

FRIENDSHIP, COMMERCE, AND NAVIGATION

Additional article signed at Washington June 4, 1828

*Ratified by Lubeck August 13, 1828, by Bremen September 3, 1828,
and by Hamburg September 13, 1828*

Senate advice and consent to ratification December 29, 1828

Ratified by the President of the United States

Ratifications exchanged at Washington January 14, 1829

Entered into force January 14, 1829

Proclaimed by the President of the United States January 14, 1829

Obsolete

8 Stat. 386; Treaty Series 158 ¹

ADDITIONAL ARTICLE TO THE CONVENTION OF FRIENDSHIP, COMMERCE AND NAVIGATION CONCLUDED AT WASHINGTON ON THE TWENTIETH DAY OF DECEMBER 1828, BETWEEN THE UNITED STATES OF AMERICA, AND THE HANSEATIC REPUBLICS OF LUBECK, BREMEN AND HAMBURG

The United States of America, and the Hanseatic Republics of Lubeck, Bremen and Hamburg, wishing to favour their mutual commerce, by affording, in their ports, every necessary assistance to their respective vessels, the Undersigned Plenipotentiaries have further agreed upon the following Additional Article to the Convention of Friendship, Commerce and Navigation, concluded at Washington, on the twentieth day of December 1827,² between the Contracting Parties.

The Consuls and Vice Consuls may cause to be arrested the sailors, being part of the crews of the vessels of their respective countries, who shall have deserted from the said vessels, in order to send them back, and transport them out of the country. For which purpose the said Consuls and Vice-Consuls, shall address themselves to the Courts, judges, and officers competent, and shall demand the said deserters, in writing, proving, by an exhibition of the registers of the said vessels, or ship's roll, or other official document, that those men were part of said crews; and on this demand being so proved (saving, however, where the contrary is proved), the delivery shall not be refused, and there shall be given all aid and assistance to

¹ For a detailed study of this additional article, see 3 Miller 447.

² TS 157, *ante*, p. 41.

the said Consuls and Vice-Consuls, for the search, seizure, and arrest of the said deserters, who shall even be detained and kept in the prisons of the country, at their request and expense, until they shall have found opportunity of sending them back. But if they be not sent back within two months, to be counted from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.

It is understood, however, that if the deserter should be found to have committed any crime or offence, his surrender may be delayed until the tribunal before which the case shall be depending, shall have pronounced its sentence, and such sentence shall have been carried into effect.

The present additional article shall have the same force and value, as if it were inserted, word for word, in the Convention signed at Washington on the twentieth day of December One thousand eight hundred and twenty seven; and being approved and ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by the Senates of the Hanseatic Republics of Lubeck, Bremen, and Hamburg, the Ratifications shall be exchanged at Washington within nine months from the date hereof, or sooner, if possible.

In faith whereof, We, the Undersigned, by virtue of our respective Full Powers, have signed the present Additional Article, and have thereto affixed our Seals.

Done in quadruplicate, at the City of Washington, on the Fourth day of June in the Year of Our Lord One thousand eight hundred and twenty eight.

H. CLAY [SEAL]

V. RUMPF [SEAL]