

August 4, 1916.

Convention between the United States and Denmark for cession of the Danish West Indies. Signed at New York, August 4, 1916; ratification advised by the Senate, September 7, 1916; ratified by Denmark, December 22, 1916; ratified by the President, January 16, 1917; ratifications exchanged at Washington, January 17, 1917; proclaimed, January 25, 1917.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Cession of Danish
West Indies.
Preamble.

Whereas a Convention between the United States of America and Denmark providing for the cession to the United States of all territory asserted or claimed by Denmark in the West Indies, including the islands of St. Thomas, St. John and St. Croix, together with the adjacent islands and rocks, was concluded and signed by their respective Plenipotentiaries at the City of New York on the fourth day of August, one thousand nine hundred and sixteen, the original of which Convention, being in the English and Danish languages, is word for word as follows:

Contracting Powers.

The United States of America and His Majesty the King of Denmark being desirous of confirming the good understanding which exists between them, have to that end appointed as Plenipotentiaries:

Plenipotentiaries.

The President of the United States:

Mr. Robert Lansing, Secretary of State of the United States, and His Majesty the King of Denmark:

Mr. Constantin Brun, His Majesty's Envoy extraordinary and Minister plenipotentiary at Washington,

who, having mutually exhibited their full powers which were found to be in due form, have agreed upon the following articles:

Article 1.

Cession of territory.

His Majesty the King of Denmark by this convention cedes to the United States all territory, dominion and sovereignty, possessed, asserted or claimed by Denmark in the West Indies including the Islands of Saint Thomas, Saint John and Saint Croix together with the adjacent islands and rocks.

Da de amerikanske Forenede Stater og Hans Majestaet Kongen af Danmark ønsker at befæste det gode Forhold, der bestaar imellem dem, har de i den Anledning udnaevnt til deres Befuldmaegtigede:

Praesidenten for de Forenede Stater:

Hr. Robert Lansing, de Forenede Staters Statssekretaer, og Hans Majestaet Kongen af Danmark: Hr. Constantin Brun, Hans Majestaets overordentlige Gesandt og befuldmaegtigede Minister i Washington,

hvilke efter gensidigt at have fremvist deres Fuldmagt, der defandtes i behørig Form, er komne overens om følgende Artikler:

Artikel 1.

Hans Majestaet Kongen af Danmark overdrager ved denne Konvention til de Forenede Stater ethvert Territorium, Besiddelse og Højhedsret, som Danmark besidder, opretholder eller gør Krav paa i Vestindien, bestaaende af Øerne St. Thomas, St. Jan og St. Croix tilligemed de tilliggende Øer og Klipper.

This cession includes the right of property in all public, government, or crown lands, public buildings, wharves, ports, harbors, fortifications, barracks, public funds, rights, franchises, and privileges, and all other public property of every kind or description now belonging to Denmark together with all appurtenances thereto.

In this cession shall also be included any government archives, records, papers or documents which relate to the cession or the rights and property of the inhabitants of the Islands ceded, and which may now be existing either in the Islands ceded or in Denmark. Such archives and records shall be carefully preserved, and authenticated copies thereof, as may be required shall be at all times given to the United States Government or the Danish Government, as the case may be, or to such properly authorized persons as may apply for them.

Article 2.

Denmark guarantees that the cession made by the preceding article is free and unencumbered by any reservations, privileges, franchises, grants, or possessions, held by any governments, corporations, syndicates, or individuals, except as herein mentioned. But it is understood that this cession does not in any respect impair private rights which by law belong to the peaceful possession of property of all kinds by private individuals of whatsoever nationality, by municipalities, public or private establishments, ecclesiastical or civic bodies, or any other associations having legal capacity to acquire and possess property in the Islands ceded.

Denne Overdragelse indbefatter Ejendomsretten til alle offentlige, Regeringen eller Kronen tilhørende Landstraekninger, offentlige Bygninger, Vaerfter, Havne, Rede, Faestningsvaerker, Kaserner, offentlige Midler, Rettigheder, Friheder, Privilegier, og enhver anden offentlig Ejendom af en hvilken som helst Art eller Beskrivelse, som nu tilhører Danmark, tilligemed alle dertil hørende Appertinentier.

I denne Overdragelse skal ogsaa vaere indbefattet alle offentlige Arkiver, Protokoller, Papirer eller Dokumenter, som vedrører Overdragelsen eller de Rettigheder og den Ejendom, som tilhører de overdragne Øers Indbyggere, og som nu maatte befindes sig enten paa de overdragne Øer eller i Danmark. Disse Arkiver og Protokoller skal omhyggelig opbevares, og bekræftede Genparten deraf, som maatte blive forlangt, skal til enhver Tid gives til de Forenede Staters Regering eller til den danske Regering, efter de foreliggende Omstaendigheder, eller til saadanne behørig bemyndigede Personer, som maatte begaere samme.

Artikel 2.

Denmark garanterer, at den Overdragelse, som finder Sted ved den foregaaende Artikel, er fri og ubehæftet af hvilke som helst Forbehold, Privilegier, Friheder, Indrømmelser eller Besiddelsesrettigheder, som maatte tilhøre nogen Regering, Korporation, Syndikat eller privat Person, undtagen for saa vidt det heri er omtalt. Men man er enig om, at denne Overdragelse ikke i nogen Henseende skal komme private Rettigheder til Skade, som ifølge Loven er forbundet med den fredelige Besiddelse af Ejendom af enhver Art, som tilkommer private Personer af hvilken som helst Nationalitet, Komuner, offentlige eller private Etablissementer, kirkelige eller borgerlige Korporationer eller nogen anden Sammenslutning, som ifølge Loven er beføjet til at

Public property included.

Archives, etc.

Absolute cession.

Private rights protected.

Danish National Church undisturbed in property rights.

The congregations belonging to the Danish National Church shall retain the undisturbed use of the churches which are now used by them, together with the parsonages appertaining thereunto and other appurtenances, including the funds allotted to the churches.

erhverve og besidde Ejendom paa de overdragne Øer.

De Menigheder, som hører til den danske Folkekirke, skal vedblive at have den uforstyrrede Brug af de Kirker, som nu benyttes af dem, tillige med de dertil hørende Praesteboliger og andet tilhørende, herunder de til Kirkerne henlagte Kapitaler.

Article 3.

Property, etc., retained.

Arms and military supplies.

Movables, etc.

Colonial accounts, etc.

It is especially agreed, however, that:

1) The arms and military stores existing in the Islands at the time of the cession and belonging to the Danish Government shall remain the property of that Government and shall, as soon as circumstances will permit, be removed by it, unless they, or parts thereof, may have been bought by the Government of the United States; it being however understood that flags and colors, uniforms and such arms or military articles as are marked as being the property of the Danish Government shall not be included in such purchase.

2) The movables, especially silver plate and pictures which may be found in the government buildings in the islands ceded and belonging to the Danish Government shall remain the property of that Government and shall, as soon as circumstances will permit, be removed by it.

3) The pecuniary claims now held by Denmark against the colonial treasuries of the islands ceded are altogether extinguished in consequence of this cession and the United States assumes no responsibility whatsoever for or in connection with these claims. Excepted is however the amount due to the Danish Treasury in account current with the West-Indian colonial treasuries pursuant to the making up of accounts in consequence of the cession of the islands; should on the other hand this final accounting show a balance in favour of the West-Indian colonial treasuries, the Danish Treasury shall pay

Artikel 3.

Man er dog saerlig kommet overens om, at:

1) Vaaben og Militaerbeholdninger, som befinder sig paa Øerne paa Tidspunktet for Overdragelsen, og som tilhører den danske Regering, skal forblive denne Regerings Ejendom, og skal, saa snart Omstaendighederne tillader det, bortfjernes af denne, med mindre de, eller Dele deraf, skulde blive købt af de Forenede Staters Regering, hvorved dog er underforstaaet, at Flag og Faner, Uniformer og saadanne Vaaben eller Militaergenstande, der er maerkede som den danske Regerings Ejendom, ikke skal vaere indbefattet i en saadan Erhvervelse.

2) Løsøre, saerlig Sølvstøjtøj og Malerier, som maatte findes i Gouvernementsbygningerne paa de overdragne Øer, og som tilhører den danske Regering, skal forblive denne Regerings Ejendom og skal, saa snart Omstaendighederne tillader det, bortfjernes af denne.

3) Pengekrav, som nu haves af Danmark mod de overdragne Øers Kolonialkasser, er fuldstaendig ophørt som Følge af denne Overdragelse, og de Forenede Stater paatager sig intet som heldst Ansvar for eller i Forbindelse med samme Pengekrav. Herfra undtages dog det Beløb, som den danske Statskasse maatte have tilgode i Mellemregning med de vestindiske Kolonialkasser i Henhold til den i Anledning af Øernes Afstaaelse stedfindende Opgørelse. Skulde omvendt Mellemregningsforholdet give de vestindiske Kolonialkasser et Tilgodehavende hos den

that amount to the colonial treasuries.

4) The United States will maintain the following grants, concessions and licenses, given by the Danish Government, in accordance with the terms on which they are given:

a. The concession granted to "Det vestindiske Kompagni" (the West-Indian Company) Ltd. by the communications from the Ministry of Finance of January 18th 1913 and of April 16th 1913 relative to a license to embark, drain, deepen and utilize certain areas in St. Thomas Harbor and preferential rights as to commercial, industrial or shipping establishments in the said Harbor.

b. Agreement of August 10th and 14th, 1914 between the municipality of St. Thomas and St. John and "Det vestindiske Kompagni" Ltd. relative to the supply of the city of Charlotte Amalie with electric lighting.

c. Concession of March 12th 1897 to "The Floating Dock Company of St. Thomas Ltd.", subsequently transferred to "The St. Thomas Engineering and Coaling Company Ltd." relative to a floating dock in St. Thomas Harbor, in which concession the maintenance, extension, and alteration of the then existing repairing slip are reserved.

d. Royal Decree Nr. 79 of November 30th 1914 relative to the subsidies from the colonial treasuries of St. Thomas and Sainte Croix to "The West India and Panama Telegraph Company Ltd."

e. Concession of November 3rd, 1906, to K. B. Hey to establish and operate a telephone system on St. Thomas island, which concession has subsequently been transferred to the "St. Thomas Telefonselskab" Ltd.

f. Concession of February 28th 1913 to the municipality of Sainte Croix to establish and operate a telephone system in Sainte Croix.

danske Statskasse, har denne at tilsvare Kolonialkasserne dette.

4) De Forenede Stater vil opretholde de efterfølgende af den danske Regering givne Tilsagn, Koncessioner og Bevillinger, overensstemmende med de Vilkaar, under hvilke de er givne:

a. Finansministeriets Tilsagn i Skrivelser af 18' Januar 1913 og 16' April 1913 til Aktieselskabet "Det vestindiske Kompagni" angaaende Tilladelse til at inddaemme, tørlægge, uddybe og udnytte visse Arealer i St. Thomas Havn samt Fortrinsret med Hensyn til kommercielle, industrielle eller Skibsfartsanlaeg i St. Thomas Havn;

b. Overenskomst af 10' og 14' August 1914 mellem Kommunen St. Thomas og St. Jan og Aktieselskabet "Det vestindiske Kompagni" angaaende Byen Charlotte Amalies Forsyning med elektrisk Belysning;

c. Koncession af 12' Marts 1897 for "The Floating Dock Company of St. Thomas Ltd.", senere overgaaet til "The St. Thomas Engineering and Coaling Company Ltd." vedrørende end Flydedok i St. Thomas Havn, ved hvilken Koncession Opretholdelse, Udvidelse og Forandring af den da eksisterende Ophalingsbedding er forbeholdt;

d. Kongelig Anordning No. 79 af 30' November 1914 om Tilskud fra St. Thomas og St. Croix Kolonialkasser til "The West India and Panama Telegraph Company Ltd.";

e. Koncession af 3' November 1906 til cand. polyt. K. B. Hey paa Anlaeg og Drift af Telefoner paa St. Thomas, hvilken Koncession senere er overgaaet til Aktieselskabet "St. Thomas Telefonselskab";

f. Bevilling af 28' Februar 1913 til St. Croix Kommune til Anlaeg og Drift af Telefoner paa St. Croix;

g. Koncession af 16' Juli 1915 til Diplomingeniør Ejnar Svendsen paa Oprettelse og Drift af et Elektricitetsvaerk i Byen Christianssted paa St. Croix;

Franchises, etc., continued.

Description.

g. Concession of July 16th 1915 to Ejnar Svendsen, an Engineer, for the construction and operation of an electric light plant in the city of Christiansted, Sainte Croix.

h. Concession of June 20th 1904 for the establishment of a Danish West-Indian bank of issue. This bank has for a period of 30 years acquired the monopoly to issue bank-notes in the Danish West-India islands against the payment to the Danish Treasury of a tax amounting to ten percent of its annual profits.

i. Guarantee according to the Danish supplementary Budget Law for the financial year 1908-1909 relative to the St. Thomas Harbor's four percent loan of 1910.

Reservation of debts due from individuals, etc.

5) Whatever sum shall be due to the Danish Treasury by private individuals on the date of the exchange of ratifications are reserved and do not pass by this cession; and where the Danish Government at that date holds property taken over by the Danish Treasury for sums due by private individuals, such property shall not pass by this cession, but the Danish Government shall sell or dispose of such property and remove its proceeds within two years from the date of the exchange of ratifications of this convention; the United States Government being entitled to sell by public auction, to the credit of the Danish Government, any portion of such property remaining unsold at the expiration of the said term of two years.

Retired allowances continued.

6) The Colonial Treasuries shall continue to pay the yearly allowances now given to heretofore retired functionaries appointed in the islands but holding no Royal Commissions, unless such allowances may have until now been paid in Denmark.

Article 4.

Formal delivery.

The Danish Government shall appoint with convenient despatch an agent or agents for the purpose of formally delivering to a

h. Koncession af 20' Juni 1904 paa Oprettelse af en dansk vestindisk Seddelbank. Banken har for et Tidsrum af 30 Aar Eneret paa de dansk vestindiske Øer til at udstede Sedler mod af sit Aarsoverskud at betale 10 Procent i Afgift til den danske Statskasse.

i. Garanti i Henhold til den danske Lov om Tillaegsbevilling for Finansaaret 1908-09 vedrørende St. Thomas Havneraads 4 Procent Laan af 1910;

5) Ethvert Beløb, som skyldes til den Danske Statskasse af Privatpersoner paa den Dag, da Udvekslingen af Ratifikationerne finder Sted, bevares og indbefattes ikke ved denne Overdragelse, og for saa vidt den danske Regering paa denne Dag besidder fast Ejendom, som er overtaget af den danske Statskasse for Beløb, som skyldes af Privatpersoner, skal saadan Ejendom ikke indbefattes under denne Overdragelse, men den danske Regering vil have at sælge eller raade over saadan Ejendom og fjerne dens Udbytte indenfor 2 Aar fra Datoen for Udvekslingen af Ratifikationerne af denne Konvention, saaledes at de Forenede Staters Regering er beføjet til at sælge ved offentlig Auktion, for den danske Regerings Regning, enhver Del af saadan Ejendom, som maatte være forblevet usolgt ved Udløbet af den naevnte Frist af to Aar.

6. Kolonialkasserne skal vedblive at betale de aarlige Understøttelser, der nu gives til tidligere afskedigede Tjenestemaend, som var ansatte paa Øerne, men ikke havde kongelig Udnaevnelse, med mindre disse Understøttelser hidtil er udredede i Danmark.

Artikel 4.

Den danske Regering skal saa snart som muligt udnaevne en Befuldmaegtiget eller flere Befuldmaegtigede i det Øjemed for-

similar agent or agents appointed on behalf of the United States, the territory, dominion, property, and appurtenances which are ceded hereby, and for doing any other act which may be necessary in regard thereto. Formal delivery of the territory and property ceded shall be made immediately after the payment by the United States of the sum of money stipulated in this convention; but the cession with the right of immediate possession is nevertheless to be deemed complete on the exchange of ratifications of this convention without such formal delivery. Any Danish military or naval forces which may be in the Islands ceded shall be withdrawn as soon as may be practicable after the formal delivery, it being however understood that if the persons constituting these forces, after having terminated their Danish service, do not wish to leave the Islands, they shall be allowed to remain there as civilians.

Article 5.

In full consideration of the cession made by this convention, the United States agrees to pay, within ninety days from the date of the exchange of the ratifications of this convention, in the City of Washington to the diplomatic representative or other agent of His Majesty the King of Denmark duly authorized to receive the money, the sum of twenty-five million dollars in gold coin of the United States.

Article 6.

Danish citizens residing in said islands may remain therein or may remove therefrom at will, retaining in either event all their rights of property, including the right to sell or dispose of such property or its proceeds; in case they remain in the Islands, they

melt at overlevere til en lignende Befuldmaegtiget eller Befuldmaegtigede, som er udnaevnte paa de Forenede Staters Vegne, Territorium, Højhedsret, Ejendomsret og Appertinentier, som herved overdrages, og til at foretage enhver anden Handling, som i denne Henseende maatte vaere nødvendig. Formel Overlevering af det overdragne Territorium og Ejendom skal finde Sted umiddelbart efter, at de Forenede Stater har betalt det i denne Konvention stipulerede Pengebeløb; men Overdragelsen med Ret til umiddelbar Besiddelsestagelse skal ikke desmindre anses at vaere fuldstaendig ved Udvekslingen af Ratifikationerne til denne Konvention uden saadan formel Overlevering. Alle danske landeller Sømilitære Styrker, som maatte befinde sig paa de overdragne Øer, skal traekkes tilbage, saa snart dette lader sig gøre efter den formelle Overlevering, idet man dog er enig om, at dersom de Personer, som udgør saadanne Styrker, efter at have afsluttet deres danske Tjeneste, ikke ønsker at forlade Øerne, skal det vaere dem tilladt at forblive der som Civilpersoner.

Artikel 5.

Som fuldt Vederlag for den ved denne Konvention skete Overdragelse gaar de Forenede Stater ind paa at betale, inden 90 Dage fra Datoen for Udvekslingen af Ratifikationerne af denne Konvention, i Staden Washington til Hans Majestaet Kongen af Danmarks diplomatiske Repraesentant eller anden Befuldmaegtiget, som er behørig bemyndiget til at modtage Pengene, en Sum af 25 Millioner Dollars i de Forenede Staters Guldmønt.

Artikel 6.

De danske Statsborgere, der bebør de naevnte Øer, kan efter eget Valg blive boende eller flytte derfra, idet de i det ene som i det andet Tilfaelde bevarer alle deres Ejendomsrettigheder, deri indbefattet Retten til at sælge eller raade over saadan Ejendom eller

Withdrawal of
Danish forces, etc.

Payment to be made.
Ante, p. 1133.

Danish citizenship.
Property rights, etc.,
secured.

Declaration to pre-
serve status.

Renunciation in de-
fault.

Subsequent action.

Civil and political
status.

Property rights of
nonresidents.

shall continue until otherwise provided, to enjoy all the private, municipal and religious rights and liberties secured to them by the laws now in force. If the present laws are altered, the said inhabitants shall not thereby be placed in a less favorable position in respect to the above mentioned rights and liberties than they now enjoy. Those who remain in the islands may preserve their citizenship in Denmark by making before a court of record, within one year from the date of the exchange of ratifications of this convention, a declaration of their decision to preserve such citizenship; in default of which declaration they shall be held to have renounced it, and to have accepted citizenship in the United States; for children under eighteen years the said declaration may be made by their parents or guardians. Such election of Danish citizenship shall however not, after the lapse of the said term of one year, be a bar to their renunciation of their preserved Danish citizenship and their election of citizenship in the United States and admission to the nationality thereof on the same terms as may be provided according to the laws of the United States, for other inhabitants of the islands.

The civil rights and the political status of the inhabitants of the islands shall be determined by the Congress, subject to the stipulations contained in the present convention.

Danish citizens not residing in the islands but owning property therein at the time of the cession, shall retain their rights of property, including the right to sell or dispose of such property, being placed in this regard on the same basis as the Danish citizens residing in the islands and remaining therein or removing therefrom, to whom the first paragraph of this article relates.

Udbyttet deraf; i Tilfaelde af, at de forbliver paa Øerne, skal de, indtil anderledes bestemmes, vedblive at nyde alle private Rettigheder, kommunale og religiøse Friheder, som er dem tilstaaede ved de nu gældende Love. Ifald de nuværende Love forandres, skal de ikke derved bringes i en ugunstigere Stilling i Henseende til de ovenomtalte Rettigheder og Friheder, end de nu nyder. De, som forbliver paa Øerne, har Ret til at bevare deres Statsborgerforhold til Danmark ved, inden et Aar fra Dagen for Udvekslingen af denne Konventions Ratifikationer, til en "Court of Record" at afgive en Erklæring om, at de ønsker at bevare saadant Statsborgerforhold, i Mangel af hvilken Erklæring de skal anses for at have givet Afkald derpaa og at have valgt at træde i undersaatligt Forhold til de Forenede Stater; for Børn under 18 Aar kan den nævnte Erklæring afgives af Forældre eller Værgere. Saadant Valg af dansk Statsborgerforhold skal dog ikke efter Udløbet af ovennævnte Frist af et Aar være til hinder for, at de giver Afkald paa deres bevarede Statsborgerforhold til Danmark og vælger at træde i statsborgerligt Forhold til de Forenede Stater og optages i disses Nationalitet paa de Betingelser, som overensstemmende med de Forenede Staters Love maatte blive foreskrevne for andre Beboere af Øerne.

Øernes Indbyggerses borgerlige Rettigheder og politiske Vilkaar skal bestemmes af Kongressen, i Overensstemmelse med de i nærværende Konvention indeholdte Bestemmelser.

Danske Statsborgere, der ikke er bosatte paa Øerne, men paa Overdragelsestiden ejer Ejendom der, skal bevare deres Ejendomsrettigheder, deri indbefattet Retten til at sælge eller raade over disse Ejendomme, idet de i saa Henseende er stillede paa samme Fod som de danske Statsborgere, der bor paa Øerne og bliver der eller flytter derfra, om hvem denne Artikels første Del handler.

Article 7.

Danish subjects residing in the Islands shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the Islands, pursuant to the ordinary laws governing the same, and they shall have the right to appear before such courts, and to pursue the same course therein as citizens of the country to which the courts belong.

Artikel 7.

Danske Undersaatter, som bor paa Øerne, skal saavel i civile som i kriminelle Sager vaere undergivet Øernes Domstoles Jurisdiktion i Overensstemmelse med de for samme gældende almindelige Love; og de skal have Ret til at give Møde for disse Domstole og forfølge den samme Fremgangsmaade for dem som Borgere af det Land, til hvilket Domstolene hører.

Legal rights of Danish subjects.

Article 8.

Judicial proceedings pending at the time of the formal delivery in the islands ceded shall be determined according to the following rules:

(1) Judgments rendered either in civil suits between private individuals, or in criminal matters, before the date mentioned, and with respect to which there is no recourse or right to review under Danish law, shall be deemed to be final, and shall be executed in due form and without any renewed trial whatsoever, by the competent authority in the territories within which such judgments are to be carried out.

If in a criminal case a mode of punishment has been applied which, according to new rules, is no longer applicable on the islands ceded after delivery, the nearest corresponding punishment in the new rules shall be applied.

(2) Civil suits or criminal actions pending before the first courts, in which the pleadings have not been closed at the same time, shall be confirmed before the tribunals established in the ceded islands after the delivery, in accordance with the law which shall thereafter be in force.

(3) Civil suits and criminal actions pending at the said time before the Superior Court or the Supreme Court in Denmark shall continue to be prosecuted before the Danish courts until final judgment according to the law hitherto in force. The judgment

Artikel 8.

Retssager, som paa Tidspunktet for den formelle Overlevering verserer paa de overdragne Øer, skal føres til Afslutning i Overensstemmelse med følgende Regler:

1) Domme, som er afsagt enten i civile Retssager mellem private Personer eller i kriminelle Sager før det ommeldte Tidspunkt, og med Hensyn til hvilke der ikke bestaar Adgang til Appel eller Revision efter dansk Ret, skal anses for at vaere endelige og skal uden fornyet Prøvelse af nogen Art eksekveres paa behørig Maade af den kompetente Myndighed i de Territorier, i hvilke saadanne Domme skal udføres.

Dersom i en kriminel Sag en Straffart er idømt, som efter nye Bestemmelser ikke mere anvendes paa de overdragne Øer efter overleveringen, skal den naermest tilsvarende Straf bringes til Anvendelse.

2) Civile og kriminelle Sager i første Instans, som ved det omhandlede Tidspunkt endnu ikke er optagne til Doms, fortsaettes for de Domstole og efter den Ret, som gælder paa de overdragne Øer efter Overleveringen.

3) Civile og kriminelle Sager, som paa det omhandlede Tidspunkt verserer for den danske Overret eller Højesteret, skal fortsaettes for de danske Domstole efter den hidtil gældende Ret, indtil endelig Dom er afsagt. Eksekution af Dommen skal finde Sted i behørig Form af den kom-

Judicial proceedings pending.

Finality of completed judgments.

Punishment in criminal cases

Actions in lower courts.

Continuance of cases in Superior or Supreme Courts.

shall be executed in due form by the competent authority in the territories within which such judgment should be carried out.

petente Myndighed i de Territorier, i hvilke saadanne Domme skal udføres.

Article 9.

Artikel 9.

Patents and copy-rights.

The rights of property secured by copyrights and patents acquired by Danish subjects in the Islands ceded at the time of exchange of the ratifications of this treaty, shall continue to be respected.

Forfatter- og Patentrettigheder, som paa det Tidspunkt, da Ratifikationerne af denne Konvention bliver udvekslet, er erhvervet af danske Undersaatter paa de overdragne Øer, skal vedblivende respekteres.

Article 10.

Artikel 10.

Extension of Danish treaties.

Treaties, conventions, and all other international agreements of any nature existing between Denmark and the United States shall *eo ipso* extend, in default of a provision to the contrary, also to the ceded islands.

Traktater, Konventioner samt alle andre internationale Aftaler af enhver Art, som er i Kraft mellem Danmark og de Forenede Stater, udvides *eo ipso*, i Mangel af anden Bestemmelse, til ogsaa at gælde de overdragne Øer.

Article 11.

Artikel 11.

Differences as to interpretation to be submitted to Permanent Court at The Hague.

In case of differences of opinion arising between the High Contracting Parties in regard to the interpretation or application of this convention, such differences, if they cannot be regulated through diplomatic negotiations, shall be submitted for arbitration to the permanent Court of Arbitration at the Hague.

Saafermt der mellem de Høje kontraherende Parter maatte opstaa Meningsforskelligheder om Fortolkningen eller Anvendelsen af naervaerende Konvention, og de ikke kan udjaevnes gennem diplomatiske Forhandlinger, skal de undergives Voldgift ved den staaende Voldgiftsdomstol i Haag.

Article 12.

Artikel 12.

Exchange of ratifications.

The ratifications of this convention shall be exchanged at Washington as soon as possible after ratification by both of the High Contracting Parties according to their respective procedure.

Ratifikationsinstrumenterne af denne Konvention skal udveksles i Washington saa snart som muligt, efter at den er blevet ratificeret af begge de Høje Kontraherende Parter i Overensstemmelse med deres respektive Fremgangsmaader.

Signatures.

In faith whereof the respective plenipotentiaries have signed and sealed this convention, in the English and Danish languages.

Til Bekraeftelse derpaa har de respektive Befuldmægtigede undertegnet og med deres Segl forsynet denne Konvention, som er affattet i det engelske og i det danske Sprog.

Done at New York this fourth day of August, one thousand nine hundred and sixteen.

Sket i New York den fjerde Dag af August, Nitten Hundrede og Seksten.

[SEAL.] ROBERT LANSING.
[SEAL.] C. BRUN.

And whereas in giving advice and consent to the ratification of the said Convention, it was declared by the Senate of the United States in their resolution that "such advice and consent are given with the understanding, to be expressed as a part of the instrument of ratification, that such Convention shall not be taken and construed by the High Contracting Parties as imposing any trust upon the United States with respect to any funds belonging to the Danish National Church in the Danish West Indian Islands, or in which the said Church may have an interest, nor as imposing upon the United States any duty or responsibility with respect to the management of any property belonging to said Church, beyond protecting said Church in the possession and use of church property as stated in said Convention, in the same manner and to the same extent only as other churches shall be protected in the possession and use of their several properties;"

Resolutions of the Senate.
Conditions of consent to ratification.

And whereas it was further provided in the said resolution "That the Senate advises and consents to the ratification of the said Convention on condition that the attitude of the United States in this particular, as set forth in the above proviso, be made the subject of an exchange of notes between the Governments of the two High Contracting Parties, so as to make it plain that this condition is understood and accepted by the two Governments, the purpose hereof being to bring the said Convention clearly within the Constitutional powers of the United States with respect to church establishment and freedom of religion";

And whereas this condition has been fulfilled by notes exchanged between the two High Contracting Parties on January 3, 1917;

Post, p. 1716.

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington, on the seventeenth day of January, one thousand nine hundred and seventeen;

Ratifications exchanged.

Now, therefore, be it known that I, Woodrow Wilson, 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 and the citizens thereof, subject to the said understanding of the Senate of the United States.

Proclamation.

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

Done at the City of Washington this twenty-fifth day of January in the year of our Lord one thousand nine hundred and [SEAL.] seventeen, and of the Independence of the United States of America the one hundred and forty-first.

WOODROW WILSON

By the President:

ROBERT LANSING,
Secretary of State.

DECLARATION.

In proceeding this day to the signature of the Convention respecting the cession of the Danish West-Indian Islands to the United States of America, the undersigned Secretary of State of the United States of America, duly authorized by his Government, has the honor to declare that the Government of the United States of America will not object to the Danish Government extending their political and economic interests to the whole of Greenland.

Declaration.

Danish authority in Greenland recognized.

ROBERT LANSING.

New York, August 4, 1916.

Exchange of notes.

[Exchange of Notes mentioned in Proclamation.]

[The Secretary of State to the Danish Minister.]

DEPARTMENT OF STATE,
WASHINGTON, January 3, 1917.From Secretary of
State.

SIR:

I have the honor to inform you that the Senate of the United States by its resolution of ratification has advised and consented to the ratification of the convention between the United States and Denmark, ceding to the United States the Danish West Indian Islands, with the following provisos:

"Provided, however, That it is declared by the Senate that in advising and consenting to the ratification of the said convention, such advice and consent are given with the understanding, to be expressed as a part of the instrument of ratification, that such Convention shall not be taken and construed by the High Contracting Parties as imposing any trust upon the United States with respect to any funds belonging to the Danish National Church in the Danish West Indian Islands, or in which the said church may have an interest, nor as imposing upon the United States any duty or responsibility with respect to the management of any property belonging to said church, beyond protecting said church in the possession and use of church property as stated in said Convention, in the same manner and to the same extent only as other churches shall be protected in the possession and use of their several properties. And provided further, that the Senate advises and consents to the ratification of the said Convention on condition that the attitude of the United States in this particular, as set forth in the above proviso, be made the subject of an exchange of notes between the Governments of the two High Contracting Parties, so as to make it plain that this condition is understood and accepted by the two Governments, the purpose hereof being to bring the said Convention clearly within the Constitutional powers of the United States with respect to church establishment and freedom of religion."

In view of this resolution of the Senate I have the honor to state that it is understood and accepted by the Government of the United States and the Government of Denmark that the provisions of this Convention referring to the property and funds belonging to the Danish National Church in the Danish West Indian Islands shall not be taken and construed by the High Contracting Parties as imposing any trust upon the United States with respect to any funds belonging to the Danish National Church in the Danish West Indian Islands, or in which the said church may have an interest nor as imposing upon the United States any duty or responsibility with respect to the management of any property belonging to said church, beyond protecting said church in the possession and use of church property as stated in said Convention, in the same manner and to the same extent only as other churches shall be protected in the possession and use of their several properties.

I trust that your Government will in a formal reply to this communication accept this understanding as to the meaning and construction of the provisions of said Convention in accordance with the foregoing resolution of the Senate.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT LANSING

Mr. CONSTANTIN BRUN,
Minister of Denmark.

[The Danish Minister to the Secretary of State.]

From Danish
Minister.THE DANISH LEGATION
WASHINGTON, D. C.
January 3rd 1917.

SIR:

In reply to your communication of this day concerning the relation of the United States to the rights of the Established Church in the Danish West Indies and to the provisions referring to this point in the convention between the United States and Denmark ceding to the States the Danish Westindian Islands, I have the honour to state that it is understood and accepted by the Government of Denmark and the Government of the United States that the provisions of this convention referring to the property and funds belonging to the Danish National Church in the Danish Westindian Islands shall not be taken and construed by the high contracting parties as imposing any trust upon the United States with respect to any funds belonging to the Danish National Church in

the Danish Westindian Islands or in which the said Church may have an interest nor as imposing upon the United States any duty or responsibility with respect to the management of any property belonging to said church beyond protecting said church in the possession and use of church property as stated in said convention in the same manner and to the same extent only as other churches shall be protected in the possession and use of their several properties.

It will be evident from the above that the Danish Government accept the understanding as to the meaning and construction of the provisions of the said convention in accordance with the resolution of the United States' Senate concerning the question of the rights of the Church in the Islands.

I have the honor to be, Sir,

with the highest consideration,

Your most obedient and humble servant,

C. BRUN.

The Honorable

ROBERT LANSING,

Secretary of State of the United States.

PROCLAMATIONS

PRESIDENT OF THE UNITED STATES