

RIGHTS OF NEUTRALS AT SEA

Convention signed at Washington July 22, 1854

Senate advice and consent to ratification July 25, 1854

Ratified by the President of the United States August 12, 1854

Ratified by Russia September 15, 1854

Ratifications exchanged at Washington October 31, 1854

Entered into force October 31, 1854

Proclaimed by the President of the United States November 1, 1854

*Declaration of accession signed by Hawaii March 26, 1855,¹ and by
Nicaragua June 9, 1855²*

10 Stat. 1105; Treaty Series 300³

The United States of America and His Majesty the Emperor of all the Russias, equally animated with a desire to maintain, and to preserve from all harm, the relations of good understanding which have at all times so happily existed between themselves, as also between the inhabitants of their respective States, have mutually agreed to perpetuate by means of a formal convention, the principles of the right of neutrals at sea, which they recognize as indispensable conditions of all freedom of navigation and maritime trade. For this purpose, the President of the United States has conferred full powers on William L. Marcy, Secretary of State of the United States; and His Majesty the Emperor of all the Russias has conferred like powers on Mr. Edward de Stoeckl, Counsellor of State, Knight of the Orders of Ste. Anne, of the 2d. Class, of St. Stanislas, of the fourth Class, and of the Iron Crown of Austria, of the 3d. Class, His Majesty's Chargé d'Affaires near the Government of the United States of America: and said Plenipotentiaries, after having exchanged their full powers, found in good and due form, have concluded and signed the following articles:

ARTICLE I

The two High Contracting Parties recognize as permanent and immutable the following principles, to wit:

¹ For text, see *ante*, vol. 8, p. 872.

² For text, see *ante*, vol. 10, p. 335.

³ For a detailed study of this convention, see 6 Miller 791.

1st. That free ships make free goods—that is to say, that the effects or goods belonging to subjects or citizens of a Power or State at war are free from capture and confiscation when found on board of neutral vessels, with the exception of articles contraband of war.

2d. That the property of neutrals on board an enemy's vessel is not subject to confiscation, unless the same be contraband of war. They engage to apply these principles to the commerce and navigation of all such powers and States as shall consent to adopt them on their part as permanent and immutable.

ARTICLE II

The two High Contracting Parties reserve themselves to come to an ulterior understanding as circumstances may require, with regard to the application and extension to be given, if there be any cause for it, to the principles laid down in the 1st Article. But they declare from this time that they will take the stipulations contained in said Article I, as a rule, whenever it shall become a question, to judge of the rights of neutrality.

ARTICLE III

It is agreed by the High Contracting Parties that all Nations which shall or may consent to accede to the rules of the first Article of this convention, by a formal declaration stipulating to observe them, shall enjoy the rights resulting from such accession as they shall be enjoyed and observed by the two Powers signing this convention. They shall mutually communicate to each other the results of the steps which may be taken on the subject.

ARTICLE IV

The present convention shall be approved and ratified by the President of the United States of America, by and with the advice and consent of the Senate of said States, and by His Majesty the Emperor of all the Russias, and the ratifications of the same shall be exchanged at Washington within the period of ten months, counting from this day, or sooner, if possible.

In faith whereof, the respective Plenipotentiaries have signed the present convention, in duplicate, and thereto affixed the seal of their arms.

Done at Washington the twenty-second day of July, the year of grace 1854.

W. L. MARCY [SEAL]
EDOUARD STOECKL [SEAL]