



LE CONSEIL FEDERAL

de la Confédération Suisse

après avoir vu et examiné le Traité d'amitié, de commerce et d'établissement réciproques, conclu sous réserve de ratification à Berne, le 20. Juillet 1864, entre les fondés de pouvoir du Conseil fédéral et de Sa Majesté le Roi des Îles Hawaïennes, ainsi que les décisions du Conseil des États suisse, datée du 24. Septembre 1864 et du Conseil National suisse, datée du 28. Septembre 1864 qui approuvent le dit Traité dont la teneur suit.

Traité d'amitié, d'établissement
et de commerce

entre

la Confédération Suisse

et

Sa Majesté le Roi Hawaïen.

Treaty of friendship, establishment
and commerce

between

the Swiss Confederation

and

His Majesty the King of the
Hawaiian Islands.

La Confédération Suisse

et

Sa Majesté le Roi Hawaïen,

animés du désir d'établir et de renforcer
des liens d'amitié entre les deux pays et

The Swiss Confederation

and His Majesty

the King of the Hawaiian Islands

animated by the desire to establish and
to strengthen the ties of friendship between



d'accroître par tous les moyens à leur disposition, les relations commerciales de leurs citoyens respectifs, ont résolu de conclure un Traité d'amitié, d'établissement et de commerce réciproque, et ont à cet effet nommé pour leurs Plénipotentiaires, savoir:

Le Conseil fédéral suisse:

le sieur **Frédéric Frey-Herosée**, Colonel fédéral, Membre du Conseil fédéral suisse, Chef du Département du Commerce et des Traces, et

Sa Majesté le Roi Kawaïien:

le sieur **John Bowring**, Chevalier Bachelier de la Grande-Bretagne, Commandeur de l'Ordre de Léopold de Belgique, Son Envoyé Extraordinaire et Ministre Plénipotentiaire, lesquels après s'être communiqué leurs pleins-pouvoirs respectifs trouvés en bonne et due forme, ont arrêté et signé les articles suivants:

Article I.

Il y aura entre la Suisse et les Îles Kawaïiennes paix perpétuelle et liberté réciproque d'établissement et de commerce.

Les Kawaïiens seront reçus et traités dans chaque Canton de la Confédération suisse, relativement à leurs personnes et à leurs propriétés

the two countries and to promote by every means in their power the commercial relations between their respective citizens, have resolved to conclude a Treaty of friendship and commerce and reciprocal establishment and have for that purpose named as their Plenipotentiaries that is to say:

The Swiss federal Council:

M^r. Frédéric Frey-Herosée, federal Colonel, Member of the Swiss federal Council, head of the Department of Commerce and Customs, and

His Majesty the Kawaïian King:

Sir John Bowring, Knight Bachelor of Great Britain, Commander of the Order of Leopold of Belgium &c. &c. His Envoy Extraordinary and Minister Plenipotentiary, who, after having communicated to each other their respective full powers found in good and due form, have agreed upon and signed the following articles:

Article I.

There shall be between Switzerland and the Kawaïian Islands perpetual peace and reciprocal liberty of establishment and commerce.

Kawaïians shall be received and treated in every Canton of the Swiss Confederation, as regards their persons and their properties, on the

sur le même pied et de la même manière
qu'ils sont ou pourraient l'être, à l'avenir,
les ressortissants des autres Cantons. Les
Suisses jouiront dans les Îles Hawaïennes
des mêmes droits et avantages que les Ha-
wariens en Suisse. Conformément à ce
principe et en dedans de ces limites, les cito-
yens de chacune des deux parties contractan-
tes pourront ~~exercer~~ dans les territoires respec-
tifs et en se conformant aux lois du pays,
voyager ou séjourner, commercer tant en
gros qu'en détail, exercer toute profession
ou industrie, louer et occuper les maisons, ma-
gasins, boutiques et établissements qui leur
seront nécessaires, effectuer des transports de
marchandises et d'argent et recevoir des con-
signations tant de l'intérieur que des pays
étrangers, sans que pour toutes ou quelques
unes de ces opérations les dits citoyens soient as-
sujettis à d'autres obligations que celles qui pé-
sent sur les nationaux, sauf les précautions de
police qui sont employées à l'égard des na-
tions les plus favorisées. Ils seront, les uns et
les autres, sur un pied de parfaite égalité libre,
dans tous leurs achats comme dans toutes leurs
ventes, d'établir et de fixer le prix des effets, mar-
chandises et objets quelconques tant importés

same footing and in the same manner as
now are or may hereafter be treated the ci-
tizens of other Cantons. The Swiss shall
enjoy in the Hawaiian Islands all the
same rights as Hawaiians in Switzerland.
Conformably with this principle and wit-
hin these limits the citizens of each of the
contracting parties may freely in their res-
pective territories and conforming themselves
to the laws of the country, travel and sojourn,
trade wholesale and retail, exercise every pro-
fession or industry, hire and occupy houses,
warehouses, shops or other establishments ne-
cessary to them, effect transports of merchan-
dise and money, receive consignments both
from the interior and from foreign countries
and for all or any of these operations the said
citizens shall be subject to no other obligations
than those which rest upon national subjects
excepting those police arrangements which are
employed towards the most favored nations.
They shall both be placed on a footing of perfect
equality, free in all their purchases as in all
their sales and to establish and to fix the price
of articles, merchandises and all objects imported
as well as national whether sold for home con-
sumption or intended for exportation on the

qui nationaux, qu'ils les vendent à l'intérieur, ou qu'ils les destinent à l'exportation, sauf à se conformer expressément aux lois et réglemens du pays.

Ils jouiront de la même liberté pour faire leurs affaires eux-mêmes, présenter en douane leurs propres déclarations ou se faire suppléer par qui bon leur semblera, fondés de pouvoirs, facteurs, agents, consignataires ou interprètes, dans l'achat ou dans la vente de leurs biens, leurs effets ou marchandises, ils auront également le droit de remplir toutes les fonctions qui leur seront confiées par leurs propres compatriotes, par des étrangers ou par des nationaux, en qualité de fondés de pouvoirs, facteurs, agents, consignataires ou interprètes.

Enfin, ils ne paieront point, à raison de leur commerce ou de leur industrie dans les villes ou lieux quelconques des deux États, soit qu'ils s'y établissent, soit qu'ils y résident temporairement, des droits, taxes ou impôts, sous quelque dénomination que ce soit, autres ou plus élevés que ceux qui se perçoivent sur les nationaux ou sur les citoyens de la nation la plus favorisée et les privilèges, immunités et autres faveurs quelconques dont jouissent, en matière de commerce et d'industrie, les citoyens de l'un des deux États con-

condition of expressly conforming to the laws and regulations of the country.

They shall enjoy the same freedom for carrying on their own affairs, of presenting in the customhouse their own declarations or of replacing them by whom they please as attorneys, factors, agents, consignees or interpreters in the purchase or sale of their goods, properties or merchandises. They shall enjoy the right of exercising all the functions confided to them by their own countrymen, by foreigners or natives, as attorneys, factors, agents, consignees or interpreters.

In fine they shall not pay on account of their commerce or industry in any of the towns or places of the said states, whether they be there established or temporarily residing, any duties, taxes or imports of whatever denomination they may be, other or higher than those paid by natives or the citizens of the most favored nation and the privileges, immunities or other favors whatever, which are enjoyed in matters of commerce or industry by the citizens of either of

contractants, seront communs à ceux de l'autre.

Article II.

Les citoyens d'une des deux parties contractantes, résidant ou établis dans les territoires de l'autre qui voudront retourner dans leur pays ou qui y seront renvoyés par sentence judiciaire, par mesure de police légalement adoptée et exécutée, ou d'après les lois sur la mendicité et les mœurs, seront reçus en tout temps et en toute circonstance, eux et leurs familles, dans le pays dont ils sont originaires et où ils auront conservé leurs droits conformément aux lois.

Article III.

Les citoyens de chacune des deux parties contractantes jouiront, sur le territoire de l'autre partie, de la plus constante et complète protection pour leurs personnes et leurs propriétés. Ils auront, en conséquence, un libre et facile accès auprès des Tribunaux de justice pour la poursuite et la défense de leurs droits, en toute instance et dans tous les degrés de juridiction établis par les lois. Ils seront libres d'employer, dans toutes les circonstances, les avocats, avoués ou agents de

the contracting states shall be common to those of the other.

Article II.

The citizens of one of the contracting parties residing or established in the territories of the other, who may desire to return to their country or who shall be sent away by a judicial sentence, by a police measure regularly adopted and executed or according to the laws of mendicancy and public morals shall be received at all times and under all circumstances, they and their families in the country of their origin and in which they may have preserved their legal rights.

Article III.

The citizens of each of the contracting parties shall enjoy on the territory of the other the most perfect and complete protection for their persons and their properties. They shall in consequence have free and easy access to the tribunals of Justice for their claims and the defence of their rights in all cases and in every degree of jurisdiction established by the law. They shall be free to employ in all circumstances advocates, lawyers or agents of any class whom they may choose

toute classe qu'ils jugeraient à propos de faire agir en leur nom, choisis parmi les personnes admises à l'exercice de ces professions d'après les lois du pays. Enfin, ils jouiront, sous ce rapport, des mêmes droits et privilèges que ceux qui sont accordés aux nationaux, et ils seront soumis aux mêmes conditions.

Les sociétés anonymes, commerciales, industrielles ou financières, légalement autorisées dans l'un des deux ^{pays} seront admises à ester en Justice dans l'autre, et jouiront, sous ce rapport, des mêmes droits que les particuliers.

Article IV.

Les citoyens de chacune des deux parties contractantes auront, sur les territoires de l'autre, liberté pleine et entière d'acquies, de posséder par achat, vente, donation, échange, mariage, testament, succession ab intestat ou de toute autre manière, toute espèce de propriété mobilière ou immobilière dont les lois du pays permettent la possession aux nationaux, et de en disposer.

Leurs héritiers et représentants peuvent leur succéder et prendre possession par eux-mêmes ou par des fondés de pouvoirs agis-

to act in their name, chosen among those admitted to exercise these professions by the laws of the country. In fine they shall enjoy in this respect the same rights and privileges accorded to natives and be subject to the same conditions.

Anonymous, commercial, industrial or financial societies, legally authorized in either of the two countries, shall be admitted to plead in justice in the other and shall enjoy in this respect the same rights as individuals.

Article IV.

The citizens of each of the contracting parties shall on the territories of the other enjoy full and entire liberty to acquire, to possess by purchase, sale, donation, exchange, marriage, testament, succession ab intestat or in any other way every sort of real or personal property which the laws of the country allow a native of the country to dispose of or to possess.

Their heirs and representatives may succeed them and take possession by themselves or by their attorneys acting in their names.

[Signature]

[Signature]

sont en leur nom d'après les formes ordi-
naires de la loi à l'instar des citoyens
du pays.

Dans l'absence des héritiers ou des re-
présentants, la propriété sera traitée de
la même manière que celle d'un citoyen
du pays serait traitée dans des circonstan-
ces semblables.

Et tous ces égards, ils ne paieront de
la valeur d'une telle propriété aucun im-
pôt, contribution ou charge autre ou plus
forte que ceux auxquels sont soumis les
citoyens du pays.

Dans tous les cas il sera permis aux
citoyens des deux parties contractantes
d'exporter leurs biens, savoir:

Les citoyens suisses du territoire hawaï-
ien et les citoyens hawaïiens du terri-
toire suisse, librement et sans être assujé-
tis lors de l'exportation à payer un droit
quelconque en qualité d'étrangers et sans
devoir acquitter des droits autres ou
plus forts que ceux auxquels les propres
citoyens du pays seront eux-mêmes te-
nus.

Article V

Les citoyens de chacune des deux parties

according to the ordinary forms of law
applicable to native citizens.

In the absence of such heirs or repre-
sentatives, the property shall be trea-
ted in the same manner as that of a
native citizen under similar circum-
stances.

And in no case shall they pay on
the value of such property any impost,
contribution or charge other or greater
than that to which natives are sub-
ject.

In all cases it shall be allowed to
the citizens of the two contracting par-
ties to export their property that is to say
Swiss citizens on Hawaiian territory
and Hawaiian citizens on Swiss territo-
ry shall freely and without being sub-
jected on exportation to pay any duty
whatever as stranger or being called
on to pay other or heavier duties than
those to which native citizens are
themselves subject.

Article V

The citizens of each of the contracting

contractantes qui se trouvent dans les ter-
ritoires de l'autre, seront affranchis de tout
service militaire obligatoire, tant dans
l'armée et la flotte que dans la garde natio-
nale ou civique ou les milices; ils seront
également exempts de toute prestation pé-
cuniaire ou matérielle imposée par com-
pensation pour le service personnel, tout
comme des réquisitions militaires, excep-
té pour les logements et les fournitures
pour le militaire en passage, selon l'usage
du pays et à demander également aux
citoyens et aux étrangers.

Article VI.

En temps de paix comme en temps
de guerre il ne pourra dans aucune circon-
stance être imposé ou exigé pour les biens
d'un citoyen de l'une des deux parties
contractantes dans les territoires de l'autre,
des taxes, droits, contributions ou charges
plus forts qu'il n'en serait imposé ou exigé
pour la même propriété, si elle appartenait
à un citoyen du pays ou à un citoyen
ou un sujet de la nation la plus favorisée.

Il est d'ailleurs entendu, qu'il ne sera
perçu ni demandé d'un citoyen de l'une
des deux parties contractantes qui se

[Signature]

parties who may be in the territories of
the other, shall be freed from all obligato-
ry military service either in the army
or the navy, the national or civic guard
or militia. They shall be free from the
payment of all exemption money or
contribution imposed for personal service,
as from all military requisitions except
for lodgings or supplies for soldiers on
their route, according to the usage of the
country, to be required equally from na-
tives and from foreigners.

Article VI.

Neither in time of peace nor in time of war
shall there under any circumstances be impo-
^{or exacted}sed on the property of a citizen of either
of the contracting parties in the territories of
the other taxes, duties, contributions or char-
ges higher than are imposed or exacted
on the same properties belonging to a
native of the country or a subject of the
most favored nation.

It is further understood that there
shall be neither received nor demanded from
a citizen of either of the contracting parties

[Signature]

trouve dans le territoire de l'autre partie, aucun impôt que ce soit, autre ou plus fort que celui qui sont ou qui pourront être imposés ou levés d'un citoyen du pays ou d'un citoyen ou sujet de la nation la plus favorisée.

Article VII.

Il sera loisible aux deux parties contractantes de nommer des Consuls, Vice-Consuls ou Agents consulaires pour résider dans les territoires de l'autre. Mais avant qu'un de ces officiers puisse agir en cette qualité, il devra être reconnu et admis dans la forme ordinaire par le Gouvernement au près duquel il est délégué, et chacune des deux parties contractantes pourra excepter de la résidence d'officiers consulaires des places spéciales, selon qu'elle le jugera nécessaire.

Les officiers consulaires de chacune des deux parties contractantes jouiront sur les territoires de l'autre de tous les privilèges, exemptions et immunités qui sont ou qui pourront être accordés aux officiers du même rang de la nation la plus favorisée.

Article VIII.

Les deux parties contractantes s'engagent à traiter les citoyens respectifs dans tout ce qui

in the territory of the other, any impost be it what it may, other or greater, than what is or may be demanded of a native or a citizen or subject of the most favored nation.

Article VII.

It shall be free for each of the two contracting parties to nominate consuls, viceconsuls or consular agents in the territories of the other. But before any of these officers can act as such he must be acknowledged and admitted by the government to which he is sent, according to the ordinary usage and either of the contracting parties may except from the residence of consular officers such particular places as it may deem fit.

The consular authorities of each of the contracting parties shall enjoy on the territories of the other all the privileges, exemptions and immunities accorded to officers of the same rank of the most favored nation.

Article VIII.

The two contracting parties promise to place the respective citizens in every thing

touché l'importation, l'entrepôt, le transit et l'exportation de tout article d'un commerce légal, sur le même pied que les citoyens du pays, ou que les citoyens ou sujets de la nation la plus favorisée, dans tous les cas où ces derniers jouiraient d'un avantage exceptionnel non accordé aux nationaux.

Article II.

Aucune des deux parties contractantes ne pourra exiger pour l'importation, l'entrepôt, le transit ou l'exportation des produits du sol ou des manufactures de l'autre, des droits plus élevés que ceux qui sont ou pourront être imposés sur les mêmes articles, étant les produits du sol ou des manufactures de tout autre pays étranger.

Les droits d'entrepôt payés dans les Îles Kermadec sur les produits d'origine ou de manufacture suive seront donc, dès l'entrée en vigueur du Traité actuel, réduits au taux accordé à la nation la plus favorisée et perçus d'après les mêmes règles et sous les mêmes conditions.

Article I.

Les deux parties contractantes s'engagent pour le cas où l'une d'elles accorderait

188

which concerns the importation, warehousing, transit and exportation of every article of legal commerce, on the same footing as native citizens or the citizens or subjects of the most favored nation wherever these enjoy an exceptional advantage not granted to natives.

Article II.

Neither of the contracting parties shall exact on the importation, warehousing, transit or exportation of the products of the soil or manufactures of the other, higher duties than those, which are or may be imposed on the same articles, being the produce of the soil or the manufactures of any other country.

The import duties to be paid in the Kermadec Islands on the products of foreign origin or manufacture shall therefore be, as soon as this present treaty becomes in force, reduced to the rate accorded to the most favored nation and levied by the same rule and under the same conditions.

Article I.

The two contracting parties promise that in case either of them shall grant to a third

188

avant à une troisième Puissance quel que
favor en matière de commerce ou de douane,
à s'étendre en même temps et de plein droit
cette faveur à l'autre partie contractante.

Article VI.

Les objets passibles d'un droit d'entrée
qui servent d'échantillons et qui sont impor-
tés dans les Iles Hawaïennes par des com-
mis-voyageurs de maisons suisses ou im-
portés en Suisse par des commis-voyageurs
de maisons hawaïennes seront, de part et
d'autre, admis en franchise temporaire, moyennant
les formalités de douane nécessaires
pour en assurer la réexportation ou la réimpor-
tation en entrepôt.

Article VII.

Dans le cas où un différend s'élèverait entre
les deux pays contractants, qui ne pourrait
pas être arrangé amicalement, par corres-
pondance diplomatique entre les deux Gouver-
nements, ces derniers désigneraient d'un com-
mun accord, pour arbitre une puissance tierce,
neutre et amie et dont l'arbitrage serait ad-
mis par les deux parties.

Article VIII.

Les stipulations du présent Traité seront
exécutées dans les deux Etats dès le centième

1842

power any favor in commercial or cu-
stomhouse matters, that favor shall be ex-
tended at the same time and in full right
to the other of the contracting parties.

Article VI.

Articles subject to duty on entry but ser-
ving as patterns and which are imported in-
to the Hawaiian Islands by commercial
travellers of Swiss houses or imported into
Switzerland by the commercial travellers
of Hawaiian houses, shall on both sides be
admitted without charge subject to the custom-
house regulations necessary to insure their
reexportation or transfer to the bonded
warehouse.

Article VII.

Should any question arise between the con-
tracting countries which cannot be amicably
settled by the diplomatic correspondence
of the two Governments, these shall by com-
mon accord designate a third friendly
and neutral power as arbitrator, whose deci-
sion shall be recognised by both parties.

Article VIII.

The stipulations of the present treaty shall
take effect in the two countries from the

1842

jour après l'échange des ratifications. Le
Traité restera en vigueur pendant dix
ans, à dater du jour de l'échange des ra-
tifications. Dans le cas où aucune des
deux parties contractantes n'aurait noti-
fié douze mois avant la fin de la dite pé-
riode, son intention d'en faire cesser les effets,
le Traité demeurera obligatoire jusqu'à
l'expiration d'une année à partir du jour
où l'une ou l'autre des parties contractan-
tes l'aura dénoncé.

Les parties contractantes se réservent la
faculté d'introduire d'un commun accord
dans ce traité toutes modifications qui ne
seraient pas en opposition avec son esprit ou
ses principes et dont l'utilité serait dé-
montrée par l'expérience.

Article XIV.

Le présent Traité sera soumis à l'as-
sentiment des Chambres législatives de la
Suisse et du Conseil privé de Sa Majesté
Kavarienne, et les ratifications en se-
ront échangées à Paris dans les dix-
huit mois à dater de la signature ou
plus tôt si faire se peut.

In foi

hundredth day after the exchange of these
ratifications. The treaty shall remain in
vigour for ten years dating from the day
of the said exchange. - In case neither of
the contracting parties shall have notified
twelve months before the end of the said
period its intention to terminate the same,
this treaty will continue obligatory till
the expiration of a year, reckoning from the
day on which either of the contracting par-
ties shall give notice of its termination.

The contracting parties reserve to them-
selves the right of introducing by common
consent into this treaty any modifications
which are not opposed to its spirit or its
principles and of which experience shall have
demonstrated the utility.

Article XIV.

The present treaty shall be subjected
to the approval of the Legislative Cham-
bers of Switzerland and of the Privy
Council of His Hawaiian Majesty, and
the ratifications shall be exchanged in
Paris within eighteen months of the date
of the signature or earlier if may be.

In faith

En foi de quoi les Plénipotentiaires respectifs ont signé le Traité et y ont apposé leurs sceaux.

C ainsi fait par duplicata à Berne, le vingtième jour de Juillet, Mil huit cent soixante-quatre.

Le Plénipotentiaire Suisse:

(L.S.) / sig. / F. Frey-Krosvic.

Le Plénipotentiaire d'Amérique:

(L.S.) / sig. / John Bowring.

déclare que ce Traité est ratifié et aura force de loi, promettant au nom de la Confédération Suisse de le faire observer pour autant qu'il dépend de celle-ci.

En foi de quoi la présente ratification a été signée par le Président et le Chancelier de la Confédération Suisse et munie des sceaux fédéraux.

C ainsi fait à Berne, le dix Octobre, Mil huit cent soixante-quatre.

Au nom du Conseil fédéral suisse,

Le Président de la Confédération

et J. & Dubs.

Le Chancelier de la Confédération

Schief.

In faith of which the respective Plenipotentiaries have signed the treaty and hereunto affixed their seals.

Done by duplicate in Berne the twentieth day of July one thousand eight hundred and sixty four.

The American Plenipotentiary:

(L.S.) / sig. / John Bowring.

The Swiss Plenipotentiary:

(L.S.) / sig. / F. Frey-Krosvic.

Procès-Verbal.

Le Conseil fédéral ayant fait parvenir au Gouvernement de Sa
Majesté Kawaïenne son acte de ratification du
Traité d'Amitié, d'Établissement et de Commerce
conclu

entre la Confédération Suisse et le Royaume des Îles Kawaïennes
et signé à Berne le 20 Juillet 1864,

La Majesté le Roi Kamehameha V. a chargé Monsieur
Charles Crosnier de Varigny, Ministre des Affaires Étran-
gères du Royaume des Îles Kawaïennes, Son Envoyé Extraordi-
naire et Ministre Plénipotentiaire près la Confédération Suisse,
de remettre au Conseil fédéral l'acte constatant la ratifica-
tion du dit Traité de la part de Sa Majesté.

Monsieur Crosnier de Varigny a, en conséquence, remis
cet acte à Monsieur le Président de la Confédération, acte qui,
après collation avec l'original déposé aux archives fédérales, a été
trouvé en bonne et due forme.

En foi de quoi les Soussignés ont dressé le présent Procès-Verbal
qu'ils ont signé en double expédition et revêtu de leurs cachets.

Fait à Berne, le dix-huit Novembre Mil huit cent soixante-huit.

Le Plénipotentiaire Kawaïen: Le Plénipotentiaire Suisse:

Ch. Crosnier de Varigny

J. Dubs

SWITZERLAND
Signed at Berne, July 20th 1864

Treaty of Friendship, Establishment and Commerce between Majesty the King of the Hawaiian Islands and the Swiss Confederation.

Majesty the King of the Hawaiian Islands and the Swiss Confederation, animated by the desire to establish and to strengthen the ties of Friendship between the two countries and to promote by every means in their power the commercial relations between their respective citizens, resolved to conclude a Treaty of Friendship and Commerce and reciprocal establishment and have for that purpose named as their Plenipotentiaries, that is to say:

Majesty the Hawaiian King, Sir John Bowring, Knight of Great Britain, Commander of the Order of Leopold of Belgium. etc., etc., His Envoy Extraordinary Minister Plenipotentiary, and the Swiss Federal Council, Mr. Frederic Frey Flerosee, Federal Colonel, Member the Swiss Federal Council, head of the Department of Commerce and Customs, who, after having Communicated each other their respective full powers, found in good due form, have agreed upon and signed the following Articles:

ARTICLE I. There shall be, between the Hawaiian Islands Switzerland, perpetual peace and reciprocal liberty of establishment and commerce; Hawaiians shall be received treated in every canton of the Swiss Confederation, as regards their persons and their properties, on the same foot and in the same manner as now are or may hereafter be treated, the citizens of other cantons. The Swiss shall enjoy Hawaiian Islands all the same rights as Hawaiians in Switzerland. Conformably with this principle and within limits, the citizens of each of the contracting parties freely, in their respective territories, and conforming themselves to the laws of the country, travel and sojourn, wholesale and retail, exercise every profession or industry, hire and occupy houses, warehouses, shops or other establishments necessary to them, effect transport of merchandise and money, receive consignments both from the interior and from foreign countries, and for all or any of these operation the said citizens shall be subject to no other obligation than those which rest upon national subjects, excepting those police arrangements which are employed towards the most favored nations. They shall both be placed on a footing of perfect equality, free in all their purchases as in all their sales, and to establish and to fix the price of Articles, merchandise and all objects imported, as well as national, whether sold for home consumption or intended for exportation, on the condition of expressly conforming to the laws and regulations of the country.

They shall enjoy the same freedom for carrying on their own affairs, of presenting in the custom-house their own declarations, or of replacing them by whom they please as attornies, factors, agents, consignees or interpreters in the purchase or sale of their goods, properties or merchandise. They shall enjoy the right of exercising all the functions confided to them by their own countrymen, by foreigners or natives as attornies, factors, agents consignees or interpreters.

In fine they shall not pay on account of their commerce or industry in any of the towns, or places of the said States, whether they be there established or temporarily residing, any duties, taxes or imposts of whatever denomination they may be, other or higher than those paid by natives or citizens of the most favored nations and the privileges, immunities or other favors whatever, which are enjoyed in the matters of commerce or industry by the citizens of either of the contracting States shall be common to those of the other.

ARTICLE II. The citizens of one of the contracting parties residing or established in the territories of the other, who may desire to return to their country or who shall be sent away by a judicial sentence, by a police measure regularly adopted and executed or according to the laws of mendicancy and public morals, shall be received at all times and under all circumstances, they and their families in the country of their origin and in which they may have preserved their legal rights.

ARTICLE III. The citizens of each of the contracting parties shall enjoy on the territory of the other the most per-fee and complete protection for their persons and their properties. They shall in consequence have free and easy access to the tribunals of justice for their claims and the defence of their rights, in all cases and in every degree of jurisdiction established by the law. They shall be free to employ in all circumstances advocates, lawyers or agents of any class whom they may choose to act in their name, chosen among those admitted to exercise these professions by the laws of the country. In fine they shall enjoy in this respect the same rights and privileges accorded to natives and be subject to the same conditions.

Anonymous, commercial, industrial or financial societies, legally authorized in either of the two countries, shall be admitted to plead in justice in time other, and shall enjoy in this respect the same rights as individuals.

ARTICLE IV. The citizens of each of the contracting parties shall, on the territories of the other, enjoy full and entire liberty to acquire, to possess by purchase, sale, donation, exchange, marriage, testament, succession ab intestato, or in any other way, every sort of real or personal property which the laws of the country allow a native of the country to dispose of or to possess.

Their heirs and representatives may succeed them and take possession by themselves, or by their attorneys, acting in their names, according to time ordinary forms of law applicable to native citizens.

In the absence of such heirs or representatives, the property shall be treated in the same manner as that of a native citizen under similar circumstances.

And in no case shall they pay on the value of such property any impost, contribution or charge, other or greater than that to which natives are subject.

In all cases it shall be allowed to the citizens of the two contracting parties to export their property, that is to say: Hawaiian citizens on Swiss territory, and Swiss citizens on Hawaiian territory, shall freely and without being subjected on exportation to pay any duty whatever as strangers, or being called on to pay other or heavier duties than those to which native citizens are themselves subject.

ARTICLE V. Time citizens of each of the contracting parties who may be in the territories of the other, shall be freed from all obligatory military service, either in the army or time navy, the national or civic guard or militia. They shall be free from the payment of all exemption money or contributions imposed for personal service, as from all military requisitions, except for lodgings or supplies for soldiers on their route, according to the usage of the country, to be required equally from natives and from foreigners.

ARTICLE VI. Neither in time of peace nor in time of war shall there, under any circumstances, be imposed or exacted on the property of a citizen of either of the contracting parties in the territories of the other taxes, duties, contributions or charges higher than are imposed or exacted on the same Properties belonging to a native of the country, or a subject of the most favored nation.

It is further understood that there shall be neither received nor demanded from a citizen of either of the contracting parties in the territory of the other, any impost, be it what it may, other or greater than what is or may be demanded of a native or a citizen, or subject of the most favored nation.

ARTICLE VII. It shall be free for each of the two contracting parties to nominate Consuls, Vice-Consuls or Consular Agents, in the territories of time other. But before any of these officers can act as such, he must be acknowledged and admitted by the government to which he is sent, according to time ordinary usage, and either of the contracting parties may except from the residence of consular officers such particular places as it may deem fit.

The Consular authorities of each of the contracting parties shall enjoy on the territories of the other all the privileges, exemptions and immunities accorded to officers of the same rank of time most favored nation.

ARTICLE VIII. The two contracting parties promise to place time respective citizens in everything which concerns the importation, warehousing, transit and exportation of every Article of legal commerce on the same footing as native citizens, or the citizens or subjects of the most favored nation, wherever these enjoy an exceptional advantage not granted to natives.

ARTICLE IX. Neither of time contracting parties shall exact on the importation, warehousing, transit or exportation of the products of the soil, or manufactures of the other, higher duties than those which are or may be imposed on the same Articles, being the produce of the soil, or the manufactures of any other country. The import duties to be paid in the Hawaiian Islands on the products of Swiss origin or manufacture shall, therefore, be, as soon as this present treaty becomes in force, reduced to the rate accorded to time most favored nation, and levied by the same rule and under the same conditions.

ARTICLE X. The two contracting parties promise that in case either of them shall grant to a third power any favor in commercial or custom house matters, that favor shall be extended at time same time and in full right to the other of the contracting parties.

