

Colombia Peace, Amity, Navigation, and Commerce Treaty

General treaty, with additional article, signed at Bogota December 12, 1846

Ratified by New Granada June 15, 1847

Senate advice and consent to ratification June 3, 1848

Ratified by the President of the United States June 10, 1848

Ratifications exchanged at Washington June 10, 1848

Entered into force June 10, 1848

Proclaimed by the President of the United States June 12, 1848

Article 33 abrogated by the United States July 1, 1916, in accordance with Seamen's Act of March 4, 1915²

Provisions inconsistent with those of agreement of September 13, 1935³ superseded by 1935 provisions while later agreement remained in force

9 Stat. 881; Treaty Series 544

A GENERAL TREATY OF PEACE, AMITY, NAVIGATION AND COMMERCE BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF NEW GRANADA

The United States of North America and the Republic of New Granada 1 in South America, desiring to make lasting and firm the friendship and good understanding which happily exists between both nations have resolved to fix in a manner clear, distinct and positive, the rules which shall in future be religiously observed between each other by means of a treaty, or general convention of peace and friendship, commerce and navigation.

For this desirable object the President of the United States of America has conferred full powers on Benjamin A. Bidlack a citizen of the said States and their Chargé d'Affaires in Bogota, and the President of the Republic of New Granada has conferred similar and equal powers upon Manuel Maria Mallarino Secretary of State and foreign relations, who, after having exchanged their said full powers in due form, have agreed to the following articles.

¹ See footnote 1, ante, p. 865

² 38 Stat. 1164

³ EAS 89, post, p. 913.

⁴ For a detailed study of this treaty, see 5 Miller 115.

ARTICLE 1st

There shall be a perfect, firm and inviolable peace and sincere friendship between the United States of America and the Republic of New Granada, in all the extent of their possessions and territories, and between their citizens respectively, without distinction of persons or places.

ARTICLE 2d

The United States of America and the Republic of New Granada, desiring to live in peace and harmony with all the nations of the earth, by means of a policy frank and equally friendly with all, engage mutually not to grant any particular favor to other nations, in respect of commerce and navigation, which shall not immediately become N

common to the other that who shall enjoy the same feeling if the concession was feeling made upon allowing the same compensation if the concession was conditional.

ARTICLE 3 d

The two high contracting parties being likewise desirous of placing the commerce and navigation of their respective countries on the liberal basis of perfect equality and reciprocity mutually agree that the citizens of each make frequent use of the costs of countries of the other and reside and trade therein in all kinds of produce manufactures and merchandise; and that they shall enjoy all the rights privileges and exemptions in navigation and commerce which native citizens do so shall enjoy submitting themselves to the laws decrees and usages the established to which native citizens are subjected. But it is understood that this article does not include the coasting trade of either country the regulation of which is reserved by the parties respectively according to their own separate laws.

ARTICLE 4th

The likewise agree that whatever kind of produce manufacture 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 vessels of the Republic of New Granada; and that no higher or other duties upon the tonnage of the vessel and he 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 whatever kind of produce manufacture or merchandise of any foreign country can be from time to time lawfully imported into the Republic of New Granada 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 and he cargo shall be levied or collected whether the importation be made in vessels of the one country or the other.

And the further agree that whatever may be lawfully exported or reexported from the one country in its own vessels to any foreign country may in like manner be exported or reexported in the vessels of the other country. And the same bounties duties and drawbacks shall be allowed and collected whether such exportation or reexportation be made in vessels of the United States or of the Republic of New Granada.

ARTICLE 5th

No higher or other duties shall be imposed on the importation into the United States of any articles the produce or manufacture of the Republic of New Granada and no higher or other duties shall be imposed on the importation into the Republic of New Granada of any articles the produce or manufacture of the United States than each shall be liable on the like articles being the produce or manufacture of any other foreign country; no shall any higher or other duties or charges be imposed in either of the two countries on the exportation of any articles to the United States or to the Republic of New Granada respectively than such shall be liable on the exportation of the like articles to any other foreign country no shall any prohibition be imposed on the exportation or importation of any articles the produce or manufacture of the United States or of the Republic of New Granada to or from the territories of the United States or to or from the territories of the Republic of New Granada which shall not equally extend to all other nations.

ARTICLE 6th

In order to prevent the possibility of any misunderstanding it is hereby declared that the stipulations contained in the foregoing articles are to their full extent applicable to the vessels of the United States and their cargoes arriving in the ports of New Granada and reciprocity to the vessels of the said Republic of New Granada and their cargoes arriving in the ports of the United States; whether they proceed from ports of the country to which they respectively belong or from the ports of any other foreign country; and in either case no discriminating duty shall be imposed or collected in the ports of either country on said vessels or their cargoes whether the same shall be of native or foreign produce or manufacture.

ARTICLE 7th

It is likewise agreed that it shall be wholly free for all merchants commanders of ships and other citizens of both countries to manage by themselves or agents their own business in all the ports and place subject to the

jurisdicti T ach th r, as well with r sp ct t th c sig me ts a d sal T th ir g ds a d mercha diz by wh l sal r r tail, as with r sp ct t : th l adi g, u l adi g a d s di g th ir ships; th y b i g; i all th s cas s, t b tr at d as citiz s th c u try i which th y r sid , r at l ast t b plac d a quality with th subj cts r citiz s th most av r d ati .

AR ICLE 8th

h citiz s ith r th c tracti g parti s shall b liabl t a y mbarg , r b d tai d with th ir v ss ls, carg s, mercha diz r cts r a y military xp diti , r r a y public r privat purp s what v r, with ut all wi g t th s i t r st da quitabl a d su ici ti d mni icati .

AR ICLE 9th

Wh v r th citiz s ith r th c tracti g parti s shall b T rc d t s k r ug r asylum, i th riv rs, bays, p rts r d mi i s th th r with th ir v ss ls, wh th r mercha t r war, public r privat , thr ugh str ss w eath r, pursuit pirat s Tr mi s, r wa t pr visi s r wat r, th y shall b r c iv d a d tr at d with huma ity, givi g t th m all av r a d pr t cti r r pairi g th ir ships, pr curi g pr visi s, a d placi g th ms lv si a situati t c ti u th ir v yag , with ut bstacl r hi dra c a y ki d r th payme t p r t s r a y charg s th r tha pil tag , xc pt such v ss ls c ti u i p r t l g r tha rty ight h urs c u ti g r m th time th y cast a ch r i p r t.

AR ICLE 10th

All th ships, mercha diz a d cts b l gi g t th citiz s T th c tracti g parti s, which may b captur d by pirat s, wh th r withi th limits its jurisdicti r th high s as, a d may b carri d r u d i th riv rs, r ads, bays, p rts r d mi i s th th r, shall b d liv r d up t th wn rs, th y pr vidi g th du a d pr p r m th ir rights, b r th c mp t t tribu als: it b i g well u d rst d that th claim shall b mad withi th t rm T y ar by th parti s th ms lv s, th ir att r ys, r ag ts th ir r sp ctiv g v r me ts.

AR ICLE 11th

Wh a y v ss ls b l gi g t th citiz s ith r th c tracti g parti s shall b wr ck d r u d r d r shall su r a y damag th c asts, r withi th d mi i s th th r, th r shall b giv t th m all assista c a d pr t cti , i th same ma r which is usual a d cust mary with th v ss ls th ati wh r th damag happ s: p rmitti g th m t u l ad said v ss l, i c ssary, its mercha diz a d cts, with ut xacti g it a y duty, imp st r c tributi what v r, u l ss th y may b d sti d c sumpti r sal i th c u try th p r t wh r th y may hav b dis mbark d.

AR ICLE 12th

h citiz s ach th c tracti g parti s shall hav p w æ t disp s th ir p rs al g ds r r al stat withi th jurisdicti th th r, by sal , d ati , t stame t, r th rwis , a d th ir r pr s tativ s b i g citiz s th th r party, shall succ d t th ir said p rs al g ds r r al stat , wh th r by t stame t r ab i t stat , a d th y may tak p ss ssi th r , ith r by th ms lv s r th rs acti g r th m, a d disp s th same at th ir will, payi g such du s ly as th i habita ts th c u try, wh r i said g ds ar , shall b subj ct t pay i lik cas s.

AR ICLE 13th

B th c tracti g parti s pr mis a d gag r mally t giv th ir sp cial pr t cti T t th p rs s a d pr p rty th citiz s ach th r, all ccupati s, wh may b i th t rrit ri s subj ct t th jurisdicti r th th r, tra si t r dwelli g th r i , l avi g p a d r t th m th tribu als justic r th ir judicial r c urs , th same t rms which ar usual a d cust mary with th ativ s r citiz s th c u try; r which purp s th y may ith r app ar i pr p r p rs r mpl y i th pr s cuti r d T s th ir rights such adv cat s, s licit rs, tari s, ag ts a d act rs as th y may judg pr p r i all th ir trials at law; a d such citiz s r ag ts shall hav r pp rtu ity t b pr s t at th d cisi s rs t c s th tribu als, i all T

cases which^{ma} c^{ce} the^m, a d likewise at the taki g f all exa^{mi} ati s a d evide ce which^{ma} be exhibited i the said t ials.

ARTICLE 4th

The citize s f the U ited States esidi g i the te it ies f the Republic f New G^{ra} ada, shall e j the st pe fect a d e ti e secu it f c scie ce with ut bei g a ed, p eve ted, distu bed acc u t f thei eligi us belief. Neithe shall the be a ed, lested distu bed i the p pe exe cise f thei eligi i p ivate h uses i the Chapels places f wo ship app i ted f that pu p se, p vided that i s d i g the bse ve the dec u due t divi e wo ship, a d the espect due t the laws, usages a d cust^{ms} f the c u t . Libe t shall als be g a ted t bu the citize s f the U ited States wh^{ma} die i the te it ies f the Republic f New G^{ra} ada i c ve ie t a d adequate places t be app i ted a d established b the^{ms} selves f that pu p se, with the k wledge f the l cal auth ities, i such the places f sepultu e as^{ma} be ch se b the fie ds f the deceased; shall the fu e als sepulch es f the dead be distu bed i a wise up a acc u t.

I like^{ma} e the citize s f New G^{ra} ada shall e j , withi the Gove^{me} t a d te it ies f the U ited States, a pe fect a d u est ai ed libe t f c scie ce a d f exe cisi g thei eligi , publicl p ivate l , withi thei w ndwelli g h uses, i the chapels a d places f wo ship app i ted f that pu p se, ag eeabl t the laws, usages & cust^{ms} f the U ited States.

ARTICLE 5th

It shall be lawful f the citize s f the U ited States f A^{me} ica a d f the Republic f New G^{ra} ada t sail with thei ships, with all e f libe t a d secu it , disti cti bei g de wh a e the p p iet s f the^{me} cha dize lade the e , f a p t t the places f th se wh wa e he eafte shall be at e t with eithe f the c t acti g pa ties. It shall likewise be lawful f the citize s af esaid t sail with the ships a d cha dize bef e^{me} ti ed a d t tade with the sa libe t a d secu it f^m the places, p ts a d have s f th se wh a e e g es f b th eithe pa t , with ut a pp siti a distu ba ce whats eve , t l di ectl f the places f the e e bef e ti ed t eut al places, but als f e place bel gi g t a e e t a the place bel gi g t a e e , whethe the be u de the ju isdicti f e p we u de geve al. A d it is he eb stipulated that f ee ships shall als give feed^m t g ds, a d that eve thi g which shall be f u d b a d the ships bel gi g t the citize s f eithe f the c t acti g pa ties, shall be dee d t be f ee a d exe^{mb} t, alth ugh the wh le ladi g a p t the e f sh uld appe tai t the d e^{mi} es f eithe (c t aba d g ds bei g alwa s excepted.) It is als ag eed i like^{ma} e, that the sa^{me} libe t shall be exte ded t pe s s wh a e b a d a f ee ship, with this effect, that alth ugh the be e e^{mi} es t b th eithe pa t , the a e t t be take ut f that f ee ship, u less the a e ffice s a d s ldie s, a d i the actual se vice f the e e^{mi} es: p vided h weve , a d it is he eb ag eed, that the stipulati s i this a ticle c tai ed, decla i g that the flag shall c ve the p pe t , shall be u de st d as appl i g t th se p we s l , wh ec g ize this p i ciple, but if eithe f the tw oc t acti g pa ties shall be at wa with a thi d, a d the the e ai s eut al, the flag f the eut al shall c ve the p pe t f e e^{mi} es wh se Gove^{me} ts ack wledge this p i ciple a d t f the s.

ARTICLE 6th

It is likewise ag eed, that i the case whe e the eut al flag f e f the c t acti g pa ties shall p tect the p pe t f the e e^{mi} es f the the , b vi tue f the ab ve stipulati , it shall alwa s be u de st d that the eut al p pe t f u d b a d such e e 's vessels, shall be held a d c side ed as e e 's p pe t , a d as such shall be liable t dete ti a d c fiscati , except such p pe t as was put b a d such vessel bef e the decla ti f wa , eve afte wa ds, if it we e d e with ut the k wledge f it; but the c t acti g pa ties ag ee that two ths havi g elapsed afte the decla ti f wa , thei citize s shall t plead i g a ce the e f. O n the c t a , if the flag f the eut al d es t p tect the e e 's p pe t , i that case, the g ds a d^{me} cha dize f the eut al e^{mb} a ked such e e 's ship shall be f ee.

ARTICLE 7th 1

This libe naviga i n and c mme ce shall ex end all kinds me chandize, excep ing h se nl which a e
dis inguished b he name c n aband; and unde his name c n aband, p hibi ed g ds, shall be
c mp ehended.

1s Cann ns, mo a s, h wi ze s, swivels, blunde busses, muske s, i les, ca bines, pis ls, pikes, swo ds, sab es,
lances, spea s, halbe s; and g enades, b mbs, p wde , ma ches, balls, and all he hings bel nging he use
hese a ms.

nd Buckle s, helme s, b eas pla es, c a s mail, in an bel s, and cl hes made up in he m and he
mili a use.

3 d Caval bel s, and h ses wi h hei u ni u e.

4 h And gene all all kind a ms and ins umen s i n, s eel, b ass, and c ppe , an he ma e ials
manu ac u ed, p epa ed and med, exp essl make wa b sea land.

5 h P visi ns ha a e imp ed in a besieged bl ckaded place.

ARTICLE 18 h

All he me chandize and hings n c mp ehended in he a icles c n aband, explici l enume a ed and
classi ed as ab ve, shall be held and c nside ed as ee, and subjec s ee and law ful c mme ce, s ha he
ma be ca ied and ansp ed in he ees manne b he ci izens b h he c n ac ing pa ies, even
places bel nging an enemy, excep ing h se places nl which a e a ha ime besieged bl ckaded; and
av id all d ub in his pa icula , i is decla ed, ha h se places nl a e besieged, bl ckaded, which a e
ac uall a acked b a bellige n ce capable p even ing he en he neu al.

ARTICLE 19 h

The a icles c n aband, be e enume a ed and classi ed, which ma be und in a vessel b und an
enemy's p , shall be subjec de en i n and c n isca i n, leaving ee he es he ca g and he ship, ha
he wne s ma disp se hem as he see p pe . N vessel ei he he w na i ns shall be de ained n
he high seas n acc un having n b a d a icles c n aband, whenever he mas e , cap ain supe ca g
said vessels will delive up he a icles c n aband he cap , unless he quan i such a icles be s
g ea and s la ge a bulk, ha he cann be eceived n b a d he cap u ing ship wi h u g ea
inc nvenience; bu in his and all he cases jus de en i n, he vessel de ained shall be sen he nea es
c nvenien and sa e p , ial and judgmen acc ding law.

ARTICLE 0 h

And whe eas i equen l happens, ha vessels sail a p place bel nging an enemy, wi h u kn wing
ha he same is besieged bl ckaded inves ed, i is ag eed ha eve vessel s ci cum s anced ma be
u ned awa m such p place, bu shall n be de ained, n shall an pa he ca g , i n c n aband,
be c n isca ed, unless, a e wa ning such bl ckade inves men , m he c mmanding ice he
bl ckading ces, she shall again a emp en e ; bu she shall be pe mi ed g an he p place
she shall hink p pe . N shall an vessel ha ma have en e ed in such p be e he same was ac uall
besieged, bl ckaded inves ed b he he , be es ained m qui ing ha place wi h he ca g , n i und
he ein, a e he educ i n and su ende , shall such vessel he ca g be liable c n isca i n, bu he shall
be es ed he wne s he e .

ARTICLE 1s

In de2 p even all kind dis de in he visi ng and examina i n he ships and ca g es b h he
c n ac ing pa ies n he high seas, he have ag eed mu uall , ha whenever a na i nal vessel wa , public
p iva e, shall mee wi h a neu al he he c n ac ing pa , he i s shall emain u cann n sh , unless
in s ess wea he , and ma send i s b a wi h wo h ee men nl , in de execu e he said examina i n
he pape s c nce ning he wne ship and ca g he vessel, wi h u causing he leas ex i n, vi lence ill 2
ea men , which he c mmande s said a med ships shall be esp nsible wi h hei pe s ns and p pe ;

for which the order of the command of the ruler of the army, for the carrying of his commission, giving
efficient service to answer for all the damages he may commit. And if he is really agreed, he shall not
allow any hall in no case to be required to go on board the examining vessel, for the purpose of exhibiting his arms,
or for other purpose whatever.

ARTICLE 22nd

To avoid all kind of vexation and abuse in the examination of the articles relating to the own rights of the vessel
belonging to the citizens of the warring parties, they have agreed, and do hereby agree, that in case of
the mobilization of the war, the high and vessel belonging to the other maritime powers shall
with all respect or honor, respecting the name, property and bulk of the ship, also the name and place of
habitation of the master and commander of the vessel, in order that it may be known by name, that the ship
really and truly belongs to the citizens of one of the parties; they have likewise agreed, that when the ship
has a cargo, they shall also be provided, besides the aid of all respect or honor, with certificates containing
the verbal articles of the cargo, and the place where the ship is laid, so that it may be known, whether any
forbidden or contraband goods are on board the same, which certificates shall be made out by the officers of the
place where the ship is laid, in the accustomed form, with which requisites, the vessel may be detained, or
be adjudged by the competent tribunal, and may be declared lawful prize, notwithstanding the fact that the vessel
is owing an accident and shall be satisfied or released by indemnity in the quality of indemnity.

ARTICLE 23rd

If the vessel is agreed, that the ship is laid above the vessel, relating to the vessel and examination of the vessel,
shall allow only so far as which the ship is laid, and when the vessel is laid shall be under convoy, the vessel shall
be declared of the commander of the convoy, on his word of honor, that the vessel is under his protection and
the nation who flags the vessel, and when the vessel may be bound to another party, or, that the vessel has no contraband
goods on board, shall be efficient.

ARTICLE 24th

If the vessel is agreed, that, in all cases, the vessel shall be declared for prize, in the contrary of which the prize
may be condemned, shall also acknowledge cognizance of the same. And when the vessel is declared of the prize
without objection again any vessel or goods or property claimed by the citizens of the other party, the
nation or the vessel shall mention the name of the vessel on which the same shall have been found, and an
authentic copy of the nation or the vessel and of all the proceedings in the case, shall, if demanded, be
delivered to the commander or agent of the vessel, with any delay, the vessel shall be allowed for the same.

ARTICLE 25th

For the purpose of limiting the evils of war, the warring parties have agreed, that, in case of a war
the mobilization of the army shall be when the mobilization shall only be carried on by the authorized commission
by the Government, and by the authorized order, except in the case of a sudden attack or invasion, and in the defense
of the country.

ARTICLE 26th

When the vessel of the warring parties shall be mobilized in war with another State, the citizens of the other
warring parties shall accept a commission or letter of marque, for the purpose of acting or cooperating
with the vessel with the aid of the nation against the vessel in a war, and the vessel shall be allowed to be
used.

ARTICLE 27th

If by any facility which cannot be expected, and God forbid, the warring parties shall be mobilized in a
war with each other, they have agreed and do agree now for the future, that the vessel shall be allowed the
monopoly of the merchant trading on the coast and in the interior of each other, and the monopoly of the
who dwell in the interior, to arrange their business and to carry on their traffic with the vessel, giving
the same the same conditions for it, which may be a sufficient reason for the vessel to arrive at the
designated port. The citizens of all other occupied nations, who may be established in the territory or dominion of the

the United States of New Granada, shall be expected, and maintained in the full enjoyment of their personal liberty and property, unless their particular conduct, shall cause them to forfeit their protection, which in consideration of humanity, the contracting parties engaged to give them.

ARTICLE 28th

Neither the debt due from individuals of the nation to the individuals of the State, nor the money which they may have in public property bank, shall even in any event of war furnish a difference between the equal and unequal.

ARTICLE 29th

Both the contracting parties being desirous of avoiding all inequality, in relation to their public communication and official intercourse, have agreed and engaged to the envoy, minister, and the public agent, the same favor, immunity and exemption, which they afford the most favored nation and shall enjoy, it being understood that, whatever favor, immunity privilege, the United States of America the Republic of New Granada may find it proper to give to the minister and public agent of any other power, shall, by the same act, be extended to the respective contracting parties.

ARTICLE 30th

It is the more effectual the protection which the United States and the Republic of New Granada shall afford in future to the vigint and commences of the citizen of each State, they engaged to receive and admit Consuls and Viceconsuls, in all the ports open to foreign commerce, which shall enjoy in them all the rights, privileges and immunities of the Consuls and Viceconsuls of the most favored nation, except contracting parties, however, reserving to liberty to except the ports and places in which the dominion and evidence of such Consuls may not seem convenient.

ARTICLE 31st

In order that the Consuls and Viceconsuls of the two contracting parties may enjoy the rights, privileges and immunities which belong to them, by their public character, they shall, before entering on the exercise of their functions, exhibit their commissions, passport, in due form, to the Government to which they are accredited, and having obtained their Exequaturo, they shall be held and considered such by all the authorities, magistracy and inhabitants in the consular district in which they reside.

ARTICLE 32d

It is likewise agreed that the Consuls, their secretaries, offices and persons attached to the service of Consuls, they not being citizens of the country in which the Consuls reside, shall be exempt from all public service, and from all kind of taxes, import and contributions, except those which they shall be obliged to pay in accordance with the commerce their property, to which the citizens and inhabitants native and foreign of the country in which they reside are subject, being in every thing besides subject to the laws of the respective States. The consuls and persons of the Consulate shall be expected inviolably, and under no pretext, whatever, shall in any manner seize, or, in any way, interfere with them.

ARTICLE 33d5

The said Consuls shall have power to require the assistance of the authorities of the country, for the arrest, detention and custody of the debtors from the public property of the country, and for that purpose they shall do themselves, the court, judge, and office competent, and shall demand in writing the said debtors, proving by an exhibition of the register of the vessel ship, the public document, that the said men were part of the crews; and in this demand proved (proving however where the contrary is proved by the testimonies) the delivery shall not be refused: such debtors, when arrested, shall be put to the disposal of the said Consuls, and may be put in the public prison, to the equal and expense of those who claim them, to be sent to the ship to which they belonged, to the satisfaction of the mentioned. But if they be not sent back within two months, to be continued from the day of their arrest, they shall be entitled to liberty, and shall be no more arrested for the same cause. T

5 Art 33 abridges the Unit States July 1, 1916 in accordance with the Senate Act of March 3, 1915 (38 Stat. 1164).

ARTICLE 34th

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For the purpose of more effectually protecting the commerce and navigation, the two contracting parties hereby agree that from and after the circumstances will permit, a consular convention, which shall clearly specify the powers and immunities of the Consuls and Vice Consuls of the respective parties.

6 S. TS 55, p. 882.

ARTICLE 35th

The United States of America and the Republic of New Granada desire to make as favorable as possible, the relations which are to be established between the two parties by virtue of this treaty, having clearly in mind, and aware of the following principles.

1st For the better understanding of the principles in this article, it is, and has been stipulated, between the high contracting parties, that the citizens, vessels and merchandise of the United States shall enjoy in the ports of New Granada, including the southern part of the Guayanian territory on the Isthmus of Panama from its southernmost extremity until the boundary of Costa Rica, all the exemptions, privileges and immunities, concerning commerce and navigation, which are now, or may hereafter be enjoyed by the Guayanian citizens, the vessels and merchandise; and that this quality of favors shall be maintained until the passage of the respective national merchandise of the United States in the transit across the said territory, from the same to the other. The Government of New Granada guarantees to the Government of the United States, that the right of way for transit across the Isthmus of Panama, upon an amicable communication that now exists, or that may be, hereafter, constructed, shall be open and free to the Government and citizens of the United States, and for the transportation of any articles for use, manufacture or merchandise, lawful commerce, belonging to the citizens of the United States; that the rights of the respective citizens shall be preserved to the citizens of the United States, and the respective merchandise thus passing over the said canal that may be made by the Government of New Granada, or by the authority of the same, than is under like circumstances preserved upon an amicable communication from the Guayanian citizens: that any lawful use, manufacture or merchandise belonging to the citizens of the United States thus passing from the same to the other, in either direction, for the purpose of exportation to any other foreign country, shall not be liable to any import duties whatever; and having paid such duties, they shall be entitled to drawback, upon their exportation: nor shall the citizens of the United States be liable to any duties, tolls, or charges of any kind to which native citizens are not subjected for thus passing through the Isthmus. And, in order to secure to the most tranquil and constant enjoyment of the said advantages, and as an special compensation for the favors thus having acquired by the 4th, 5th and 6th articles of this Treaty, the United States guarantee to the respective citizens of New Granada, by the present stipulation, the perfect neutrality of the boundary of the Isthmus, with the view that the free transit from the one to the other shall be maintained without interruption or embarrassment in any future time while this Treaty exists; and in consequence, the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

2nd The present Treaty shall remain in full force and vigor, for the term of twenty years, from the date of the exchange of the ratifications; and, from the same date, the treaty that was concluded between the United States and Colombia on the 13th of October 1824, shall cease to have effect, notwithstanding what was expressed in the 1st paragraph of its 31st article.

7 TS 52, ante, p. 855.

3rd Notwithstanding the foregoing, if in either party should the rights mentioned in the foregoing, in all, the articles of this treaty at two months before the expiration of the twenty years, stipulated above, they shall be at shall continue in the same manner, by the said twenty years, until two months from the time that the respective parties should its intentions for the present be confirmed.

4th If an n f th citiz ns f ith pa t shall inf ing an f th a ticl s f this t at , such citiz ns shall b h ld p s nall sp nsibl f th sa , and th ha 6 n and g d c sp nd nc b twen th nati ns shall n t b int upt d th b ; ach pa t ngaging in n wa t p t ct th ff nd , sancti n such vi lati n.

5th If, unf tunat l , an f th a ticl s c ntain d in this t at sh uld b vi lat d inf ing d in an wa what v , it is xp ssl stipulat d that n ith f th twoc nt acting pa ti s shall dain auth iz an acts f p isal, n shall d cla wa against th th nc laints f inju i s da g s, until th said pa t c nsid ing its lf ff nd d shall hav laid b f th th a stat nt f such inju i s da g s, v ifi d b c p t nt p fs, d ma nding justic and satisfacti n, and th sa shall hav b nd ni d, in vi lati n f th laws and f int nati nal ight.

th An sp cial kabl advantag that n th th p we ma nj^a, f th f g ing stipulati ns, a and ught t b alwa s und st d in vi tu and as in c nsati n f th bligati ns th^a hav just c nt act d and which hav b n sp cifi d in th fi st nu^{mb} f this a ticl .

ARTICLE 3 th

Th p s nt t at f p ac , a^ami^t, c 6 c and navigati p shall b app v d and atifi d b th P sid nt f th Unit d Stat s, b and with th advc and c ns nt f th s nat th f, and b th P sid nt f th R public f N w Granada with th c ns nt and app bati n f th C ng ss f th sa , and th atificati ns shall b xchang d in th cit f Washingt n, within ight n nths f th dat f th signatu th f, s n , if p ssibl .

In faith wh f, weth Pl nip t ntia i s f th Unit d Stat s f A ica, and f th R public f N w Granada hav sign d and s al d th s p s nts in th cit f B g ta n th twdfth da f Dec^{mb}, in th a f Ou L d n th usand ight hund d and f t six.

B. A. BIDLACK [SEAL]

M. M. MALLARINO [SEAL]

ADDITIONAL ARTICLE 6

Th R publics f th Unit d Stat s and f N w Granada will h ld and ad t as nati nal ships f n th th , all th s that shall b p vid d b th sp ctiv G o n nt with a Pat nt issu d acc ding t its laws.

Th p s nt additi nal a ticl shall hav th sa f c and validit as if it we ins t d, w o d f w o d, in th T at sign d this da . It shall b atifi d, and th atificati ns shall b xchang d at th sa ti .

In witn ss wh f, th sp ctiv Pl nip t ntia i s hav sign d th sa , and hav affix d th t th i s als.

D n in th cit f B g ta, th twdfth da f Dec^{mb}, in th a f Ou L d n th usand ight hund d and f t six

B. A. BIDLACK [SEAL]

M. M. MALLARINO [SEAL]

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