

May 18, 1847.

CONVENTION WITH THE SWISS CONFEDERATION

FOR THE MUTUAL ABOLITION OF THE DROIT D'AUBAINE AND TAXES ON EMIGRATION.

Ratifications exchanged at Washington, May 3, 1848.

Proclamation made, May 4, 1848.

Preamble.

Negotiators.

THE President of the United States of America and the Federal Directory of the Swiss Confederation, animated by the desire to secure and extend, by an amicable convention, the relations happily existing between the two countries, have, to this effect, appointed, as their plenipotentiaries, to wit: the President of the United States of America, James Buchanan, Secretary of State of the United States; and the Federal Directory of the Swiss confederation, A. C. Cazenove, Swiss consul at Alexandria; who, after the exchange of their full powers, found in good and due form, have agreed upon and signed the following articles:

ARTICLE I.

Power to dispose of personal property.

Heirs, &c., may inherit and take possession;

and may dispose of the same on payment of certain duties.

Property of absent heirs to be taken care of.

The citizens of each one of the high contracting parties shall have power to dispose of their personal property, within the jurisdiction of the other, either by testament, donation, or *ab intestato*, or in any other manner; and their heirs, being citizens of the other party, shall inherit all such personal estates, whether by testament or *ab intestato*, and they may take possession of the same, either personally or by attorney, and dispose of them as they may think proper, paying to the respective governments no other charges than those to which the inhabitants of the country in which the said property shall be found would be liable in a similar case; and, in the absence of such heir, or heirs, the same care shall be taken of the property that would be taken, in the like case, for the preservation of the property of a citizen of the same country, until the lawful proprietor shall have had time to take measures for

Le Président des Etats Unis de l'Amérique, et le Directoire Fédéral de la Confédération Suisse, animés du désir d'assurer et d'étendre, par une convention amiable, les relations heureusement existantes entre les deux pays, ont nommé à cet effet pour leurs plenipotentiaries, savoir: le Président des Etats Unis d'Amérique, James Buchanan, Secrétaire d'Etat des Etats Unis; et le Directoire Fédéral de la confédération Suisse, A. C. Cazenove, consul Suisse à Alexandrie; lesquels après l'échange de leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des articles suivants, et les ont signés:

ARTICLE I.

Les citoyens de chacune des hautes parties contractantes auront la faculté de disposer de leurs biens personnels, dans la juridiction de l'autre, soit par testament, donation, ou de toute autre manière; et leurs héritiers, étant citoyens de l'autre partie, hériteront de leurs dits biens personnels, que ce soit, par testament, ou *ab intestato*, et ils pourront en prendre possession, eux-mêmes, ou par le moyen de leurs agens, et en disposer comme ils l'entendront, n'ayant à payer aux gouvernemens respectifs d'autres droits, que ceux auxquels sont soumis en pareil cas les habitans même du pays dans lequel les dits biens se trouvent; dans le cas de l'absence de l'héritier ou des héritiers, il y serait pris par l'autorité, à l'égard des dits biens, le même soin que celui qui pourrait être pris, dans le même cas, pour la conservation des biens d'un natif du même pays, et cela jusqu'à ce que le propriétaire légal ait pu prendre les mesures conve-

possessing himself of the same; and in case any dispute should arise between claimants to the same succession, as to the property thereof, the question shall be decided according to the laws, and by the judges, of the country in which the property is situated.

ARTICLE II.

If, by the death of a person owning real property in the territory of one of the high contracting parties, such property should descend, either by the laws of the country, or by testamentary disposition, to a citizen of the other party, who, on account of his being an alien, could not be permitted to retain the actual possession of such property, a term of not less than three years shall be allowed to him to dispose of such property, and collect and withdraw the proceeds thereof, without paying to the government any other charges than those which, in a similar case, would be paid by an inhabitant of the country in which such real property may be situated.

ARTICLE III.

The present convention shall be in force for the term of twelve years from the date hereof; and further, until the end of twelve months after the government of the United States on the one part, or that of the Swiss confederation on the other, shall have given notice of its intention of terminating the same.

This convention shall be ratified, and the ratifications shall be exchanged at Washington, within twelve months after its date, or sooner, if possible.

In faith whereof, the respective plenipotentiaries have signed the present convention, and have thereunto affixed their seals.

Done at Washington, this eighteenth day of May, A. D. 1847, and of the Independence of the United States the seventy-first.

JAMES BUCHANAN, [L. S.]
ANT. CHS. CAZENOVE. [L. S.]
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nables pour les recueillir; et dans le cas où il s'éleverait une question parmi les prétendants à une succession de savoir à qui les biens doivent appartenir, cette question sera décidée après les lois et par les juges du pays dans lequel les biens se trouvent.

In cases of dispute, how to be decided.

ARTICLE II.

Si, par la mort d'une personne possédant des propriétés foncières sur le territoire de l'une des hautes parties contractantes, ces propriétés venaient, en vertu des lois du pays, ou d'une disposition testamentaire, à échoir à un citoyen de l'autre partie, qui, à cause de sa qualité d'étranger ne serait pas admis à la possession en nature de ces propriétés, il serait accordé à celui-ci un terme, de pas moins de trois ans, pour vendre ces propriétés, et en retirer et exporter le produit sans difficulté, et sans payer au gouvernement aucun autre droit de mutation que celui qui, dans un cas analogue, serait dû par un habitant du pays dans lequel les propriétés foncières sont situées.

Alien heirs allowed time to dispose of real estate.

ARTICLE III.

La présente convention sera en vigueur pendant douze ans, à compter de ce jour; et au-delà de ce terme jusqu'à l'expiration de douze mois après que le gouvernement des Etats Unis, d'une part, ou celui de la confédération Suisse, de l'autre, aura annoncé à l'autre son intention de le terminer.

Duration of this convention.

Cette convention sera ratifiée, et les ratifications en seront échangées à Washington, dans le terme de douze mois, après sa date, ou plutôt si faire se peut.

Convention subject to ratification, and ratifications to be exchanged within 12 months.

En foi de quoi, les plenipotentiaries respectifs ont signé la présente convention, et y ont opposé leurs cachets.

Fait à Washington le dixhuitième jour du mois de Mai, de l'an de Grace 1847, et de l'Independance des Etats Unis le 71^{me}.

Signed 18th May, 1847.

JAMES BUCHANAN, [L. S.]
ANT. CHS. CAZENOVE, [L. S.]

Aug. 2, 1847.
 Consent of
 Senate, (with
 amendments,)
 April 3, 1848.
 Proclamation
 made, April 7,
 1848.

TREATY WITH THE CHIPPEWAS

OF THE MISSISSIPPI AND LAKE SUPERIOR.

Articles of a Treaty made and concluded at the Fond du Lac of Lake Superior, on the second Day of August, in the Year one thousand eight hundred and forty-seven, between the United States by their Commissioners, Isaac A. Verplank and Henry M. Rice, and the Chippewa Indians of the Mississippi and Lake Superior, by their Chiefs and Headmen.

ARTICLE I.

Peace and friendship to be perpetual. It is agreed that the peace and friendship which exists between the people of the United States and the Chippewa Indians shall be perpetual.

ARTICLE II.

Cession of land by the Chippewas of the Mississippi and Lake Superior to the United States. The Chippewa Indians of the Mississippi and Lake Superior cede and sell to the United States all the land within the following boundaries, viz.: Beginning at the junction of the Crow Wing and Mississippi Rivers, thence up the Crow Wing River to the junction of that river with the Long Prairie River, thence up the Long Prairie River to the boundary line between the Sioux and Chippewa Indians, thence southerly along the said boundary line to a lake at the head of Long Prairie River, thence in a direct line to the sources of the Watab River, thence down the Watab to the Mississippi River, thence up the Mississippi to the place of beginning; and also all the interest and claim which the Indians, parties to this treaty, have in a tract of land lying upon and north of Long Prairie River, and called One-day's Hunt; but, as the boundary line between the Indians, parties to this treaty, and the Chippewa Indians, commonly called "Pillagers," is indefinite, it is agreed that before the United States use or occupy the said tract of land north of Long Prairie River, the boundary line between the said tract and the Pillager lands shall be defined and settled to the satisfaction of the Pillagers.

Boundary between the Indians, parties to this treaty, and the "Pillager band," to be settled to the satisfaction of the latter.

ARTICLE III.*

In consideration of the foregoing cession, the United States agree to pay to the chiefs of the Chippewas of Lake Superior seventeen thousand dollars in specie, and to the chiefs of the Chippewas of the Mississippi seventeen thousand dollars in specie; the above sums to be paid at such place or places as the President shall direct, and to be paid within six months after this treaty shall be ratified by the President and Senate of the United States; and the United States further agree to pay to the chiefs of the Mississippi Indians the sum of one thousand dollars annually for forty-six years; but it is agreed that whenever the Chippewas of the Mississippi shall agree as to the schools to be established, and the places at which they shall be located, the number of blacksmiths and laborers to be employed for them, and shall request the United States to expend, from year to year, the annual payments remaining unpaid, in the support of schools, blacksmiths, and laborers, the same shall be expended by the United States.

And further to pay to the chiefs of the Mississippi Indians the sum of \$1000 for 46 years.

How to be expended.

* For an amendment to this Article, see note at the end of this treaty, p. 907.