

Treaty between the United States of America and Mexico to facilitate assistance to and salvage of vessels in territorial waters. Signed at Mexico City, June 13, 1935; ratification advised by the Senate, August 24, 1935; ratified by the President, August 29, 1935; ratified by Mexico, January 14, 1936; ratifications exchanged at Washington, March 7, 1936; proclaimed, March 10, 1936.

June 13, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Treaty between the United States of America and the United Mexican States to facilitate assistance to and salvage of vessels of either country in danger or shipwrecked on the coast or within the territorial waters of the other country, was concluded and signed by their respective plenipotentiaries at the city of Mexico on the thirteenth day of June, one thousand nine hundred and thirty-five, the original of which treaty, being in the English and Spanish languages, is word for word as follows:

Treaty with Mexico to facilitate assistance to and salvage of vessels in territorial waters.
Preamble.

TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED MEXICAN STATES FOR THE SENDING OF VESSELS FOR PURPOSES OF ASSISTANCE AND SALVAGE

CONVENCION ENTRE LOS ESTADOS UNIDOS DE AMERICA Y LOS ESTADOS UNIDOS MEXICANOS PARA EL ENVIO DE BARCOS CON FINES DE AUXILIO Y SALVAMENTO

The United States of America and the United Mexican States, being desirous, for humanitarian reasons, to facilitate the assistance and salvage of vessels in danger or shipwrecked on the coasts or within the territorial waters of the other country, have for that purpose resolved to conclude a treaty, and to that end have appointed as their plenipotentiaries:

The President of the United States of America, R. Henry Norweb, Chargé d'Affaires ad interim of the United States of America to Mexico; and

The President of the United Mexican States, Emilio Portes Gil, Secretary of State for Foreign Affairs;

Los Estados Unidos de América y los Estados Unidos Mexicanos, deseando, por razones humanitarias, facilitar el auxilio y salvamento de barcos en peligro o naufragados en las costas o dentro de las aguas territoriales del otro país, han resuelto celebrar una Convención con tal fin, y al efecto han nombrado como sus Plenipotenciarios:

El Presidente de los Estados Unidos de América, al señor R. Henry Norweb, Encargado de Negocios ad interim de los Estados Unidos de América en México; y

El Presidente de los Estados Unidos Mexicanos, al señor Licenciado Emilio Portes Gil, Secretario de Relaciones Exteriores;

Contracting Powers.

Plenipotentiaries.

Who, after having communicated to each other their full powers, which were found to be in due and proper form, have agreed to the following articles:

Quienes, después de haberse comunicado sus respectivos Plenos Poderes, y encontrándolos en buena y debida forma, han convenido en los artículos siguientes:

ARTICLE I

ARTÍCULO I

Facilities of either country may aid disabled vessels, etc., of their own nationality within the waters of the other.

The High Contracting Parties agree that vessels and rescue apparatus, public or private, of either country, may aid or assist vessels of their own nationality, including the passengers and crews thereof, which may be disabled or in distress on the shores or within the territorial waters of the other country within a radius of seven hundred and twenty nautical miles of the intersection of the International Boundary Line and the coast of the Pacific Ocean, or within a radius of two hundred nautical miles of the intersection of the International Boundary Line and the coast of the Gulf of Mexico.

Las Altas Partes Contratantes convienen en que los barcos y aparatos de salvamento, ya sean públicos o de particulares, de cualquiera de los dos países, podrán ayudar o auxiliar a los barcos de su propia nacionalidad, con inclusión de los pasajeros y tripulaciones de los mismos, que estuvieren incapacitados o en peligro en las costas o dentro de las aguas territoriales del otro país, dentro de un radio de *setecientas veinte millas marinas* medidas desde la intersección de la línea divisoria internacional con la costa del Océano Pacífico, o dentro de un radio de *doscientas millas marinas* medidas desde la intersección de la línea divisoria internacional con la costa del Golfo de México.

ARTICLE II

ARTÍCULO II

Notice of intention to competent authorities.

The Commanding Officer, master, or owner of a vessel or rescue apparatus of either country, entering or intending to enter the territory or territorial waters of the other, in order to assist a distressed vessel, shall, at the earliest practicable moment, send notice of such action or intention to the competent authorities of the port of entry of that other country nearest the scene of distress. This notice may be sent by radio or telegraphic dispatch or by any other expeditious method of communication. Such vessel or apparatus may freely proceed to, and assist, the distressed vessel unless advised by such competent authorities that adequate assistance is available, or that, for any other reason, such assistance is not considered necessary.

El Jefe, Capitán o dueño de un barco o de aparatos de auxilio de cualquiera de los dos países que entrare, o pensare entrar, al territorio o a las aguas territoriales del otro, para auxiliar a algún barco en peligro, deberá, tan pronto como fuere practicable, notificar su proceder o intención a las autoridades competentes del puerto marítimo del otro país más cercano a la zona del peligro. Este aviso podrá darse por radio o telegráficamente, o por cualquier otro medio rápido de comunicación. Tal buque o aparato podrá dirigirse libremente al barco en dificultades y prestarle auxilio, a menos que las autoridades correspondientes le avisaren que hubiere auxilios adecuados disponibles, o que por cualquiera otra razón no consideraran necesario dicho auxilio.

Means of communication.

ARTICLE III

The Commanding Officer, master, or owner of a vessel or apparatus which enters the territory or territorial waters of a country to render assistance to a distressed vessel under the authority of this treaty shall notify the competent authorities of such country upon departure from such territory or territorial waters; and private vessels, so entering, as well as private distressed vessels and the cargo, equipment, stores, crew and passengers thereof, shall be subject to the provisions of the laws in force in the country in whose territorial waters such assistance is rendered.

As used in this treaty, the word "assistance" means any act necessary or desirable to prevent the injury, arising from a marine peril, of persons or property, and the word "vessel" includes aircraft, as well as every kind of conveyance used or capable of being used for transportation on water.

ARTICLE IV

This Treaty shall remain in force for one year, and thereafter until terminated with three months notice by one of the High Contracting Parties.

ARTICLE V

The High Contracting Parties shall ratify this Treaty in conformity with their respective constitutional provisions. The exchange of ratifications shall take place in the city of Washington, D. C., as soon as possible, and the Treaty shall be in force from the time of the exchange of these ratifications.

ARTÍCULO III

El Jefe, Capitán o dueño de cualquier barco o aparato que entrare al territorio o a las aguas territoriales del otro país para prestar auxilio a algún barco en peligro, de acuerdo con la autorización conferida por esta Convención, notificará a las autoridades competentes de tal país su salida de tal territorio o aguas territoriales. Una vez practicado el auxilio los barcos particulares que así entraren; los barcos particulares en peligro y el cargamento, equipo, provisiones, tripulación y pasajeros de los mismos quedarán sujetos a las disposiciones que sobre el particular establezcan las leyes del país dentro de cuyas aguas territoriales se hubiere prestado dicho auxilio.

Tal como se emplea en esta Convención, la palabra "auxilio" significa todo acto necesario o conveniente para impedir los daños originados por peligros de la mar, a las personas o la propiedad, y la palabra "barco" comprende a los aeroplanos, así como toda clase de aparato usado en el agua o capaz de ser empleado para transporte en dicho elemento.

ARTÍCULO IV

Esta Convención durará un año, después del cual continuará en vigor mientras no sea denunciada por cualquiera de las Altas Partes Contratantes, con tres meses de anticipación.

ARTÍCULO V

Las Altas Partes Contratantes ratificarán la presente Convención, de conformidad con las disposiciones constitucionales respectivas. El canje de ratificaciones se efectuará en la ciudad de Washington, D. C., tan pronto como fuere posible y la Convención entrará en vigor desde el momento en que se haga el canje de ratificaciones.

Notice upon departure.

Private vessels.

Terms construed.

Duration.

Exchange of ratifications.

Signatures.

In faith whereof the respective Plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate in the English and Spanish languages in the city of Mexico, the thirteenth of the month of June in the year one thousand nine hundred and thirty-five.

[SEAL]

En fe de lo cual, los Plenipotenciarios respectivos firmaron la presente Convención, poniendo en ella sus sellos.

Hecha por duplicado, en la ciudad de México, en los idiomas inglés y español, a los trece días del mes de junio de mil novecientos treinta y cinco.

[SEAL]

R. HENRY NORWEB.

EMILIO PORTES GIL.

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 Washington on the seventh day of March, one thousand nine hundred and thirty-six, on which day the treaty entered into force;

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 tenth day of March, in the year of our Lord one thousand nine hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.