

# COMMERCIAL RELATIONS WITH RESPECT TO CUBA AND PUERTO RICO

*Exchange of notes at Madrid January 10 and 11, 1895*

*Entered into force January 11, 1895*

*Terminated April 14, 1903, by treaty of July 3, 1902<sup>1</sup>*

1894 For. Rel. 632

*The Minister of State to the American Minister*

[TRANSLATION]

MINISTRY OF STATE  
PALACE, *January 10, 1895*

EXCELLENCY:

I have had the honor to receive your note of the 7th instant, in which you were pleased to communicate to me the favorable reception which the Government of the United States has given to the propositions of that of His Majesty for the execution of a modus vivendi which may regulate the commercial relations between the islands of Cuba and Puerto Rico and the United States until such time as a definitive treaty of commerce may be concluded.

In accordance, therefore, with the declarations made to you and accepted by your Government, I have the honor to inform you that that of His Majesty is disposed to apply to the products of the United States in the islands of Cuba and Puerto Rico the duties of the second column of the tariff now in force as long as the Government of the Union concedes to the products of said islands the most-favored-nation treatment, it being understood that in no case shall American products in Cuba and Puerto Rico or Spanish products in the United States be subjected to a differential treatment in respect to those of other countries.

This modus vivendi shall remain in force until the conclusion of a definitive treaty between the parties interested, or until one of them shall give to the other three months' notice of the date upon which it is desired to terminate it.

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<sup>1</sup> TS 422, *post*, p. 628.

The Government of His Majesty will ask of the Cortes the legislative authority necessary to put in vigor in the shortest time possible the provisional arrangement agreed upon.

I improve this opportunity, etc.,

ALEJANDRO GROIZARD

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*The American Minister to the Minister of State*

LEGATION OF THE UNITED STATES  
MADRID, *January 11, 1895*

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of the 10th instant, in reply to mine of the 7th instant, in which I took occasion to present to you a telegram from my Government saying that the President, appreciating the friendly disposition manifested by your proposals, will refrain from exercising the power of discrimination or exclusion against the products of Cuba and Puerto Rico so long as Spain accords most-favored-nation treatment to American products in those islands. In reply to my note you are now good enough to reassure me that in consideration of such treatment by my Government that of His Majesty will apply to American products only the duties imposed by the second column of the tariff in force in Cuba and Puerto Rico, that column being applied, as you have assured me, to all nations which now receive from Spain in those islands the most-favored-nation treatment.

The necessary meaning of this agreement, as you have correctly expressed it not only in your note, but in your conversations with me, is that both nations may make subsequent tariff changes without prejudice to the agreement, provided [that] by such changes neither discriminates against the other.

In the event that either party desires to determine [terminate] the agreement, three months' notice of such intention is to be given beforehand.

Hoping to be informed by you at a very early day of the consummation of the necessary acts upon the part of the Cortes, I seize this opportunity to renew, etc.

HANNIS TAYLOR