

# VITTORIO EMANUELE II.

per grazia di Dio e per volontà della Nazione

RE D'ITALIA

*E tutti coloro che le presenti vedranno, salute.*

**A**l Trattato di amicizia, di commercio e di navigazione essendo stato conchiuso fra il REGNO D'ITALIA ed il REGNO DELLE ISOLE AVAJANE e sottoscritto a Parigi addì ventidue del mese di Luglio dell'anno Mille ottocento sessantatre,  
Trattato del tenore seguente.

**S**UA MAESTÀ IL RE D'ITALIA  
da una parte e SUA MAESTÀ  
IL RE DELLE ISOLE AVAJANE dal-  
l'altra, volendo facilitare lo stabili-  
mento di relazioni commerciali fra  
l'Italia e le isole Avajane, e favorire  
lo sviluppo con un trattato di amicizia,  
di commercio e di navigazione tale da  
assicurare ai due paesi vantaggi  
uguali e reciproci, hanno nominato a  
tale effetto per loro plenipotenziarii,  
cioè :

*Sua Maestà il Re d'Italia*  
il Cavaliere Costantino Nigra suo  
Inviato Straordinario e Ministro  
Plenipotenziario presso Sua Maestà  
l'Imperatore dei Francesi, e *Sua*  
*Maestà il Re delle Isole*  
*Avajane* Sir John Bowring suo  
Inviato Straordinario e Ministro  
Plenipotenziario;

I quali dopo avere scambiato i

**H**IS MAJESTY THE KING OF  
ITALY on the one part and  
HIS MAJESTY THE KING OF THE  
HAWAIIAN ISLANDS on the other part  
desiring to facilitate the establishment  
of commercial relations between Italy  
and the Hawaiian Islands and to  
favor their development by a treaty  
of amity, commerce and navigation  
suited for securing to the two countries  
equal and reciprocal advantages have  
nominated for this purpose plenipo-  
tentiaries that is to say:

His Majesty the King of Italy  
the Chevalier Constantine Nigra  
his Envoy Extraordinary and Mi-  
nister Plenipotentiary to His Majesty  
the Emperor of the French, and His  
Majesty the King of the Hawaiian  
Islands, Sir John Bowring his  
Envoy Extraordinary and Minister  
Plenipotentiary,  
Who having mutually

rispettosi pieni poteri ed averli trovati  
in buona e debita forma hanno  
stipulato gli articoli seguenti.

## Articolo 1.

Si sarà pace perpetua ed amicizia  
costante fra il Regno d'Italia e  
quello delle Isole Avajane e fra i  
cittadini dei due paesi, senza eccezione  
di persone o di luoghi.

## Articolo 2.

Si sarà fra l'Italia e le Isole  
Avajane libertà reciproca di commer-  
cio e di navigazione. Gli Italiani nelle  
Isole Avajane ed i sudditi Avajani  
in Italia potranno con tutta libertà  
e sicurezza entrare con i loro bastimen-  
ti e carichi al pari dei nazionali in  
tutti quei luoghi, porti o fiumi che  
sono o saranno aperti al commercio  
estero rispettando però le misure di  
polizia in vigore per i cittadini delle  
nazioni più favorite.

communicated their powers and  
found them in good and true form  
have agreed upon the following  
articles.

## Article 1.

There shall be perpetual peace  
and constant friendship between the  
Kingdom of Italy and that of the  
Hawaiian Islands and between the  
citizens of the two countries without  
exception of person or place.

## Article 2.

There shall be between Italy and  
the Hawaiian Islands reciprocal free-  
dom in commerce and navigation. )  
Italians in the Hawaiian Islands  
and Hawaiian subjects in Italy may  
enter in the same liberty and security  
with their vessels and cargoes as are enjo-  
yed by the natives themselves in all pla-  
ces, ports and <sup>rivers</sup> which are or shall in future  
be open to foreign commerce provided al-  
ways that the police regulations employed  
for the protection of the citizens of the most

### Article 3.

I cittadini di ciascuna delle due parti contraenti potranno sui territorii rispettivi al pari dei nazionali viaggiare o soggiornare, negoziare di all'ingrosso che al minuto, affittare od occupare le case, magazzini e botteghe che loro abbisogneranno, trasportare merci e danari e ricevere consegne; potranno pure essere ammessi come malleadori in dogana, quando da più di un anno sieno stabiliti sul luogo e che i beni mobili o immobili che vi posseggano sieno tali da presentare sufficiente garanzia.

Gli uni e gli altri saranno con perfetta uguaglianza liberi in tutte le loro compre e vendite di stabilire e fissare il prezzo degli effetti, mercanzie od altri oggetti siano essi importati ovvero nazionali, sia che li vendano all'interno, sia che li destinino alla esportazione.

Di uguale libertà godranno per regolare i loro affari da se stessi, presentare alle dogane le proprie dichiarazioni

and their nations be respected.

### Article 3.

The citizens of the two contracting parties may like the natives in the respective territories travel or reside trade wholesale or retail, rent or occupy the houses, stores and shops which they may require; they may carry on the transport of merchandise and money and receive consignments; they may also when they have resided more than a year in the country and the real or personal property which they may possess shall offer a sufficient security be admitted as sureties in Custom house transactions.

The citizens of both countries shall on a footing of perfect equality be free both to purchase and to sell, to establish and to fix the price of goods merchandise and articles of every kind whether imported or of home manufacture whether for home consumption or for exportation.

They shall also enjoy liberty to carry on their business themselves to present to the Custom house their own

o farsi sostituire da chi meglio crede-  
ranno mandatarii, fattori, agenti con-  
segnatarii, interpreti, di nelle compre  
e vendite dei loro beni, effetti o mercan-  
zie, che nel carico, scarico e spedizione  
dei loro bastimenti.

Devranno parimente il diritto di  
disimpegnare tutte quelle funzioni che  
verranno loro affidate da compatriotti, da  
stranieri o da nazionali in qualità di  
mandatarii, fattori, agenti consegnatarii  
ovvero di interpreti.

Essi si conformeranno per tutti  
questi atti alle leggi ed ai regolamenti  
del paese e non saranno soggetti in  
alcun caso ad altri gravami, restrizioni,  
tasse o imposizioni che quelle alle quali  
sono soggetti i nazionali, salvo le misure  
di polizia in vigore per le nazioni più  
favorite.

Rimane inoltre in special modo  
convenuto che tutti i vantaggi di qua-  
lunque natura essi sieno, attualmente

declarations, or to have their place sup-  
plied by their own attorneys, factors,  
consignees agents or interpreters whether  
in the purchase or sale of their goods,  
property or merchandise whether for  
the loading or unloading and expe-  
dition of their vessels.

They shall also have the right to  
fulfil all the functions that are con-  
fided to them by their own country-  
men by strangers, or by natives in the  
position of attorneys factors, agents  
consignees or interpreters.

For the performance of all these  
acts they shall conform to all the  
laws and regulations of the country  
and they shall not be subject in any  
case to any other charges, restrictions  
taxes or impositions than those to which  
the natives are subject, provided always  
that the police regulations employed  
for the protection of the most favored  
nation be respected.

It is also specially provided that  
all the advantages of any kind whatever  
actually granted by the laws or decrees

accordati dalle leggi o decreti in vigore nelle Isole Orijane o che lo saranno in avvenire, agli immigranti stranieri sono quarentati agli Italiani stabiliti o che si stabiliranno in un punto qualunque del territorio Orijano. Lo stesso è a dirsi per i sudditi Orijani in Italia?

### Article 4.

I cittadini rispettivi, nei due Stati, godranno della più costante e completa protezione per le loro persone e proprietà. Essi avranno in conseguenza libero e facile accesso ai tribunali di giustizia per perseguire e difendere i loro diritti in qualunque istanza ed in tutti i gradi di giurisdizione stabiliti dalle leggi. Saranno liberi di valersi, in ogni caso di quelli avvocati, procuratori o agenti di ogni classe che stimeranno utile di fare agire in loro nome. Godranno infine, sotto questo rapporto dei medesimi diritti e privilegi che sono accordati ai nazionali e saranno sottoposti alle medesime condizioni.

now in force or which shall in future be accorded to foreign settlers shall be guaranteed to Italians established or who shall establish themselves in whatever locality they may deem fit in the Hawaiian territory and the same shall hold good for Hawaiian subjects in Italy.

### Article 4.

The respective citizens of the two countries shall enjoy the most constant and complete protection for their persons and property. Consequently they shall have free and easy access to the Courts of Justice in the pursuit and defence of their rights in every instance and degree of jurisdiction established by the laws. They shall be at liberty under any circumstances to employ lawyers, advocates or agents from any class whom they may see fit to authorize to act in their name. In fine they shall in all respects enjoy the same rights and privileges which are granted to natives and they shall be subject to the same conditions.

### Articolo 5.

Gli Italiani nelle Isole Avajane e gli Avajani in Italia andranno esenti da ogni servizio di nell'esercito o nella marina, come nelle guardie o milizie nazionali e non potranno andare soggetti per i loro beni mobili, od immobili ad altri gravami, restrizioni, tasse od imposizioni che quelle alle quali saranno sottoposti i nazionali.

### Articolo 6.

I cittadini dell'uno o dell'altro Stato non potranno essere sottoposti rispettivamente a nessun sequestro, nè essere tratti con i loro bastimenti, equipaggi, canocchie o oggetti di commercio per qualunque spedizione militare nè per qualunque uso pubblico o privato, senza che il Governo o l'Autorità locale abbia preventivamente fissato d'accordo cogli interessati una giusta indennità per tale servizio non che la somma che potrebbe essere domandata per gli scapiti e danni i quali, non essendo puramente fortuiti potrebbero provenire

### Article 5.

*The Italians in the Hawaiian Islands and the Hawaiians in Italy shall be exempt from all service whether in the army or navy, or in the national guard or militia and they cannot be subject to any other charges, restrictions, taxes or impositions on their property, real or personal than those to which the natives themselves are subject.*

### Article 6.

*The citizens of both countries respectively shall not be subject to any embargo nor to be detained with their vessels, crews, cargoes or commercial effects for any military expedition whatever nor for any public or private service whatever unless the Government or local authority shall have previously agreed with the parties interested that a just indemnity shall be granted for such service and for such compensation as might fairly be required for the injury (which not being purely fortuitous) may have grown out*

dal servizio a cui si sono volontaria-  
mente obbligati.

### Article 7.

La più completa libertà di  
coscienza è garantita agli Italiani  
nelle Isole Orajane ed ai sudditi  
Orajani in Italia. Gli uni e gli altri  
si conformeranno per l'esercizio  
esterno del culto alle leggi del paese.

### Article 8.

I cittadini delle due parti contraenti  
avranno il diritto, sui territorii rispet-  
tivi, di possedere beni di ogni sorta e di  
disporre nello stesso modo che i  
nazionali.

Gli Italiani godranno in tutto il  
territorio Orajano del diritto di raccoglie-  
re e trasmettere le successioni abintestate  
o testamentarie al pari degli Orajani  
e senza andare soggetti, a causa della loro  
qualità di stranieri, ad alcuna ritenuta  
o imposizione che non sia dovuta dai  
nazionali.

of the service which they have volun-  
tarily undertaken.

### Article 7.

The most entire liberty of conscience  
is guaranteed to the Italians in  
the Hawaiian Islands and to  
Hawaiian subjects in Italy. Both  
parties must conform in the outward  
observance of their religion to the laws  
of the country.

### Article 8.

Citizens of either of the contracting  
parties shall on the respective territories  
have the right of possessing property of  
any sort and of disposing of the same  
to the natives.

Italians shall enjoy in all the  
Hawaiian territories the right of col-  
lecting and transmitting successions  
ab intestat or testamentary as Hawaiians  
according to the laws of the country  
without being subjected as strangers to  
any ~~franchises~~ <sup>burdens</sup> or imposts which are not  
paid by the natives.



Reciprocamente i sudditi Avajani in Italia godranno del diritto di raccogliere e di trasmettere le successioni, *ab intestato* o testamentarie alla pari degli Italiani e senza andare soggetti a causa della loro qualità di stranieri ad alcuna ritenuta od imposta che non sia dovuta dai nazionali.

La medesima reciprocità fra i cittadini dei due paesi esisterà per le donazioni *fra viventi*.

All'epoca della esportazione dei beni ereditati o acquisiti a qualunque titolo da Italiani nelle Isole Avajane o da Avajani in Italia non sarà prelevato sopra tali beni alcun diritto di detrazione o di emigrazione, né qualunque sia altro diritto cui non vadano soggetti i nazionali.

### Article 9.

Saranno considerati come bastimenti Italiani nelle Isole Avajane e come bastimenti Avajani in Italia tutti quei legni che navigheranno sotto le rispettive bandiere e che daranno muniti delle carte di bordo e dei documenti richiesti dalle leggi di ciascuno

Reciprocally Hawaiian subjects shall enjoy in Italy the right of transmitting successions *ab intestat* or testamentary on the same conditions as Italians according to the laws of the country and without being subject as strangers to any charge or impost not paid by the natives.

The same reciprocity between the citizens of the two countries shall exist for donations *inter vivos*.

On the exportation of property collected or acquired under any title by Italians in the Hawaiian Islands or by Hawaiians in Italy there shall be no duty on removal or emigration, nor any duty whatever to which natives are not subjected.

### Article 9.

All Italian or Hawaiian vessels sailing under their respective flags and which shall be bearers of the ships papers and documents required by the laws of their respective countries shall be considered as Italian or Hawaiian vessels respectively.

dei due Stati per giustificare della nazionalità dei bastimenti di commercio.

## Article 11.

I bastimenti Italiani che entreranno in zavorra o carichi nei porti Orajani o che ne usciranno e reciprocamente i bastimenti Orajani che entreranno in zavorra o carichi nei porti Italiani o che ne usciranno sia per mare sia per fiumi o canali, qualunque sia il luogo della loro partenza o quello a cui sono destinati non saranno soggetti sia all'entrata che all'uscita ed al passaggio a diritti di tonnellaggio, di porto, di segnale, di pilotaggio, di ancoraggio, di rimorchio, di fanale, di caleratta, di quarantena, di salvataggio, di darsena, di patente, di senseria, di navigazione, di pedaggio, insieme a diritti o gravami di qualsiviasi natura o denominazione che colpiscono lo scafo del bastimento percepiti o stabiliti a nome e vantaggio del Governo, dei funzionarii pubblici, delle comuni od altri stabilimenti, diversi dai diritti che sono al presente o potranno essere in seguito imposti ai bastimenti nazionali.

## Article 10.

Italian vessels which shall arrive either in ballast or laden in Hawaiian ports or which shall leave the same and reciprocally Hawaiian vessels which either in ballast or laden enter or leave the ports of Italy whether by sea, river or canals whatever be the place of their departure or their destination shall not be subject either on entry or departure to duties or tonnage, port or transit, pilotage, anchorage, shifting, light dues, sluices, canals, quarantine, subvage, bonding warehouses, patents, brokerage, navigation, passage or to any duties or charges whatever levied on the hulks of vessels received or established for the benefit of the Government, public functionaries, communes or establishments of any sort, other than those which are now or may hereafter be levied on national vessels.

## Article 11.

In quanto concerne il collocamento dei bastimenti il loro carico e scarico nei porti, bacini e rade, ed in generale per tutte le formalità e disposizioni di qualunque genere alle quali possono essere sottoposti i bastimenti mercantili, il loro equipaggio ed il loro carico, rimane convenuto che non sarà accordato ai legni nazionali alcun privilegio né alcun favore senza che sia ugualmente concesso a quelli dell'altro Stato, essendo volontà delle parti contraenti che anche sotto questo rapporto i loro bastimenti sieno trattati sul piede della più perfetta eguaglianza.

## Article 12.

I bastimenti di una delle parti contraenti, forzati a rilasciare nei porti dell'altra non vi pagheranno sia per il bastimento, sia per il carico, altro che i diritti ai quali i nazionali sono soggetti in simile caso purché i legni suddetti non facciano alcuna operazione.

## Article 11.

In all that regards the stationing, the loading and unloading of vessels in the ports, roads, harbours and docks and generally for all the formalities and arrangements whatever to which vessels employed in commerce with their freight and lading may be subject, it is agreed that no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country, the intention of the high contracting parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

## Article 12.

Vessels of the contracting parties compelled to seek shelter in the ports of the other shall pay neither on the vessel nor the cargo more duties than those levied on national vessels in the same situation, provided that the above named ships shall carry on no

commerciale e che non soggiornino in quel dato porto più a lungo che non lo richiede il motivo che ha determinato l'approdo.

### Articolo 13.

I bastimenti da guerra ed i legni balenieri Italiani avranno libero accesso in tutti i porti Avajani, e potranno soggiornarvi, ripararvisi e farvi riposare l'equipaggio; potranno pure andare da un porto all'altro delle Isole Avajane per procurarvisi viveri freschi.

In tutti i porti aperti al presente, come pure in tutti quelli che in seguito potranno esserlo ai legni stranieri, i bastimenti da guerra ed i legni balenieri Italiani andranno soggetti alle stesse regole che sono o saranno imposte, e godranno ad ogni effetto, dei medesimi diritti, privilegi ed immunità che sono o saranno concesse ai legni da guerra e balenieri Avajani o a quelli della nazione più favorita.

### Articolo 14.

Gli oggetti di ogni sorta importati

commercial speculations and that they tarry no longer in the aforesaid ports than is required by the nature of the business which impelled them to seek such shelter.

### Article 13.

Italian ships of war and whale ships shall have free access to the Hawaiian ports, they may there anchor, be repaired and refresh their crews, they may proceed from one port to another of the Hawaiian Islands for fresh provisions.

In all the ports which are or may hereafter be opened to foreign trade, Italian ships of war and whalers shall be subject to the same regulations which may be imposed on other nations, and in all respects the same rights, privileges and immunities which are or may be granted to Hawaiian whalers or to those of the most favored nation.

### Article 14.

Articles of all sorts imported

nei porti dell' uno dei due Stati, sotto  
bandiera dell' altro, qualunque ne sia  
l' origine e da qualsiasi paese abbia  
luogo la importazione non pagheranno  
altri né più forti diritti di entrata e non  
saranno soggetti ad altri gravami di  
quello che se fossero importati sotto  
bandiera nazionale.

### Articolo 15.

Gli oggetti di ogni sorta esportati  
dall' uno dei due Stati sotto bandiera  
dell' altro per qualsiasi paese saranno  
sottoposti ai medesimi diritti ed alle  
medesime formalità che se fossero esportati  
sotto bandiera nazionale.

### Articolo 16.

I legni Italiani nelle Isole  
Sanzane ed Ilegni Avajani in Italia  
potranno scaricare una parte del loro  
carico nel porto a cui pel primo appro-  
dano e caricare in seguito col resto del  
carico in altri porti del medesimo Stato  
che sono aperti al commercio estero sia  
per scaricare il loro carico, sia per

into the ports of either of the contrac-  
ting States under the flag of the other,  
whatever be their origin and from  
whatever country imported shall pay  
neither other nor heavier duties of  
entry and shall not be subjected to any  
other charges than if imported under  
the national flag.

### Article 15.

Articles of all sorts exported from  
either of the two countries under the flag  
of the other from whatever country they  
may be, shall not be subjected to other  
duties or other formalities than if ex-  
ported under the national flag.

### Article 16.

Italian ships in the Hawaiian  
Islands and Hawaiian ships in  
Italy may discharge a portion of their  
cargo in the port of their first arrival  
and proceed with the rest of their cargo  
to other ports of the same country which  
may be open to foreign trade whether  
to complete their unloading or to procure

completarvi il loro carico di ritorno, non pagando in ciascun porto altri né più sorti diritti che quelli che pagano i legni nazionali in simili circostanze?

Per ciò che concerne l'esercizio del cabotaggio i legni dei due paesi saranno trattati da ambo le parti sullo stesso piede che i legni delle nazioni le più favorite?

### Article 17.

Durante il tempo fissato rispettivamente dalle leggi dei due paesi per la stagione in darsena delle merci, non sarà percepito alcun altro diritto che quello di custodia e di magazzinaggio, sugli oggetti importati dall'uno dei due paesi nell'altro finché se ne operi il transito, la riesportazione od il consumo.

Questi oggetti in verun caso non pagheranno diritti più sorti né saranno soggetti ad altre formalità di quello che se fossero stati importati sotto bandiera nazionale o provenissero dal paese più favorito.

### Article 18.

Le merci imbarcate a bordo dei legni

their return cargo and shall pay in neither port other or heavier duties than those levied on national vessels in similar circumstances.

As regards the coasting trade the vessels of each country shall be mutually treated on the same footing as the most favored nations.

### Article 17.

During the period allowed by the two countries for the warehousing of goods no other duties than those for custody and storage shall be levied upon articles imported from one of the two countries into the other until they shall be removed for transit, re-exportation or internal consumption.

In no case shall such articles pay higher duties, or be liable to other formalities than if they had been imported under the national flag or from the most favored country.

### Article 18.

Merchandise shipped on board

Italiani o Ovejani o appartenenti ai rispettivi cittadini potranno essere nei porti dei due paesi trasferite a bordo di un bastimento destinato ad un porto nazionale o forestiero secondo i regolamenti doganali del paese e le merci così trasferite per essere portate altrove saranno esenti da ogni diritto di dogana e di darsena.

### Article 19.

Gli oggetti di ogni sorta provenienti dall'Italia o spediti verso l'Italia godranno al loro passaggio sul territorio delle isole Ovejane in transito diretto o per riesportazione del trattamento applicabile in simili circostanze agli oggetti provenienti o destinati al paese più favorito.

Reciprocamente gli oggetti di ogni sorta provenienti dalle Isole Ovejane o spediti da quel paese godranno al loro passaggio sul territorio Italiano del trattamento applicabile nelle stesse circostanze agli oggetti provenienti o destinati al paese più favorito.

Italian or Hawaiian ships or belonging to their respective citizens may be transhipped in the ports of the two countries to a vessel bound for a national or foreign port according to the custom house regulations of the two countries and the goods so transhipped for other ports shall be exempt from all duties of customs or warehouse.

### Article 19.

Articles of all sorts proceeding from Italy or shipped for Italy shall enjoy in their passage through the territory of the Hawaiian Islands whether in direct transit or for re-exportation all the advantages possessed under the same circumstances by the most favored nation.

Reciprocally objects of every sort the produce of the Hawaiian Islands or sent from that country shall enjoy ~~through~~ <sup>through</sup> in their passage through Italy the same advantages as are possessed by the most favored nation.

## Article 20.

Ne l'una né l'altra delle due parti contraenti importa sulle merci provenienti dal suolo, dall'industria, o dai magazzini altri o più forti diritti di importazione o di riesportazione di quelli che saranno imposti sulle medesime mercanzie provenienti da qualunque altro Stato.

Non saranno percepiti sulle mercanzie esportate da un paese verso l'altro, altri né più forti diritti che se fossero esportate verso qualsiasi paese straniero.

Se una restrizione ovvero proibizione di importazione o di esportazione potrà aver luogo nel commercio reciproco delle parti contraenti senza che sia ugualmente estesa a tutte le altre nazioni.

## Article 21.

Da ciascuno dei due paesi potranno stabilirsi nell'altro dei Consoli Generali, Consoli, Vice-Consoli ed Agenti Consolari, per la protezione del commercio; questi Agenti

## Article 20.

Neither one nor the other of the contracting parties will impose upon the goods proceeding from the soil, the manufactures, or the warehouses of the other different or greater duties on importation or re-exportation than those which shall be imposed on the same merchandise coming from any other foreign country.

Nor shall there be imposed on the goods exported from one country to the other different or higher duties than if they were exported to any other foreign country.

No restriction or prohibition of importation or exportation shall take place in the reciprocal commerce of the contracting parties which shall not be equally extended to all other nations.

## Article 21.

Consuls-General, Consuls, Vice-Consuls and Consular Agents may be established by each country in the other for the protection of commerce such



non entreranno in funzione, nè godranno dei diritti, privilegi ed immunità che loro spettano, altro che dopo di aver ottenuto l'autorizzazione dal governo territoriale. Questi conserverà d'altronde, il diritto di determinare i luoghi nei quali gli converrà di ammettere che risiedano dei Consoli, bene inteso che sotto questo rapporto i due governi non si porranno rispettivamente alcuna restrizione la quale non sia comune nel loro paese a tutte le nazioni.

### Article 22.

I Consoli Generali, Consoli, Vice-Consoli ed Agenti Consolari d'Italia nelle Isole Avajane godranno di tutti i diritti, privilegi, immunità ed esenzioni delle quali godono o godranno gli Agenti della nazione la più favorita della stessa qualità e nelle stesse condizioni? Il medesimo sarà in Italia per i Consoli Generali, Consoli, Vice-Consoli ed Agenti Consolari delle Isole Avajane.

agents shall not enter upon their functions or enjoyment of the rights, privileges and immunities which belong to them until they have obtained the authorization of the territorial Government which shall besides preserve the right of determining the place of residence where Consuls may be established; it being understood that neither Government will impose any restriction which is not common in the country to all nations.

### Article 22.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents of Italy in the Hawaiian Islands shall enjoy all the rights, privileges, immunities and exemptions enjoyed by the Agents of the most favored nation in the same circumstances. And the same shall be the position in Italy of the Hawaiian Consuls-General, Consuls, Vice-Consuls and Consular Agents.

### Article 23.

La diserzione dei marinari imbarcati sopra i legni dell'una o dell'altra parte contraente sarà severamente repressa nei territorii rispettivi. In conseguenza i Consoli d'Italia potranno far arrestare e rinviare sia a bordo, sia in Italia i marinari che avessero disertato dai legni Italiani nei porti delle Isole Avajane?

Ed a tale effetto si indirizzeranno alle competenti Autorità locali e giustificheranno col mostrare in originale o in copia debitamente autenticata i registri del bastimento, il ruolo dell'equipaggio o altri documenti ufficiali che gli individui da essi reclamati facciano parte di quel dato equipaggio.

Dietro tale domanda così giustificata, la consegna non potrà loro essere rifiutata.

Sarà loro accordato ogni ajuto ed ogni assistenza per ricercare ed arrestare i suddetti disertori i quali saranno pure detenuti nelle prigioni del paese dietro la richiesta ed a spese dei Consoli, finchè questi Agenti abbiano trovato un'occasione per farli partire.

### Article 23.

The deserition of seamen embarked in the vessels of either of the contracting parties shall be severely dealt with in their respective territories. In consequence the Italian Consuls shall have <sup>power &c. &c.</sup> to cause to be arrested and sent on board or to Italy seamen who have deserted Italian vessels in the Hawaiian ports.

But for this purpose they must apply to the competent local authorities and justify by the exhibition of the original or the duly certified copy of the ships register, the roll, or other official documents to prove that the prisoners named formed part of the ships crew.

On their application so supported the delivery of the seamen shall not be refused.

All aid and assistance shall be given for the discovery and arrest of such deserters who shall be detained in the prisons of the country on the requirement and at the expence of the Consuls until they shall find an opportunity of sending them away.

Se però quest'occasione non si presentasse nello spazio di due mesi a contare dal giorno dell'arresto in questo caso i disertori saranno rimessi in libertà.

Rimane inteso che i marinari suditi Avajani saranno eccettuati dalla presente disposizione e trattati secondo le leggi del loro paese.

Se il disertore ha commesso qualche delitto sul territorio Avajano il suo rinvio sarà discritto finché il tribunale competente abbia pronunciato il suo giudizio e che questo giudizio abbia ricevuto la sua esecuzione.

I Consoli Avajani avranno esattamente gli stessi diritti in Italia ed è formalmente convenuto fra le due parti contraenti che ogni altro privilegio o facilitazione accordata o che sarà accordata in avvenire da una di esse ad un altro Stato, per l'arresto dei disertori, sarà accordata nella stessa maniera all'altra parte come se tali privilegi o facilitazioni fossero stati esplicitamente stipulati nel presente trattato.

### Article 24.

Tutte le operazioni relative al salvataggio dei legni Italiani naufragati o arenati

If however an opportunity shall offer in the course of two months counting from the day of arrest the deserters may be set at liberty.

It is understood that seamen who are native Hawaiian shall be excepted from this arrangement and be treated according to the laws of their own country.

If the deserter have committed any crime in the Hawaiian territory his release shall not take place until the competent tribunal shall have given judgement and this judgement been carried into execution.

Hawaiian Consuls shall possess exactly the same rights in Italy and it is formally agreed between the two contracting parties that every other favor or facility granted or to be granted by either to any other power for the arrest of deserters shall be also granted to the present contracting parties as fully as if they had formed part of the present Treaty.

### Article 24.

All operations connected with the salvage of stranded or wrecked Italian

sulle coste delle Isole Avajane saranno dirette dagli Agenti Consolari Italiani e reciprocamente gli Agenti Consolari delle Isole Avajane dirigeranno le operazioni relative al salvataggio dei legni della loro nazione naufragati o arenati sulle coste Italiane?

Tuttavia se le parti interessate si trovano sul luogo, oppure se i capitani sono muniti di poteri sufficienti, l'amministrazione dei naufragii sarà loro rimessa.

L'intervento delle autorità locali avrà luogo solo per mantenere l'ordine, tutelare gli interessi di coloro che prendo parte al salvataggio se non fanno parte degli equipaggi naufragati, ed assicurare l'esecuzione delle misure da osservarsi per l'entrata e l'uscita delle merci recuperate e nell'assenza e fino all'arrivo degli Agenti Consolari, le Autorità locali dovranno prendere, d'altrove, tutte le misure necessarie per la protezione degli individui e la conservazione degli effetti naufragati.

Le merci salvate non saranno mai soggette ad alcun diritto di dogana o altro meno che essendo ammesse al consumo interno.

vessels on the Hawaiian coasts shall be superintended by the Consular Agents of Italy and reciprocally the Hawaiian Agents shall superintend the operations connected with the salvage of Hawaiian vessels stranded or wrecked on the Italian coasts.

But if the parties interested happen to be on the spot or the captain possess sufficient powers the administration of the wreck shall be committed to them.

The intervention of the local authorities shall only be applied to the maintenance of order, to guarantee the rights of the salvors if they do not belong to the shipwrecked crew and to insure the execution of the measures to be taken for the entry and departure of the saved goods. In the absence and until the arrival of the Consular

Agents the local authorities will take the necessary steps for the protection of persons and property wrecked.

The goods saved shall never be subjected to customs or other duties unless they are disposed of for home consumption.

## Articolo 25.

I bastimenti, merci o effetti appartenenti ai cittadini rispettivi che fossero stati presi dai pirati o che fossero condotti o trovati nei porti dell'una o dell'altra delle parti contraenti saranno rimessi ai loro proprietarii pagando, se vi è luogo, le spese di ricupero le quali saranno stabilite dai tribunali competenti quando il diritto sia provato davanti gli stessi tribunali e dietro il reclamo che dovrà esserne fatto dentro al termine di diciotto mesi, dagli interessati dai loro mandatarii o dagli Agenti dei rispettivi Governi.

## Articolo 26.

Se per un concorso di circostanze disgraziate delle contestazioni fra le parti contraenti potessero dare luogo ad una interruzione nelle relazioni di amicizia fra loro e che dopo avere esaurito i mezzi di una discussione amichevole e conciliante, lo scopo del loro mutuo desiderio non fosse raggiunto completamente l'arbitraggio di una terza potenza

## Article 25.

The ships, merchandize and effects belonging to the respective citizens which may have been taken by pirates or conveyed to or found in the ports of either of the contracting parties shall be delivered to their owners on payment of the expences should there be such, the amount to be determined by the competent tribunals when the rights of the proprietors before these tribunals and the claim being made within the space of eighteen months by the interested parties, by their attornies, or by the Agents of their respective Governments.

## Article 26.

If from a concurrence of unfortunate circumstances differences between the contracting parties should cause an interruption of the relations of friendship between them and that after having exhausted the means of an amicable and conciliatory discussion the object of their mutual desire should not have been completely attained, the arbitration of a third power

ugualmente amica delle parti sarà invocato di comune accordo per evitare in tal modo una rottura definitiva.

### Articolo 27.

Il presente Trattato sarà in vigore durante dieci anni a cominciare sei mesi dopo lo scambio delle ratifiche. Se un anno avanti lo spirare di questo termine né l'una né l'altra delle parti contraenti annunzia con una dichiarazione ufficiale la sua intenzione di farne cessare gli effetti il presente trattato sarà ancora obbligatorio per un anno e così di seguito di anno in anno.

### Articolo 28.

Il presente Trattato sarà ratificato e le ratifiche ne saranno scambiate a Parigi nel termine di un anno e mezzo ovvero prima se ciò fosse possibile.

*In fede di che i Plenipotenziarii rispettivi lo hanno firmato e vi hanno apposto i loro sigilli.*

Fatto a Parigi in doppio originale il 22 Luglio 1863.

COSTANTINO NIGRA



equally the friend of both shall by a common accord be appealed to, in order to avoid by this means a definitive rupture.

### Article 27.

The present Treaty shall be in vigor for ten years to commence six months after the exchange of ratification. Ten years before the expiration of this term neither of the contracting parties shall have announced by an official declaration its intention of terminating it, the Treaty shall still remain in force for a year and so continue from year to year.

### Article 28.

The present Treaty shall be ratified and the ratification exchanged at Paris within the space of a year and a half or earlier if may be.

In faith whereof the respective Plenipotentiaries have signed the same and thereto affixed their seals.

Done in duplicata at Paris the 22<sup>d</sup> of July 1863.

JOHN BOWRING



## Articolo addizionale

al Trattato di commercio e di navigazione  
conchiuso fra il Regno d'Italia ed il  
Regno Avajano, a Parigi il 22 Luglio  
1863.

Le due alte parti contraenti sono  
convenute che

Qualunque privilegio, immunità  
favore o diminuzione di diritti per il  
commercio e per la navigazione sarà  
conceduto da uno dei due Stati ad altre  
potenze sarà immediatamente e di pieno  
diritto applicato all'altra parte contraente  
senza verun compenso.

Le due alte parti contraenti conven-  
gono inoltre che si conformeranno ai  
principii sanciti dal Congresso di Parigi  
ed enunciati nella Dichiarazione del 16  
Aprile 1856 intorno alla corsa, ai diritti  
dei neutri ed al blocco nei termini seguenti,  
cioè

1. La corsa è rimane abolita.
2. La bandiera neutra copre la  
mercanzia del nemico, ad eccezione del

## Additional Article

to the Treaty of commerce and navi-  
gation concluded between the Kingdom  
of Italy and the Hawaiian Islands at  
Paris the 22 July 1863.

The two high contracting parties  
agree

That whatever privilege, immu-  
nity, favor or diminution of duties on  
commerce or navigation which may be  
granted by either of the two States to  
any other power shall immediately  
and of full right be conceded to the  
other contracting party without any  
compensation.

The two high contracting parties  
further agree to conform to the princi-  
ples adopted by the Congress of Paris  
as announced in the Declaration of  
the 16. April 1856, with reference to  
privateering, to neutral rights of  
blockade as follows

1. Privateering is and remains abolished.
2. The neutral flag shall cover the goods  
of the enemy with the exception of

*Le merci, le quali si trovano in guerra, e  
le merci, le quali si trovano in guerra, ad  
eccezione delle merci, le quali si trovano in guerra,  
non son esse sequestrate nelle ban-  
diera nemica.*

*4. I blocchi, per essere obbligato-  
rj, devono essere effettivi, cioè man-  
tenuti da una forza sufficiente per  
impedire realmente l'accesso del  
littorale del nemico.*

Il presente Articolo addizionale è  
considerato far parte integrante del  
Trattato di commercio e navigazione  
conchiuso fra il Regno d'Italia ed il  
Regno Francese a Parigi il 22 Luglio  
1863, avrà la medesima forza e durata,  
e sarà compreso nelle ratifiche del Trat-  
tato stesso.

Parigi, il 27 febbrajo 1863

NIGRA  
JOHN BOWRING

contraband of war;

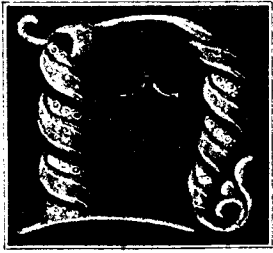
3. Neutral merchandise with the  
exception of contraband of war shall not  
be sequestered under an enemy's flag.

4. Blockades in order to be recognized  
must be effective, i. e. they shall be main-  
tained by a force really sufficient to  
prevent access to the littoral of the  
enemy.

The present additional Article  
is considered as an integral part  
of the treaty of commerce and na-  
vigation concluded between the  
Kingdom of Italy and the  
French Kingdom at Paris the  
22 July 1863; it shall have the  
same force and duration, and it shall  
be included in the ratifications of the

Paris, 27 February 1863





**M** avendo veduto ed esaminato il qui sovra-  
scritto Trattato d'amicizia, di commercio e di  
navigazione, seguito da un Articolo addizionale sottoscritto  
a Parigi li 27 febbrajo 1864, ed approvandolo in ogni e  
singola sua parte, lo abbiamo accettato, ratificato e confermato,  
come per le presenti lo accettiamo, ratifichiamo e confermiamo,  
promettendo di osservarlo e di farlo inviolabilmente osservare.

**I**n fede di che Noi abbiamo firmato di Nostra mano le  
presenti lettere di ratificazione e vi abbiamo fatto apporre il  
Reale Nostro Grande Sigillo. **D**ate in Torino addi  
diciassette del mese di Aprile l'anno del Signore Mille otto-  
cento sessantaquattro e del Regno Nostro il Decimo sesto.

*[Handwritten signature]*

**Per Sua Maestà il Re**  
Ministro di Stato per gli Affari Esteri

*[Handwritten signature]*

ITALY  
Signed at Paris, July 22<sup>nd</sup> 1863

His Majesty the King of Italy, on the one part, and His Majesty the King of the Hawaiian Islands, on the other part, desiring to facilitate the establishment of commercial relations between Italy and the Hawaiian Islands, and to favor their development by a treaty of Amity, Commerce and Navigation, suited for securing to the two countries equal and reciprocal advantages, have nominated for this purpose Plenipotentiaries, that is to say:

His Majesty the King of Italy, the Chevalier Constantino Nigra, His Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French; and His Majesty the King of the Hawaiian Islands, Sir John Bowring, His Envoy Extraordinary and Minister Plenipotentiary; who having mutually communicated their powers, and found them in good and true form, have agreed upon the following articles:

ARTICLE I. There shall be perpetual peace and constant friendship between the Kingdom of Italy and that of the Hawaiian Islands, and between the citizens of the two countries, without exception of person or place.

ARTICLE II. There shall be, between Italy and the Hawaiian Islands, reciprocal freedom in commerce and navigation. Italians in the Hawaiian islands, and Hawaiian subjects in Italy, may enter in the same liberty and security with their vessels and cargoes as are enjoyed by the natives themselves in all places, ports and rivers which are, or shall in future be open to foreign commerce, provided, always, that the police regulations employed for the protection of the citizens of the most favored nations be respected.

ARTICLE III. The citizens of the two contracting parties may, like the natives in the respective territories, travel or reside, trade wholesale or retail, rent or occupy the houses, stores and shops which they may require; they may carry on the transport of merchandise and money, and receive consignments; they may also, when they have resided more than a year in the country, and the real or personal property which they may possess shall offer a sufficient security, be admitted as sureties in Custom-house transactions. The citizens of both countries shall, on a footing of perfect equality, be free both to purchase and to sell, to establish and to fix the price of goods, merchandise and articles of every kind, whether imported or of home manufacture, whether for home consumption or for exportation. They shall also enjoy liberty to carry on their business themselves, to present to the Custom-house their own declarations; or to have their places supplied by their own attorneys, factors, consignees, agents or interpreters, whether in the purchase or sale of their goods, property or merchandise; whether for the loading or unloading and expedition of their vessels.

They shall also have the right to fulfill all the functions that are confided to them by their own countrymen, by strangers, or by natives, in the position of attorneys, factors, agents, consignees, or interpreters.

For the performance of all these acts, they shall conform to all the laws and regulations of the country, and they shall not be subject, in any case, to any other charges, restrictions, taxes or impositions than those to which the natives are subject, provided, always, that the police regulations employed for the protection of the most favored nation be respected. It is also specially provided that all the advantages of any kind whatever, actually granted by the laws or decrees now in force, or which in future shall be accorded to foreign settlers, shall be guaranteed to Italians established, or who establish themselves in whatever locality they may deem fit in the Hawaiian territory, and the same shall hold good for Hawaiian subjects in Italy.

ARTICLE IV. The respective citizens of the two countries shall enjoy the most constant and complete protection for their persons and property. Consequently, they shall have free and easy access to the courts of justice in the pursuit and defence of their rights, in every instance and degree of jurisdiction established by the laws. They shall be at liberty, under any circumstances, to employ lawyers, advocates or agents from any class, whom they may see fit to authorize to act in their name. In fine, they shall in all respects enjoy the same rights and privileges which are granted to natives, and they shall be subject to the same conditions.

ARTICLE V. The Italians in the Hawaiian Islands, and the Hawaiians in Italy, shall be exempt from all service, whether in the army or navy, or in the national guard or militia, and they cannot be subject to any other charges, restrictions, taxes or impositions on their property, real or personal, than those to which the natives themselves are subject.

ARTICLE VI. The citizens of both countries respectively shall not be subject to any embargo, nor to be detained with their vessels, crews, cargoes or commercial effects for any military expedition whatever, nor for any public or private service whatever, unless the government or local authority shall have previously agreed with the parties interested, that a just indemnity shall be granted for such service, and for such compensation as might fairly be required for the injury which (not being purely fortuitous) may have grown out of the service which they have voluntarily undertaken.

ARTICLE VII. The most entire liberty of conscience is guaranteed to the Italians in the Hawaiian Islands, and to Hawaiian subjects in Italy. Both parties must conform in the outward observance of their religion to the laws of the country.

ARTICLE VIII. Citizens of either of the contracting parties shall, on the respective territories, have the right of possessing property of any sort, and disposing of the same to the natives.

Italians shall enjoy in all the Hawaiian territories the right of collecting and transmitting successions ab intestato or testamentary as Hawaiians, according to the laws of the country, without being subjected as strangers to any burthens or imposts which are not paid by the natives.

Reciprocally Hawaiian subjects shall enjoy in Italy the right of transmitting succession ab intestato or testamentary on the same conditions as Italians, according to

the laws of the country, and without being subject as strangers to any charge or impost not paid by the natives.

The same reciprocity between the citizens of the two countries shall exist for donations inter vivos. On the exportation of property collected or acquired under any head by Italians in the Hawaiian Islands, or by Hawaiians in Italy, there shall be no duty on removal or immigration, nor any duty whatever to which natives are not subjected.

ARTICLE IX. All Italian or Hawaiian vessels sailing under their respective flags, and which shall be bearers of the ship's papers and documents required by the laws of the respective countries shall be considered as Italian or Hawaiian vessels respectively.

ARTICLE X. Italian vessels which shall arrive either in ballast or laden in Hawaiian ports, or which shall leave the same, and reciprocally, Hawaiian vessels which, either in ballast or laden, enter or leave the ports of Italy, whether by sea, river or canals, whatever be the port of their departure or their destination, shall not be subject either on entry or departure, to duties on tonnage, port or transit, pilotages, anchorage, shifting, light-houses, sluices, canals, quarantines, salvage, bonding-warehouses, patents, brokerage, navigation, passage, or to any duties or charges whatever, levied on the hulks of vessels received or established for the benefit of the government, public functionaries, communes or establishments of any sort other than those which are now or may hereafter be levied on national vessels.

ARTICLE XI. In all that regards the stationing, the loading and unloading of vessels in the ports, roadsteads, harbors and docks, and generally for all the formalities and arrangements to which vessels employed in commerce with their freights and loading may be subject, it is agreed that no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country, the intention of the high contracting parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE XII. Vessels of the contracting parties, compelled to seek shelter in the ports of the other, shall pay neither on the vessels nor the cargo more duties than those levied on national vessels in the same situation; provided, that the above-named ships shall carry on no commercial speculations, and that they tarry no longer in the aforesaid ports than is required by the motives which impelled them to seek such shelter.

ARTICLE XIII. Italian ships of war, and whaling ships, shall have free access to all the Hawaiian ports; they may there anchor, be repaired and victual their crews; they may proceed from one harbor to another of the Hawaiian Islands for fresh provisions.

In all the ports which are or may be hereafter opened to foreign vessels, Italian ships of war and whalers shall be subject to the same rules which are or may be imposed, and shall enjoy in all respects the same rights, privileges and immunities which are or may be granted to Hawaiian ships and whalers, or to those of the most favored nation.

ARTICLE XIV. Articles of all sorts imported into the ports of either of the contracting States, under the flag of the other, whatever be their origin, and from

whatever country imported, shall pay neither, other nor heavier duties of entry, and shall not be subjected to any other charges than if imported under the national flag.

ARTICLE XV. Articles of all sorts exported from either of the two countries, under the flag of the other, from whatever country they may be, shall not be subjected to other duties or other formalities, than if exported under the national flag.

ARTICLE XVI. Italian ships in Hawaiian Islands, and Hawaiian ships in Italy, may discharge a portion of their cargo in the port of their first arrival, and proceed with the rest of their cargo to other ports of the same country, which may be open to foreign trade, whether to complete their unloading or to provide their return cargo, and shall pay in neither port other or heavier duties than those levied on national vessels in similar circumstances.

As regards the coasting trade, the vessels of each country shall be mutually treated on the same footing as the most favored nation.

ARTICLE XVII. During the period allowed by laws of the two countries for the warehousing of goods, no other duties than those for custody and storage shall be levied upon articles imported from one of the two countries into the other, until they shall be removed for transit, re-exportation or internal consumption.

In no case shall such articles pay higher duties or be liable to other formalities than if they had been imported under the national flag, or from the most favored country.

ARTICLE XVIII. Merchandise shipped on board Italian or Hawaiian ships, or belonging to their respective citizens, may be transhipped in the ports of the two countries to a vessel bound for a national or foreign port, according to the custom house regulations of the two countries, and the goods so transhipped for other ports shall be exempt from all duties of customs or warehouses.

ARTICLE XIX. Articles of all sorts proceeding from Italy, or shipped for Italy, shall enjoy in their passage through the territory of the Hawaiian Islands, whether in direct transit or for re-exportation, all the advantages possessed under the same circumstances by the most favored nation.

Reciprocally objects of every sort, the produce of the Hawaiian Islands or sent from that country, shall enjoy in their passage through Italy, the same advantages as are possessed by the most favored nation.

ARTICLE XX. Neither one nor the other of the contracting parties will impose upon the goods proceeding from the soil, the manufactures or the warehouses of the other different or greater duties on importation or re-exportation, than those which shall be imposed on the same merchandise coming from any other foreign country.

Nor shall there be imposed on the goods exported from one country to the other, different or higher duties than if they were exported to any other foreign country.

No restriction or prohibition of importation or exportation shall take place in the reciprocal commerce of the contracting parties which shall not be equally extended to all other nations.

ARTICLE XXI. Consuls-General, Consuls, Vice-consuls and Consular Agents may be established by each country in the other for the protection of commerce, such agents shall not enter upon their functions or enjoyment of the rights, privileges and immunities which belong to them until they have obtained the authorization of the territorial government, which shall, besides, preserve the right of determining the place of residence where Consuls may be established; it being understood that neither Government will impose any restriction which is not common in the country to all nations.

ARTICLE XXII. The Consuls General, Consuls, Vice-Consuls and Consular Agents of Italy, in the Hawaiian Islands, shall enjoy all the rights, privileges, immunities and exemptions enjoyed by the agents of the most favored nation in the same circumstances.

And the same shall be the position in Italy, of the Hawaiian Consuls-General, Consuls, Vice-Consuls and Consular Agents.

ARTICLE XXIII. The desertion of seamen embarked in the vessels of either of the contracting parties shall be severely dealt with in their respective territories. In consequence the Italian consuls shall have the power to cause to be arrested and sent on board, or to Italy, seamen who have deserted Italian vessels in the Hawaiian ports. But for this purpose they must apply to the competent local authorities, and justify, by the exhibition of the original or the duly certified copy of the ship's register, the roll or other official documents to prove that the persons named formed part of the ship's crew. On their application, so supported, the delivery of the seamen shall not be refused.

All aid and assistance shall be given for the discovery and arrest of such deserters, who shall be detained in the prisons of the country, on the requirement and at the expense of the consuls, until they shall find an opportunity of sending them away. if, however, no opportunity shall offer in the course of two months, counting from the day of arrest, the deserters may be set at liberty.

It is understood that seamen who are native Hawaiians shall be excepted from this arrangement and to be treated according to the laws of their own country.

If the deserter have committed any crime in the Hawaiian territory, his release shall not take place till the competent tribunal shall have given judgement, and this judgement been carried into execution.

Hawaiian consuls shall possess exactly the same rights in Italy, and it is formally agreed between the two contracting parties, that every other favor or facility granted or to be granted by either to any other power for the arrest of deserters shall be also granted to the present contracting parties as fully as if they had formed part of the present treaty.

ARTICLE XXIV. All operations connected with the salvage of stranded or wrecked Italian vessels on the Hawaiian coasts shall be superintended by the Consular Agent of Italy, and reciprocally the Consular Hawaiian Agents shall superintend the operations connected with the salvage of Hawaiian vessels stranded or wrecked on the Italian coasts.

But if the parties interested happen to be on the spot, or the captain possess adequate powers, the administration of the wreck shall be committed to them.

The intervention of the local authorities shall only be applied to the maintenance of order, to guarantee the rights of the salvors if they do not belong to the ship-wrecked

crew, and to insure the execution of the measures to be taken for the entry and departure of the saved goods. In the absence and until the arrival of the Consular Agents, the local authorities will take the needful steps for the protection of persons and property wrecked.

The goods saved shall never be subjected to customs or duty, unless they are disposed of for home consumption.

ARTICLE XXV. The ships, merchandise and effects belonging to the respective citizens which may have been taken by pirates or conveyed to or found in the ports of either of the contracting parties, shall be delivered to their owners on payment of the expenses should there be such, the amount to be determined by the competent tribunals when the right of the proprietor shall be proved before these tribunals, and the claim being made within the space of eighteen months by the interested parties, by their attorneys, or by the agents of their respective Governments.

ARTICLE XXVI. If, from a concurrence of unfortunate circumstances, differences between the contracting parties should cause an interruption of the relations of friendship between them, and that after having exhausted the means of an amicable and conciliatory discussion, the object of their mutual desire should not have been completely attained, the arbitration of a third power, equally the friend of both, shall by a common accord be appealed to, in order to avoid by this means a definitive rupture.

ARTICLE XXVII. The present treaty shall be in vigor for ten years, to commence six months after the exchange of ratification. If a year before the expiration of this term neither of the contracting parties shall have announced, by an official declaration, its intention of terminating it, the treaty shall still remain in force for a year, and so continue from year to year.

ARTICLE XXVIII. The present treaty shall be ratified and the ratification exchanged at Paris, within the space of a year and a half, or earlier if may be.

In faith whereof, the respective Plenipotentiaries have signed the same, and thereto affixed their seals.

Done in duplicate at Paris, the 22d of July, 1863.

[L.S.]                                      CONSTANTINO NIGRA

[L.S.]                                      JOHN BOWRING

ADDITION ARTICLE to the Treaty of Commerce and Navigation, concluded between the Kingdom of Italy and the Hawaiian Islands, at Paris, the 22d day of July, 1863.

The two high contracting parties agree: That whatever privilege, immunity, favor or diminution of duties on commerce or navigation, which may be granted by either of the two States to any other power, shall immediately, and of full right, be conceded to the other contracting party, without any compensation.

The two high contracting parties further agree to conform to the principles, adopted by the Congress of Paris, as announced in the Declaration of the 16th of April, 1856, with reference to privateering and to neutral rights of blockade, as follows:

1. Privateering is and remains abolished.
2. The neutral flag shall cover the goods of the enemy, with the exception of contraband of war.
3. Neutral merchandise, with the exception of contraband of war, shall not be sequestered under an enemy's flag.
4. Blockades, in order to be recognized, must be effective, i.e., they shall be maintained by a force really sufficient to prevent access to the littoral of the enemy.

The present additional article is considered as an integral part of the Treaty of Commerce and Navigation, concluded between the Kingdom of Italy and the Hawaiian Kingdom, at Paris, the 22d July, 1865.

It shall have the same force and duration, and it shall be included in the ratifications of the same Treaty.

Paris, the 27th of February, 1869.

[L.S.]                                      NIGRA

[L.S.]                                      JOHN BOWRING