ARTICLE VIII.

Consuls General, Consuls, Vice-Consuls, and Consular Agents shall have the right to apply to the authorities of the respective countries, whether Federal or local, judicial or executive, within the extent of their consular district, for the redress of any infraction of the treaties and convention existing between the two countries, or of international law; to ask information of said authorities, and to address said authorities to the end of protecting the rights and interests of their country men, especially in cases of the absence of the latter; in which cases such Consuls, etc., shall be presumed to be their legal representatives. If due notice should not be taken of such application, the consular officers aforesaid, in the absence of a diplomatic agent of their country may apply directly to the Government of the country where they reside.

ARTICLE IX.

Consuls General, Consuls, Vice-Consuls, or Consular Agents of the two countries, or their chancellors, shall have the right, conformably to the laws and regulations of their country—

1. To take at their office or dwelling, at the residence of the parties, or on board of vessels of their own nation, the depositions of the captains and crews, of passengers on board of them, of merchants, or of any other citizens of their own country.

2. To receive and verify unilateral acts, wills, and bequests of their countrymen, and any and all acts of agreement entered upon between citizens of their own country, and between such citizens and the citizens or other inhabitants of the country where they reside, and also all contracts between the latter, provided they relate to property situated or to business to be transacted in the territory of the nation by which the said consular officers are appointed.

All such acts of agreement and other instruments, and also copies and translations thereof, when duly authenticated by such Consul General, Consul, Vice-Consul, or Consular Agent under his official seal, shall be received by public officials and in courts of justice as legal documents, or as authenticated copies, as the case may be, and shall have the same force and effect as if drawn up or authenticated by competent public officers of one or the other of the two countries.

ARTICLE X.

In case of the death of any citizen of Germany in the United States, or of any citizen of the United States in the German Empire, 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 belongs of the circumstance, in order that the necessary information may be immediately forwarded to parties interested.

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

In all succession cases the distinct citizens of each of the Contracting Parties shall pay in the country of the other such duties only as they would be liable to pay, if they were citizens of the country in which the property is situated or the judicial administration of the same may be exercised.

ARTICLE XI.

Consuls General, Consuls, Vice-Consuls, and Consular Agents of the two countries are exclusively charged with the inventorying and the safe-keeping of goods and effects of every kind left by seamen or passengers on ships of their nation, who die either on board ship or on land, during the voyage or in the port of destination.

ARTICLE XII.

Consuls General, Consuls, Vice-Consuls, and Consular Agents shall be at liberty to go either in person or by proxy on board vessels of their nation admitted to entry and to examine the officers and crews, to examine the ships' papers, to receive declarations concerning their voyage, their destination, and the incidents of the voyage; also to draw up manifests and lists of freight, to facilitate the entry and clearance of their vessels, and finally to accompany the said officers or crews before the judicial or administrative authorities of the country, to assist them as their interpreters or agents.

The judicial authorities and custom-house officials shall in no case proceed to the examination or search of merchant-vessels without having given previous notice to the consular officers of the nation to which the said vessels belong, in order to enable the said consular officers to be present.

They shall also give the notice to the said consular officers in order to enable them to be present at any depositions or statements to be made in courts of law or before local magistrates by captains or persons composing the crew, in order to prevent errors or false interpretations which might impede the course of the administration of justice.

The notice to Consuls, Vice-Consuls, or Consular agents shall name the hour fixed for such proceedings, and upon the non-appearance of the said officers or their representatives, the case shall be proceeded with in their absence.

ARTICLE XI.

Consuls, Vice Consuls, or Consular agents, shall have exclusive charge of the internal order of the merchant vessels of their nation. They shall have, therefore, the exclusive power to take cognizance of and to settle all differences which may arise at sea or in port between captains, officers, and crews, in reference to wages and the execution of mutual contracts, subject in each case to the laws of their own nation.

The local authorities shall in no way interfere, except in cases where the differences on board ship are of a nature to disturb the peace and public order in port or on shore, or when persons other than the officers and crew of the vessel are parties to the disturbance; except, as aforesaid, the local authorities shall confine themselves to the rendering of forcible assistance if required by the Consuls, Vice Consuls, or Consular agents, and shall cause the arrest, temporary imprisonment, and removal on board his own vessel, of every person whose name is found on the master-rolls or register of the ship or list of the crew.

ARTICLE XII.

Consuls-General, Consuls, Vice Consuls, or Consular agents, shall have the power to cause the arrest of all sailors or all other persons belonging to the crews of vessels of their nation who may be guilty of having deserted on the respective territories of the high contracting powers, and to have them sent on board or back to their native country

To that end they shall make a written application to the competent local authority, supporting it by the exhibition of the ship's register and list of the crew, or else, should the vessel have sailed previously, by producing an authenticated copy of these documents, showing that the persons claimed really do belong to the ship's crew.

Upon such request the surrender of the deserter shall not be refused. Every aid and assistance shall, moreover, be granted to the said Consular authorities for the detection and arrest of deserters, and the latter shall be taken to the prisons of the country and there detained at the request and expense of the Consular authority until there may be an opportunity for sending them away.

The duration of this imprisonment shall not exceed the term of three months, at the expiration of which time, and upon three days' notice to the Consul, the prisoner shall be set free, and he shall not be liable to rearrest for the same cause.

Should, however, the deserter have committed on shore an illicit act, the local authorities shall be free to postpone his extradition until due sentence shall have been passed and executed.

The high contracting parties agree that seamen, or other individuals forming part of the ship's crew, who are citizens of the country in which the desertion took place, shall not be affected by the provisions of this Article.

ARTICLE XIII.

In all cases where no other agreement to the contrary exists between owners, freighters, and insurers, all damages suffered at sea by the vessels of the two countries, whether they enter the respective ports voluntarily or by stress of weather, shall be settled by the Consuls-General, Consuls, Vice Consuls, or Consular agents of their respective nation, provided no interests of citizens of the country where the said functionaries reside, nor of citizens of a third power, are concerned. In that case, and in the absence of a friendly compromise between all parties interested, the adjudication shall take place under supervision of the local authorities.

ARTICLE XIV.

In the event of a vessel belonging to the Government, or owned by a citizen of one of the two contracting States, being wrecked or cast on shore upon the coast of the other, the local authorities shall inform the Consuls, Vice Consuls, or Consular agents of the district of the occurrence; or, if such Consular agency does not exist, they shall communicate with the Consul-General, Consul, Vice Consul, or Consular agent of the nearest district.

All proceedings relative to the salvage of American vessels wrecked or cast on shore in Austro-Hungarian waters shall be directed by the United States Consuls-General, Consuls, Vice Consuls, or Consular agents, and the proceedings relative to the salvage of Austro-Hungarian vessels wrecked or cast on shore in American waters shall be directed by Austro-Hungarian Consuls-General, Consuls, Vice Consuls, or Consular agents.

An interference of the local authorities in the two countries shall take place for the purpose only of assisting the Consular authorities in maintaining order and protecting the rights of salvors not belonging to the crew, also for enforcing the regulations relative to the import or export of the merchandise saved.

In the absence and until the arrival of the Consuls-General, Consuls, Vice Consuls, or Consular agents, or their duly appointed delegates, the local authorities shall take all the necessary measures for the protection of persons and preservation of the property saved from the wreck.

No charges shall be made for the interference of the local authorities in such cases, except for expenses incurred through salvage and the preservation of property saved, also for those expenses which, under similar circumstances, vessels belonging to the country where the wreck happens would have to incur.

In case of a doubt concerning the nationality of the wrecks, the local authorities shall have exclusively the management and execution of the provisions laid down in the present article.

The high contracting parties also agree that all merchandise and goods not destined for consumption in the country in which the wreck takes place shall be free of all duties.

ARTICLE XV.

Consuls-General, Consuls, Vice Consuls, and Consular agents, also Consular pupils, Chancellors, and Consular officers, shall enjoy in the two countries all the liberties, prerogatives, immunities, and privileges granted to functionaries of the same class of the most favored nation.

ARTICLE XVI.

In case of the death of a citizen of the United States in the Austrian-Hungarian monarchy, or of a citizen of the Austro-Hungarian monarchy in the United States, without having any known heirs or testamentary executors by him appointed, the competent local authorities shall inform the Consuls or Consular agents of the State to which the deceased belonged of the circumstances, in order that the necessary information may be immediately forwarded to the parties interested.

ARTICLE XVII.

The present Convention shall remain in force for the space of ten years from the date of the exchange of the ratifications, which shall be made in conformity with the respective Constitutions of the two countries, and exchanged at Washington within the period of ten (10) months, or sooner if possible.

In case neither of the contracting parties gives notice before the expiration of the said term of its intention not to renew this Convention, it shall remain in force a year longer, and so on, from year to year, until the expiration of a year from the day on which one of the parties shall have given such notice.

In testimony whereof, the respective Plenipotentiaries have signed this Convention and affixed thereunto affixed their respective seals.

Done in duplicate at Washington, the eleventh day of July, in the year of our Lord one thousand eight hundred and seventy.

[SEAL.] HAMILTON FISH.
[SEAL.] LEDERER.

And whereas, the Senate, by their resolution of the twelfth of May, 1871, did advise and consent that the period within which it was stipulated in the said Convention that the ratifications thereof should be exchanged might be extended for a period of three months;

And whereas, the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged, in this city, on the twenty-ninth day of June, 1871, by Hamilton Fish, Secretary of State of the United States, and Baron Lederer, Envoy Extraordinary and Minister Plenipotentiary of his Majesty the Emperor of Austria, &c., accredited to this Government on the part of their respective Governments;

Now, therefore, be it known that I, Ulysses S. Grant, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every clause and article 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 first day of August, in the year of our Lord one thousand eight hundred and seventy-one, and of the independence of the United States of America the ninety-sixth.

[SEAL.] U. S. GRANT.

By the President:
HAMILTON FISH,
Secretary of State.

Convention between the United States of America and the Austro-Hungarian Monarchy. Naturalization. Signed September 20, 1870; Ratified March 24, 1871; Ratifications Exchanged July 14, 1871; Proclaimed August 1, 1871.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

WHEREAS, A Convention between the United States of America and his Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, concerning naturalization, was concluded and signed at Vienna by their respective Plenipotentiaries on the twentieth day of September, 1870, which Convention' being in the English and German languages, is word for word as follows;

The President of the United States of America and his Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, led by the wish to regulate the citizenship of those persons who emigrate from the United States of America to the territories of the Austro-Hungarian Monarchy, and from the Austro-Hungarian Monarchy to the United States of America, have resolved to treat on this subject, and have for that purpose appointed Plenipotentiaries to conclude a Convention, that is to say: The President of the United States of America, John Jay, Envoy Extraordinary and Minister Plenipotentiary from the United States to his imperial and royal Apostolic Majesty; and his Majesty the Emperor of Austria, &c., Apostolic King of Hungary, the

applies not only to persons of the male sex but also to persons of the female sex.

After the undersigned, President of the office of the Chancellor of the Empire, had expressed his concurrence with this declaration, the acts of ratification, found to be in good and due form, were exchanged, and the present protocol was in duplicate executed.

Berlin, the 29th April, 1872.

GEORGE BANCROFT.
DELBRUECK.

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Berlin on the twenty-ninth day of April last;

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

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

Done at the City of Washington this first day of June, in the year of our Lord one thousand eight hundred and
[SEAL.] and seventy-two, and of the Independence of the United States of America the ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

Convention between the United States of America and the Austro-Hungarian Monarchy. Rights, &c., of Consuls. Signed July 11, 1870; Ratified December 19, 1870; Ratifications exchanged June 26, 1871; Proclaimed June 29, 1871.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

WHEREAS, A Convention between the United States of America and his Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, concerning the rights, privileges, immunities, and duties of Consuls of either country residing in the other, was concluded and signed at Washington by their respective plenipotentiaries, on the eleventh day of July, 1870, which Convention, being in the English and German languages, is word for word as follows;

The President of the United States of America and his Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, animated by the desire to define, in a comprehensive and precise manner, the reciprocal rights, privileges, and immunities of the Consuls General, Consuls, Vice Consuls, and Consular agents, their Chancellors and Secretaries, of the United States of America, and of the Austro-Hungarian monarchy, and to determine their duties and their respective sphere of action, have agreed upon the conclusion of a Consular Convention, and for that purpose have appointed their respective Plenipotentiaries, namely: the President of the United States of America, Hamilton Fish, Secretary of State of the United States; and his Majesty the Emperor of Austria, Apostolic King of Hungary, Charles, Baron von Lederer, Knight of the Imperial and Royal Order of Leopold, and his Majesty's Envoy Extraordinary and Minister Plenipotentiary in the United States of America, who, after communicating to each other their full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

Each of the high contracting parties shall be at liberty to establish Consuls General, Consuls, Vice Consuls, or Consular agents at the ports and places of trade of the other party, except those where it may not be convenient to recognize such officers; but this exception shall not apply to one of the high contracting parties without also applying to every other power.

Consuls General, Consuls, and other Consular officers appointed and taking office according to the provisions of this article, in one or the other of the two countries, shall be free to exercise the right accorded them by the present Convention throughout the whole of the district for which they may be respectively appointed.

The said functionaries shall be admitted and recognized, respectively, upon presenting their credentials in accordance with the rules and formalities established in their respective countries.

The exequatur required for the free exercise of their official duties shall be delivered to them free of charge; and upon exhibiting such exequatur, they shall be admitted at once and without interference by the authorities, Federal or State, Judicial or Executive, of the ports, cities, and places of their residence and district, to the enjoyment of the prerogatives reciprocally granted.

ARTICLE II.

The Consuls General, Consuls, Vice Consuls, and Consular agents, their chancellors, and other consular officers, if they are citizens of the State which appoints them, shall be exempt from military billetings, from service in the military or the national guard, and other duties of the same nature, and from all direct and personal taxation, whether Federal, State, or municipal, provided they be not owners of real estate, and neither carry on trade nor any industrial business.

If, however, they are not citizens of the State which appoints them, or if they are citizens of the State in which they reside, or if they own property, or engage in any business that is taxed under any laws of the country, then they shall be subject to the same taxes, charges, and assessments as other private individuals.

They shall, moreover, enjoy personal immunities, except for acts regarded as crimes by the laws of the country in which they reside.

If they are engaged in commerce, personal detention can be resorted to in their case only for commercial liabilities, and then in accordance only with general laws, applicable to all persons alike.

ARTICLE III.

Consuls-General, Consuls, and their chancellors, Vice Consuls, and Consular officers, if citizens of the country which appoints them, shall not be summoned to appear as witnesses before a court of justice, except when, pursuant to law, the testimony of a Consul may be necessary for the defence of a person charged with crime.

In other cases the local court, when it deems the testimony of a Consul necessary, shall either go to his dwelling to have the testimony taken orally, or shall send there a competent officer to reduce it to writing, or shall ask of him a written declaration.

ARTICLE IV.

Consuls-General, Consuls, Vice Consuls, and Consular agents shall be at liberty to place over the chief entrance of their respective offices the arms of their nation, with the inscription "Consulate General," "Consulate," "Vice Consulate," or "Consular Agency," as may be.

They shall also be at liberty to hoist the flag of their country on the Consular edifice, except when they reside in a city where the legation of their Government may be established. They shall also be at liberty to hoist their flag on board the vessel employed by them in port for the discharge of their duty.

ARTICLE V.

The Consular archives shall be at all times inviolable, and under no pretence whatever shall the local authorities be allowed to examine or seize the papers forming part of them.

ARTICLE VI.

In the event of incapacity, absence, or death of Consuls-General, Consuls, Vice Consuls, their Consular pupils, Chancellors or secretaries, whose official character may have been previously made known to the respective authorities in the United States, or in the Austro-Hungarian empire, shall be admitted at once to the temporary exercise of the Consular functions, and they shall, for the duration of it, enjoy all the immunities, rights, and privileges conferred upon them by this Convention.

ARTICLE VII.

Consuls-General and Consuls shall have the power to appoint Vice Consuls and Consular agents in the cities, ports, and towns within their Consular districts, subject, however, to the approbation of the Government of the country where they reside.

These Vice Consuls and Consular agents may be selected indiscriminately from among citizens of the two countries or from foreigners, and they shall be furnished with a commission issued by the appointing Consul, under whose orders they are to be placed.

They shall enjoy the privileges and liberties stipulated in this Convention.

To Vice Consuls and to Consular agents who are not citizens of the State which appoints them, the privileges and immunities specified in Article II shall not extend.

ARTICLE VIII.

Consuls-General, Consuls, Vice Consuls, or Consular agents of the two countries may, in the exercise of their duties, apply to the authorities within their districts, whether Federal or local, Judicial or Executive, in the event of any infraction of the treaties and conventions between the two countries; also for the purpose of protecting the rights of their countrymen.

Should the said authorities fail to take due notice of their application, they shall be at liberty, in the absence of any diplomatic representative of their country, to apply to the Government of the country where they reside.

ARTICLE IX.

Consuls-General, Consuls, Vice Consuls, or Consular agents of the two countries, also their Chancellors, shall have the right to take at their office, at the residence of the parties, or on board ship, the depositions of the captains and crews of vessels of their own nation, of passengers on board of them, of merchants, or any other citizens of their own country.

They shall have the power also to receive and verify conformably to the laws and regulations of their country:

1st. Wills and bequests of their countrymen, and all such acts and contracts between their countrymen as are intended to be drawn up in an authentic form and verified.

2d. Any and all acts of agreement entered upon between citizens of their own country and inhabitants of the country where they reside.

All such acts of agreement, and other instruments, and also copies thereof, when duly authenticated by such Consul-General, Consul, Vice Consul, or Consular agent under his official seals, shall be received in courts of justice as legal documents, or as authenticated copies, as the case may be, and shall have the same force and effect as if drawn up by competent public officers of one or the other of the two countries.

Consuls-General, Consuls, Vice Consuls, or Consular agents of the respective countries shall have the power to translate and legalize all documents issued by the authorities or functionaries of their own country; and such papers shall have the same force and effect in the country where the aforesaid officers reside as if drawn up by sworn interpreters.

ARTICLE X.

Consuls-General, Consuls, Vice Consuls, or Consular agents shall be at liberty to go on board the vessels of their nation admitted to entry, either in person or by proxy, and to examine the captain and crew, to look into the register of the ship, to receive declarations with reference to their voyage, their destination, and the incidents of the voyage; also, to draw up manifests, lists of freight, to assist in dispatching their vessels, and finally to accompany the said captains or crews before the Courts and before the administrative authorities, in order to act as their interpreters or agents in their business transactions or applications of any kind.

The judicial authorities and Custom house officials shall in no case proceed to the examination or search of merchant vessels without previous notice to the Consular authority of the nation to which the said vessels belong, in order to enable them to be present.

They shall also give the notice to Consuls, Vice Consuls, or Consular agents, in order to enable them to be present at any depositions or statements to be made in Courts of law, or before local magistrates by captains or persons composing the crew, in order to prevent errors or false interpretations which might impede the course of the administration of justice.

The notice to Consuls, Vice Consuls, or Consular agents shall name the hour fixed for such proceedings, and upon the non-appearance of the said officers or their representatives, the case shall be proceeded with in their absence.

ARTICLE XI.

Consuls, Vice Consuls, or Consular agents, shall have exclusive charge of the internal order of the merchant vessels of their nation. They shall have, therefore, the exclusive power to take cognizance of and to settle all differences which may arise at sea or in port between captains, officers, and crews, in reference to wages and the execution of mutual contracts, subject in each case to the laws of their own nation.

The local authorities shall in no way interfere, except in cases where the differences on board ship are of a nature to disturb the peace and public order in port or on shore, or when persons other than the officers and crew of the vessel are parties to the disturbance; except, as aforesaid, the local authorities shall confine themselves to the rendering of forcible assistance if required by the Consuls, Vice Consuls, or Consular agents, and shall cause the arrest, temporary imprisonment, and removal on board his own vessel, of every person whose name is found on the master-rolls or register of the ship or list of the crew.

ARTICLE XII.

Consuls-General, Consuls, Vice Consuls, or Consular agents, shall have the power to cause the arrest of all sailors or all other persons belonging to the crews of vessels of their nation who may be guilty of having deserted on the respective territories of the high contracting powers, and to have them sent on board or back to their native country

To that end they shall make a written application to the competent local authority, supporting it by the exhibition of the ship's register and list of the crew, or else, should the vessel have sailed previously, by producing an authenticated copy of these documents, showing that the persons claimed really do belong to the ship's crew.

Upon such request the surrender of the deserter shall not be refused. Every aid and assistance shall, moreover, be granted to the said Consular authorities for the detection and arrest of deserters, and the latter shall be taken to the prisons of the country and there detained at the request and expense of the Consular authority until there may be an opportunity for sending them away.

The duration of this imprisonment shall not exceed the term of three months, at the expiration of which time, and upon three days' notice to the Consul, the prisoner shall be set free, and he shall not be liable to rearrest for the same cause.

Should, however, the deserter have committed on shore an illicit act, the local authorities shall be free to postpone his extradition until due sentence shall have been passed and executed.

The high contracting parties agree that seamen, or other individuals forming part of the ship's crew, who are citizens of the country in which the desertion took place, shall not be affected by the provisions of this Article.

ARTICLE XIII.

In all cases where no other agreement to the contrary exists between owners, freighters, and insurers, all damages suffered at sea by the vessels of the two countries, whether they enter the respective ports voluntarily or by stress of weather, shall be settled by the Consuls-General, Consuls, Vice Consuls, or Consular agents of their respective nation, provided no interests of citizens of the country where the said functionaries reside, nor of citizens of a third power, are concerned. In that case, and in the absence of a friendly compromise between all parties interested, the adjudication shall take place under supervision of the local authorities.

ARTICLE XIV.

In the event of a vessel belonging to the Government, or owned by a citizen of one of the two contracting States, being wrecked or cast on shore upon the coast of the other, the local authorities shall inform the Consuls, Vice Consuls, or Consular agents of the district of the occurrence; or, if such Consular agency does not exist, they shall communicate with the Consul-General, Consul, Vice Consul, or Consular agent of the nearest district.

All proceedings relative to the salvage of American vessels wrecked or cast on shore in Austro-Hungarian waters shall be directed by the United States Consuls-General, Consuls, Vice Consuls, or Consular agents, and the proceedings relative to the salvage of Austro-Hungarian vessels wrecked or cast on shore in American waters shall be directed by Austro-Hungarian Consuls-General, Consuls, Vice Consuls, or Consular agents.

An interference of the local authorities in the two countries shall take place for the purpose only of assisting the Consular authorities in maintaining order and protecting the rights of salvors not belonging to the crew, also for enforcing the regulations relative to the import or export of the merchandise saved.

In the absence and until the arrival of the Consuls-General, Consuls, Vice Consuls, or Consular agents, or their duly appointed delegates, the local authorities shall take all the necessary measures for the protection of persons and preservation of the property saved from the wreck.

No charges shall be made for the interference of the local authorities in such cases, except for expenses incurred through salvage and the preservation of property saved, also for those expenses which, under similar circumstances, vessels belonging to the country where the wreck happens would have to incur.

In case of a doubt concerning the nationality of the wrecks, the local authorities shall have exclusively the management and execution of the provisions laid down in the present article.

The high contracting parties also agree that all merchandise and goods not destined for consumption in the country in which the wreck takes place shall be free of all duties.

ARTICLE XV.

Consuls-General, Consuls, Vice Consuls, and Consular agents, also Consular pupils, Chancellors, and Consular officers, shall enjoy in the two countries all the liberties, prerogatives, immunities, and privileges granted to functionaries of the same class of the most favored nation.

ARTICLE XVI.

In case of the death of a citizen of the United States in the Austrian-Hungarian monarchy, or of a citizen of the Austro-Hungarian monarchy in the United States, without having any known heirs or testamentary executors by him appointed, the competent local authorities shall inform the Consuls or Consular agents of the State to which the deceased belonged of the circumstances, in order that the necessary information may be immediately forwarded to the parties interested.

ARTICLE XVII.

The present Convention shall remain in force for the space of ten years from the date of the exchange of the ratifications, which shall be made in conformity with the respective Constitutions of the two countries, and exchanged at Washington within the period of ten (10) months, or sooner if possible.

In case neither of the contracting parties gives notice before the expiration of the said term of its intention not to renew this Convention, it shall remain in force a year longer, and so on, from year to year, until the expiration of a year from the day on which one of the parties shall have given such notice.

In testimony whereof, the respective Plenipotentiaries have signed this Convention and affixed their respective seals.

Done in duplicate at Washington, the eleventh day of July, in the year of our Lord one thousand eight hundred and seventy.

[SEAL.] HAMILTON FISH.
[SEAL.] LEDERER.

And whereas, the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington on the twenty-sixth day of June, 1871, by Hamilton Fish, Secretary of State of the United States, and Baron Lederer, Envoy Extraordinary and Minister Plenipotentiary of his Majesty the Emperor of Austria, &c., accredited to this Government on the part of their respective Governments;

Now, therefore, be it known that I, Ulysses S. Grant, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every clause and article 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 twenty-ninth day of June, in the year of our Lord one thousand eight hundred and seventy-one, and of the Independence of the United States of America the ninety-fifth.

[SEAL.] U. S. GRANT.

By the President:
HAMILTON FISH, *Secretary of State.*

Convention between the United States of America and the Austro-Hungarian Monarchy. Naturalization. Signed September 20, 1870; Ratified March 24, 1871; Ratifications Exchanged July 14, 1871; Proclaimed August 1, 1871.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

WHEREAS, A Convention between the United States of America and his Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, concerning naturalization, was concluded and signed at Vienna by their respective Plenipotentiaries on the twentieth day of September, 1870, which Convention' being in the English and German languages, is word for word as follows;

The President of the United States of America and his Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, led by the wish to regulate the citizenship of those persons who emigrate from the United States of America to the territories of the Austro-Hungarian Monarchy, and from the Austro-Hungarian Monarchy to the United States of America, have resolved to treat on this subject, and have for that purpose appointed Plenipotentiaries to conclude a Convention, that is to say: The President of the United States of America, John Jay, Envoy Extraordinary and Minister Plenipotentiary from the United States to his imperial and royal Apostolic Majesty; and his Majesty the Emperor of Austria, &c., Apostolic King of Hungary, the Count Frederick Ferdinand de Beust, his Majesty's Privy Counsellor and Chamberlain, Chancellor of the Empire, Minister of the Imperial House and of Foreign Affairs, Grand Cross of the Orders of St. Stephen and Leopold, who have agreed to and signed the following articles:

ARTICLE I.

Citizens of the Austro-Hungarian Monarchy who have resided in the United States of America uninterruptedly at least five years, and during such residence have become naturalized citizens of the United States, shall be held by the Government of Austria and Hungary to be American citizens, and shall be treated as such.

Reciprocally, citizens of the United States of America who have resided in the territories of the Austro-Hungarian Monarchy uninterruptedly at least five years, and during such residence have become naturalized citizens of the Austro-Hungarian Monarchy, shall be held by the United States to be citizens of the Austro-Hungarian Monarchy, and shall be treated as such.

The declaration of an intention to become a citizen of the one or the other country has not for either party the effect of naturalization.

ARTICLE II.

A naturalized citizen of the one party, on return to the territory of the other party, remains liable to trial and punishment for an action punishable by the laws of his original country committed before his emigration, saving always the limitation established by the laws of his original country, and any other remission of liability to punishment.

In particular, a former citizen of the Austro-Hungarian Monarchy, who, under the first article, is to be held as an American citizen, is liable to trial and punishment, according to the laws of Austro-Hungary, for non-fulfilment of military duty,

1st. If he has emigrated, after having been drafted at the time of conscription, and thus having become enrolled as a recruit for service in the standing army.

2d. If he has emigrated whilst he stood in service under the flag, or had a leave of absence only for a limited time.

3d. If, having a leave of absence for an unlimited time, or belonging to the reserve or to the militia, he has emigrated after having received a call into service, or after a public proclamation requiring his appearance, or after war has broken out.

On the other hand, a former citizen of the Austro-Hungarian Monarchy naturalized in the United States under the laws of the emigration has transgressed the legal provisions on military duty by any acts or omissions other than those above enumerated in the cases mentioned in the two, and three, numbers on his return to his original country, neither be held subsequently to military service nor remain liable to trial and punishment for the non-fulfilment of his military duty.

ARTICLE III.

The Convention for the mutual delivery of criminals, fugitives from justice, concluded on the 21 July, 1856, between the Government of the United States of America, on the one part, and the Austro-Hungarian Monarchy on the other part, as well as the additional Convention, signed on the 8th May, 1858, to the treaty of commerce and navigation concluded between the said Governments on the 27th of August, 1829, and especially the stipulations of Article IV. of the said additional Convention concerning the delivery of the deserters from the ships of war and merchant vessels, remain in force without change.

ARTICLE IV.

The emigrant from the one State, who, according to Article I. is to be held as a citizen of the other state, shall not, on his return to his original country, be constrained to resume his nationality; yet he shall of his own accord re-acquire it, and renounce the citizenship obtained by naturalization, such a renunciation is allowable, and no fixed period of residence shall be required for the recognition of his recovery of citizenship in his original country.

ARTICLE V.

The present Convention shall go into effect immediately on the exchange of ratifications, and shall continue in force ten years. If neither party shall have given to the other six months' previous notice of its intention then to terminate the same, it shall further remain in force until the end of twelve months after either of the contracting parties shall have given notice to the other of such intention.

ARTICLE VI.

The present Convention shall be ratified by the President of the United States, by and with the consent of the Senate of the United States, and by his Majesty the Emperor of Austria, &c., King of Hungary, with the constitutional consent of the two Legislatures of the Austro-Hungarian Monarchy, and the ratifications shall be exchanged at Vienna within twelve months from the date hereof.

In faith whereof the Plenipotentiaries have signed this Convention as well in German as in English, and have thereto affixed their seals.

Done at Vienna the twentieth day of September, in the year of our Lord one thousand eight hundred and seventy, in the ninety-fifth year of the Independence of the United States of America, and in the twenty-second year of the reign of his imperial and royal Apostolic Majesty.

[SEAL.] JOHN JAY.
[SEAL.] BEUST.

And whereas the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Vienna, on the fourteenth day of July, 1871, by John Jay, Envoy Extraordinary and Minister Plenipotentiary of the United States, and Count Frederick Ferdinand de Beust, Minister for Foreign Affairs of the Austro-Hungarian Monarchy, &c., on the part of their respective Governments:

Now, therefore, be it known that I, Ulysses S. Grant, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof, also for those expenses which, under similar circumstances, vessels belonging to the country where the wreck happens would have to incur.

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 first day of August, in the year of our Lord one thousand eight hundred and seventy-one, and of the independence of the United States of America the ninety-sixth.

[SEAL.] U. S. GRANT.

By the President:
HAMILTON FISH,
Secretary of State.

Treaty between the United States of America and the Kingdom of Italy. Commerce and Navigation. Signed February 26, 1871; Ratified April 29, 1871; Ratifications exchanged November 18, 1871; Proclaimed November 23, 1871.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

WHEREAS, A treaty of commerce and navigation between the United States of America and his Majesty the King of Italy was concluded and signed by their respective Plenipotentiaries, at the city of Florence, on the twenty-sixth day of February, one thousand eight hundred and seventy-one, which treaty, being in the English and Italian languages, is word for word as follows:

Treaty of Commerce and Navigation between the United States and the Kingdom of Italy.

The United States of America and his Majesty the King of Italy, desiring to extend and facilitate the relations of commerce and navigation between the two countries, have determined to conclude a treaty for that purpose, and have named as their respective Plenipotentiaries: The United States of America, George Perkins Marsh, their Envoy Extraordinary and Minister Plenipotentiary near his Majesty the King of Italy; and his Majesty the King of Italy, the Noble Emilio Visconti Venosta, Grand Cardon of his Orders of the Saints Maurice and Lazarus, and of the Crown of Italy, Deputy in Parliament, and his Minister Secretary of State for Foreign Affairs; and the said Plenipotentiaries having exchanged their full powers, found in good and due form, have concluded and signed the following articles:

ARTICLE I.

There shall be between the territories of the high contracting parties a reciprocal liberty of commerce and navigation.

Italian citizens in the United States, and citizens of the United States in Italy, shall mutually have liberty to enter with their ships and cargoes all the ports of the United States and of Italy respectively, which may be open to foreign commerce. They shall also have liberty to sojourn and reside in all parts whatever of said territories. They shall enjoy, respectively, within the States and possessions of each party, the same rights, privileges, favors, immunities, and exemptions for their commerce and navigation as the natives of the country wherein they reside, without paying other or higher duties or charges than are paid by the natives, on conditions of their submitting to the laws and ordinances there prevailing.

War vessels of the two powers shall receive in their respective ports the treatment of those of the most favored nations.

ARTICLE II.

The citizen of each of the high contracting parties shall have liberty to travel in the States and territories of the other, to carry on trade, wholesale and retail, to hire and occupy houses and warehouses, to employ agents of their choice, and generally to do anything incident to or necessary for trade, upon the same terms as the natives of the country, submitting themselves to the laws there established.

ARTICLE III.

The citizens of each of the high contracting parties shall receive, in the States and territories of the other, the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or shall be granted to the natives, on their submitting themselves to the conditions imposed upon the natives.

They shall, however, be exempt in their respective territories from compulsory military service either on land or sea, in the regular forces, or in the national guard, or in the militia. They shall likewise be exempt from any judicial or municipal office, and from any contribution whatever, in kind or in money, to be levied in compensation for personal services.

ARTICLE IV.

The citizens of neither of the contracting parties shall be liable, in the States or territories of the other, to any embargo, nor shall they be detained with their vessels, cargoes, merchandise, or effects, for any military expedition, nor for any public or private purpose whatsoever, without allowing to those interested a sufficient indemnification previously agreed upon when possible.

ARTICLE V.

The high contracting parties agree that whatever kind of produce, manufactures, or merchandise of any foreign country can be from time to time lawfully imported into the United States, in their own vessels, may be also imported in Italian vessels; that no other or higher duties upon the tonnage of the vessel or her cargo shall be levied and collected, whether the importation be made in vessels of the one country or of the other; and, in like manner, that whatsoever kind of produce, manufactures, or merchandise of any foreign country can be from time to time lawfully imported into Italy in its own vessels, may be also imported in vessels of the United States, and that no higher or other duties upon the tonnage of the vessel or her cargo shall be levied and collected, whether the importation be made in vessels of the one country or of the other; and they further agree that whatever may be lawfully exported and reexported from the one country, in its own vessels, to any foreign country, may in the like manner be exported or re-exported in the vessels of the other country, and the same bounties, duties, and drawbacks, shall be allowed and collected, whether such exportation or re-exportation be made in vessels of the United States or of Italy.

ARTICLE VI.

No higher or other duties shall be imposed on the importation into the United States of any articles, the produce or manufactures of Italy, and no higher or other duties shall be imposed on the importation into Italy of any articles, the produce or manufactures of the United States, than are or shall be payable on the like articles, being the produce or the manufactures of any other foreign country; nor shall any other or higher duties or charges be imposed, in either of the two countries, on the exportation of any articles to the United States or to Italy, respectively, than such as are payable on the exportation of the like articles to any foreign country, nor shall any prohibition be imposed on the importation or the exportation of any articles, the produce or manufactures of the United States or of Italy, to or from the territories of the United States, or to or from the territories of Italy, which shall not equally extend to all other nations.

ARTICLE VII.

Vessels of the United States arriving at a port of Italy, and, reciprocally, vessels of Italy arriving at a port of the United States, may proceed to any other port of the same country and may there discharge such part of their original cargoes as may not have been discharged at the port where they first arrived. It is, however, understood and agreed that nothing contained in this article shall apply to the coastwise navigation, which each of the two contracting parties reserves exclusively to itself.

ARTICLE VIII.

The following shall be exempt from paying tonnage, anchorage, and clearance duties in the respective ports:

1st. Vessels entering in ballast, and leaving again in ballast, from whatever port they may come.

2d. Vessels passing from a port of either of the two States into one or more ports of the same State, therein to discharge a part or all of their cargo, or take in or complete their cargo