CLAIMS

Convention signed at Copenhagen March 28, 1830
Ratified by Denmark April 2, 1830
Senate advice and consent to ratification May 29, 1830
Ratified by the President of the United States June 2, 1830
Ratifications exchanged at Washington June 5, 1830
Entered into force June 5, 1830
Proclaimed by the President of the United States June 5, 1830
Expired March 28, 1833, upon submission of final report by Board of Commissioners

8 Stat. 402; Treaty Series 66 [1]

Convention Between the United States of America and His Majesty the King of Denmark Signed at Copenhagen the 28th of March 1830

The United States of America and His Majesty the King of Denmark, being equally desirous of terminating the discussions which have taken place between Them in respect to the claims and pretensions formed by the citizens of the United States and the subjects of Denmark, having for their object the seizure, detention, condemnation or confiscation of their vessels, cargoes or property whatsoever, within the territory or under the authority of the respective Governments,—have named, for this purpose, and furnished with Their full powers; that is to say, the President of the United States of America, by and with the advice and consent of the Senate, Henry Wheaton, Chargé d'Affaires of the said United States at the Court of His Majesty the King of Denmark, etc; and His Majesty the King of Denmark, the Sieur Ernest-Henry Count de Schimmelmann, Knight of the Order of the Elephant, Grand Cross of the Order of Dannebrog decorated with the silver Cross of the same Order, His Minister (:intime:) of State, Chief of His Department of foreign Affairs, etc., and the Sieur Paul-Christian de Stemann, Knight of the Order of the Elephant, Grand-Cross of the Order of Dannebrog, decorated with the silver Cross of the same Order, His Minister (:intime:) of State and of Justice, President of His Danish Chancery, etc; and the said Plenipotentiaries, after having exchanged their full powers, found in good and due form, have agreed upon and concluded the following Articles.

[1] For a detailed study of this convention, see 3 Miller 531.

ARTICLE I

His Majesty the King of Denmark renounces the indemnities which might be claimed from the Government of the United States of America, for the subjects of Denmark, on account of the seizure, detention, condemnation or confiscation of their vessels, cargoes or property whatsoever, under the authority of the said Government; and His Majesty engages moreover to pay to the said Government the sum of Six-Hundred and Fifty Thousand Spanish milled Dollars, on account of the citizens of the United States, who have preferred claims relating to the seizure, detention, condemnation or confiscation of their vessels, cargoes or property whatsoever, by the public and private armed ships, or by the tribunals of Denmark, or in the States subject to the Danish Sceptre.

ARTICLE II

The payment, of the above sum of Six-Hundred and Fifty Thousand Spanish milled Dollars, shall be made in the times and manner following:

On the 31 March 1831—Two-Hundred and Sixteen-Thousand-Six Hundred and Sixty-Six Dollars and two thirds of a Dollar

On the 30 September 1831—Two-Hundred and Sixteen-Thousand-Six Hundred-and Sixty-Six Dollars and two thirds of a Dollar.

On the 30 September 1832—Two-Hundred and Sixteen Thousand-Six Hundred and Sixty-Six Dollars and two thirds of a Dollar.

To the second payment shall be added the interest for that and for the last payment, at four per centum per annum, to be computed from the first payment, on the 31 March 1831.

To the third payment shall also be added the interest for that payment, at four per centum per annum, to be computed from the second payment on the 30 September 1831.

The above sums, thus specified in Spanish milled Dollars, shall be paid in bills of exchange, at fifteen days sight, at Hamburg; for the payment of which the Danish Government shall be responsible.

At the time when the first payment shall be made on the 31 March 1831, two obligations, corresponding to the two last payments to be effected, for the capital and the interest thereof, shall be issued by the Direction for the public debt and the sinking fund of Denmark, to the order of the Department of foreign Affairs of Denmark, and assigned to the Government of the United States. By the said obligations His Majesty the King of Denmark shall acknowledge Himself debtor for the sums not yet paid, to the Government of the United States of America, and the same shall be delivered to such person or persons, as may be authorized to receive the same by the said Government; and when the said obligations are to be discharged according to the tenor thereof, by the Danish Government, the person or persons authorized by the Government of the United States to receive the stipulated payments, shall

deliver up the said obligations, with receipts, for the amount thereof, from the said Government.

ARTICLE III

To ascertain the full amount and validity of the claims mentioned in Article I, a Board of commissioners, consisting of three citizens of the United States, shall be appointed by the President, by and with the advice and consent of the Senate, who shall meet at Washington, and within the space of two years, from the time of their first meeting, shall receive examine and decide upon the amount and validity of all such claims, according to the merits of the several cases and to justice, equity and the law of nations.

The commissioners shall take an oath or affirmation, to be entered in the journal of their proceedings, for the faithful and diligent discharge of their duties.

In case of the death, sickness or necessary absence of any commissioner, his place may be supplied by the appointment of another commissioner, in the manner before mentioned, or, during the recess of the Senate, by the President of the United States.

The commissioners shall be authorized to hear and examine, on oath, or affirmation, every question relating to such claims, and to receive all suitable, authentic testimony concerning the same.

In order to facilitate the proceedings of this Board, His Majesty the King of Denmark engages, when thereunto required, to cause to be delivered to any person or persons, who shall be duly authorized, for that purpose, by the Government of the United States, in addition to the papers already delivered, all the acts, documents, ship's papers and prize proceedings, which may still remain in the Archives of the High-Court of Admiralty or the Prize Tribunals of Denmark, relating to the seizure, detention, condemnation or confiscation of the vessels, cargoes or property whatsoever belonging to the citizens of the United States of America before the said tribunals.

The commissioners shall award and cause to be distributed, among the several parties, whose claims shall be allowed by the Board, the sum mentioned in Article I and II, in a rateable proportion to the amount of the respective claims thus allowed.

ARTICLE IV

In consideration of the renunciation and payments mentioned in Article I and II, on the part of His Majesty the King of Denmark, the Government of the United States declares Itself entirely satisfied, not only in what concerns the said Government, but also in what concerns the citizens of the said United States, on account of the claims hitherto preferred or which may hereafter be preferred relating to the seizure, detention, condemnation or confiscation of their vessels, cargoes or property whatsoever, which in the last maritime war of Denmark have taken place under the flag of Denmark,

or in the States subject to the Danish Scepter; and the said claims shall consequently be regarded as definitively and irrevocably terminated.

Article V

The intention of the two High Contracting Parties being solely to terminate definitively and irrevocably all the claims, which have hitherto been preferred, They expressly declare, that the present Convention is only applicable to the cases therein mentioned, and having no other object, can never hereafter be invoked, by one party or the other, as a precedent or rule for the future.

Article VI

The present Convention shall be duly ratified by the High Contracting Parties, and the Ratifications shall be exchanged at Washington, in the space of ten months, or sooner if possible.

In faith thereof, and in virtue of our respective full powers, we have signed the present Convention, and have thereunto set the Seals of our Arms.

Done at Copenhagen, this 28th day of March 1830.

Henry Wheaton	[seal]
E. H. Schimmelmann	[seal]
Stemann	[seal]