

Convention between the United States of America and the United Kingdom of Great Britain and Ireland relating to the tenure and disposition of real and personal property. Signed at Washington, March 2, 1899; ratification advised by the Senate, March 22, 1900; ratified by the Queen, June 18, 1900; ratified by the President, July 16, 1900; ratifications exchanged, July 28, 1900; proclaimed, August 6, 1900.

March 2, 1899.

WILLIAM MCKINLEY,

PRESIDENT OF THE UNITED STATES OF AMERICA.

To all to whom these Presents shall come, Greeting :

Know Ye, that whereas a Convention between the United States of America and Great Britain, relating to the tenure and disposition of real and personal property, was concluded at Washington on the 2d of March, one thousand eight hundred and ninety-nine, the original of which Convention, being in the English language, is, as amended by the Senate of the United States, word for word as follows:

Convention with Great Britain as to tenure of property, etc.

The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, desiring to improve the condition of the citizens and subjects of each of the respective countries in relation to the tenure and disposition of real and personal property situated or being within the territories of the other, as well as to authorize the representation of deceased persons by the Consuls of their respective nations in the settlement of estates, have resolved to conclude a convention for those purposes and have named as their Plenipotentiaries:

The President of the United States of America, the Honorable John Hay, Secretary of State of the United States of America; and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honorable Sir Julian Pauncefote, Knight Grand Cross of the Orders of the Bath and of St. Michael and St. George, Ambassador Extraordinary and Plenipotentiary of Great Britain;

Plenipotentiaries.

Who, having exchanged their said full powers, found in due and proper form, have agreed to and signed the following articles:

ARTICLE I.

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

Three years allowed aliens to sell property inherited, etc.

ARTICLE II.

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

Disposition of personal property.

ARTICLE III.

Notice to consul of death of citizen dying in Great Britain, etc.

In case of the death of any citizen of the United States of America in the United Kingdom of Great Britain and Ireland, or of any subject of Her Britannic Majesty in the United States, without having in the country of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest consular officer of the Nation to which the deceased person belonged of the circumstance, in order that the necessary information may be immediately forwarded to persons interested.

—consul to represent absent heirs.

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

ARTICLE IV.

Notice of adhesion of British colonies.

The stipulations of the present Convention shall not be applicable to any of the Colonies or foreign possessions of Her Britannic Majesty unless notice to that effect shall have been given, on behalf of any such Colony or foreign possession by Her Britannic Majesty's Representative at Washington to the United States Secretary of State, within one year from the date of the exchange of the ratifications of the present Convention.

—or protectorates.

It is understood that under the provisions of this Article, Her Majesty can in the same manner give notice of adhesion on behalf of any British Protectorate or sphere of influence, or on behalf of the Island of Cyprus, in virtue of the Convention of the 4th of June, 1878, between Great Britain and Turkey.

—inclusion of foreign territories of the U. S.

The provisions of this Convention shall extend and apply to any territory or territories pertaining to or occupied and governed by the United States beyond the seas, only upon notice to that effect being given by the Representative of the United States at London, by direction of the treaty making power of the United States.

ARTICLE V.

Rights of most favored nation.

In all that concerns the right of disposing of every kind of property, real or personal, citizens or subjects of each of the High Contracting Parties shall in the Dominions of the other enjoy the rights which are or may be accorded to the citizens or subjects of the most favored nation.

ARTICLE VI.

Duration.

The present Convention shall come into effect ten days after the day upon which the ratifications are exchanged, and shall remain in force for ten years after such exchange. In case neither of the High Contracting Parties shall have given notice to the other, twelve months before the expiration of the said period of ten years, of the intention to terminate the present Convention, it shall remain in force until the expiration of one year from the day on which either of the High Contracting Parties shall have given such notice.

Termination of Convention.

The United States or Her Britannic Majesty shall also have the right separately to terminate the present Convention at any time on giving twelve months' notice to that effect in regard to any British Colony, foreign possession, or dependency, as specified in Article IV, which may have acceded thereto.

ARTICLE VII.

Ratification.

The present Convention shall be duly ratified by the President of the United States, by and with the approval of the Senate thereof, and by Her Britannic Majesty, and the ratifications shall be exchanged in London or in Washington.

In faith whereof we, the respective Plenipotentiaries, have signed this Treaty and have hereunto affixed our seals.

Signatures.

Done in duplicate at Washington, the second day of March, one thousand eight hundred and ninety-nine.

JOHN HAY [SEAL.]
JULIAN PAUNCEFOTE [SEAL.]

Proclamation.

And whereas the Convention has been duly ratified, as amended, on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the 28th day of July one thousand nine hundred.

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

In 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 sixth day of August in the year of Our Lord one thousand nine hundred and of the [SEAL.] Independence of the United States, the one hundred and twenty-fifth.

WILLIAM MCKINLEY

By the President:

ALVEY A. ADEE

Acting Secretary of State.

NOTICE OF ACCESSION OF CAPE COLONY, FIJI, JAMAICA, BAHAMAS, TRINIDAD, BARBADOS, ST. VINCENT, ST. LUCIA, FALKLAND ISLANDS, ST. HELENA, SIERRA LEONE, GAMBIA, CYPRUS, CEYLON, HONGKONG, STRAITS SETTLEMENTS, BRITISH HONDURAS, AND GRENADA.

Notice of accession of British colonies.

No 48]

WASHINGTON *February 9, 1901*

SIR: I have the honor to inform you, by direction of the Marquis of Lansdowne, that eighteen British colonies have signified their desire to accede to the Convention of March 2, 1899 between Great Britain and the United States relative to the disposal of Real and Personal Property.

I transmit herewith a list of those colonies and I beg to notify on their behalf their accession to the Convention in accordance with the provisions of Article IV.

I have, etc.,

PAUNCEFOTE.

The Honorable JOHN HAY,

Etc., Etc., Etc.

LIST OF COLONIES.

Cape,	St. Vincent,	Cyprus,
Fiji,	St. Lucia,	Ceylon,
Jamaica,	Falkland Islands.	Hongkong,
Bahamas,	St. Helena,	Straits Settlements,
Trinidad,	Sierra Leone,	British Honduras,
Barbados,	Gambia,	Grenada.

NOTICE OF ACCESSION OF THE COLONY OF NEWFOUNDLAND.

No. 62]

BRITISH EMBASSY,
Washington, March 5, 1901.

SIR, With reference to my letter No. 48 of the 9th ultimo, I have the honour to inform you that the Colony of Newfoundland has signified to His Majesty's Government its desire to accede to the Convention relative to the disposal of real and personal property, which was concluded at Washington on the 2nd of March 1899.

By direction of the Marquis of Lansdowne, I have the honour to notify to your Government on behalf of that Colony its accession to the Convention in accordance with the provisions of Article IV.

I have, etc.,

PAUNCEFOTE.

The Honorable JOHN HAY,

Etc., Etc., Etc.