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CONVENTION

BETWEEN

THE UNITED KINGDOM AND  
THE UNITED STATES OF AMERICA

RELATIVE TO THE

DISPOSAL OF REAL AND PERSONAL  
PROPERTY.

Signed at Washington, March 2, 1899.

[*Ratifications exchanged at Washington, July 28, 1900.*]

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*Presented to both Houses of Parliament by Command of Her Majesty.  
August 1900.*

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CONVENTION BETWEEN THE UNITED KING-  
DOM AND THE UNITED STATES OF  
AMERICA RELATIVE TO THE DISPOSAL  
OF REAL AND PERSONAL PROPERTY.

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*Signed at Washington, March 2, 1899.*

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[*Ratifications exchanged at Washington, July 28, 1900.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the United States of America, desiring to improve the condition of the subjects and citizens of each of the respective countries in relation to the tenure and disposition of real and personal property situated, or being within, the territories of the other, as well as to authorize the representation of deceased persons by the Consuls of their respective nations in the settlement of estates, have resolved to conclude a Convention for those purposes, and have named as their Plenipotentiaries:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Julian Pauncefote, Knight-Grand Cross of the Orders of the Bath and of St. Michael and St. George, Ambassador Extraordinary and Plenipotentiary of Great Britain;

And the President of the United States of America, the Honourable John Hay, Secretary of State of the United States of America;

Who, having exchanged their said full powers, found in due and proper form, have agreed to and signed the following Articles:—

ARTICLE I.

Where, on the death of any person holding real property (or property not personal), within the territories of one of the Con-

tracting Parties, such real property would, by the laws of the land, pass to a subject or citizen of the other, were he not disqualified by the laws of the country where such real property is situated, such subject or citizen shall be allowed a term of three years in which to sell the same, this term to be reasonably prolonged if circumstances render it necessary, and to withdraw the proceeds thereof without restraint or interference, and exempt from any succession, probate, or administrative duties or charges other than those which may be imposed in like cases upon the subjects or citizens of the country from which such proceeds may be drawn.

ARTICLE II.

The subjects or citizens of each of the Contracting Parties shall have full power to dispose of their personal property within the territories of the other by testament, donation, or otherwise; and their heirs, legatees, and donees, being subjects or citizens of the other Contracting Party, whether resident or non-resident, shall succeed to their said personal property, and may take possession thereof either by themselves, or by others acting for them, and dispose of the same at their pleasure, paying such duties only as the citizens or subjects of the country where the property lies shall be liable to pay in like cases.

ARTICLE III.

In case of the death of any subject of Her Britannic Majesty in the United States, or of any citizen of the United States of America in the United Kingdom of Great Britain and Ireland, without having, in the country of his decease, any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest Consular officer of the nation to which the deceased person belonged of the circumstance, in order that the necessary information may be immediately forwarded to persons interested.

The said Consular officer shall have the right to appear, personally or by delegate, in all proceedings on behalf of the absent heirs or creditors until they are otherwise represented.

ARTICLE IV.

The stipulations of the present Convention shall not be applicable to any of the Colonies or foreign possessions of Her Britannic Majesty unless notice to that effect shall have been given, on behalf of any such Colony or foreign possession, by Her Britannic Majesty's Representative at Washington to the United States' Secretary of State within one year from the date of the exchange of the ratifications of the present Convention.

It is understood that, under the provisions of this Article, Her

Majesty can in the same manner give notice of adhesion on behalf of any British Protectorate or sphere of influence, or on behalf of the Island of Cyprus, in virtue of the Convention of the 4th June, 1878, between Great Britain and Turkey.

The provisions of this Convention shall extend and apply to any territory or territories pertaining to or occupied and governed by the United States beyond the seas only upon notice to that effect being given by the Representative of the United States at London, by direction of the Treaty-making power of the United States.

#### ARTICLE V.

In all that concerns the right of disposing of every kind of property, real or personal, subjects or citizens of each of the High Contracting Parties shall, in the dominions of the other, enjoy the rights which are or may be accorded to the subjects or citizens of the most favoured nation.

#### ARTICLE VI.

The present Convention shall come into effect ten days after the day upon which the ratifications are exchanged, and shall remain in force for ten years after such exchange. In case neither of the High Contracting Parties shall have given notice to the other twelve months before the expiration of the said period of ten years of the intention to terminate the present Convention, it shall remain in force until the expiration of one year from the day on which either of the High Contracting Parties shall have given such notice.

Her Britannic Majesty or the United States shall also have the right separately to terminate the present Convention at any time, on giving twelve months' notice to that effect in regard to any British Colony, foreign possession, or dependency, as specified in Article IV, which may have acceded thereto.

#### ARTICLE VII.

The present Convention shall be duly ratified by Her Britannic Majesty and by the President of the United States, by and with the approval of the Senate thereof, and the ratifications shall be exchanged in London or in Washington.

In faith whereof we, the respective Plenipotentiaries, have signed this Treaty, and have hereunto affixed our seals.

Done in duplicate at Washington, the second day of March, one thousand eight hundred and ninety-nine.

(L.S.)

JULIAN PAUNCEFOTE.

(L.S.)

JOHN HAY.