

TREATIES AND CONVENTIONS

CONCLUDED BETWEEN

THE UNITED STATES OF AMERICA AND OTHER POWERS

SINCE JULY 4, 1776.

CONTAINING NOTES, WITH REFERENCES TO NEGOTIATIONS PRECEDING THE
SEVERAL TREATIES, TO THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL
CONSTRUCTION OF THEM, AND TO THE CAUSES OF THE
ABROGATION OF SOME OF THEM; A CHRONOLOGICAL
LIST OF TREATIES; AND AN ANALYTICAL INDEX.



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PREFACE.

The first compilation of the Treaties and Conventions concluded by the United States with foreign powers was prepared in accordance with the provisions of the act of Congress approved April 18, 1814, entitled "An act authorizing a subscription for the laws of the United States, and for the distribution thereof." The act made it the joint duty of the Secretary of State and the Attorney-General to prescribe the plan and manner in which the new edition of the laws should be published. The plan was drawn up by Attorney-General Rush June 10, 1814, and it being concurred in by Secretary Monroe, the latter officer appointed John B. Colvin as "a competent person to prepare and superintend an edition of the same." The plan included the publication of all laws passed after the adoption of the Constitution; the Declaration of Independence; the Articles of Confederation; the Constitution of the United States; Treaties and Conventions made between the United States and Foreign Nations; Indian treaties; and the acts, ordinances, or resolutions passed by the Continental Congress prior to the year 1789 that in any degree affected real property, the government of the Territories, the organization of the great Executive Departments of the Government, etc. The compilation was published in 1815, and is known as Bioren & Duane's edition of the laws and is entitled "Laws of the United States," volume 1.

The next compilation appears to have been that published in Washington in 1827, by Jonathan Elliot, and entitled "Diplomatic Code of the United States of America, embracing a collection of Treaties and Conventions," etc., from 1778 to 1827. In addition to the texts of the treaties, the edition contains miscellaneous matter, including the United States laws relating to the privileges of foreign ministers in the United States, and United States consuls abroad, the text of acts and proclamations concerning the execution of treaties, extracts from treaties between foreign states in so far as these might indirectly affect the United States, references to the principal cases decided in the courts of the United States, and in some of the State tribunals in regard to points or principles connected with our foreign relations. In 1834 Mr. Elliot re-issued this work, corrected to date, and with considerable additions. This edition is styled "The American Diplomatic Code [etc.]."

Also, a concise Diplomatic Manual, containing a summary of the Law of Nations." The chief addition consists of "Extracts from the correspondence of the Diplomatic Agents of the United States," beginning with the instructions to Silas Deane, in 1776, and ending with the paper last published at the date of issue.

Little & Brown, in 1848, published a volume containing the Treaties and Conventions concluded up to that date. It is known as volume 8, Statutes at Large, Foreign Treaties, General Index.

On the 1st of February, 1871, the Secretary of State, in compliance with a resolution of the Senate of December 22, 1870, transmitted to that body copies of the treaties and conventions (except postal conventions) entered into by the United States, the ratifications whereof had been exchanged, with certain notes, which were printed as Senate Executive Document No. 36, of the third session of the Forty-first Congress. This compilation was reproduced and forms part of the "Revised Statutes relating to the District of Columbia and Post-Roads, Public Treaties," published in 1875.

In September, 1873, Mr. J. C. Bancroft Davis, then Assistant Secretary of State, under whose supervision the foregoing compilation was published, prepared what he styled a Revised Edition, adding in the form of an appendix treaties that had been concluded since the date of the last compilation. This edition was the first which contained an historical introduction or commentary, not in the shape of foot-notes, but in the form of a connected narrative of the correspondence with each country, giving a history of the negotiations and relating to matters in dispute under the several treaties. The collection was provided with two indexes, an "Analytical Index of the subjects referred to in the several treaties," and a "Synoptical Index, containing the titles of the several Treaties and Conventions, and a synopsis of their respective contents."

In August, 1876, Mr. John L. Cadwalader, who succeeded Mr. Davis as Assistant Secretary of State, published a supplement to the latter's collection, paged so that it could be bound in with it, and containing the treaties exchanged between September 1, 1873, and the date of issue. The indexes were reconstructed, and the new treaties provided with notes prepared on the same system as those of Mr. Davis.

The present volume was prepared in response to the following resolution of the Senate, dated January 5, 1885:

Resolved, That the Secretary of State be directed to transmit to the Senate copies of all the treaties and conventions, except postal conventions, entered into by the United States, the ratification whereof has been exchanged, with such notes as may be in his possession, indicating such treaties or conventions, or such parts of treaties or conventions, as have been changed or abrogated; together with a synoptical and analytical index of such treaties and conventions.

In the preparation of this volume such treaties or conventions as have become partially or completely abrogated, suspended, or amended, are so indicated by a foot-note at the beginning of such treaty or convention, giving a reference to the NOTES, where an explanation is given as

to the manner and extent of such abrogation, suspension, or amendment. Those treaties or conventions, however, that from their nature have manifestly served the purpose for which they were concluded, such as those relating to claims, cession of territory, etc., are not so indicated.

The very valuable historical notes of Mr. J. C. Bancroft Davis, published in a former compilation, have been preserved entire, and the additional notes which are introduced in this volume have been placed in brackets in order that they may be distinguished from those of Mr. Davis.

The volume has grown to such proportions that it has been deemed advisable not to print the "Synoptical Index" in a distinct form, as each treaty or convention has printed with it a full synoptical index, and it would only be a reproduction of what will be found with the text. It is believed that this will be an ample compliance with the resolution.

Occasion is taken by the compiler to express his obligations to Mr. John B. Moore, Third Assistant Secretary of State, for the valuable assistance rendered by him in the work with special reference to the decision of the courts, and to Mr. Henry T. Brian, foreman, and Mr. J. M. A. Spottswood, assistant foreman of the Government Printing Office, for the great interest they have shown in having the compilation printed with care and accuracy.

JOHN H. HASWELL.

DEPARTMENT OF STATE,
Washington, January, 1889.



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