel ton of 100 cubic feet each of actual earning capacity—that is, the net tonnage determined in accordance with the Rules for the Measurement of Vessels for the Panama Canal.

Merchant vessels, etc.

Post, pp. 373, 393.

2. On vessels in ballast without passengers or cargo, seventy-two (72) cents per net-vessel ton.

Vessels in ballast.

3. On other floating craft, including warships, other than transports, colliers, hospital ships, and supply ships, fifty (50) cents per ton of displacement.

Other floating craft.

The tolls prescribed by this Proclamation shall become effective on March 1, 1938, and on that date shall supersede the tolls prescribed by Proclamation No. 1225 of November 13, 1912.

Effective date.
Former Proclamation superseded.
37 Stat. 1769.

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 25th day of August, in the year of our Lord nineteen hundred and thirty-seven [SEAL] and of the independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President,
CORDELL HULL
Secretary of State.

RULES FOR THE MEASUREMENT OF VESSELS FOR THE PANAMA CANAL

August 25, 1937
[No. 2248]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Rules for the measurement of vessels for the Panama Canal.
48 Stat. 1122.

Basis of measurement.
50 Stat. 750.

Rules prescribed.

Effective date.

Rules superseded.
38 Stat. 1968.

WHEREAS section 412 of title 2 of the Canal Zone Code approved June 19, 1934, requires the President to determine the tonnage of vessels upon which toll charges for the use of the Panama Canal shall be based; and

WHEREAS the act entitled "An Act to provide for the measurement of vessels using the Panama Canal, and for other purposes", approved August 24, 1937, which amends the said section 412 and which by its terms becomes effective March 1, 1938, provides, in part, that tolls on merchant vessels, army and navy transports, colliers, hospital ships, supply ships, and yachts shall be based on net-vessel tons of 100 cubic feet each of actual earning capacity determined in accordance with the Rules for the Measurement of Vessels for the Panama Canal prescribed by the President and as may be modified by him from time to time by proclamation after public hearings and six months' public notice:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the aforesaid section 412 of title 2 of the Canal Zone Code, approved June 19, 1934, do hereby prescribe and proclaim the Rules for the Measurement of Vessels for the Panama Canal which are annexed hereto and made a part of this proclamation.

The Rules for the Measurement of Vessels for the Panama Canal prescribed by this proclamation shall become effective on March 1, 1938, and shall on that date supersede the Rules prescribed by Proclamation No. 1258 of November 21, 1913.

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 25th day of August, in the year of our Lord nineteen hundred and thirty-seven and [SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President,
CORDELL HULL
Secretary of State.

RULES FOR THE MEASUREMENT OF VESSELS
FOR THE PANAMA CANAL

EFFECTIVE MARCH 1, 1938.

ALL VESSELS TO PRESENT TONNAGE DOCUMENT AT CANAL

1. ARTICLE I. All vessels, American and foreign, except warships, floating drydocks, and dredges, including vessels of commerce and Army and Navy transports, colliers, supply ships, and hospital ships, applying for passage through the Panama Canal shall present a duly authenticated certificate stating the vessel's gross and net tonnage as determined by these rules. Vessels of commerce, Army and Navy transports, colliers, supply ships, and hospital ships without such certificate shall, before passing through the Canal, or before being allowed to clear therefrom, be measured, and shall have their gross and net tonnage determined in accordance with these rules.

All vessels to present tonnage document at Canal.

2. All warships, American and foreign, other than transports, colliers, supply and hospital ships, shall present duly authenticated displacement scale and curves stating accurately the tonnage of displacement at each possible mean draft.

Displacement scale and curves.

VESSELS DESIGNATED AS "SUPPLY SHIPS", "COLLIERS", AND "WARSHIPS"

3. It is to be understood that "supply ships" shall include Army and Navy ammunition ships, refrigerator ships, distilling ships, repair ships and tenders, as well as Army and Navy vessels used to transport general Army and Navy supplies; and that "colliers" shall include Army and Navy vessels used to transport coal or fuel oil; and that "warships" shall include armed coast guard vessels and vessels devoted to naval training purposes.

"Supply ships", "colliers", and "warships."
Vessels included.

GROSS TONNAGE

Gross tonnage.

SPACES TO BE INCLUDED IN GROSS TONNAGE

4. ART. II. Gross tonnage as determined by these rules shall express the total capacity of vessels, i. e., the exact cubical contents of all spaces below the upper deck and of all permanently covered and closed-in spaces on or above that deck, excepting such spaces as may be hereinafter permitted as exemptions from measurement. Gross tonnage shall include not only all permanently covered and closed-in spaces which are or may be used for stowing cargo and stores or for providing shelter and other comfort for passengers or crew, but also such spaces as are used, or are intended to be used, in navigating and serving the vessel.

Spaces to be included.

5. Only such spaces as are specifically mentioned in article IV, below, shall be exempted from measurement. All other spaces shall be considered as closed in and shall be included in gross tonnage.

Post, p. 374.

SPACES CONSIDERED PERMANENTLY COVERED AND CLOSED IN

6. ART. III. By permanently covered and closed-in spaces on or above the upper deck are to be understood all those which are separated off by decks or coverings, or fixed partitions, and which, therefore, represent an increase of capacity that is or may be used for the stowage of cargo, or for the berthing and accommodation of the passengers, the officers, or the crew. No break in a deck, nor any opening or openings in a deck or the covering of a space or in the partitions or walls of a space, nor the absence of a partition shall prevent a space

Spaces considered permanently covered and closed-in.

from being measured and comprised in gross tonnage if means are provided for closing such a break, opening or openings, so that the spaces thus closed in be thereby better fitted for the transport of goods or passengers. The upper deck is the uppermost full length deck extending from stem to stern.

7. In the case of a vessel having a "trunk" or "turret", the deck forming the covering of the trunk or turret shall be considered the upper deck, and all spaces below that deck within the trunk or turret shall be considered as covered and closed in. The space within the turret or trunk shall be measured as are other between-deck spaces.

8. Spaces considered as "permanently closed in" and spaces permitted to be exempted from measurement shall be determined solely by the provisions contained in these rules, and not by any definitions or provisions contained in the measurement rules or regulations of any country.

SPACES EXEMPTED FROM MEASUREMENT AND GROSS TONNAGE

Spaces exempted
from measurement
and gross tonnage.

Upper deck, etc.

9. ART. IV. The following spaces shall be exempted from measurement and shall not be included in the gross tonnage, and no other spaces shall be exempted:

10. SECTION 1. Spaces on or above the upper deck not permanently covered or closed in, or which may not be readily covered or closed in. In the application of this rule it will be understood that—

(a) Spaces under decks or coverings having no other connection with the body of the ship than the stanchions necessary for their support are not spaces separated off, but are spaces permanently exposed to the weather and the sea and are not to be included in the gross tonnage.

(b) A space within a poop, forecastle, bridge house, or other "permanently covered and closed-in" superstructure or erection may be considered as not permanently covered or closed-in, and may consequently be excluded from tonnage, if the space is opposite an end opening which is not provided with means of closing, and which opening has a breadth equal to or greater than half the breadth of the deck at the line of the opening, and if the space opposite the opening cannot be used to shelter other merchandise than cargo or stores that do not require protection from the sea. If the opening is fitted with a coaming, the space within it is to be included in the gross tonnage if the coaming is more than 2 feet in height. This provision shall be so applied as to exempt from measurement only the space between the actual end opening and a line drawn parallel to the line or face of the opening at a distance from the opening equal to one-half the width of the deck at the line of the opening; provided, that any closed-in space between the open face and the line drawn parallel to it shall be measured. The remainder of the space within a poop, forecastle, bridge house, or other superstructure or erection shall be considered as available for the accommodation of cargo or stores, of passengers or of the ship's personnel, and shall be measured and included in the gross tonnage. (See figs. 1, 2, and 3.)

Post, p. 375.

Should the open space within a poop, forecastle, bridge house, superstructure, or erection between the end opening and a parallel line distant from the opening by half the breadth of the deck become, because of any arrangement, except by convergence of fore and aft bulkheads, of less width than half the breadth of the deck, then only the space between the line of the end opening and a parallel line drawn through the point where the athwartship width of the open space within the poop, forecastle, bridge house, superstructure, or erection becomes equal to, or less than, half the breadth of the deck shall be exempted from measurement. (See figs. 4, 5, 6, and 7.) The remain-

Post, pp. 375-376.

der of the space within the poop, forecastle, bridge house, superstructure, or erection is to be included in the gross tonnage.

When two erections extending from side to side of the ship are separated by an interval the fore-and-aft length of which is less than the least half breadth of the deck in way of such interval, than whatever be the breadth of the permanent end openings of the erections, the entire erections, less the interval separating them, shall be measured and included in the gross tonnage. (See fig. 8.)

(c) In a poop, forecastle, side-to-side bridge house, or other "permanently covered and closed-in" superstructure or side-to-side erection the space directly in way of opposite openings, the height of which is at least 3 feet, in the side walls of the ship not provided with means of closing and corresponding to each other in the opposite walls of the ship shall be exempted. (See figs. 9 and 10.) Passages running fore-and-aft abreast the engine-room casing and open at both ends shall not be exempted. The deck erection including same shall be considered a side-to-side erection provided its outboard sides are flush with the hull of the vessel.

11. SEC. 2. Spaces in way of opposite side openings at least 3 feet in height not provided with means of closing shall be exempted. In the case of a continuous deck with one or more deck openings (usually designated as tonnage openings) that may be so closed as to permit cargo or stores to be carried in the space under the deck, or under portions thereof, only the spaces under such a deck that are exactly in way of opposite openings at least 3 feet in height in the side walls of the ship not provided with means of closing and corresponding to each other in the opposite walls of the ship shall be exempted; and the remaining spaces under such a deck shall be measured and included in gross tonnage. In case the openings in the side walls of the ship are provided with means of closing no portion of the space under such a deck shall be exempted. (Fig. 11.)

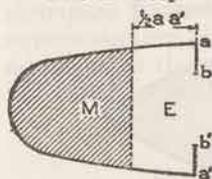
Post, p. 376.

Post, p. 376.

Opposite side, tonnage, etc., openings.

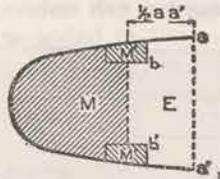
Post, p. 376.

FIG. 1.—Poop.



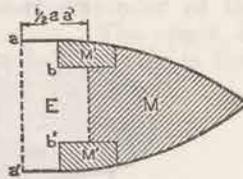
$bb' > \frac{1}{2} aa'$.
E = space exempted.
M = space measured.

FIG. 2.—Poop.



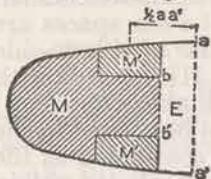
$bb' > \frac{1}{2} aa'$.
E = space exempted.
M' = closed-in houses, measured.
M = space measured.

FIG. 3.—Forecastle.



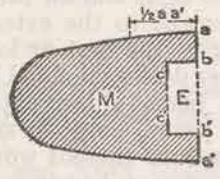
$bb' > \frac{1}{2} aa'$.
E = space exempted.
M' = closed-in houses, measured.
M = space measured.

FIG. 4.—Poop.



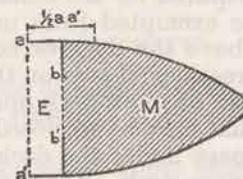
$bb' < \frac{1}{2} aa'$.
E = space exempted.
M' = closed houses, measured.
M = space measured.

FIG. 5.—Poop.



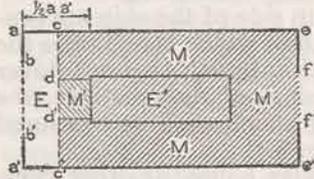
$bb' > \frac{1}{2} aa'$.
 $cc' < \frac{1}{2} aa'$.
E = space exempted.
M = space measured.

FIG. 6.—Forecastle.



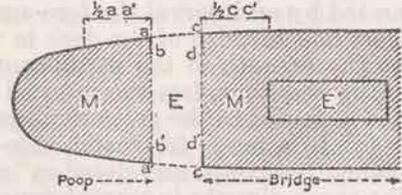
$bb' < \frac{1}{2} aa'$.
E = space exempted.
M = space measured.

FIG. 7.—Bridge.



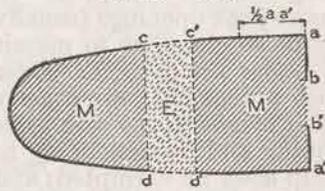
$bb' > \frac{1}{2} aa'$.
 $cd < \frac{1}{2} aa'$.
 $c'd' < \frac{1}{2} aa'$.
 $ff' < \frac{1}{2} ee'$.
 E=space exempted.
 E'=light and air and funnel space in lowest tier of erections, measured under Art. IV, Sec. 3.
 M=space measured.
 M'=closed house, measured.

FIG. 8.—Poop and Bridge with interval less than $\frac{1}{2}$ the least half breadth of the Deck in way of interval.



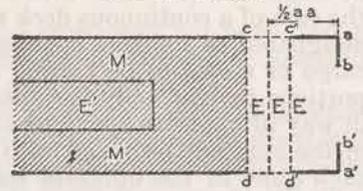
$ac < \frac{1}{2} aa'$.
 $a'c' < \frac{1}{2} aa'$.
 $bb' > \frac{1}{2} aa'$.
 $dd' > \frac{1}{2} cc'$.
 M=spaces measured.
 E=space exempted.
 E'=light and air and funnel space in lowest tier of erections, measured under Art. IV, Sec. 3.

FIG. 9.—Poop.



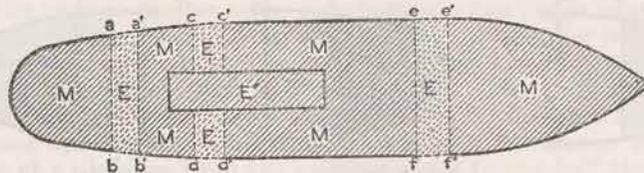
ee' and dd' =side openings under deck covering.
 E=space exempted.
 $bb' < \frac{1}{2} aa'$.
 M=spaces measured.

FIG. 10.—Bridge.



$bb' > \frac{1}{2} aa'$.
 cc' and dd' =side openings.
 E=spaces exempted.
 M=space measured.
 E'=light and air and funnel space, in lowest tier of erections, measured under Art. IV, Sec. 3.

FIG. 11.—Continuous deck with opposite side openings.



(aa') (bb') (cc') (dd') (ee') (ff') =side openings.
 E=spaces exempted opposite side openings below continuous deck.
 M=spaces measured.
 E'=light and air and funnel space, measured under Art. IV, Sec. 3.

Spaces framed in round funnels, etc.

Ante, p. 373.

12. SEC. 3. The spaces framed in round the funnels and the spaces required for the admission of light and air into the engine rooms shall be exempted from measurement to the extent that such spaces are above the deck or covering of the first or lowest tier of side-to-side erections, if any, on the upper deck as defined in Art. III. A deck with one or more deck openings (usually designated as tonnage openings) that may be so closed as to permit cargo or stores to be carried in the space under the deck or portions thereof would be considered as the upper deck. There shall, however, be measured and included within gross tonnage the spaces situated within closed-in side-to-side erections on the upper deck, spaces framed in round the funnels and those

required for the admission of light and air to the extent that such light and air and funnel spaces are below the deck or covering of the first or lowest tier of such side-to-side erections on the upper deck. There shall be exempted from the measurement of any superstructure or erection situated above the first or lowest tier of side-to-side erections on the upper deck such portion or portions thereof as are occupied by the spaces framed in round the funnels or by the spaces required for the admission of light and air into the engine rooms. Such exempted spaces must not be used for any other than their designated purpose and must be reasonable in extent.

13. SEC. 4. Space or spaces between the inner and outer plating of the double bottom of a vessel shall be exempted from measurement, except when used, designated or intended for carrying cargo; but the tonnage of such spaces within the double bottom as are or may be used for carrying cargo, shall be determined and included in the gross tonnage. The tonnage of double bottom tanks available for cargo may be obtained by multiplying the liquid-capacity weight by the proper conversion factor to get tons of 100 cubic feet.

14. SEC. 5. The cubical contents of hatchways shall be obtained by multiplying the length and breadth together and the product by the mean depth taken from the top of beam to the underside of the hatch cover. From the aggregate tonnage of the hatchways there shall be deducted one-half of 1 percent of the vessel's gross tonnage, exclusive of hatchways, and only the remainder shall be added to the gross tonnage of the ship, exclusive of the tonnage of the hatchways.

15. SEC. 6. Companion houses shall be exempted when used solely to protect stairways and ladders leading to spaces below. When used as smoking rooms or for any other purposes than companion houses, the parts so used shall be measured and included in gross tonnage.

16. SEC. 7. Domes, skylights, and airshafts shall be exempt from measurement. When there is an opening in the floor of a superstructure immediately below a skylight, the exemption shall include the space between the skylight and the opening in the floor of the superstructure immediately under the skylight. The remainder of the superstructure shall be included in the measurement. The space, in addition to the skylight, that may be exempted by this rule is that indicated by A, B, C, D in the following drawings:



FIGURE 12.—Open spaces between skylight and opening.

17. ART. V. (This section was eliminated on recommendation of Special Committee on Panama Canal Tolls and Vessel Measurement Rules, 1936.)

SPACES AVAILABLE FOR PASSENGERS NOT TO BE EXEMPTED

18. ART. VI. Spaces for the use or possible use of passengers shall not be exempted from measurement except as stated in Article IV, section 1, paragraph (a).

19. In case of Army and Navy transports, colliers, supply ships, and hospital ships as defined in article I, the term "passengers" shall include all officers, enlisted men, and other persons who are not assigned to duty and who are not duly inscribed on the ship's rolls.

Space between inner and outer plating of double bottom.

Cubical contents of hatchways, determination of.

Companion houses.

Domes, skylights, and airshafts.

Spaces available for passengers not to be exempted, exception. *Ante*, p. 374.

"Passengers"; term construed.

20. ART. VII (This section was eliminated on recommendation of Special Committee on Panama Canal Tolls and Vessel Measurement Rules, 1936.)

Ascertainment of cubical contents of spaces.

MEASUREMENT OF THE CUBICAL CONTENTS OF SPACES MAY BE BY THE MOORSOM SYSTEM IN EACH COUNTRY, OR BY THE MOORSOM SYSTEM AS PRESCRIBED IN THESE RULES

Moorsom system of measurement.

21. ART. VIII. The cubical contents of the spaces included, by these rules, in gross tonnage may, in any country where the Moorsom system of measurement has been adopted, be ascertained under that system as applied in measuring vessels for national registry, provided that system is substantially similar to the Moorsom system of measurement as set forth in article IX of these rules.

RULES FOR THE MEASUREMENT OF CONTENTS OF SPACES

Countries not using Moorsom system.

22. ART. IX. In countries that have not adopted the Moorsom system of measuring spaces within vessels, the cubical contents of any of the spaces included in gross tonnage shall be ascertained according to the Moorsom system as set forth in the following rules: Rule I for the measurement of empty vessels; rule II for laden vessels; rule III for open vessels.

RULE I. FOR MEASURING THE GROSS TONNAGE OF EMPTY VESSELS

Rule for measuring gross tonnage of empty vessels.

23. SEC. 1. The length for the admeasurement of ships having one or more decks is taken on the tonnage deck, which is—

- (a) The upper deck for vessels having one or two decks.
- (b) The second deck from below for vessels having more than two decks.

24. Measure the length of ship in a straight line along the upper side of the tonnage deck from the inside of the inner plank (average thickness) at the side of the stem to the inside of the midship stern timber or plank there, as the case may be (average thickness), deducting from this length what is due to the rake of the bow in the thickness of the deck and what is due to the rake of the stern timber in the thickness of the deck, and also what is due to the rake of the stern timber in one-third of the round of the beam; divide the length so taken into the number of equal parts required by the following table, according to the class in such table to which the ship belongs:

Class 1: Ships of which the tonnage deck is, according to the above measurement, 50 feet long or under, into four equal parts.

Class 2: Ships of which the tonnage deck is, according to the above measurement, above 50 feet long and not exceeding 120 feet, into six equal parts.

Class 3: Ships of which the tonnage deck is, according to the above measurement, above 120 feet long and not exceeding 180 feet, into eight equal parts.

Class 4: Ships of which the tonnage deck is, according to the above measurement, above 180 feet long and not exceeding 225 feet, into 10 equal parts.

Class 5: Ships of which the tonnage deck is, according to the above measurement, above 225 feet long, into 12 equal parts. (Note: A greater number of divisions is permissible provided there be an even number of divisions.)

25. In the case of a break or breaks in a double-bottom, the length of the vessel is to be taken in parts according to the number of breaks,

and each part divided into a number of equal parts according to the class in the above table to which such length belongs.

26. SEC. 2. Then the hold being first sufficiently cleared to admit of the required depths and breadths being properly taken, find the transverse area of the ship at each point of division of the length or each point of division of the parts of the length, as the case may require as follows: Measure the depth at each point of division, from a point at a distance of one-third of the round of the beam below the tonnage deck, or, in the case of a break, below a line stretched in continuation thereof, to the upper side of the floor timber (upper side of the inner plating of the double bottom) at the inside of the limber strake, after deducting the average thickness of the ceiling which is between the bilge planks and the limber strake.

27. In the case of a vessel constructed with longitudinal framing, the depths are to be taken to the upper edge or inner surface of the longitudinal frames, where no double bottoms exist. In the case of a ship constructed with a double bottom, the depth shall be taken to the upper side of the inner plating of the double bottom, and that upper side shall, for the purposes of measurement, be deemed to represent the floor timber of the vessel. This rule for measuring the depth of the hold applies to double-bottom ships having top of double bottom not horizontal. Subject to the provisions of article IV, section 4 of these rules regarding the exemption of double-bottom spaces, if any tank or compartment between the inner and outer plating of the double bottom is used or fitted for the carrying of cargo, the tonnage of the whole of such tank or compartment shall be determined and included in the gross tonnage of the vessel.

Vessel constructed with longitudinal framing, etc.

Ante, p. 377.

28. If the depth at the midship division of the length does not exceed 16 feet, divide each depth into five equal parts; then measure the inside horizontal breadth at each of the four points of division, and also at the upper point of the depth, extending each measurement to the average thickness in that part of the ceiling which is between the points of measurement. Number these breadths from above (i. e., numbering the upper breadth 1, and so on down to the fifth breadth); multiply the second and fourth by 4, and the third by 2; add these products together, and to the sum add the first breadth and the fifth. Multiply the quantity thus obtained by one-third of the common interval between the breadths, and the product shall be deemed the transverse area of the upper part of the section; then find the area between the fifth and lower point of the depth by dividing the depth between such points into four equal parts, and measure the horizontal breadths at the three points of division and also at the upper and lower points, and proceed as before, and the sum of two parts shall be deemed to be the transverse area; but if the midship depth exceed 16 feet, divide each depth into seven equal parts instead of five, and measure, as before directed, the horizontal breadths at the six points of division, and also at the upper point of the depth; number them from above, as before; multiply the second, fourth, and sixth by 4, and the third and fifth by 2; add these products together, and to the sum add the first breadth and the seventh. Multiply the quantity thus obtained by one-third of the common interval between the breadths, and the product shall be deemed to be the transverse area of the upper part of the section; then find the lower part of the area as before directed, and add the two parts together, and the sum shall be deemed to be the transverse area.

If depth at midship division of length does not exceed 16 feet.

29. This section applies to vessels with double bottoms, the tops of which have a rise from the middle line to each side. In vessels in

Vessels with double bottoms, etc.

which the top of the double bottom is horizontal, or in which there is no double bottom, the depths are to be divided by 4 or 6 (instead of 5 or 7), according to their midship depths do not or do exceed 16 feet respectively. In such cases no subdivision of the lower part is to be made.

Ships built on Isherwood system.

30. In the case of ships built on the Isherwood system the depths are to be taken to the upper edge of the longitudinal frames, where no double bottom exists. In vessels built of concrete the depths and breadths shall be taken to the inner edge of the main frames. It is to be noted that section 2, paragraph 29, provides that in vessels without double bottoms no subdivision of the lower part of the transverse area is to be made. On ships built with transverse frames without double bottoms the depths are to be taken to the top of the transverse frames, and no subdivision of the lower section is necessary.

31. SEC. 3. Number the transverse sections or areas respectively 1, 2, 3, etc., No. 1 being at the extreme limit of the length at the bow, or of each part of the length, and the last number at the extreme limit of the length at the stern or the extreme limit at the after end of each part of the length; then, whether the length be divided according to the table into 4 or 12 parts, as in classes 1 and 5, or any intermediate number, as in classes 2, 3, and 4, multiply the second and every even-numbered area by 4, and the third and every odd-numbered area (except the first and last) by 2; add these products together, and to the sum add the first and last, if they yield anything; multiply the quantity thus obtained by one-third of the common interval between the areas, and the product will be the cubical contents of the space, or cubical contents of each part if the ship is measured in parts under the tonnage deck. The tonnage of this volume is obtained by dividing it by 100, if the measurements are taken in English feet, and by 2.83 if the measurements are taken in meters. The multiplier 0.353 may be used instead of the divisor 2.83.

If ship has a third deck.

32. SEC. 4. If the ship has a third deck the tonnage of the space between it and the tonnage deck shall be ascertained as follows: Measure in feet the inside length of the space at the middle of its height from the plank at the side of the stem to the lining on the timbers at the stern, and divide the length into the same number of equal parts into which the length of the tonnage deck is divided, as above directed; measure (also at the middle of its height) the inside breadth of the space at each of the points of division, also the breadth at the stem and the breadth at the stern; number them successively 1, 2, 3, etc., commencing at the stem; multiply the second and all the other even-numbered breadths by 4, and the third and all the other odd-numbered breadths (except the first and last) by 2; to the sum of these products add the first and last breadths; multiply the whole sum by one-third of the common interval between the breadths, and the result will give in superficial feet the mean horizontal area of the space; measure the mean height of the space, and multiply by it the mean horizontal area, and the product will be the cubical contents of the space; divide this product by 100 (or by 2.83 if the measurements are taken in meters) and the quotient shall be deemed to be the tonnage of the space, and shall be added to the tonnage of the ship ascertained as aforesaid; and if the ship has more than three decks, the tonnage of each space between decks above the tonnage deck shall be severally ascertained in the manner above described, and shall be added to the tonnage of the ship ascertained as aforesaid.

Permanently covered, etc., space on or above upper deck.

33. SEC. 5. If there be a break, a poop, or any other permanently covered or closed-in space on or above the upper deck (as defined above

in article III) the tonnage of such space shall be ascertained as follows: Measure the internal mean length of the space in feet, and divide it into two equal parts; measure at the middle of its height three inside breadths, namely, one at each end and the other at the middle of the length; then to the sum of the end breadths add four times the middle breadth, and multiply the whole sum by one-third of the common interval between the breadths; the product will give the mean horizontal area of the space; then measure the mean height and multiply by it the mean horizontal area; divide the product by 100 (or by 2.83 if the measurements are taken in meters) and the quotient shall be deemed to be the tonnage of the space.

Ante, p. 373.

34. SEC. 6. In measuring the length, breadth, and height of the general volume of the ship or that of the other spaces, reduce to the mean thickness the parts of the ceiling which exceed the mean thickness. When the ceiling is absent, or when it is not permanently fixed, the length and breadth shall be reckoned from the main frames of the ship, not from the web or belt frames. The same principle is to hold in the case of deck erections; that is, the breadth is to be reckoned from the main framing or stiffeners of the same, when ceiling is not fitted. When the main framing of the ship is curved or carried upward and inboard so as to permit the building of top-side tanks or compartments outboard of the main framing, the breadth of the ship shall be reckoned from the outboard framing of such outboard tanks, thus including these tanks in the measurement.

Length, breadth, and height, method of measurement.

RULE II. FOR MEASURING THE GROSS TONNAGE OF LADEN SHIPS

35. SEC. 7. When ships have cargo on board, or when for any other reason their tonnage cannot be ascertained by means of rule I, proceed in the following manner:

Rule for measuring gross tonnage of laden ships.
Ante, p. 378.

36. Measure the length on the uppermost full-length deck from the outside of the outer plank at the stem to the aft side of the sternpost, deducting therefrom the distance between the aft side of the sternpost and the rabbet of the sternpost at the point where the counterplank crosses it. Measure also the greatest breadth of the ship to the outside of the outer planking or wales at the middle perpendicular. Then, having first marked on the outside of the ship on both sides thereof the height of the uppermost full-length deck at the ship's sides, girt the ship at the middle perpendicular in a direction perpendicular to the keel from the height so marked on the outside of the ship, on the one side, to the height so marked on the other side, by passing a chain under the keel; to half the girth thus taken add half the main breadth; square the sum, multiply the result by the length of the ship taken as aforesaid, then multiply this product by the factor 0.17 in the case of ships built of wood, and by the factor 0.18 in the case of ships built of iron or steel. The product will give approximately the cubical contents of the ship, and the tonnage can be ascertained by dividing by 100 or by 2.83, according as the measurements are taken in English feet or in meters.

37. SEC. 8. If there be a break, a poop, or other permanently covered and closed-in spaces (as defined above in article III) on or above the uppermost full-length deck, the tonnage of such spaces shall be ascertained by multiplying together the mean inside length, breadth, and depth of such spaces and dividing the product by 100, or 2.83, according as the measurements are taken in English feet or meters, and the quotient so obtained shall be deemed to be the tonnage of the spaces, and shall be added to the other tonnage in order to determine the gross tonnage or total capacity of the ship.

Permanently covered, etc., spaces on or above uppermost full-length deck.
Ante, p. 373.

RULE III. FOR MEASUREMENT OF OPEN VESSELS

Rule for measurement of open vessels.

38. SEC. 9. In ascertaining the tonnage of open ships, the upper edge of the upper strake of the shell plating is to form the boundary line of measurement, and the depths shall be taken from an athwartship line, extended from upper edge to upper edge of the said strake at each division of the length.

DEDUCTIONS FROM THE GROSS TONNAGE TO ASCERTAIN THE NET TONNAGE

(A) DEDUCTIONS ALLOWED FOR ALL VESSELS

Deductions from gross tonnage to ascertain net tonnage.
Post, p. 383.

39. ART. X. The following spaces (enumerated below in secs. 1 to 11 of this article) shall be deducted from the gross tonnage in order to ascertain the net tonnage of vessels not propelled by engines, and no other spaces shall be deducted. These deductions will also be allowed for vessels propelled by engines, with additional deductions for vessels propelled by engines, listed under (B) article XII. Unless otherwise expressly stipulated, these spaces shall be deducted whether located above or below the upper deck.

Ascertainment of volume or cubical contents of deducted spaces; remainder.
Ante, p. 378.

40. The volume or cubical contents of deducted spaces shall be ascertained in the manner specified in article VIII or article IX of these rules. The remainder, resulting from deducting from the total space included in gross tonnage the sum of the cubical contents of the spaces whose deduction from gross tonnage is permitted by these rules, shall be the Panama Canal net tonnage of vessels upon which tolls and other charges based upon net tonnage shall be paid by vessels of commerce, Army and Navy transports, colliers, supply ships, and hospital ships (as defined in art. I) for passage through the Panama Canal. One hundred cubic feet, or 2.83 cubic meters, shall constitute 1 gross or net ton.

Ante, p. 373.

Passenger spaces.

Ante, p. 377.

41. Spaces for the use, or possible use, of passengers (as defined in art. VI) shall not be deducted from the gross tonnage, except in so far as their deduction may be specifically provided for in the following sections (1 to 11) of this article of these rules.

Army and Navy transports, colliers, etc.

Definition of stores and cargo carried.

Ante, p. 373.

DEFINITION OF STORES AND CARGO CARRIED ON ARMY AND NAVY TRANSPORTS, COLLIERIES, SUPPLY SHIPS, AND HOSPITAL SHIPS

42. Spaces available for the stowage of stores (other than boatswain's stores) or cargo shall not be deducted from gross tonnage. In case of Army and Navy transports, colliers, supply ships, and hospital ships, as defined in article I, the term "stores (other than boatswain's stores) or cargo" shall include, in addition to goods or cargo ordinarily carried as freight on vessels of commerce, the following articles:

(a) On transports, food, stores, luggage, accouterments, and equipment for passengers.

(b) On colliers, coal, coaling gear, and fuel oil not for the use of the colliers.

(c) On supply ships, stores, supplies of all kinds, distilling machinery and distilled water (other than fresh water stored in peak tanks for the vessels own use), machines, tools and material for repair work, mines and mining material, torpedoes, arms, and ammunition.

(d) On hospital ships, food stores for passengers, medical stores, and hospital equipment.

(e) Guns mounted on transports and supply ships, for defense of the ships, and ammunition required for use in such guns shall not be classed as cargo.

DEDUCTIONS FROM GROSS TONNAGE ALLOWED VESSELS IN DETERMINING NET TONNAGE

43. SECTION 1. The tonnage of the spaces or compartments occupied by, or appropriated to the use of, the officers and crew of the vessel shall be deducted. The term "officers and crew" shall include the personnel inscribed on the ship's rolls, i. e., the ship's officers, engineers, doctors, apothecary, sick attendants, sailors, apprentices, firemen, mechanics, and wireless operators including clerks, pursers, stewards and other members of the personnel provided by the ship for the care of the passengers as well as armed guards on vessels of commerce. The spaces or compartments occupied by the officers and crew shall include their berthing accommodations, spaces provided for medical attention, including the medicine locker and dispensary, mess rooms, ward and dressing rooms, bath and washrooms, water closets, latrines, lavatories, or privies for their exclusive use, and passageways designed primarily for serving these spaces. Room provided for a pilot and so designated, shall be deducted, but spare rooms and linen lockers are not to be deducted.

Spaces for use of vessel's officers and crew. "Officers and crew", defined.

44. SEC. 2. On hospital ships the spaces or compartments occupied by doctors, apothecary, and sick attendants duly inscribed on the ship's rolls, shall form part of the deduction under section 1 of this article. Spaces provided for the medical attention of the officers and crew of a hospital ship shall likewise be deducted; but spaces fitted for the transportation, or for the medical attention, of other persons than those duly listed in the ship's rolls shall not be deducted.

Hospital ships.

45. SEC. 3. The spaces appropriated to the use of the master shall be deducted.

Spaces for master.

46. SEC. 4. Cook houses, galleys, bakeries, laundries, and rooms for ice machines, when used exclusively to serve the officers and crew, and the condenser space, and distilling rooms, when used exclusively for condensing and distilling the water for the officers and crew, shall be deducted.

Cook houses, galleys, etc.

47. SEC. 5. Spaces used for anchor gear, including the chain locker; steering gear; capstan; the wheel house; the dynamo; the chart room used exclusively for keeping charts, signals, and other instruments of navigation; offices for the master, chief officer, and chief engineer; lookout houses; spaces for keeping electric searchlights, radio appliances, and wireless telephone apparatus; carpenter shop; fumigating and fire-fighting machinery; and other spaces actually used in the navigation of the ship, shall be deducted. Such spaces upon vessels of commerce as may be devoted to the mounting of guns and to the stowage of ammunition for the guns thus mounted shall be deducted. The deduction of all spaces, enumerated in this section, must be reasonable in extent and be subject to the limitations stipulated below in Article XI.

Spaces for anchor gear, etc.

48. SEC. 6. In case of a ship propelled wholly by sails, any space, not exceeding 2½ percent of the gross tonnage, used exclusively for storage of sails shall be deducted.

Post, p. 384.

Ship propelled wholly by sails.

49. SEC. 7. Spaces used exclusively for boatswain's stores, including paint and lamp rooms, shall be deducted. The deduction is not, however, to exceed 1 percent of the gross tonnage in ships of 1,000 tons gross and upwards, nor more than 75 tons in any ship however large. In vessels from 500 to 1,000 tons gross the limit is fixed at 10 tons and in vessels from 150 to 500 tons at not more than 2 percent of the gross tonnage. In vessels under 150 tons at not more than 3 tons.

Spaces used for boatswain's stores.

Spaces used for engineer's shops.

50. Spaces used exclusively for engineer's shops shall be deducted. This deduction is in no case to exceed 5 percent of the actual propelling machinery space nor be more than 50 tons for any vessel.

Space occupied by donkey engine and boiler, etc.

51. SEC. 8. The space occupied by donkey engine and boiler shall be deducted even though not connected with the main pumps of the ship. The space occupied by the pumps used exclusively for handling feed water, ballast, bunker fuel, or for freeing the ship of water shall also be deducted, but the space occupied by the pumps used for handling cargo shall not be deducted.

Passages, etc., designed for serving deducted spaces.

52. SEC. 9. Passages and passageways designed primarily for serving deducted spaces shall be deducted.

Water ballast spaces.

53. SEC. 10. Water ballast spaces, other than spaces in the vessel's double bottom, shall be deducted if they are adapted only for water ballast, have for entrance only ordinary circular or oval manholes whose greatest diameter does not exceed 30 inches, and are not available for the carriage of cargo, stores, or fuel. Peak tanks shall also be deducted when adapted only for carrying fresh water for the vessel's own use, can be entered only as above stated, and are not available for the carriage of cargo or fuel. If used to carry oil or other fuel these spaces shall be regarded as part of the vessel's fuel space and shall not be subject to separate deduction.

Peak tanks.

Tonnage of tanks may be obtained by using liquid capacity times the conversion factor with one-sixth off for frames in case of peak tanks and one-twelfth off in case of wings or deep tanks when they cannot be readily measured.

Public rooms.

54. SEC. 11. Spaces appropriated to the use of the passengers solely as public rooms shall be deducted. These shall include such spaces as social halls, smoking rooms, music rooms, libraries, lounges, dining saloons, gymnasiums, children's play rooms, elevators, foyers, promenades, veranda cafes, bar rooms, barber shops, novelty shops, and passageways designed primarily for serving such spaces. Water closets, toilets, lavatories and wash rooms designed primarily to serve public spaces will be considered as part of the public spaces and be deducted accordingly. Water closets, toilets, lavatories, baths and wash rooms designed primarily to serve nearby staterooms in the same tier will be considered as part of the staterooms they serve and not subject to deduction.

Marking and use of deducted spaces.

THE MARKING AND USE OF DEDUCTED SPACES SHALL BE ACCORDING TO NATIONAL LAWS

Subject to national laws.

55. ART. XI. Each of the spaces enumerated in article X, sections 1 to 11, unless otherwise specifically stated, shall be subject to such conditions and requirements as to marking or designation and use or purpose as are contained in the navigation or registry laws of the several countries, but no space, other than fuel spaces deducted under article XIII of these rules, shall be deducted unless the use to which it is to be exclusively devoted has been appropriately designated by official marking. In no case, however, shall an arbitrary maximum limit be fixed to the aggregate deduction made under article X.

Post, p. 385.

Vessels propelled by engines.

(B) ADDITIONAL DEDUCTIONS ALLOWED FOR VESSELS PROPELLED BY ENGINES

Additional deductions allowed.

Ante, p. 373.

56. ART. XII. The Panama Canal net tonnage upon which tolls and other charges based upon tonnage shall be paid by vessels of commerce, Army and Navy transports, colliers, supply ships, and hospital ships, as defined in article I, propelled by engines, for passage through the Panama Canal, shall be the tonnage remaining after the following deductions have been made from the gross tonnage. One hundred

cubic feet, or 2.83 cubic meters, shall constitute 1 gross or net ton. Vessels propelled partly by sails and partly by engines shall be classed as "vessels propelled by engines."

ADDITIONAL DEDUCTIONS FROM GROSS TONNAGE ALLOWED VESSELS PROPELLED BY ENGINES

57. SECTION 1. The spaces specified above in article X shall be deducted from the space included in gross tonnage to ascertain net tonnage in the case of vessels propelled by engines as in the case of vessels not propelled by engines.

Additional deductions from gross tonnage.
Ante, p. 382.

58. SEC. 2. The space occupied by the engines, boilers, coal bunkers, fuel oil tanks, including settling tanks, lubricating oil tanks, and shaft trunks of vessels with screw propellers; spaces within a closed-in side-to-side erection that are framed in around the funnels or that are required for the introduction of light and air to the engine room to the extent that the framed-in spaces around the funnels and the light and air casings are located below the deck or covering of the first or lowest tier of such erections, if any, on the upper deck, as defined in article III, and are contained in closed-in side-to-side erections; spaces necessary for the proper working of the engines, and spaces occupied by the donkey engine and boiler when situated within the boundary of the engine room or within the light and air casing above the engine room and when used in connection with the main machinery for propelling the vessel, shall be deducted. When the shafts of screw propellers pass through open spaces not inclosed within tunnels, the spaces allowed in lieu of the tunnels must be of reasonable dimensions suitable for the vessel in question. When any portion of the engine or boiler rooms is occupied by a tank for fresh water, the space thus taken up shall not be deducted.

Space occupied by engines, boilers, etc.

Ante, p. 373.

59. Donkey-engine and boiler spaces, when deducted according to article XIV below, shall not be made a separate deduction.

Donkey-engine and boiler spaces.
Post, p. 387.

60. The portion of the framed-in spaces around the funnels and of the light and air casings that extend above the deck or covering of the first or lowest tier of side-to-side erections, if any, on the upper deck, as defined in article IV, section 3, and surrounding the said space or spaces are exempted from measurement and form no part of the space deducted under this section.

Framed-in spaces around funnels, etc.

Ante, p. 376.

61. SEC. 3. The deductions made for propelling power, including all those provided for in section 2 of this article, shall in no case exceed 50 percent of the gross tonnage. In other respects the spaces enumerated in section 2 shall, except as otherwise specifically stated, be subject to the requirements as to designation or marking and use or purpose contained in the navigation or registry laws of the several countries.

Propelling power, space deduction restriction.

62. SEC. 4. The deductions made for propelling power provided for in section 2 of this article shall be made according to the provisions of article XIII or of article XIV, as the owner of the vessel may elect.

Provisions governing propelling power deductions.

63. SEC. 5. This section was eliminated by recommendation of Special Committee on Panama Canal Tolls and Vessel Measurement Rules, 1936.

PROPELLING POWER DEDUCTION FOR VESSELS WITH BUNKERS HAVING MOVABLE PARTITIONS, OR HAVING FUEL-OIL COMPARTMENTS THAT MAY BE USED TO STOW CARGO OR STORES

Vessels with bunkers having movable partitions, etc.

64. ART. XIII. In ships that do not have fixed bunkers, but transverse bunkers with movable partitions, with or without lateral bunkers, and in ships with fuel tanks which may be used to stow cargo or stores, measure the space occupied by the engine rooms, and add to

Propelling power deduction.

it for vessels with screw propellers 75 percent and for vessels with paddle wheels 50 percent of such space.

Engine rooms, space defined.

Ante, p. 373.

65. By the space occupied by the engine rooms is to be understood that occupied by the engine room itself and the boiler room, together with the spaces strictly required for the working of the engines and boilers, with the addition of the spaces taken up by the shaft trunks in vessels with screw propellers, the spaces which enclose the funnels and the casings necessary for the admission of light and air into the engine room to the extent that such spaces are located below the upper deck (as defined in article III) or below a deck with openings, usually designated as tonnage openings, which may be so closed as to permit the carriage of cargo or stores under the deck or a portion thereof, and donkey-engine and boiler spaces when the donkey engine and boiler are situated within the boundary of the main engine room, or of the light and air casing above it and when they are used in connection with the main machinery for propelling the vessel. When the shafts of screw propellers pass through open spaces not enclosed within tunnels, the spaces allowed in lieu of tunnels must be of reasonable dimensions suitable for the vessel in question. When a portion of the space within the boundary of the engine or boiler rooms is occupied by a tank or tanks for the storage of fuel oil, lubricating oil, or fresh water, the space considered to be within the engine room shall be reduced by the space taken up by the tank or tanks for fuel oil, lubricating oil, or fresh water. Note that fuel-oil settling tanks are not to be included in the propelling-power space, no matter where situated. Store-rooms, dynamos, ice machine, etc., situated in the confines of the engine room and not bulkheaded off, may be included in engine-room space. If bulkheaded off, they shall not be included in engine-room space but be given separate deductions when they qualify under article X and then listed under item 5 on page 2 of the Panama Canal Certificate.

Ante, p. 382.

Ascertainment of cubical contents of spaces occupied by engine room.

66. The cubical contents of the above-named spaces occupied by the engine room shall be ascertained in the following manner: Measure the mean depth of the space occupied by the engines and boilers from its crown to the ceiling at the limber strake; measure also three, or, if necessary, more than three, breadths of the space at the middle of its depth, taking one of such measurements at each end and another at the middle of the length; take the mean of such breadths; measure also the mean length of the space between the foremost and aftermost bulkheads or limits of its length, excluding such parts, if any, as are not actually occupied by, or required for, the proper working of the engines and boilers. Multiply together these three dimensions of length, breadth, and depth, and the product will be the cubical contents of the space below the crown. Then, by multiplying together the length, breadth, and depth, find the cubical contents of the space or spaces, if any, which are framed in for machinery, for enclosing the funnels, or for the admission of light and air, and which are located between the crown of the engine room and the uppermost deck or covering of the first or lowest tier of side-to-side erections, if any, on the upper deck, as defined in article III. Add such contents, as well as those of the space occupied by the shaft trunk and by any donkey engine and boiler located within the boundary of the engine room or of the light and air casing above the engine room and used in connection with the main machinery for propelling the ship, to the cubical contents of the space below the crown of the engine room; divide the sum by 100 or by 2.83, according as the measurements are taken in feet or meters, and the result shall be deemed to be the tonnage of the engine and boiler room and shall be the tonnage taken as the basis for calculating the deduction for propelling power.

Ante, p. 373.

67. If in any ship in which the space for propelling power is to be measured the engines and boilers are in separate compartments, the contents of each compartment shall be measured separately in like manner, according to the above method; and the sum of the tonnage of the spaces included in the several compartments shall be deemed to be the tonnage of the engine and boiler rooms, and shall be the tonnage taken as the basis for calculating the deduction for propelling power.

Where engines and boilers are in separate compartments.

PROPELLING POWER DEDUCTION FOR VESSELS WITH FIXED BUNKERS, OR HAVING FUEL-OIL COMPARTMENTS THAT CANNOT BE USED TO STOW CARGO OR STORES

Vessels with fixed bunkers, etc.

68. ART. XIV. When vessels are fitted with fixed coal bunkers or with fuel-oil tanks which cannot be used to stow cargo or stores, and when such bunkers, tanks, and fuel compartments have been certified by official marking to be spaces for the vessel's fuel, the deduction for propelling power may either be in accordance with the provisions of article XIII above, or by deducting the actual tonnage of the spaces enumerated in article XII, section 2, as measured in accordance with the following provisions, as the owner of the vessel may elect: Measure the mean length of the engine and boiler room, including the coal bunkers. Ascertain the area of three transverse sections of the ship (as set forth in the rules given in articles VIII or IX for the calculation of the gross tonnage) to the deck which covers the engine. One of these three sections must pass through the middle of the aforesaid length, and the two others through the two extremities. Add to the sum of the two extreme sections four times the middle one, and multiply the sum thus obtained by the third of the distance between the sections. This product, divided by 100 if the measurements are taken in English feet, or by 2.83 if they are taken in meters, gives the tonnage of the space measured. If the engines, boilers, and bunkers are in separate compartments, measure each compartment, as above set forth, and add together the results of the several measurements. The bunkers measured for fuel deduction shall include only those bunkers that are absolutely permanent, from which the coal can be trimmed directly into the engine room or stoke-hole, and into which access can be obtained only through the ordinary coal chutes on deck and from doors opening into the engine room or stokehole. Thwartship bunkers that can be in any way extended are not to be included in the measurements for deductions. When any portion of the engine or boiler rooms is occupied by storage tanks for fresh water, the space considered to be within the engine and boiler rooms shall be reduced by the spaces taken up by the tanks for fresh water.

Propelling power deduction.

Ante, p. 385.

Ante, p. 385.

Ante, p. 378.

69. The contents of the shaft trunk shall be measured by ascertaining, and multiplying together, the mean length, breadth, and height. The product divided by 100, or 2.83, according as the measurements are taken in English feet or in meters, gives the tonnage of such space. When the shafts of screw propellers pass through open spaces not enclosed within tunnels, the spaces allowed in lieu of tunnels must be of reasonable dimensions suitable for the vessel in question.

Contents of shaft trunk, measurement.

70. The tonnage of the following spaces below the deck or covering of the first or lowest tier of side-to-side erections, if any, on the upper deck, as defined by article III, is ascertained by the same method, viz:

Spaces below deck, etc.

(a) The spaces framed in around the funnels.

(b) The spaces required for the admission of light and air into the engine room.

(c) The spaces, if any, necessary for the proper working of the engines.

(d) Spaces occupied by the donkey engine and boiler when used in connection with the main machinery for propelling the ship and when situated within the boundary of the engine room or of the casing above the engine room.

(e) Tanks (other than double-bottom compartments) fitted for the stowage of fuel oil and lubricating oil not already included by measurement under the provisions of paragraph 68.

NO SPACE MAY BE DEDUCTED UNLESS INCLUDED IN GROSS TONNAGE

No space deduction unless included in gross tonnage.

71. ART. XV. Under no circumstances shall any space which has not been included in the gross tonnage be deducted from gross tonnage.

DEDUCTED SPACES, IF USED, MUST BE ADDED TO NET TONNAGE

Deducted spaces, if used, must be added to net tonnage. *Note, p. 385.*

72. The use of the whole or any portion of a deducted space, other than fuel spaces deducted under article XIII, to stow cargo of any kind or stores other than boatswain's stores, or to provide passenger accommodations, shall be evidence that the entire space thus wholly or partially occupied is a part of the actual earning capacity of the ship, and the entire space shall be added to, and become a part of, the net tonnage upon which Panama Canal tolls shall be collected.

OFFICIALS AUTHORIZED TO MEASURE VESSELS AND ISSUE CERTIFICATES

Officials authorized to measure vessels and issue certificates.

73. ART. XVI. Only such officials as are authorized in the several foreign countries and in the United States to measure vessels and to issue tonnage certificates for purposes of national registry, and such other officials as are authorized by the President of the United States, or by those acting for him, to measure vessels and to issue Panama Canal tonnage certificates, shall have authority to measure vessels for Panama navigation or to issue Panama tonnage certificates.

Tonnage certificates issued under these rules.

TONNAGE CERTIFICATES ISSUED UNDER THESE RULES MAY BE CORRECTED BY OFFICIALS AT THE PANAMA CANAL

Subject to correction.

74. ART. XVII. Tonnage certificates presented at the Panama Canal shall be subject to correction by the official or officials authorized by the President of the United States, or by those acting for him, to administer these measurement rules, insofar as may be necessary to make the certificates conform to these rules.

PANAMA CANAL TONNAGE CERTIFICATES

Panama Canal tonnage certificates.

75. ART. XVIII. The Panama Canal tonnage certificates issued by the measurement authorities of the United States and the several foreign countries shall correspond in substance and form to the sample certificate appended to these rules. Blank certificates in English will be furnished by the Secretary of War or the Governor of the Panama Canal upon request of the measurement authorities of foreign countries. The measurement authorities of any foreign country may also provide themselves with Panama Canal measurement certificates printed in English or in the language of the foreign country, provided such certificates strictly correspond in substance and form to the sample certificate appended to these rules; and provided further, that if it is desired to have a certificate in the language of the foreign country, there must also be a corresponding certificate issued to the vessel in English.

RULES APPLYING TO VESSELS OF WAR, OTHER THAN ARMY AND NAVY TRANSPORTS, COLLIERIES, SUPPLY SHIPS, AND HOSPITAL SHIPS

Rules applying to vessels of war, other than transports, etc.

TOLLS UPON WARSHIPS SHALL BE LEVIED UPON ACTUAL DISPLACEMENT UPON ARRIVAL AT CANAL

76. ART. XIX. The toll on warships, other than Army and Navy transports, colliers, supply ships, and hospital ships, shall be based upon their tonnage of actual displacement at the time of their application for passage through the Canal. The displacement tonnage of such warships shall be their displacement before the vessels have taken on such coal, fuel oil, stores, or supplies as may be purchased and taken on board after arrival at the Canal for transit through the same.

Toll on warships.

"WARSHIPS" DEFINED

77. ART. XX. "Warships" in the meaning of articles XIX to XXIV shall be considered to be all vessels of war, other than Army and Navy transports, colliers, hospital ships, and supply ships, as defined in article I. Warships are vessels of Government ownership that are being employed by their owners for military or naval purposes.

"Warships" defined.

Ante, p. 373.

78. ART. XXI. Every warship, other than Army and Navy transports, colliers, supply ships, and hospital ships (as defined in art. I) upon applying for passage through the Panama Canal shall, in order to facilitate the ascertainment of its mean draft, be anchored or placed at such station or location as shall be designated by the Governor of the Panama Canal or by the officials authorized to act for him.

Anchorage, to determine mean draft.
Ante, p. 373.

COMMANDER OF EACH WARSHIP TO EXHIBIT VESSEL'S DISPLACEMENT SCALE AND CURVES

79. ART. XXII. The commander of every warship, other than Army and Navy transports, colliers, supply ships, and hospital ships (as defined in art. I), applying for passage through the Panama Canal, shall exhibit for examination by the Governor of the Panama Canal, or by the officials authorized to act for the Governor of the Panama Canal, an official document containing the vessel's curve of displacement, its curves for addition to displacement for change of trim, and a scale so arranged that the displacement at any given mean draft is shown. Such document or documents shall be issued and be certified as correct by competent authorities of the government to which the vessel belongs.

Exhibition of vessel's displacement scale and curves.

ACTUAL DISPLACEMENT TO BE DETERMINED, AND TO BE EXPRESSED IN TONS OF 2,240 POUNDS

80. ART. XXIII. The actual displacement of warships shall be determined from their official displacement scale and curves, and shall be expressed in tons of 2,240 pounds. Should the displacement scale and curves of a warship show or state the vessel's displacement tonnage in metric tons of 2,204.62 pounds, the tonnage so expressed shall be multiplied by 0.9842 for the purpose of converting the tonnage into tons of 2,240 pounds.

Determination of actual displacement.

RULE FOR DETERMINING DISPLACEMENT OF A WARSHIP NOT SUPPLIED WITH DISPLACEMENT SCALE AND CURVES

81. ART. XXIV. Should any warship, other than Army and Navy transports, colliers, supply ships, and hospital ships (as defined in art. I), apply for passage through the Panama Canal and, for

Warship not supplied with displacement scale and curves.

Rule for determining displacement.

Ante, p. 373.

Ante, p. 389.

reasons satisfactory to the Governor of the Panama Canal, not have on board the duly certified document or documents specified in article XXII, the Governor of the Panama Canal, or the officials authorized to act for him, shall then determine the displacement of the vessel, using such reliable data as may be available, or by taking such dimensions of the vessel and using such approximate methods as may be considered necessary and practicable. The displacement tonnage so determined shall be considered to be the displacement of the vessel.

APPLICATION AND INTERPRETATION OF RULES

Application and interpretation of rules.

82. ART. XXV. The Board of Admeasurement of the Panama Canal is charged with the application of these rules and, subject to the approval of the Governor, all questions of interpretation arising thereunder shall be decided by the Board. In applying the rules the Board will be governed by the principle that there shall be no change in the present treatment of spaces except as herein provided, and with the approval of the Governor may provide for the treatment of any space for which provision has not herein been made.

PANAMA CANAL TONNAGE CERTIFICATE

[SEAL]

Name of vessel..... Nationality..... Type.....

Official number	Signal letters	Port of registry	Registered tonnages		Length	Beam	Depth
			Gross	Net			

DETAILS OF PANAMA CANAL GROSS TONNAGE

The spaces measured for gross tonnage in this ship comprise the following and no others, viz:

		Tons of 100 cubic feet	Tons of 100 cubic feet
1. Space or spaces under the tonnage deck, viz:			
(a) Space between tonnage deck and double bottom.....	
(b) Double-bottom compartments available for cargo under Art. IV, Sec. 4: *.....	
Total space under tonnage deck.....	
2. Space or spaces between the tonnage deck and uppermost full length deck.....	
Upper 'tween deck..... tons, Lower 'tween deck..... tons	
3. Closed-in spaces in permanent constructions above uppermost full length deck:			
(a) Forecastle.....	
(b) Bridge space.....	
(c) Poop.....	
(d) Break or breaks.....	
(e) Turret space..... tons, (f) Trunk space..... tons	
(g) Roundhouses..... tons,
..... tons,
(h) Side houses..... tons,
..... tons,
(i) Hatchways..... tons,
..... tons,
..... tons,
Total..... tons, Allowance under Art. IV, Sec. 5:..... tons,	
Hatch Excess.....	
4. Total closed-in spaces on or above the uppermost full length deck.....	
5. PANAMA CANAL GROSS TONNAGE.....	

*References are to articles and sections of the "Rules for Measurement of Vessels for The Panama Canal" 1937 Edition. [Footnote in the original.]

DEDUCTIONS FROM GROSS TONNAGE*			Tons of 100 cubic feet	Tons of 100 cubic feet		
1. Crew accommodations and passageways serving them:						
(a) Seamen..... tons,	Firemen..... tons,	Quartermasters..... tons	}			
Donkeyman..... tons,	Motormen..... tons,	Apprentices..... tons				
Pumpman..... tons,	Greasers..... tons,	Mess boys..... tons				
Electrician..... tons,	Oilers..... tons,	Cooks..... tons				
Passageways..... tons,						
(b) Messrooms..... tons,		Hospital..... tons				
Bathrooms..... tons,		Med. Lkr..... tons				
2. Officers' accommodations and passageways serving them:						
(a) Ch. Officer's Cabin..... tons,	Chief Engr's Cabin..... tons,	Boatswain..... tons			}	
Ch. Officer's Office..... tons,	Chief Engr's Office..... tons,	Carpenter..... tons				
2nd Officer..... tons,	2d Engineer..... tons,	Radio Operator..... tons				
3rd Officer..... tons,	3d Engineer..... tons,	Steward..... tons				
4th Officer..... tons,	4th Engineer..... tons,	Doctor..... tons				
	5th Engineer..... tons,	Pilot..... tons				
	6th Engineer..... tons,					
Passageways..... tons,						
(b) Messrooms: Officers..... tons,	Engineers..... tons,	Petty Officers..... tons				
(c) Bathrooms: Officers..... tons,	Engineers..... tons,	Petty Officers..... tons				
(d) Master's Cabin..... tons,	Office..... tons,	Bath..... tons				
Passageways..... tons,		W. C..... tons				
3. Galleys, cookhouses, bakeries, etc., for exclusive use of officers, engineers and crew:						
Galley..... tons,	Officers' Pantry..... tons,	Bakery..... tons	}			
	Engineers' Pantry..... tons,					
4. Lavatories, water-closets, etc., for exclusive use of officers and crew, and passageways serving them:						
Seamen's W. C..... tons,	Officers' W. C..... tons,	Engineers' W. C..... tons	}			
Firemen's W. C..... tons,	Petty Officers' W. C..... tons,					
5. Closed-in spaces used in working the ship, and passageways serving them:						
Wheelhouse..... tons,	Anchor gear..... tons,	Pump room..... tons	}			
Chart house..... tons,		Dynamo..... tons				
Radio house..... tons,	Dky. boiler..... tons,	Fumigating machinery..... tons				
Steering gear..... tons,						
	Carpenter shop..... tons,	Ice machine..... tons				
6. Engineer's workshop limited under Art. X, Sec. 7:..... tons. Salroom limited under Art. X, Sec. 6:..... tons.						
7. Boatswain's storerooms limited under Art. X, Sec. 7:						
Peaks..... tons,		Lamp room..... tons	}			
		Paint room..... tons				
8. Water ballast spaces other than D. B. compartments:						
		Total..... tons	}			
		F. P. T..... tons,				
		A. P. T..... tons,				
9. Peak Tanks for Fresh Water under Art. X, Sec. 10: F. P. T..... tons, A. P. T..... tons.						
10. Public Rooms as defined under Art. X, Sec. 11: (Itemized on Page 3)..... tons.						
11. Total deduction other than propelling power*.....						
12. PANAMA CANAL NET TONNAGE (without deduction for propelling power).....						
FURTHER DEDUCTIONS FOR PROPELLING POWER IN CASE OF VESSELS PROPELLED BY ENGINES:			}	Tons of 100 cubic feet		
13. (a) Engine room as measured (Arts. XII, XIII, XIV) Below deck..... tons, Tween deck..... tons,						
and (b) In a vessel with screw propellers +75 percent of engine room as measured (Danube Rule).			}			
or (c) In a vessel with paddlewheels +50 percent of engine room as measured (Danube Rule).						
or (d) With fixed coal bunkers or fixed tanks and compartments fitted for stowage of fuel oil.						
14. Total deduction for propelling power limited under Art. XII, Sec. 3:.....						
15. PANAMA CANAL NET TONNAGE (Propelling power deduction by Arts. XII, XIII, or XIV).....						
16. Bunker fuel for BALLAST RATE limited to: Coal..... long tons or Oil..... long tons						

*All deducted spaces must be reasonable in extent and the use to which each is to be exclusively devoted must be appropriately designated by official marking. [Footnote in the original.]

Ante, p. 384.

Detailed list of Public Rooms and Passageways serving them deducted on Page 2, Item 10, under provisions of Art. X, Sec. 11. (Name the Deck and identify each space, stating separately the tonnage of each part deducted.)

SPACES NOT INCLUDED IN GROSS TONNAGE

(Information must be given concerning all spaces exempted from Gross Tonnage)

The following spaces have been exempted from Gross Tonnage and no others:

Ante, p. 374.

1. Open Decks under Art. IV, Sec. 1 (a) (Name the deck and otherwise identify): -----
2. Spaces opposite end openings under Art. IV, Sec. 1 (b) (State separately the dimensions and tonnages of parts exempted):
 Forecastle -----
 Bridge -----
 Poop -----
3. Spaces in way of opposite side openings under Art. IV, Sec. 1 (c) (State separately the dimensions and tonnages of parts exempted):
 Forecastle -----
 Bridge -----
 Poop -----
4. Spaces in way of opposite side openings under Art. IV, Sec. 2 (Name the deck and state separately the dimensions and tonnages of parts exempted):

5. Spaces above lowest tier of side-to-side erections under Art. IV, Sec. 3 (Name tier and state separately the dimensions and tonnages of parts exempted):
 Space framed in round funnels -----
 Space framed in round light and air casings -----
6. Double Bottom Compartments under Art. IV, Sec. 4 (Name or give numbers of compartments exempted): -----
7. Companion Houses under Art. IV, Sec. 6 (State location, dimensions and tonnages of parts exempted): -----
8. Domes, Skylights and Air Shafts under Art. IV, Sec. 7 (Name and state separately location, dimensions and tonnages of parts exempted):

9. State any other particulars of exempted spaces. -----

THIS IS TO CERTIFY that the -----
(Nationality) (Type)

Vessel above named has been measured in accordance with the Rules for Measurement of Vessels for the Panama Canal, and that the particulars of tonnage contained in this Certificate are correct.

Given under my hand at ----- this ----- day of ----- 19---

(Signature)

(Official Position)

CORRECTING CERTAIN LANGUAGE IN PROCLAMATION No. 2247 OF
AUGUST 25, 1937, PRESCRIBING PANAMA CANAL TOLL RATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 31, 1937
[No. 2249]

A PROCLAMATION

WHEREAS the phrase "when carrying passengers and cargo" contained in paragraph numbered 1 in Proclamation No. 2247 of August 25, 1937, prescribing Panama Canal toll rates was intended to read "when carrying passengers or cargo"; and

Panama Canal toll rates.
Preamble.
Ante, p. 373.

WHEREAS it is desired to correct the said phrase so that it shall read as intended:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by section 411 of title 2 of the Canal Zone Code, approved June 19, 1934, do hereby amend the aforesaid paragraph numbered 1 of Proclamation No. 2247 of August 25, 1937, to read as follows:

Correcting certain language in former proclamation.
48 Stat. 1122.

Text as amended.

"1. On merchant vessels, yachts, army and navy transports, colliers, hospital ships, and supply ships, when carrying passengers or cargo, ninety (90) cents per net-vessel ton of 100 cubic feet each of actual earning capacity—that is, the net tonnage determined in accordance with the Rules for the Measurement of Vessels for the Panama Canal."

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 31st day of August in the year of our Lord nineteen hundred and thirty-seven, and of the [SEAL] Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D. ROOSEVELT

By the President,
CORDELL HULL
Secretary of State.

ENLARGING THE STATUE OF LIBERTY NATIONAL MONUMENT—
NEW YORK

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 7, 1937
[No. 2250]

A PROCLAMATION

WHEREAS certain government-owned lands known as Fort Wood and situated on Bedloe's Island in the harbor of New York, New York, are contiguous to the Statue of Liberty National Monument, established by Proclamation of October 15, 1924 (43 Stat. 1968), and are necessary for the proper care, management, and protection of the colossal statue of "Liberty Enlightening the World"; and

Statue of Liberty National Monument, N. Y.
Preamble.
43 Stat. 1968.

WHEREAS it appears that it would be in the public interest to add such lands to the Statue of Liberty National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the Act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that the following-

Area enlarged.
34 Stat. 225.
16 U. S. C. § 431.

described lands in New York are hereby added to and made a part of the Statue of Liberty National Monument:

Description.

All lands on Bedloe's Island, New York, not now a part of the Statue of Liberty National Monument, including all uplands and marginal submerged lands and such wharves, warehouses, and other lands as comprised Fort Wood prior to evacuation thereof as a military reservation.

Warning against unauthorized acts.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Supervision.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as enlarged hereby as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes," approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof:

39 Stat. 535.
16 U. S. C. §§ 1, 2.

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 7th day of September in the year of our Lord nineteen hundred and thirty-seven and [SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

The Secretary of State.

GOLD STAR MOTHER'S DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

September 10, 1937
[No. 2251]

WHEREAS the preamble to Public Resolution 123, 74th Congress, approved June 23, 1936, recites:

Gold Star Mother's Day.
Preamble.
49 Stat. 1895.
36 U. S. C., Supp. III, §§ 147, 148.

"WHEREAS the service rendered the United States by the American mother is the greatest source of the country's strength and inspiration; and

"WHEREAS we honor ourselves and the mothers of America when we revere and give emphasis to the home as the fountain-head of the state; and

"WHEREAS the American mother is doing so much for the home and for the moral and spiritual uplift of the people of the United States and hence so much for good government and humanity; and

"WHEREAS the American Gold Star Mothers suffered the supreme sacrifice of motherhood in the loss of their sons and daughters in the World War;"

AND WHEREAS the said Public Resolution 123 provides:

"That the President of the United States is hereby authorized and requested to issue a proclamation calling upon the Government officials to display the United States flag on all Government buildings, and the people of the United States to display the flag and to hold appropriate meetings at their homes, churches, or other suitable places, on the last Sunday in September, as a public expression of the love, sorrow, and reverence of the people of the United States for the American Gold Star Mothers.

"SEC. 2. That the last Sunday in September shall hereafter be designated and known as 'Gold Star Mother's Day', and it shall be the duty of the President to request its observance as provided for in this resolution."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid public resolution, do by this proclamation designate Sunday, September 26, 1937, as Gold Star Mother's Day and direct Government officials to display the United States flag on all Government buildings, and do call upon the people of the United States to display the flag and to hold appropriate meetings at their homes, churches, or other suitable places on that day as a public expression of the affection and reverence of the people of the United States for the American Gold Star Mothers.

Sunday, September 26, 1937, designated as.

IN WITNESS 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 10th day of September in the year of our Lord nineteen hundred and thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

FIRE PREVENTION WEEK—1937

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 18, 1937
[No. 2252]

A PROCLAMATION

WHEREAS more than ten thousand lives are lost each year as a result of fires in the United States; and

Fire Prevention Week, 1937. Preamble.

WHEREAS the property loss from fires in the United States in 1936 was more than \$260,000,000, a marked increase over the loss in 1935; and

WHEREAS this upward trend in the devastation wrought by fires can be corrected only through the earnest effort of everyone; and

WHEREAS it has been customary for the President of the United States to request public observance of Fire Prevention Week in an effort to bring home to every citizen a realization of individual responsibility in the movement to curtail losses of life and property from preventable fires;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim and designate the week beginning October 3, 1937, as Fire Prevention Week and invite the active cooperation of all our people in the elimination of fire hazards and the prevention of fire waste, to the end that human life may be safeguarded and the national prosperity increased.

Week beginning October 3, 1937, designated as.

IN WITNESS 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 18th day of September, in the year of our Lord nineteen hundred and thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

COLUMBUS DAY

September 18, 1937
[No. 2253]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Columbus Day,
1937.
Preamble.
48 Stat. 657.
36 U. S. C. § 146.
Statutory provisions.

WHEREAS Public Resolution 21, Seventy-third Congress, approved April 30, 1934, provides:

"That the President of the United States is authorized and requested to issue a proclamation designating October 12 of each year as Columbus Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of the public sentiment befitting the anniversary of the discovery of America.";

Designating October 12, 1937, as, and inviting observance.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid public resolution, do by this proclamation designate October 12, 1937, as Columbus Day and do direct that on that day the flag of the United States be displayed on all Government buildings; and, further, I do invite the people of the United States to observe the day with appropriate ceremonies in schools and churches, or other suitable places.

IN WITNESS 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 18th day of September, in the year of our Lord nineteen hundred and thirty-seven,
[SEAL] and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

GENERAL PULASKI MEMORIAL DAY

September 18, 1937
[No. 2254]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

General Pulaski
Memorial Day.
Preamble.

WHEREAS General Casimir Pulaski crossed the seas to offer his services to General Washington and to the young Republic in its hour of need; and

WHEREAS General Pulaski organized the cavalry unit known as the Pulaski Legion, which he commanded with distinction until the day when he fell mortally wounded while leading a charge at Savannah; and

WHEREAS he died from the wounds thus received on October 11, 1779; and

Statutory provisions.
50 Stat. 62.

WHEREAS Public Resolution 24, Seventy-fifth Congress, approved on April 13, 1937, provides:

"That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1937, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do direct that the flag shall be displayed upon all Government buildings on October 11, 1937, as a mark of respect to the memory of General Casimir Pulaski, and do hereby invite the people of the United States to observe that day as General Pulaski Memorial Day and to participate with appropriate ceremonies in schools and churches or other suitable places in the solemn commemoration of General Pulaski's death on October 11, one hundred and fifty-eight years ago.

Observance of anniversary of death invited.

IN WITNESS 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 18th day of September, in the year of our Lord nineteen hundred and thirty-seven, [SEAL] and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

SUSPENSION OF CERTAIN JURISDICTION OF AMERICAN EXTRATERRITORIAL COURTS IN EGYPT

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 9, 1937
[No. 2255]

A PROCLAMATION

WHEREAS by a Presidential proclamation issued on March 27, 1876, pursuant to the authority of the act of Congress approved March 23, 1874, the judicial functions theretofore exercised in Egypt by the minister, consuls, or other functionaries of the United States pursuant to the act of Congress approved June 22, 1860, were suspended, during the pleasure of the President, so far as the jurisdiction of certain Egyptian tribunals embraced matters cognizable by the minister, consuls, or other functionaries of the United States in Egypt, except as to cases actually commenced before the date of the said proclamation;

American extraterritorial courts in Egypt.
Preamble.
19 Stat. 662.
18 Stat. 23.
12 Stat. 72.

WHEREAS at the time of the issuance of the said proclamation the jurisdiction of the said Egyptian tribunals did not extend to certain categories of cases within the jurisdiction of the minister, consuls, or other functionaries of the United States which were accordingly retained within the jurisdiction of, and have continued to the present time to be exercised by, those functionaries;

WHEREAS the Government of the United States and other governments concluded a convention with the Government of Egypt on May 8, 1937, providing for the termination of the capitulatory rights now enjoyed by the United States and other powers in Egypt and providing that, during the period October 15, 1937–October 14, 1949, the judicial functions now exercised by consular courts would be exercised by the Mixed Tribunals of Egypt, except as to personal status matters—as defined in article 28 of the *Règlement d'Organisation Judiciaire* annexed to and forming a part of the said convention of May 8, 1937—with respect to which the said convention provides that the signatory governments may retain existing consular courts for the purpose of jurisdiction in cases involving the personal status of their respective nationals during the period October 15, 1937–October 14, 1949;

Convention with Egypt providing for termination of certain capitulatory rights of United States, etc.

Mixed Tribunals of Egypt, ad interim functions.
Personalstatus matters excepted.

Cooperative action
by United States
pending ratification.

WHEREAS, pending the ratification of the said convention by the Government of the United States, it is in the interest of the United States to cooperate with the Government of Egypt and the other capitulatory powers by suspending the jurisdiction now exercised by the minister, consuls, or other functionaries of the United States in Egypt and consenting to the transfer of that jurisdiction to the Mixed Tribunals of Egypt, except jurisdiction in matters involving the personal status of citizens of the United States; and

Treatment to be
accorded U. S. citizens
by Mixed Tribunals
of Egypt.

WHEREAS satisfactory information has been received by me that the said Mixed Tribunals of Egypt are organized on a basis likely to secure to citizens of the United States in Egypt the impartial justice which they now enjoy under the judicial functions exercised by the minister, consuls, or other functionaries of the United States pursuant to the said act of Congress of June 22, 1860:

12 Stat. 72.
Suspension of judi-
cial functions of extra-
territorial courts.
18 Stat. 23.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power and authority conferred upon me by the said act of Congress approved March 23, 1874, do hereby suspend, effective October 15, 1937, during the pleasure of the President, the judicial functions now exercised by the minister, consuls, or other functionaries of the United States in Egypt, except as to cases actually commenced before October 15, 1937, and except as to matters involving the personal status of citizens of the United States as defined in article 28 of the *Règlement d'Organisation Judiciaire* annexed to the said convention of May 8, 1937.

Exceptions.

IN WITNESS 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 9th day of October, in the year of our Lord nineteen hundred and thirty-seven, and
[SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

CONVENING THE CONGRESS IN EXTRA SESSION

October 12, 1937
[No. 2256]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Congress.
Preamble.

WHEREAS public interests require that the Congress of the United States should be convened in extra session at twelve o'clock, noon, on the Fifteenth day of November, 1937, to receive such communication as may be made by the Executive;

Convening extra
session, November 15,
1937.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol in the City of Washington on the Fifteenth day of November, 1937, at twelve o'clock, noon, of which all persons who shall at that time be entitled to act as members thereof are hereby required to take notice.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the great seal of the United States.

DONE at the City of Washington this 12th day of October, in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

PACIFIC MERCADO (INTERNATIONAL EXPOSITION) AND WORLD'S FAIR

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 19, 1937
[No. 2257]

A PROCLAMATION

WHEREAS Public Resolution 73, 75th Congress, approved August 26, 1937, recites that "there is to be held in the City of Los Angeles, State of California, commencing in the year 1940, a continuing international exposition to be known as the Pacific Mercado, designed to promote closer relations and better understandings among the countries and nations of the world, through the furtherance of trade, industry, and cultural arts, by gathering, arranging, and exhibiting the varied cultures of such countries and nations and the origins, progress, and accomplishments in science, the arts, education, industry, business, and transportation of such countries and nations, and by other appropriate means"; and that "there is to be held in said city in the year 1942, in connection with the said Pacific Mercado, a world's fair commemorating the landing of Cabrillo";

Pacific Mercado (International Exposition), Los Angeles, Calif.
Preamble.
50 Stat. 834.

WHEREAS the said Resolution reads in part as follows:

*"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled * * * That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries to such proposed Pacific Mercado (International Exposition) and to such proposed world's fair to be held in connection therewith, with a request that they participate therein";*

AND WHEREAS I believe the people of many nations would be pleased to unite with the people of the United States in participating in this exposition and in the world's fair to be held in connection therewith:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in compliance with the aforesaid Resolution, do invite the participation of foreign countries in this exposition and in the world's fair to be held in connection therewith.

Foreign nations invited to participate.

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 19th day of October in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

ARMISTICE DAY—1937

October 22, 1937
[No. 2258]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Armistice Day, 1937.
Preamble.

WHEREAS November 11, 1937, is the nineteenth anniversary of the cessation of the most destructive, sanguinary, and far-reaching war in human annals; and

Statutory authori-
zation.
44 Stat. 1982.

WHEREAS Senate Concurrent Resolution 18, Sixty-ninth Congress (44 Stat. 1982), passed June 4, 1926, provides:

“That the President of the United States is requested to issue a proclamation calling upon the officials to display the flag of the United States on all Government buildings on November 11 and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of our gratitude for peace and our desire for the continuance of friendly relations with all other peoples”; and

WHEREAS lawlessness and strife in many parts of the world which now threaten international security and even civilization itself, make it particularly fitting that we should again express our wish to pursue a policy of peace, to adopt every practicable means to avoid war, to work for the restoration of confidence and order among nations, and to repeat that the will to peace still characterizes the great majority of the peoples of the earth;

Directing display of
flag and inviting ob-
servance of.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby direct that on November 11, 1937, the nineteenth anniversary of the Armistice, the flag of the United States be displayed on all Government buildings, and do invite the people of the United States to observe the day with appropriate ceremonies in schools and churches, and other suitable places.

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 22nd day of October, in the year of our Lord nineteen hundred and thirty-seven, and
[SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:
SUMNER WELLES
Acting Secretary of State.

EMERGENCY BOARD, PACIFIC ELECTRIC RAILWAY—EMPLOYEES

October 30, 1937
[No. 2259]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Labour dispute be-
tween Pacific Electric
Railway and certain
of its employees.

WHEREAS the President, having been duly notified by the National Mediation Board that a dispute between the Pacific Electric Railway, a carrier, and certain of its employees represented by

Brotherhood of Railroad Trainmen

which dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the state of California to a degree such as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of 3 persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned dispute and report its findings to me within thirty days from this date.

Emergency board created to investigate and report thereon.

44 Stat. 586.
45 U. S. C. § 160.

The members of this board shall be compensated for and on account of such duties in the sum of \$75.00 dollars for every day actually employed with or upon account of travel and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including traveling expenses and in conformity with Public No. 212, 72nd Congress, Approved June 30, 1932, 11:30 a. m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

Compensation, etc.

Expenditures.

47 Stat. 405.
5 U. S. C. § 823.

All expenditures of the board shall be allowed and paid for out of the appropriation "Emergency Boards, Railway Labor Act, May 20, 1926, 1938" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

Fund available.
50 Stat. 340.

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 30th day of October in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty second.

FRANKLIN D ROOSEVELT

By the President
SUMNER WELLES
Acting Secretary of State

THANKSGIVING DAY—1937

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 9, 1937
[No. 2260]

A PROCLAMATION

I, FRANKLIN D. ROOSEVELT, President of the United States of America, hereby designate Thursday, the twenty-fifth day of November 1937 as a day of national thanksgiving.

Thanksgiving Day, 1937.
Thursday, November 25, 1937, designated as.

The custom of observing a day of public thanksgiving began in Colonial times and has been given the sanction of national observance through many years. It is in keeping with all of our traditions that we, even as our fathers in olden days, give humble and hearty thanks for the bounty and the goodness of Divine Providence.

The harvests of our fields have been abundant and many men and women have been given the blessing of stable employment.

A period unhappily marked in many parts of the world by strife and threats of war finds our people enjoying the blessing of peace. We have no selfish designs against other nations.

We have been fortunate in devoting our energies and our resources to constructive purposes and useful works. We have sought to fulfill our obligation to use our national heritage by common effort for the common good.

Let us, therefore, on the day appointed forego our usual occupations and, in our accustomed places of worship, each in his own way, humbly acknowledge the mercy of God from whom comes every good and perfect gift.

IN WITNESS 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 November, in the year of our Lord nineteen hundred and thirty-seven,
[SEAL] and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

SUMNER WELLES

Acting Secretary of State.

PAN AMERICAN EXPOSITION, TAMPA, FLORIDA, 1939

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

November 15, 1937
[No. 2261]

Pan American Exposition, Tampa, Fla., 1939.
Preamble.

WHEREAS there is to be held at Tampa, Florida, during the year 1939, an international exposition which has for its purpose the commemoration of the four-hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, and which because of its international character will contribute to cordial relations among nations; and

Statutory provisions.
50 Stat. 831.

WHEREAS a joint resolution of Congress, approved August 26, 1937 (50 Stat. 831), reads in part as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries to an exposition to be held in Tampa, Florida, to be known as the 'Pan American Exposition', in commemoration of the four-hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, under the auspices and on the grounds of the Florida Fair and Gasparilla Association, Incorporated, in the year 1939, with a request that they participate therein."

AND WHEREAS I believe the people of many nations would be pleased to unite with the people of the United States in participating in this exposition, to be known as the Pan American Exposition:

Countries of the Americas invited to participate.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in compliance with the aforesaid joint resolution of Congress, do invite the participation of the countries of the Americas in this Exposition.

IN WITNESS 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 15th day of November in the year of our Lord nineteen hundred and thirty-seven,
[SEAL] and of the Independence of the United States of America the one hundred and sixty second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

DOMESTIC ANIMALS, TOGETHER WITH THEIR OFFSPRING, RETURNED TO THE UNITED STATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 6, 1937
[No. 2262]

A PROCLAMATION

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696; U. S. C., title 19, sec. 1318) provides:

Domestic animals returned to the United States.
46 Stat. 696.
19 U. S. C. § 1318.
Statutory provisions.

“Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *”;

AND WHEREAS subparagraph (c) of paragraph 1606 of section 201 of the said act (46 Stat. 673; U. S. C., title 19, sec. 1201, par. 1606) provides:

Domestic animals straying across boundary line; return.
46 Stat. 673.
19 U. S. C. § 1201, par. 1606.

“Horses, mules, asses, cattle, sheep, and other domestic animals straying across the boundary line into any foreign country, or driven across such boundary line by the owner for temporary pasturage purposes only, together with their offspring, shall be dutiable unless brought back to the United States within eight months, in which case they shall be free of duty, under regulations to be prescribed by the Secretary of the Treasury.”

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

Emergency declared.
46 Stat. 696.
19 U. S. C. § 1318.

And I do hereby authorize the Secretary of the Treasury, under such regulations as he may prescribe, to extend the time in which horses, mules, asses, cattle, sheep, and other domestic animals, straying across the boundary line into any foreign country, or driven across such boundary line by the owner for temporary pasturage purposes only, together with their offspring, may be brought back into the United States free of duty, from eight months, as provided in subparagraph (c) of paragraph 1606 of the said act, to twelve months, if such animals are brought back on or before June 30, 1938.

Time extended for return, free of duty.

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 6th day of December in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D. ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

CHATTAHOOCHEE NATIONAL FOREST—GEORGIA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

December 7, 1937
[No. 2263]Chattahoochee National Forest, Ga.
Preamble.
Statutory authority.
48 Stat. 195; 49 Stat. 115.
15 U. S. C. §§ 701-712; 15 U. S. C., Supp. III, ch. 15.

50 Stat. 1739.

Lands set apart.

26 Stat. 1103.
16 U. S. C. § 471.
30 Stat. 36.
16 U. S. C. § 473.

Lands included.

WHEREAS it appears that certain lands within the State of Georgia, acquired by the United States, under the authority of the National Industrial Recovery Act, approved July 16, 1933 (48 Stat. 195), and the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115), are suitable for forest purposes; and

WHEREAS it appears that it will be in the public interest to reserve such lands for national-forest purposes, and that they can be effectively and economically administered as part of the Chattahoochee National Forest, Georgia, established by Proclamation of July 9, 1936 (1 F. R. 776):

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, 26 Stat. 1095, 1103, as amended (16 U. S. C., sec. 471), the act of June 4, 1897, 30 Stat. 34, 36 (16 U. S. C., sec. 473), the said National Industrial Recovery Act, and the said Emergency Relief Appropriation Act of 1935, do proclaim that the following-described lands are hereby included in and reserved as part of the said Chattahoochee National Forest:

Tracts Nos. 490a, 360, 360a, 861, 332, 131c, and 215d, of the Piedmont¹ Project (LA-GA-3), Georgia, as shown on the accompanying diagram which is made a part hereof.

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 seventh day of December in the year of our Lord nineteen hundred and thirty-seven, [SEAL] and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT—FLORIDA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

December 13, 1937
[No. 2264]St. Marks Migratory Bird Refuge, Fla.
Preamble.
40 Stat. 755.
16 U. S. C. §§ 703-711.

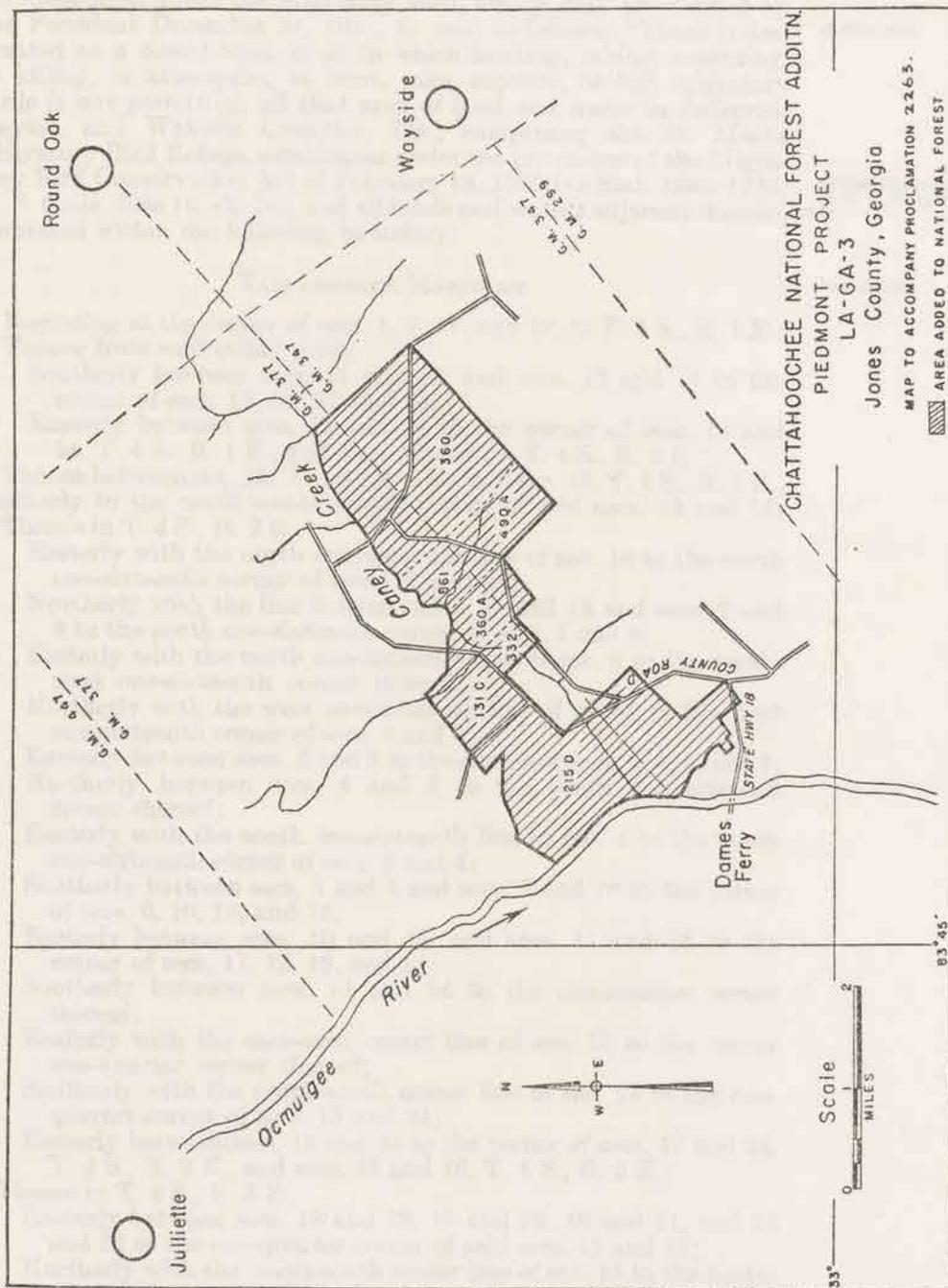
WHEREAS the Acting Secretary of Agriculture has submitted to me for approval the following amendatory regulation adopted by him under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755):

AMENDED REGULATION DESIGNATING THE ST. MARKS MIGRATORY BIRD REFUGE, FLORIDA, AND LANDS AND WATERS ADJACENT THERETO A CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT

Regulation designating, amended.
40 Stat. 755-757.
16 U. S. C. §§ 703-711.

I, M. L. Wilson, Acting Secretary of Agriculture, by virtue of authority vested in me by the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755-757; U. S. Code, title 16, secs. 703-711), and in extension of Regulation 4 of the Migratory Bird Treaty Act Regula-

¹ So in original.



404-1

tions, do hereby amend the "Regulation Designating the St. Marks Migratory Bird Refuge, Fla., and Lands and Waters Adjacent Thereto a Closed Area under the Migratory Bird Treaty Act" proclaimed by the President December 24, 1931, to read as follows: "There is designated as a closed area, in or on which hunting, taking, capturing, or killing, or attempting to hunt, take, capture, or kill, migratory birds is not permitted, all that area of land and water in Jefferson, Taylor, and Wakulla Counties, Fla., comprising the St. Marks Migratory Bird Refuge, established under the provisions of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222-1226; U. S. Code, title 16, ch. 7a), and all lands and waters adjacent thereto, embraced within the following boundary:

Closed area modified.

47 Stat. 2493.

45 Stat. 1222-1226.
16 U. S. C. §§ 715-715r.

TALLAHASSEE MERIDIAN

Description.

Beginning at the corner of secs. 1, 2, 11, and 12, in T. 4 S., R. 1 E.;
Thence from said initial point,
Southerly between secs. 11 and 12, and secs. 13 and 14 to the corner of secs. 13, 14, 23, and 24;
Easterly between secs. 13 and 24 to the corner of secs. 13 and 24, T. 4 S., R. 1 E., and secs. 18 and 19, T. 4 S., R. 2 E.;
Thence between sec. 13, T. 4 S., R. 1 E., and sec. 18, T. 4 S., R. 2 E., northerly to the north one-sixteenth corner of said secs. 13 and 18;
Thence in T. 4 S., R. 2 E.,
Easterly with the north one-sixteenth line of sec. 18 to the north one-sixteenth corner of secs. 17 and 18;
Northerly with the line between secs. 17 and 18 and secs. 7 and 8 to the north one-sixteenth corner of secs. 7 and 8;
Easterly with the north one-sixteenth line of sec. 8 to the northwest one-sixteenth corner thereof;
Northerly with the west one-sixteenth line of sec. 8 to the west one-sixteenth corner of secs. 5 and 8;
Easterly between secs. 5 and 8 to the corner of secs. 4, 5, 8, and 9;
Northerly between secs. 4 and 5 to the south one-sixteenth corner thereof;
Easterly with the south one-sixteenth line of sec. 4 to the south one-sixteenth corner of secs. 3 and 4;
Southerly between secs. 3 and 4 and secs. 9 and 10 to the corner of secs. 9, 10, 15, and 16;
Easterly between secs. 10 and 15, and secs. 11 and 14 to the corner of secs. 11, 12, 13, and 14;
Southerly between secs. 13 and 14 to the one-quarter corner thereof;
Easterly with the east-west center line of sec. 13 to the center one-quarter corner thereof;
Southerly with the north-south center line of sec. 13 to the one-quarter corner of secs. 13 and 24;
Easterly between secs. 13 and 24 to the corner of secs. 13 and 24, T. 4 S., R. 2 E., and secs. 18 and 19, T. 4 S., R. 3 E.;
Thence in T. 4 S., R. 3 E.,
Easterly between secs. 18 and 19, 17 and 20, 16 and 21, and 15 and 22 to the one-quarter corner of said secs. 15 and 22;
Northerly with the north-south center line of sec. 15 to the center one-quarter corner thereof;
Easterly with the east-west center line of sec. 15 to the center east one-sixteenth corner thereof;
Northerly with the east one-sixteenth line of sec. 15 to the northeast one-sixteenth corner thereof;

Easterly with the north one-sixteenth line through secs. 15 and 14 to the north one-sixteenth corner of secs. 13 and 14;
 Southerly between secs. 13 and 14 to the one-quarter corner thereof;
 Easterly with the east-west center line of sec. 13 to the center one-quarter corner thereof;
 Southerly with the north-south center line of sec. 13 to the center south one-sixteenth corner thereof;
 Easterly with the south one-sixteenth line of sec. 13 to the south one-sixteenth corner of sec. 13, T. 4 S., R. 3 E., and sec. 18, T. 4 S., R. 4 E.;

Thence between sec. 13, T. 4 S., R. 3 E., and sec. 18, T. 4 S., R. 4 E., southerly to the corner of secs. 13 and 24, T. 4 S., R. 3 E., and secs. 18 and 19, T. 4 S., R. 4 E.;

Thence in T. 4 S., R. 4 E.,
 Easterly between secs. 18 and 19 to the center of the Aucilla River channel;
 Southwesterly in sec. 19 downstream with the center of the Aucilla River channel to the line between sec. 24, T. 4 S., R. 3 E., and sec. 19, T. 4 S., R. 4 E.;

Thence in T. 4 S., R. 3 E.,
 Southwesterly in secs. 24 and 25 downstream with the center of the Aucilla River channel to the line between secs. 25 and 36;

Easterly between secs. 25 and 36 to the corner of secs. 25 and 36, T. 4 S., R. 3 E., and secs. 30 and 31, T. 4 S., R. 4 E.;

Thence between sec. 36, T. 4 S., R. 3 E., and sec. 31, T. 4 S., R. 4 E.; and sec. 1, T. 5 S., R. 3 E., and sec. 6, T. 5 S., R. 4 E., southerly to the shore of the Gulf of Mexico;

Thence across the Gulf of Mexico,
 S. 75°44' W., 35.92 chains, to a point on East Cut-off Island;
 S. 77°14' W., 3.77 chains, along the south side of East Cut-off Island to Green Point, the southernmost extremity thereof;
 S. 75° W., 5.2 miles (approximately), to a point on the south side of Peters Rock;
 S. 82° W., 6.7 miles (approximately), to the Front Range Beacon, approximately 2.35 miles southerly from St. Marks Lighthouse;
 S. 76° W., 1 mile (approximately), to the south side of a shoal;
 West, 1 mile, to a point;
 North, 3.6 miles (approximately), to the westernmost point of Sprague Island, which point is marked with a U. S. Biological Survey standard concrete post;

Thence crossing Indian Pass, N. 6°08' W., 22.95 chains, to a point at the southernmost extremity of the Hartsfield Corner Survey;

Thence southwesterly with the meanders of the north shore of Apalachee Bay along the southerly boundaries of the U. S. Biological Survey Tracts 11, 16, and 19a, and the easterly boundaries of Tracts 19 and 20, to a point in the east boundary of Hartsfield Survey, Lot 121, on the east side of Live Oak Point, from which a U. S. B. S. standard concrete post set for a witness corner bears N. 65°45' W., 1.35 chains distant;

Thence in the Hartsfield Survey, Lot 121,
 S. 72°51' W., 59.21 chains, across Live Oak Point and Walker Creek;
 S. 80°03' W., 60.76 chains;
 N. 17°09' W., 60.00 chains to the corner of Hartsfield Survey, Lots 116 and 117, in the north boundary of Lot 121;

Thence continuing in Hartsfield Survey,
Northwesterly between Lots 116 and 117 and Lots 106 and 107;
Northeasterly between Lots 97 and 107 and Lots 98 and 108;
Northwesterly between Lots 98 and 99 and Lots 30 and 47;
Northeasterly between Lots 30 and 31, 28 and 29, 14 and 15,
and 7 and 8;

Thence northwesterly between Hartsfield Survey Lot 7, and Hartsfield River Survey, Lot 7;

Thence in Hartsfield River Survey,
Northeasterly between Lots 6 and 7 to the corner of said Lots 6 and 7 on the right bank of the Wakulla River;

Northeasterly in the Wakulla River to the center of its channel;
Thence downstream with the center of the Wakulla River channel southeasterly to its confluence with the St. Marks River;

Thence upstream with the center of the St. Marks River channel to a point in the line between secs. 2 and 11, T. 4 S., R. 1 E.;

Thence between secs. 2 and 11, in T. 4 S., R. 1 E., easterly to the place of beginning."

AND WHEREAS upon consideration it appears that the foregoing regulation will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act of July 3, 1918:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing amendatory regulation of the Acting Secretary of Agriculture.

Approval by the President.
40 Stat. 755.
16 U. S. C. §§703-711.

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 13th day of December in the year of our Lord nineteen hundred and thirty-seven
[SEAL] and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

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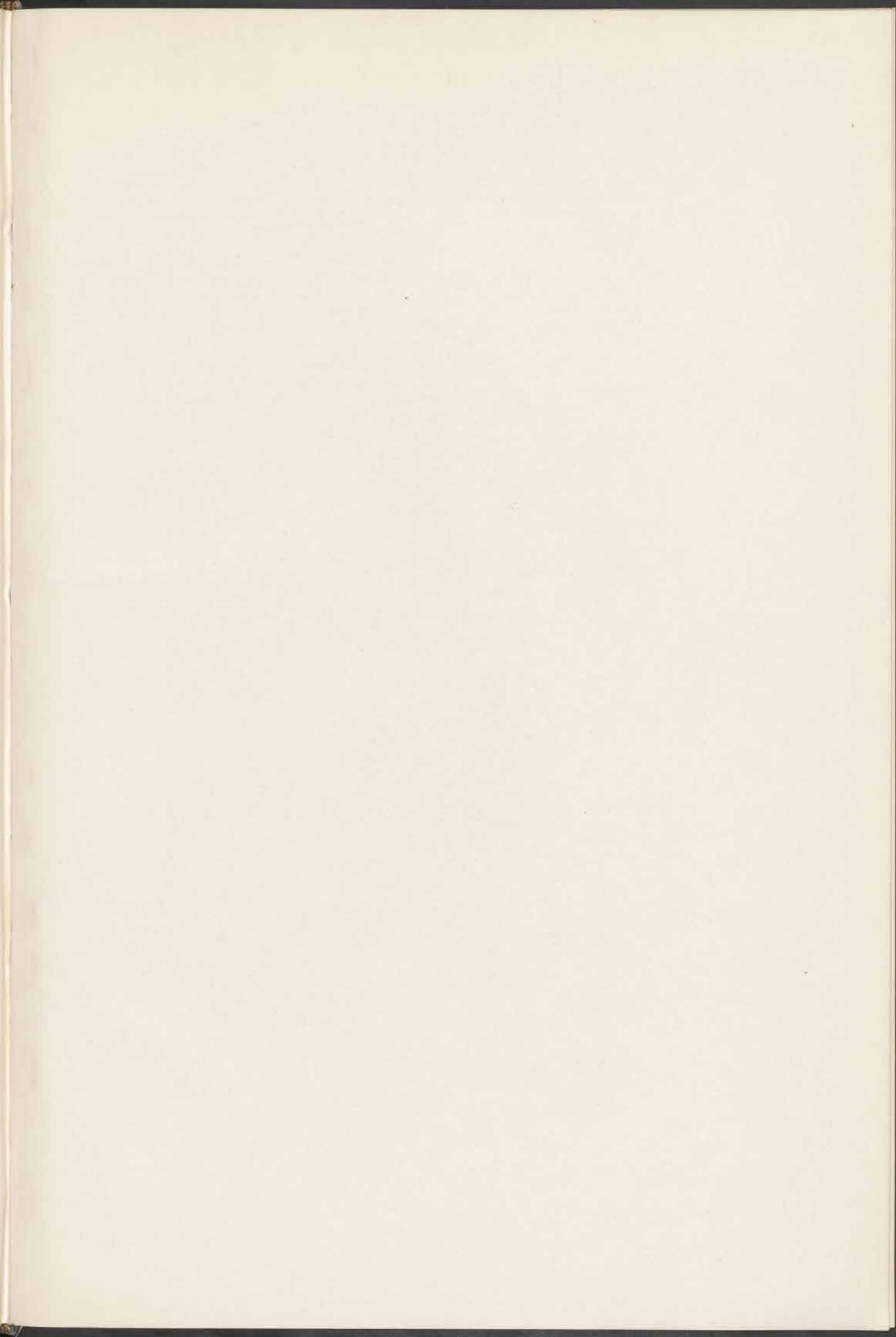
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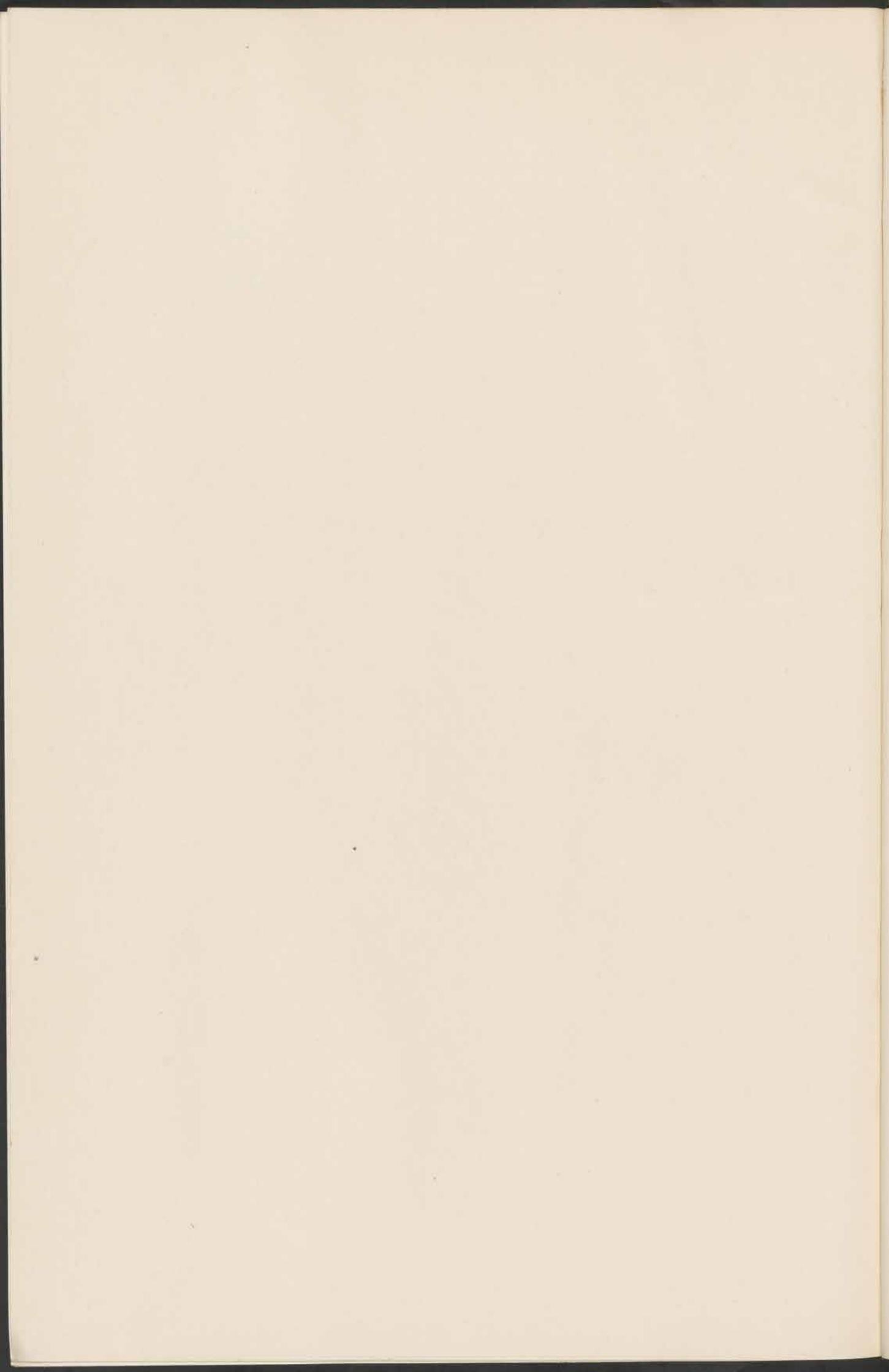
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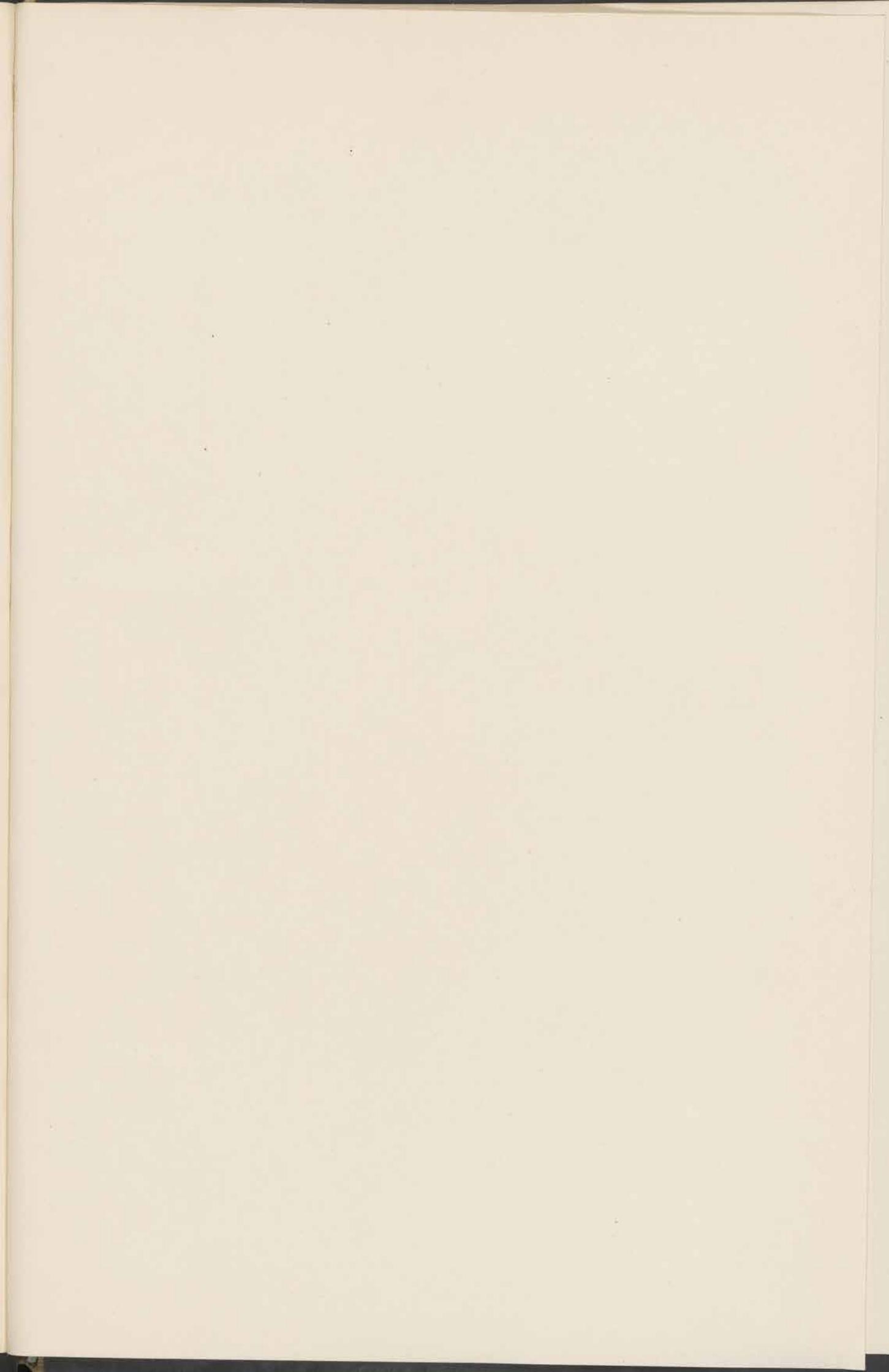
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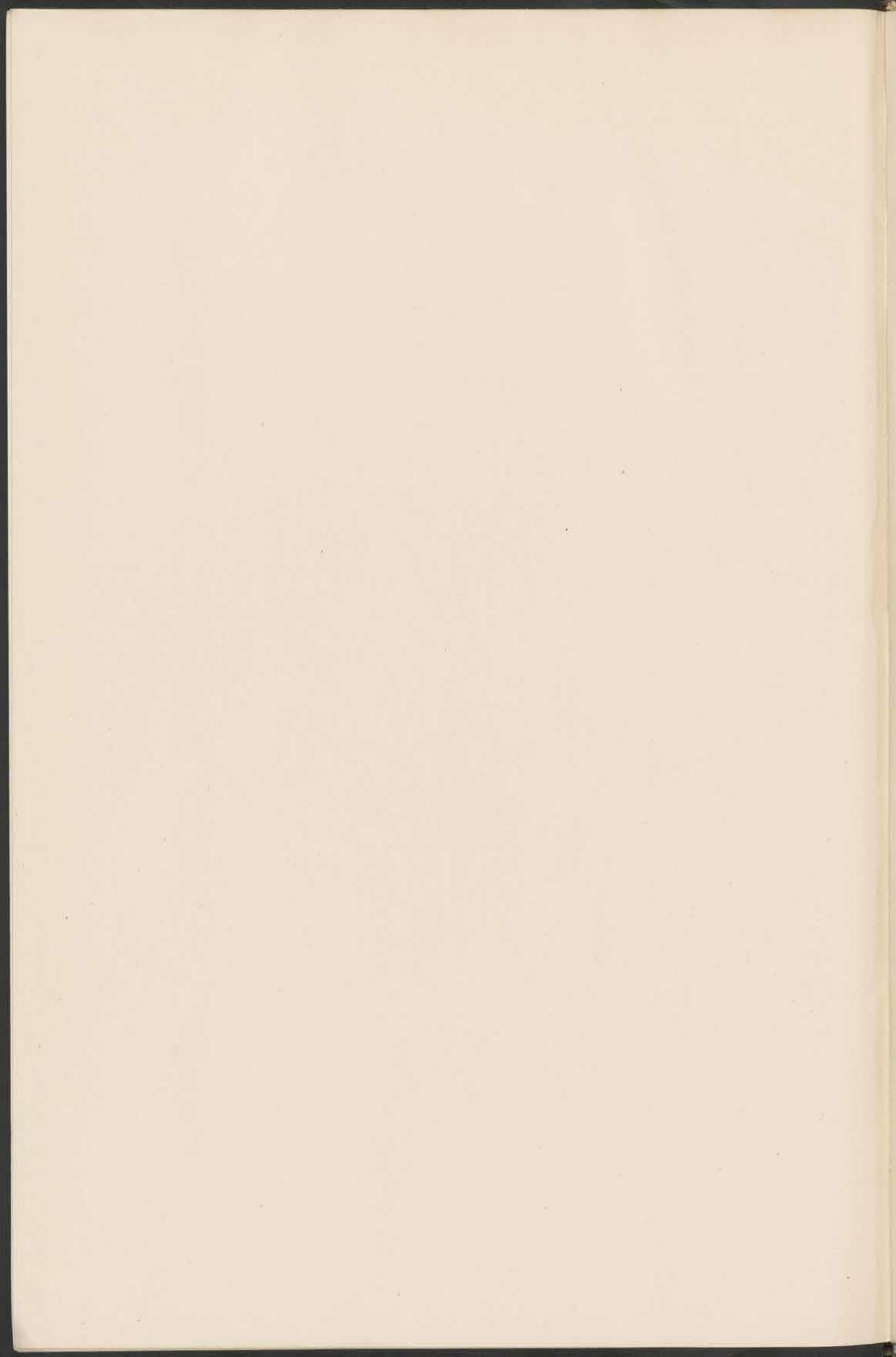


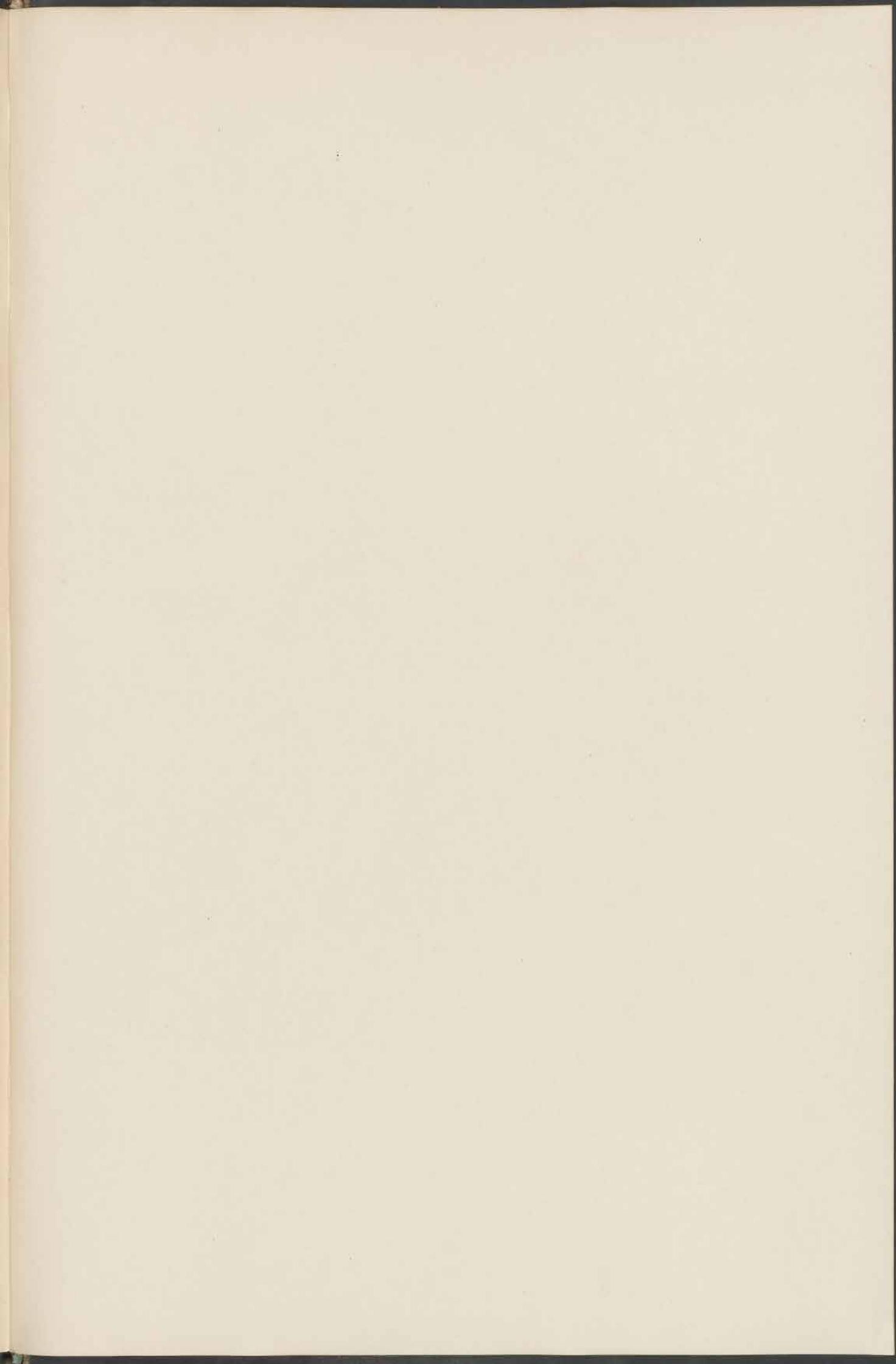


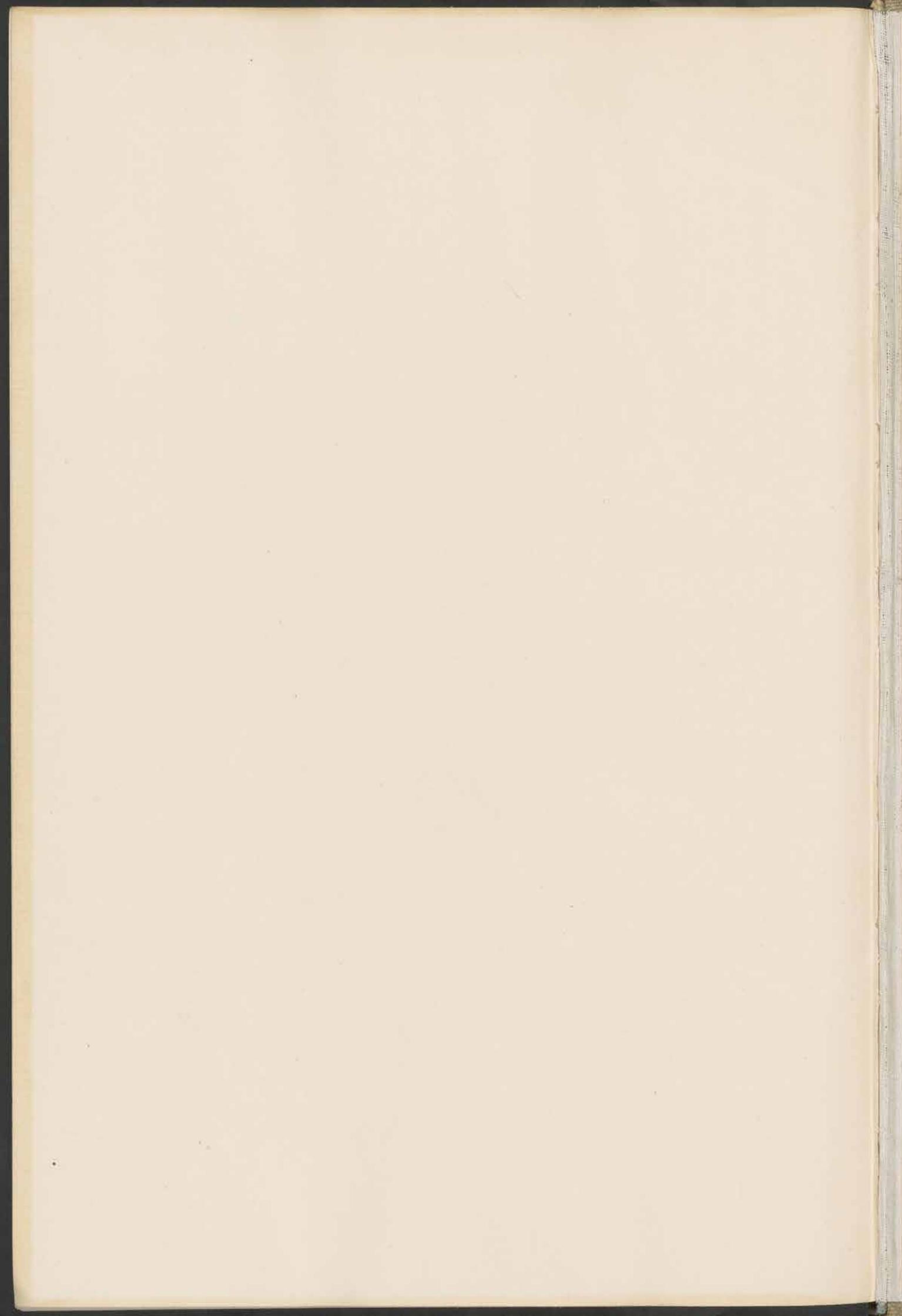












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