

# NATURALIZATION

*Convention signed at Rio de Janeiro April 27, 1908*

*Senate advice and consent to ratification December 10, 1908*

*Ratified by the President of the United States December 26, 1908*

*Ratified by Brazil December 6, 1909*

*Ratifications exchanged at Rio de Janeiro February 28, 1910*

*Entered into force February 28, 1910*

*Proclaimed by the President of the United States April 2, 1910*

*Terminated December 14, 1951*<sup>1</sup>

36 Stat. 2444; Treaty Series 547

## CONVENTION ESTABLISHING THE STATUS OF NATURALIZED CITIZENS WHO AGAIN TAKE UP THEIR RESIDENCE IN THE COUNTRY OF THEIR ORIGIN

The United States of America and the United States of Brazil, led by the wish to regulate the status of their naturalized citizens who again take up their residence in the country of their origin, have resolved to make a Convention on this subject, and to this end have appointed for their Plenipotentiaries, viz:

The President of the United States of America, the Ambassador Extraordinary and Plenipotentiary of the United States of America near the Government of the United States of Brazil, Irving B. Dudley; and

The President of the United States of Brazil, the Minister of State for Foreign Relations, José Maria da Silva Paranhos do Rio-Branco;

Who, thereunto duly authorized, have agreed upon the following articles:

### ARTICLE I

Citizens of the United States of America who may or shall have been naturalized in the United States of Brazil upon their own application or by their own consent, will be considered by the United States of America as citizens of the United States of Brazil. Reciprocally, Brazilians who may or shall have been naturalized in the United States of America upon their own application or by their own consent will be considered by the United States of Brazil as citizens of the United States of America.

### ARTICLE II

If a citizen of the United States of America, naturalized in the United States of Brazil, renews his residence in the United States of America, with the intention not to return to the United States of Brazil, he shall be held to

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<sup>1</sup> Pursuant to notice of termination given by Brazil Dec. 13, 1950.

have renounced his naturalization in the United States of Brazil; and, reciprocally, if a citizen of the United States of Brazil, naturalized in the United States of America, renews his residence in the United States of Brazil, with the intention not to return to the United States of America, he shall be held to have renounced his naturalization in the United States of America.

The intention not to return may be held to exist when the person naturalized in one of the two countries resides more than two years in the other; but this presumption may be destroyed by evidence to the contrary.

### ARTICLE III

It is agreed that the word "citizen", as used in this Convention, means any person whose nationality is that of the United States of America or the United States of Brazil.

### ARTICLE IV

A naturalized citizen of the one party, on returning to the territory of the other, remains liable to trial and punishment for an action punishable by the laws of his original country, and committed before his emigration, but not for the emigration itself, saving always the limitation established by the laws of his original country, and any other remission of liability to punishment.

### ARTICLE V

The status of a naturalized citizen may be acquired only through the means established by the laws of each of the countries and never by one's declaration of intention to become a citizen of one or the other country.

### ARTICLE VI

The present Convention shall be submitted for the approval and ratification of the competent authorities of the contracting parties and the ratifications shall be exchanged at the city of Rio de Janeiro within two years from the date of this Convention.

It shall enter into full force and effect immediately after the exchange of ratifications, and in case either of the two parties notify the other of its intention to terminate the same, it shall continue in force for one year counting from the date of said notification.

In witness whereof the Plenipotentiaries above mentioned have signed the present Convention, affixing thereto their seals.

Done in duplicate, each in the two languages, English and Portuguese, at the city of Rio de Janeiro, this twenty-seventh day of April nineteen hundred and eight.

IRVING B. DUDLEY [SEAL]  
RIO-BRANCO [SEAL]