

(12) TREATY WITH BREMEN,

RATIFIED ON THE 27TH MARCH, 1854.

KAMEHAMEHA III., *King of the Hawaiian Islands, to all to whom these presents shall come, GREETING:*

WHEREAS, a Treaty of Friendship, Commerce and Navigation between Us and the Free Hanseatic City of Bremen, was, concluded and signed at Honolulu, on the seventh day of August, one thousand eight hundred and fifty-one, by the Plenipotentiary of Us, and the specially authorized Consul of the said Free Hanseatic City of Bremen, which Treaty is word for word, as follows:

It being desirable that a general convention and instrument of mutual agreement should exist between the Hawaiian Kingdom and the Free Hanseatic City of Bremen, the following Articles have, for that purpose and to that intent, been mutually agreed upon and signed between the Government of the Hawaiian Islands and that of Bremen.

ARTICLE I. There shall be perpetual peace and amity between His Majesty the King of the Hawaiian Islands, His Heirs and Successors, and the Free Hanseatic City of Bremen, and those who may succeed in the Government thereof.

ARTICLE II. The citizens of Bremen residing within the dominions of the King of the Hawaiian Islands, shall enjoy the same protection in regard to their civil rights, as well as to their persons and properties, as native subjects; and the King of the Hawaiian Islands engages to grant to the citizens of Bremen, the same rights and privileges which now are, or may hereafter be granted to, or enjoyed by any other foreigners, subjects of the most favored nation.

In the event of any subject of either of the two contracting parties dying without will or testament, in the territories of the other contracting party, the consul-general, consul, or acting consul of the State to which the deceased may belong, shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named according to the laws of the country in which the death shall have taken place.

ARTICLE III. The protection of the King of the Hawaiian Islands shall be extended to all Bremen vessels, their officers and crews, within the harbors and roads of his dominions.

In time of war they shall receive all possible protection against the enemies of Bremen. In case of ship-wreck, the local authorities and officers of the King shall use their utmost exertions to succour them and secure them from plunder. The salvage dues shall be settled according to the general law of salvage, and in case of dispute, shall be regulated by arbitrators chosen by both parties.

ARTICLE IV. The desertion of seamen belonging to Bremen vessels shall be severely repressed by the local authorities, who shall employ all means at their disposal to arrest and confine deserters, and the lawful expenses shall be defrayed by the captain or owners. In such cases no unnecessary severity is to be used, and due notice is to be immediately given to the Bremen Consul, agreeably to the 6th Article of this Treaty.

ARTICLE V. Bremen citizens shall be allowed to reside or settle on any part of the dominions of the King of the Hawaiian Islands, upon obtaining a document certifying that they are worthy persons, from the Bremen Consul, whose duty it is not to give any such documents to others than *bona fide* citizens of Bremen. In the case of Bremen sailors wishing to remain on the islands, permission shall be previously obtained of the Government by the Bremen Consul.

ARTICLE VI. It is agreed that the Bremen Consul shall be instructed to zealously attempt to settle amicably, and extra judicially, all difficulties arising with Bremen citizens; and that when any case is brought before the court of foreign causes, the presiding judge shall, with the least possible delay, communicate knowledge thereof to the Bremen Consul, also that when Bremen sailors or citizens are committed, in consequence of police or other offences, information shall be conveyed to him, forthwith, by the Prefect or other officer of the police.

ARTICLE VII. No productions of Bremen, or any other goods on board of, or imported in Bremen ships, that can be imported by other foreign ships, shall be prohibited, nor pay more than those duties levied on goods of the most favored nation. Any augmentation in the rate of duties levied on goods, shall not take effect nor be enforced, until eight calendar months after the first public notification of such change.

ARTICLE VIII. Bremen merchandise and property, or goods imported in Bremen vessels, liable to an entrance duty

higher than 5 per cent. *ad valorem*, shall be allowed to be bonded, paying only the usual transit duty.

ARTICLE IX. All Bremen vessels shall have the right and privilege of disposing of their cargoes, or any part thereof, at all or any of the ports of the Hawaiian dominions, now open, or that may hereafter be opened to foreign commerce, and to take in any produce of the Hawaiian Islands which they may receive in payment of such cargoes. But they shall not be allowed to take any goods or merchandise or freight from one island or port to another, such coasting trade being restricted to bottoms sailing under the Hawaiian flag.

ARTICLE X. The subjects of His Majesty the King of the Hawaiian Islands, shall, in their commercial relations, or relations of any other nature, with the Free Hanseatic City of Bremen, and her dependencies, be treated on the footing of the most favored nation.

Done at Honolulu this seventh day of August, 1851.

[L. s.]

R. C. WYLLIE.

Minister of Foreign Relations.

[L. s.]

STEPHEN REYNOLDS,

Under special authority from the Senate of Bremen.

ADDITIONAL ARTICLE. This Treaty shall not be permanently binding till it receive the ratification of His Majesty the King of the Hawaiian Islands, and of the Senate of the Free Hanseatic City of Bremen, but in the meanwhile, for the sake of Bremen vessels, or citizens arriving, it is mutually agreed that it shall take effect, provisionally, from this date.

Done at Honolulu this seventh day of August, 1851.

[L. s.]

STEPHEN REYNOLDS,

Under special authority from the Senate of Bremen.

[L. s.]

R. C. WYLLIE,

Minster of Foreign Relations.

AND, WHEREAS, we have fully examined all the points and articles thereof, by and with the advice of Our Privy Council of State, We have confirmed and ratified the foregoing Treaty, and We do confirm and ratify the same, in the most effectual manner, promising on Our faith and word as King, for Us and Our successors, to fulfill and observe it faithfully and scrupulously in all its clauses.

In faith of which We have signed this ratification with Our own hand, and have affixed thereto the great seal of Our Kingdom.

Given at Our Palace at Honolulu, this twenty-seventh day of March, in the year of our Lord one thousand eight hundred and fifty-four, and in the twenty-ninth of Our reign..

[L. S.]

KAMEHAMEHA.

KEONI ANA.

Countersigned by the King and Kuhina Nui.

R. C. WYLLIE,
Minister of Foreign Relations.