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*CONSTITUTIONAL LAW of the Turkish Republic.—
May 24, 1924.*

(Translation.)

Chapter I.—*Fundamental Provisions.*

ART. 1. The Turkish State is a republic.

2. The religion of the Turkish State is the religion of Islam; its official language is Turkish. Its capital is the city of Angora.

3. Sovereignty belongs unrestrictedly and unconditionally to the nation.

4. The Grand National Assembly of Turkey is the sole and true representative of the nation, and exercises the right of sovereignty in the name of the nation.

5. Legislative capacity and executive power are manifested and centred in the Grand National Assembly.

6. The Assembly itself exercises its legislative capacity.

7. The Assembly exercises its executive capacity through the President of the Republic, elected by it, and a Council of Ministers, appointed by him. The Assembly may at any time control the Government and dismiss it from office.

8. The right of administering justice is exercised in the name of the nation by independent courts in accordance with appropriate principles and laws.

Chapter II.—*The Legislative Function.*

9. The Grand National Assembly of Turkey consists of Deputies, elected by the nation in accordance with the relevant law.

10. Every male Turk of 18 full years of age possesses the right to take part in the election of Deputies.

11. Every male Turk of 30 full years of age is eligible for election as Deputy.

12. Persons who are in foreign official service, persons condemned for crimes (see Note 1 at end)⁽¹⁾ or for the offences of theft, forgery, swindling, abuse of confidence or fraudulent bankruptcy, persons under restraint (see Note 2 at end)⁽¹⁾, persons claiming to be of foreign nationality, persons who have been deprived of their rights, and persons who do not know how to read and write Turkish cannot be elected Deputies.

13. Elections to the Grand National Assembly take place every four years. Outgoing Deputies may be re-elected.

The previous Assembly continues in existence until the meeting of the new Assembly.

Should it be found impossible to hold new elections, the

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electoral period (see Note 3 at end)⁽¹⁾ may be extended by a year.

Every Deputy is the representative not only of the constituency which has elected him, but of the nation.

14. The Grand National Assembly meets every year at the beginning of November, without being summoned.

The Assembly cannot be in vacation for more than six months a year to enable its members to travel in the country, to prepare for their duties of enquiry and control and to enjoy repose.

15. The right of proposing legislation belongs to the members of the Assembly and the Council of Ministers.

16. On joining the Assembly, the Deputies are sworn in the following form:—

“ I will not pursue any object contrary to the happiness and safety of the country and nation or to the unrestricted and unconditional sovereignty of the nation, and I will not cease to be loyal to the principles of the republic, so help me God.”

17. No Deputy is responsible for the views and opinions expressed or statements made in the Assembly or for declaring or manifesting outside the Assembly views and opinions expressed or statements made inside it.

The examination as an accused person, arrest or trial of a Deputy accused of an offence, whether before or after election, depends on the decision of the general body of the Assembly. Crimes detected *in flagrante delicto* are excepted, but in this case the competent department must immediately inform the Assembly.

The execution of a penal sentence pronounced upon a Deputy, before or after his election, is postponed until the expiry of his term as Deputy.

Periods of prescription do not run during the term of deputyship.

18. The annual emoluments of Deputies are fixed by a special law.

19. During vacation the President of the Republic or the President of the Assembly may, if it should be considered necessary, convoke the Assembly, and the President of the Assembly shall convoke the Assembly should one fifth of the members demand it.

20. The debates of the Assembly are public, and are published *verbatim*. The Assembly may, however, hold secret sessions in accordance with the terms of the internal regulation, and the publication of the debates of the secret sessions depends on the Assembly's decision.

21. The Assembly conducts its debates according to its internal regulation.

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22. Questions, interpellations and Parliamentary enquiries are within the competency of the Assembly, and the mode of procedure is determined by the internal regulation.

23. No person may combine the office of Deputy with a Government appointment.

24. The whole body of the Grand National Assembly of Turkey elects for one year, at the beginning of each November, a President and three Vice-Presidents.

25. If, before the end of the electoral period, new elections take place by an absolute majority of all the members of the Assembly, the electoral period of the new Assembly begins from the 1st November.

A meeting held before November is considered an extraordinary meeting.

26. The Grand National Assembly itself discharges duties such as giving effect to the prescriptions of Moslem religious law, the enactment, modification, interpretation and abrogation of laws making agreements with States, the conclusion of Treaties and of peace, declaring war, the examination and approval of laws relating to the budget and the closing of State accounts, the coinage of money, the approval and annulment of monopolies and of agreements and concessions entailing financial liabilities, the proclamation of general and special amnesties, the reduction and modification of penalties, the postponement of legal enquiries and punishments and the execution of death sentences, which have been pronounced by the Courts and become final.

27. If it be decided by a majority of two-thirds of the members present at a plenary session of the Grand National Assembly of Turkey that a Deputy be charged either with high treason or corruption while Deputy, or if he be condemned for one of the offences set forth in Article 12 and the condemnation has assumed the character of a definitive sentence, the quality of Deputy is lost.

28. In case of resignation, subjection to restraint for lawful reasons, absence for two months from the Assembly without permission or excuse, or acceptance of a public appointment, the quality of Deputy is annulled.

29. Another Deputy is elected to replace one whose quality of Deputy has been lost or annulled in accordance with the preceding Articles, or one who has died.

30. The Grand National Assembly regulates and administers its own police by means of its President.

Chapter III.—*The Executive Function.*

31. The President of the Republic of Turkey is elected by the whole body of the Grand National Assembly from among

its members and for one electoral period. The functions of the President continue until the election of the new President of the Republic. He may be re-elected.

32. The President of the Republic is the Head of the State.

In this capacity he presides over the Assembly at special ceremonies and, when he considers it necessary, over the Council of Ministers.

While occupying the office of President of the Republic, the President of the Republic may not take part in the deliberations and debates of the Assembly or vote.

33. If for a reason, such as illness or a journey abroad, the President of the Republic is unable to exercise his functions, or if, owing to his death or resignation or other cause, the Presidency of the Republic becomes vacant, the President of the Grand National Assembly carries out the duties of President of the Republic *ad interim*.

34. If the Assembly is in session when the Presidency of the Republic becomes vacant, it immediately elects the new President of the Republic.

If the Assembly is not in session, it is immediately convoked by the President and elects the President of the Republic. If the electoral period of the Assembly has expired or if it has been decided to hold new elections, the next Assembly elects the President of the Republic.

35. The President of the Republic promulgates within ten days the laws passed by the Assembly.

With the exception of the Law on the Constitution and the Budget Laws, he similarly within ten days returns to the Assembly for rediscussion laws the promulgation of which he considers inadvisable, together with a statement of his reasons.

If the Assembly again passes such a law, the President of the Republic is obliged to promulgate it.

36. In November of each year the President of the Republic delivers or causes to be read by the Prime Minister a speech respecting the activity of the Government during the past year, and the measures which it considers should be adopted during the coming year.

37. The President of the Republic appoints the Diplomatic representatives of the Turkish Republic to foreign States, and receives the Diplomatic representatives of foreign States.

38. The President of the Republic takes the following oath after his election in the presence of the Assembly:—

“As President of the Republic I will never cease to respect the laws of the republic and the principles of national sovereignty and to defend them, to work loyally and with all my strength for the happiness of the Turkish nation, to ward off

with all energy any danger threatening the Turkish State, to protect and proclaim the glory and honour of Turkey and to devote myself entirely to the task which I have undertaken, so help me God."

39. All Decrees issued by the President of the Republic are signed by the Prime Minister and the Minister concerned.

40. The office of Commander-in-Chief is vested in the moral personality of the Grand National Assembly of Turkey and is exercised in a representative capacity (see note 4 at end)⁽¹⁾ by the President of the Republic. The command of the armed forces is confided in peace time to the Chief of the General Staff in accordance with the relevant law, and in war time to the person who shall be appointed by the President of the Republic on the recommendation of the Council of Ministers.

41. In case of high treason, the President of the Republic is responsible to the Grand National Assembly. The responsibility arising from all Decrees issued by the President of the Republic devolves upon the Prime Minister and the Minister concerned, who signed the Decrees in accordance with Article 39. Should the responsibility of the President of the Republic arise in consequence of his personal affairs, action is to be taken in accordance with Article 17 of the present Constitutional Law relating to the parliamentary immunity.

42. The President of the Republic may, on the recommendation of the Government, remit or reduce the penalties of defined individuals for personal causes, such as incurable disease or old age.

The President of the Republic cannot exercise this right in regard to Ministers who have been charged by the Grand National Assembly and condemned.

43. The emoluments of the President of the Republic are determined by a special law.

44. The Prime Minister is appointed by the President of the Republic from among the members of the Assembly.

The other Ministers are selected by the Prime Minister from among the members of the Assembly, and, after the approval of the President of the Republic, are submitted as a whole to the Assembly.

If the Assembly is not in session, the submission is postponed until the Assembly meets.

The Government informs the Assembly of its line of action and political point of view within a week at the outside, and asks for its confidence.

45. The Ministers form, under the presidency of the Prime Minister, the Council of Ministers.

46. The Council of Ministers is jointly responsible for the general policy of the Government.

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Each of the Ministers is individually responsible for acts within his competency, for the acts and proceedings of his subordinates, and for the general direction of his policy.

47. The duties and responsibilities of the Ministers are fixed by a special law.

48. The number of Ministers is fixed by a special law.

49. Another member of the Council of Ministers is deputed to act temporarily for a Minister absent on leave or for any other reason. No Minister may, however, be thus placed temporarily in charge of more than one Ministry.

50. A decision given by the Grand National Assembly of Turkey to send one of the Ministers before the High Court involves his removal from the Ministry.

51. A Council of State shall be formed to hear and settle administrative suits and differences, to express its opinion on the bills, concessions, agreements and *cahiers des charges* prepared and submitted by the Government, and to perform the duties determined both by the special law governing it and by other laws. The presidents and members of the Council of State are selected by the Grand National Assembly from among persons who have held important functions and are distinguished by their special knowledge and experience.

52. The Council of Ministers compiles regulations to determine the mode of application of the laws or fix particular points of the law: provided that such regulations do not contain new legal stipulations and that they have the approval of the Council of State. These regulations become operative on being signed and promulgated by the President of the Republic. Should it be claimed that regulations are contrary to law, reference is made to the Grand National Assembly of Turkey for a ruling.

Chapter IV.—*Judicial Power.*

53. The organisation, functions and competency of the Courts are fixed by law.

54. The Judges are independent in hearing and deciding all suits. They are free from every kind of intervention and are subject only to the prescription of the law. The Grand National Assembly and the Council of Ministers may in no way change, modify or adjourn the decisions of the Courts or prevent their execution.

55. The Judges cannot be dismissed except in accordance with the principles and in the circumstances established by law.

56. The qualifications of the judges, their rights, duties, salaries, emoluments, and the mode of their appointment and dismissal are fixed by a special law.

57. The Judges may not assume any public or private function other than the functions fixed by law.

58. Trials in the Courts are public. Nevertheless, the Court may order the hearing of a case *in camerâ* in accordance with the law respecting procedure.

59. Everyone is free to employ such legitimate means as he may think necessary in order to defend his rights before the Court.

60. No Court can refuse to hear suits which it is competent to hear. Suits outside its competency can only be refused by a decision.

61. A High Court is formed to try the Ministers, the presidents and members of the Council of State and the Court of Cassation, and the Chief Public Prosecutor in matters arising from their functions.

62. Twenty-one persons are elected to membership of the High Court, of whom eleven are chosen from the presidents and members of the Court of Cassation and ten from the Council of State, by plenary assemblies of these two bodies, and, if necessary, by secret ballot. These persons elect from among themselves by secret ballot and by an absolute majority a president and a vice-president.

63. The High Court is composed of a president and fourteen members and takes its decisions by an absolute majority. The remaining six persons are in the position of supernumerary members to complete the body in case of need. These supernumerary members are set apart by lot, three from the members elected by the Court of Cassation and three from those elected by the Council of State. The persons elected to the presidency and vice-presidency are not included in this choice by lot.

64. The office of Public Prosecutor to the High Court is performed by the Chief Public Prosecutor.

65. The decisions of the High Court are final.

66. The High Court conducts the hearing and gives judgment according to the existing laws.

67. The High Court is constituted when necessary by the Grand National Assembly of Turkey.

Chapter V.—*Public Rights of the Turks.*

68. Every Turk is born free and lives free. Freedom consists in the possession of all things (see note 5 at end)⁽¹⁾ which are not injurious to others. The limits for everyone of freedom, which is natural right, are the limits of the freedom of others. These limits are fixed and determined by the law only.

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69. Turks are equal in the eye of the law and must, without exception, respect the law. All kinds of group, class and individual privileges are abolished and prohibited.

70. Personal immunity and the rights and liberties of conscience, thought, speech, publication, travel, contract, work, property, assembly, association and co-partnership are among the natural rights of the Turks.

71. Life, property, honour and dwelling are immune from aggression of every kind.

72. No one may be arrested or detained otherwise than in the forms and circumstances established by the law.

73. Torture, molestation, confiscation and forced labour are forbidden.

74. No one can be expropriated of his movable or immovable property, unless it has been regularly shown to be necessary in the public interest, and unless the equivalent value has been paid in advance in accordance with the relevant law. No one can be forced to make sacrifices other than such liabilities in money, kind or labour as may be imposed by law in extraordinary circumstances.

75. No one may be censured (or criticised or blamed) on account of the faith, religion or sect to which he belongs or of the philosophy which he professes. Every kind of religious ceremony is free, provided that it is not contrary to tranquillity, public morality or to the laws.

76. Dwellings may not be entered and persons may not be searched except in the manner and circumstances fixed by the law.

77. The press is free within the limits of the law, and is not subject to inspection or examination before publication.

78. Apart from the restrictions imposed as a result of mobilisation, martial law or measures taken in virtue of the law on account of infectious diseases, travelling may not be subjected to any restriction.

79. The limits of the freedom of contract, labour, property, assembly, association and co-partnership are made clear by laws.

80. Instruction of every kind is free, provided that it is under the supervision and control of the Government and within the limits of the law.

81. Papers, letters and matter of every kind entrusted to the post cannot be opened without a decision of the competent examining Magistrate or Court. The secrecy of telegraphic and telephonic communication cannot be violated.

82. Turks may apply and complain individually or collectively to the competent authority or the Grand National Assembly of Turkey respecting matters which they consider contrary to the laws and regulations, whether relating to their own persons or to the general public. The result of any appli-

cation relative to a personal matter must be communicated in writing to the applicant.

83. No one may be summoned and sent before a Court other than the Court to which he is subject by law.

84. Taxation means the participation of the people in the general expenses of the State. The collection, contrary to this principle, of dues, tithes and other taxes by physical or juridical persons or in their name is prohibited.

85. Taxes can be imposed and collected only in virtue of a law. The dues and taxes collected according to custom by the special administrations of vilayets and by municipalities may continue to be collected as formerly until laws have been drawn up.

86. In case of war or on a situation of such a kind as to lead to war arising or on the outbreak of a rebellion or when there are definite indications to show that strong and active attempts will be made against the country or the republic, the Council of Ministers may proclaim martial law, general or local, for a period not exceeding one month. The matter is submitted at once to the approval of the Assembly. The Assembly may, if necessary, reduce or increase the period of martial law. If the Assembly is not in session, it is immediately convoked. Martial law means the temporary restriction or suspension of the immunity of person and domicile, of the freedom of the press, correspondence, association and partnership. The martial law zone and the mode of execution of the disposition and formalities to be applied in this zone and the method of restriction and suspension of immunities and liberties in case of war are fixed by a special law.

87. Elementary education is obligatory for all Turks, and is gratuitous in the State schools.

88. From the point of view of citizenship, the people of Turkey are called Turks without distinction of religion or race. Every child born in Turkey or abroad of a Turkish father, or who, born in Turkey of a foreign father living in Turkey, lives in the country, and, on reaching its majority, opts officially for the quality of Turk, or is accepted as a Turk in accordance with the law on citizenship, is a Turk. The quality of Turk is lost in the circumstances fixed by law.

Chapter VI.—*Various Articles.*

89. From the point of view of its geography and economic relationships, Turkey is divided into *vilayets*, *vilayets* into *kazas*, and *kazas* into *nahiehs*. The *nahiehs* consist of *kassabas* (towns) and *keuis* (villages).

90. *Vilayets*, cities, towns and villages have a juridical personality.

91. The affairs of the *vilayets* are administered on the principle of the distribution of authority and the separation of functions.

92. Every Turk possessed of political rights has the right to hold State appointments according to his capacity and merit.

93. The rights, duties, salaries and emoluments and the mode of appointment, dismissal, promotion and advancement of all officials are fixed by a special law.

94. In matters contrary to the law, obedience to a superior does not free the official from responsibility.

95. In order that the law on the general budget may be put into execution at the beginning of the financial year to which it relates, the Bill with the annexed budget and schedules attached is presented to the Assembly at the beginning of November at latest.

96. No expenditure of public monies is permissible outside the budget.

97. The validity of the law on the general budget is for one year.

98. The law for the closing of accounts is the law which shows the actual amount of revenue obtained during the period of accounts to which it relates, and of expenditure incurred during that period.

99. The draft of the law for the closing of accounts must be presented to the Grand National Assembly at latest by the beginning of November of the second year from the end of the year to which it relates.

100. A Court of Audit is established, attached to the Grand National Assembly and charged with the checking of the revenue and expenditure of the State, in accordance with the relevant law.

101. The Court of Audit presents to the Assembly a certificate that everything is in order, at latest within six months from the presentation by the Ministry of Finance to the Assembly of the Final Account Law to which it relates.

102. The modification of this law on the Constitution is subject to the following conditions: The proposal to modify must be signed by at least a third of the total membership of the Assembly. Modifications may only be passed by a majority of two-thirds of the total membership. No proposal whatsoever may even be put forward for the modification or change of the first Article of this law, which states that the form of the State is a republic.

103. No Article of the Constitutional Law may be disregarded or suspended for any reason or on any pretext. No law may be in contradiction with the law on the Constitution.

104. The Constitutional Law of 1293 (1876) and the Articles modifying it, together with the Fundamental Law of

1337 (1921), and its supplements and modifications are abrogated.

105. This law is in force from the date of its publication.⁽²⁾

Transitory Article.

The stipulations of the law of the 19th December, 1339 (1923), respecting the conditions to which all persons belonging to the army elected or who may be elected to the Grand National Assembly of Turkey will be subject remain in force.

Translator's Notes.

Note 1.—Literally “condemned to *peines afflictives*,” i.e., to the penalties prescribed in the Penal Code for crimes as opposed to *délits* and police offences.

Note 2.—“Under restraint” in the sense of being interdicted or disqualified from managing one’s own affairs for such reasons as profligacy, lunacy, &c.

Note 3.—“Electoral period” is used here and elsewhere in the sense of the period for which the Assembly is elected. It is a literal translation of the Turkish words used in most of the Articles, though in this particular Article another expression equivalent to “period of sitting” is used.

Note 4.—“Exercised in a representative capacity” is an attempt to render a formula evolved after much controversy. It might also be translated “personified.”

Note 5.—Literally “every kind of possessions.” The Turkish word is that ordinarily used for the possession of material objects, but it is probably used here in a wider sense.

⁽²⁾ Published in the Angora “Official Gazette” of the 24th May, 1924 (No. 71), and in the “Official Constantinople Vilayet Gazette” on the 28th June and the 2nd and 3rd July, 1924.

*TREATY OF FRIENDSHIP AND FRATERNITY between
Turkey and the Ukraine.—Angora, January 2, 1922.*

[Ratifications exchanged at Kharkov, June 27, 1922.]

LE Gouvernement de la Grande Assemblée nationale de Turquie, et le Gouvernement de la République socialiste des Soviets d'Ukraine, d'accord sur le principe de la fraternité des nations et sur le droit des peuples à disposer librement de leur sort, constatant leur solidarité dans leur lutte contre l'impérialisme ainsi que le fait que toute difficulté survenue à l'un des deux peuples aggraverait la situation de l'autre, et étant entièrement animés du désir de voir régner toujours entre eux des rapports cordiaux et des relations de sincère amitié continue, basés sur les intérêts réciproques, et tenant

compte de leur proche voisinage sur la mer Noire, ont décidé d'affermir pour toujours, en toute sincérité et franchise, les meilleures et cordiales relations, et une fidèle amitié entre eux, au nom des très nombreux intérêts communs, et de conclure à cette fin un Traité d'Amitié et de Fraternité.

A cet effet, ils se sont mis d'accord pour fixer la ville d'Angora comme lieu de négociations et ont nommé leurs Plénipotentiaires chargés de la conclusion dudit Traité, savoir :

Le Gouvernement de la Grande Assemblée nationale de Turquie: Youssouf Kémal Bey, Député de Kastamoni à la Grande Assemblée nationale de Turquie et Commissaire des Affaires étrangères ; et

Le Gouvernement de la République socialiste des Soviets de l'Ukraine: M. Frounzé Michel, membre du Comité central exécutif des Soviets de l'Ukraine, membre du Conseil des Commissaires du Peuple, Commandant en Chef de toutes les Forces armées en Ukraine et en Crimée, Chevalier du Drapeau-Rouge, à titre d'Ambassadeur extraordinaire à la Conférence ;

Lesquels Plénipotentiaires, après avoir présenté l'un à l'autre leurs pleins pouvoirs, reconnus suffisants et régulièrement dressés, sont convenus des dispositions suivantes :

ART. 1^{er}. Chacune des deux Parties contractantes accepte en principe de ne reconnaître aucun Traité de Paix ou autre acte international qu'on voudrait imposer à l'une des deux Parties ; le Gouvernement de la République socialiste des Soviets d'Ukraine accepte de ne reconnaître aucun acte international concernant la Turquie et qui n'est pas reconnu par le Gouvernement national de la Turquie, représenté actuellement par sa Grande Assemblée nationale. Sont entendus sous la nation de la Turquie, dans le sens du présent Traité, les territoires compris dans le Pacte national du 28 janvier 1936 (1920), élaboré par la Chambre des Députés ottomans à Constantinople et communiqué à la presse et à tous les États.

Le Gouvernement d'Ukraine reconnaît les lignes frontières de la Turquie établies par les Articles 1^{er} et 3 du Traité turco-russe d'Amitié et de Fraternité, conclu le 13 mars 1937⁽¹⁾ (1921), ainsi que par les annexes dudit Traité.

En outre, le Gouvernement ukrainien s'engage à reconnaître toutes les dispositions respectives des Accords intervenus entre la Turquie, d'une part, et les Républiques Soviétistes du Caucase, d'autre part, à la Conférence de Kars.

2. La Turquie déclare reconnaître la République socialiste des Soviets d'Ukraine, État indépendant et souverain, créé par la volonté des ouvriers et paysans de

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l'Ukraine sur les territoires de l'ancien Empire russe dans les limites territoriales définies par les Traités conclus entre l'Ukraine et la République alliée de Russie, ainsi qu'avec tous les États limitrophes.

3. Les deux Parties contractantes reconnaissent que tous les Traités passés antérieurement à la date du 16 mars 1921 entre la Turquie et l'ancien Empire russe ou entre la Turquie et l'Ukraine, ne correspondent pas aux vrais intérêts réciproques. Ils sont d'accord, par conséquent, pour regarder ces Traités comme nuls et abrogés.

L'Ukraine, en tant qu'ayant fait autrefois partie de l'ancien Empire russe, déclare notamment qu'elle considère la Turquie comme libre envers elle de toute obligation pécuniaire ou autre, basée sur des actes internationaux passés antérieurement entre la Turquie et le Gouvernement tzariste.

4. En vue d'assurer l'ouverture et la liberté du passage des Détroits aux transactions commerciales de tous les peuples, les deux Parties contractantes sont d'accord pour remettre l'élaboration définitive du statut international de la mer Noire et des Détroits à une conférence ultérieure, composée des délégués des États riverains, sans que les décisions qui en découleraient puissent porter atteinte à la souveraineté absolue de la Turquie et de Constantinople, sa capitale.

5. Les deux Parties contractantes sont d'accord pour constater, comme États riverains de la mer Noire, qu'aucun régime des fleuves internationaux s'y débouchant ne pourrait être maintenu ni établi sans leur participation effective.

Elles manifestent leur volonté de collaborer à cette fin et de s'entraider par tous les moyens qu'elles jugeront opportuns pour obtenir la reconnaissance de leurs droits.

6. Les deux Parties contractantes s'engagent à ne point admettre sur leur territoire la formation ou le séjour d'organisations ou de groupements prétendant assumer le rôle du Gouvernement de l'autre pays ou d'une partie de son territoire, ainsi que le séjour de groupements ayant pour but de lutter contre l'autre pays ou de fonctionnaires ou représentants desdits groupements et organisations.

La Turquie et l'Ukraine prennent le même engagement par rapport à la République socialiste fédérative des Soviets de Russie et aux Républiques soviétiques du Caucase, sous condition de réciprocité. Il est bien entendu que le territoire turc visé dans le présent Article est le territoire qui se trouve sous l'administration directe civile et militaire du Gouvernement de la Grande Assemblée nationale de Turquie.

7. Les deux Parties contractantes sont d'accord pour appliquer le régime de la nation la plus favorisée aux nationaux de l'un des deux pays résidant sur le territoire de l'autre. Cet Article ne s'applique point aux droits

appartenant aux nationaux des États musulmans alliés de la Turquie ainsi qu'aux nationaux des Républiques soviétistes alliées de l'Ukraine.

Les présentes dispositions ne sont pas applicables aux conditions des relations commerciales, lesquelles seront réglées par une Convention à part.

8. Les ressortissants de chacune des deux Parties contractantes, résidant sur les territoires de l'autre Partie, seront traités sur la base des droits et des obligations déterminées par les lois du pays où ils résident, excepté celle concernant la défense nationale dont ils seront exempts. Les questions relatives aux droits de famille, de succession et de capacité juridique des habitants réciproques, font aussi exception au présent Article. Elles seront résolues par la voie d'un accord spécial.

9. L'Ukraine déclare adopter entièrement les dispositions de l'Article 7 du Traité turco-russe du 16 mars 1921, ainsi que celles de l'Article 3 du Traité de Kars du 13 octobre 1921⁽²⁾ concernant la nullité du régime des Capitulations auquel avaient prétendu les États dits capitulaires.

10. Il est convenu qu'aussitôt que cela sera possible, l'on procédera à la conclusion des Conventions postales et télégraphiques, y compris la correspondance par radio, ainsi que d'une Convention consulaire.

11. Jusqu'à la conclusion de la Convention consulaire prévue à l'Article 10, les consuls généraux, consuls et vice-consuls nommés par chacune des deux Parties contractantes dans les villes, ports et places de commerce de l'autre Partie où sont admis les fonctionnaires similaires de toute autre Puissance, seront traités, en ce qui concerne leurs privilèges et leurs fonctions, sur la base du droit international général, à charge de réciprocité.

Pour la nomination des consuls dans les localités où il n'y aurait aucun consulat étranger, le consentement préalable de la Partie dont relève cette localité est requis.

12. Afin d'assurer la non-interruption des rapports entre les deux pays, les deux Parties contractantes s'engagent à prendre d'un commun accord toutes les mesures nécessaires pour maintenir et développer le plus vite possible les communications maritimes, ferroviaires, télégraphiques et autres, ainsi que pour assurer le libre transit des personnes et des marchandises sans aucune entrave entre les deux pays. A cet effet, elles feront d'un commun accord des démarches nécessaires pour établir des arrangements avec les Républiques soviétistes de Russie et du Caucase. Il est entendu, toutefois, que, jusqu'à la conclusion d'un Traité ou d'une Convention de Commerce pour le trafic de l'entrée et de la sortie

(²) Page 906.

des voyageurs et des marchandises, toutes les dispositions établies à ce sujet dans chacun des deux pays auront application intégrale.

13. En ce qui concerne les Conventions d'ordre économique, financier et autres, il est entendu qu'elles seront abordées le plus tôt possible.

14. Les deux Parties contractantes s'engagent mutuellement à élaborer d'un commun accord, dans le plus bref délai possible, un règlement sur les mesures sanitaires à appliquer dans les ports de la mer Noire faisant partie de leurs territoires respectifs.

15. Aussitôt après la signature du présent Traité, les Gouvernements des deux Parties contractantes procéderont à l'établissement des relations diplomatiques régulières. A ce moment, on se fera parvenir mutuellement la description et le dessin du pavillon national et des armoiries d'Etat.

16. Le présent Traité sera soumis à ratification. Les ratifications seront échangées à Kharkow, dans un délai de trois mois à partir de la date de sa signature, et il sera mis en vigueur le jour même de l'échange des ratifications.

En foi de l'accord ainsi intervenu sur toutes les clauses ci-dessus, lesdits Plénipotentiaires de la Turquie et de l'Ukraine l'ont signé de leur propre main et y ont apposé leurs cachets.

Fait et signé, en deux exemplaires en langue française, à Angora, le 2 janvier 1938 (1922).

(L.S.) YOUSSEF KÉMAL.
(L.S.) MICHEL FROUNZÉ.

THE CONSTITUTION of the United States of America, established September 17, 1787, with nineteen Amendments, the nineteenth being dated May 19, 1919.

WE, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ART. 1.—(1.) All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

(2.) The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the

qualifications requisite for electors of the most numerous branch of the State Legislature.

No person shall be a Representative who shall not have attained to the age of 25 years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several States which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every 30,000, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

(3.) The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of 30 years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

The Vice-President of the United States shall be President

of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States *is tried*, the Chief Justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honour, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

(4.) The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

(5.) Each House shall be the Judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorised to compel the attendance of absent members, in such manner and under such penalties as each House may provide.

Each House may determine the rules of its proceedings, punish its members for disorderly behaviour, and, with the concurrence of two-thirds, expel a member.

Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

(6.) The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session

of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office.

(7.) All Bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the Bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the Bill shall be entered on the journal of each House respectively. If any Bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a Bill.

(8.) The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations and among the several States, and with the Indian tribes;

To establish an uniform rule of naturalisation, and uniform

laws on the subject of bankruptcies throughout the United States;

To coin money; regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas and offences against the law of nations;

To declare war, grant letters of marque and reprisal and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;

To provide for organising, arming and disciplining the militia and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever over such district (not exceeding 10 miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards and other needful buildings; and

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

(9.) The migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the Congress prior to the year 1808, but a tax or duty may be imposed on such importation not exceeding 10 dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or *ex post facto* law shall be passed.

No capitation or other direct tax shall be laid unless in proportion to the census or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any State.

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear or pay duties in another.

No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign State.

(10.) No State shall enter into any Treaty, alliance or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts or grant any title of nobility.

No State shall, without the consent of *the* Congress, lay any imposts or duties on imports or exports except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of *the* Congress.

No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign Power or engage in war unless actually invaded or in such imminent danger as will not admit of delay.

2.—(1.) The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years and, together with the Vice-President, chosen for the same term, be elected as follows:—

Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and representatives to which the State may be entitled in the Congress; but no Senator or representative or person holding an office of trust or profit under the United States shall be appointed an elector.

The electors shall meet in their respective States and vote

by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for and of the number of votes for each; which list they shall sign and certify and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted. The person having the greatest number of votes shall be the President if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them, by ballot, the Vice-President.

The Congress may determine the time of choosing the electors and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural-born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of 35 years and been fourteen years a resident within the United States.

In case of the removal of the President from office or of his death, resignation or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed or a President shall be elected.

The President shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States or any of them.

Before he enter on the execution of his office he shall take

the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States and will, to the best of my ability, preserve, protect and defend the Constitution of the United States."

(2.) The President shall be Commander-in-chief of the army and navy of the United States, and of the militia of the several States when called into the actual service of the United States; he may require the opinion in writing of the principal officer in each of the executive departments upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make Treaties: provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the Courts of Law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

(3.) He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

(4.) The President, Vice-President and all civil officers of the United States shall be removed from office on impeachment for, and conviction of, treason, bribery or other high crimes and misdemeanors.

3.—(1.) The judicial power of the United States shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the Supreme and inferior Courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

(2.) The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and Treaties made, or which shall be made, under their authority; to all cases affecting Ambassadors, other public Ministers and Consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens or subjects.

In all cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

(3.) Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open Court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attainted.

(4.)—(1.) Full faith and credit shall be given in each State to the public acts, records and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved and the effect thereof.

(2.) The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

No person held to service or labour in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service

or labour, but shall be delivered up on claim of the party to whom such service or labour may be due.

(3.) New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

(4.) The United States shall guarantee to every State in this Union a Republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence.

5. The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: provided that no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of the first Article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

6. All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all Treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the Judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

7. The ratification of the Convention of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention by the unanimous consent of the States present the 17th day of September in the year of our Lord 1787, and of the independance of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

The word "the" being interlined between the seventh and eighth lines of the first page, the word "Thirty" being partly written on an erasure in the fifteenth line of the first page, the words "is tried" being interlined between the thirty-second and thirty-third lines of the first page and the word "the" being interlined between the forty-third and forty-fourth lines of the second page.

[Inserted in italics.]

Attest :

WILLIAM JACKSON, *Secretary.*

GO. WASHINGTON,

President and Deputy from Virginia.

New Hampshire :

JOHN LANGDON.

NICHOLAS GILMAN.

Massachusetts :

NATHANIEL GORHAM.

RUFUS KING.

Connecticut :

WM. SAML. JOHNSON.

ROGER SHERMAN.

New York :

ALEXANDER HAMILTON.

New Jersey :

WIL. LIVINGSTON.

DAVID BREARLEY.

WM. PATERSON.

JONA. DAYTON.

Pennsylvania :

B. FRANKLIN.

THOMAS MIFFLIN.

ROBT. MORRIS.

GEO. CLYMER.

THOS. FITZSIMONS.

JARED INGERSOLL.

JAMES WILSON.

GOUV MORRIS.

Delaware :

GEO. READ.

GUNNING BEDFORD, JUN.

JOHN DICKINSON.

RICHARD BASSETT.

JACO. BROOM.

Maryland :

JAMES McHENRY.
 DAN OF ST. THOS. JENIFER.
 DANL. CARROLL.

Virginia :

JOHN BLAIR.
 JAMES MADISON, JR.

North Carolina :

WM. BLOUNT.
 RICHD. DOBBS SPAIGHT.
 HU WILLIAMSON.

South Carolina :

J. RUTLEDGE.
 CHARLES COTESWORTH PINCKNEY.
 CHARLES PINCKNEY.
 PIERCE BUTLER.

Georgia :

WILLIAM FEW.
 ABR. BALDWIN.

In Convention, Monday, September 17, 1787.

Present :

The States of New Hampshire, Massachusetts, Connecticut, Mr. Hamilton from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

Resolved,—That the preceding Constitution be laid before the United States in Congress assembled, and that it is the opinion of this Convention that it should afterwards be submitted to a Convention of Delegates, chosen in each State by the people thereof, under the recommendation of its Legislature, for their assent and ratification; and that each Convention assenting to, and ratifying the same, should give notice thereof to the United States in Congress assembled.

Resolved.—That it is the opinion of this Convention that as soon as the Conventions of nine States shall have ratified this Constitution, the United States in Congress assembled should fix a day on which electors should be appointed by the States which shall have ratified the same, and a day on which the electors should assemble to vote for the President and the time and place for commencing proceedings under this Constitution. That after such publication the electors should be appointed and the Senators and representatives elected; that the electors should meet on the day fixed for the election of the President and should transmit their votes certified, signed, sealed and directed, as the Constitution

requires, to the Secretary of the United States in Congress assembled, that the Senators and representatives should convene at the time and place assigned; that the Senators should appoint a President of the Senate for the sole purpose of receiving, opening and counting the votes for President; and that, after he shall be chosen, the Congress, together with the President, should, without delay, proceed to execute this Constitution.

By the unanimous order of the Convention,
 GO. WASHINGTON, *President*.
 W. JACKSON, *Secretary*.

Congress of the United States begun and held at the City of New York on Wednesday, the 4th March, 1789.

The Conventions of a number of the States having at the time of their adopting the Constitution expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added; and as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution;

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled two-thirds of both Houses concurring: That the following Articles be proposed to the Legislatures of the several States as amendments to the Constitution of the United States, all or any of which Articles, when ratified by three-fourths of the said Legislatures, to be valid to all intents and purposes as part of the said Constitution, viz. :—

Articles in addition to and amendment of the Constitution of the United States of America, proposed by Congress and ratified by the Legislatures of the several States, pursuant to the Fifth Article of the original Constitution.

Article the First.—After the first enumeration required by the first Article of the Constitution, there shall be one Representative for every 30,000 until the number shall amount to 100, after which the proportion shall be so regulated by Congress that there shall be not less than 100 Representatives, nor less than one Representative for every 40,000 persons, until the number of Representatives shall amount to 200, after which the proportion shall be so regulated by Congress that there shall be not less than 200 Representatives nor more than one Representative for every 50,000 persons.

Article the Second.—No law varying the compensation for the services of the Senators and Representatives shall

take effect until an election of Representatives shall have intervened.

Article the Third.—Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

Article the Fourth.—A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

Article the Fifth.—No soldier shall in time of peace be quartered in any house without the consent of the owner nor in time of war but in a manner to be prescribed by law.

Article the Sixth.—The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause supported by oath or affirmation and particularly describing the place to be searched and the persons or things to be seized.

Article the Seventh.—No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury except in cases arising in the land or naval forces or in the militia when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself nor be deprived of life, liberty or property without due process of law; nor shall private property be taken for public use without just compensation.

Article the Eighth.—In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favour and to have the assistance of counsel for his defence.

Article the Ninth.—In suits at common law where the value in controversy shall exceed 20 dollars, the right of trial by jury shall be preserved and no fact tried by a jury shall be otherwise re-examined in any Court of the United States than according to the rules of the common law.

Article the Tenth.—Excessive bail shall not be required nor excessive fines imposed nor cruel and unusual punishments inflicted.

Article the Eleventh.—The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

Article the Twelfth.—The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.
JOHN ADAMS,
*Vice-President of the United States and
President of the Senate.*

Attest:

JOHN BECKLEY,
Clerk of the House of Representatives.
SAM. A. OTIS,
Secretary of the Senate.⁽²⁾

(²) The first two amendments here appearing were not adopted. The ten following were ratified, and the ratifications were communicated by the President to Congress, from time to time, as the several States notified him of their action. They now stand as the first ten amendments to the Constitution.

Third Congress of the United States: at the First Session begun and held at the City of Philadelphia, in the State of Pennsylvania, on Monday, the 2nd December, 1793.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled two-thirds of both Houses concurring: That the following Article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States; which, when ratified by three-fourths of the said Legislatures, shall be valid as part of the said Constitution, viz. :—

“The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.
JOHN ADAMS,
*Vice-President of the United States and
President of the Senate.*

Attest:

JOHN BECKLEY,
Clerk of the House of Representatives.
SAM. A. OTIS,
Secretary of the Senate.⁽³⁾

(³) The eleventh amendment was declared by the President, in a message to Congress dated the 8th January, 1798, to have been ratified by three-fourths of the States.

Eighth Congress of the United States; at the First Session, begun and held at the City of Washington, in the territory of Columbia, on Monday, the 17th October, 1803.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled two-thirds of both Houses concurring: That in lieu of the third paragraph of the first section of the second Article of the Constitution of the United States, the following be proposed as an amendment to the Constitution of the United States, which, when ratified by three-fourths of the Legislatures of the several States, shall be valid to all intents and purposes, as part of the said Constitution, to wit:—

“The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the 4th day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number

shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States and
President of the Senate.*

Attest:

JOHN BECKLEY,

Clerk to the House of Representatives.

SAM. A. OTIS,

Secretary of the Senate.⁽⁴⁾

(4) The twelfth amendment, proposed in lieu of the original third paragraph of Section 1 of Article 2, was declared in a proclamation of the Secretary of State dated the 25th September, 1804, to have been ratified by three-fourths of the States.

*Thirty-eighth Congress of the United States of America; at
the Second Session, begun and held at the City of Wash-
ington, on Monday, the 5th day of December, 1864.*

*A Resolution submitting to the Legislatures of the several
States a Proposition to amend the Constitution of the
United States.*

*Resolved by the Senate and House of Representatives of
the United States of America, in Congress assembled (two-
thirds of both Houses concurring): That the following Article
be proposed to the Legislatures of the several States as an
amendment to the Constitution of the United States, which,
when ratified by three-fourths of said Legislatures, shall be
valid, to all intents and purposes, as a part of the said Con-
stitution, namely:—*

*“ Art. 13.—Sect. (1). Neither slavery nor involuntary
servitude, except as a punishment for crime whereof the party
shall have been duly convicted, shall exist within the United
States, or any place subject to their jurisdiction. Sect. (2).
Congress shall have power to enforce this Article by appro-
priate legislation ”*

SCHUYLER COLFAX,

Speaker of the House of Representatives.

H. HAMLIN,

*Vice-President of the United States and
President of the Senate.*

Approved, February 1, 1865.

ABRAHAM LINCOLN.

[*Endorsement.*]

I certify that this Resolution did originate in the Senate.

J. W. FORNEY, *Secretary.*⁽⁵⁾

⁽⁵⁾ The thirteenth amendment was declared in a proclamation of the Secretary of State dated the 16th December, 1865, to have been ratified by twenty-seven of the thirty-six States.

Thirty-ninth Congress of the United States, at the First Session, begun and held at the City of Washington, in the District of Columbia, on Monday, the 4th day of December, 1865.

— — — — —
Joint Resolution proposing an Amendment to the Constitution of the United States.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of both Houses concurring): That the following Article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of the Constitution, namely:—

“Art. 14.—Sec. (1). All persons born or naturalised in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

“(2.) Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

“(3.) No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as

a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House remove such disability.

“(4.) The validity of the public debt of the United States, authorised by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

“(5.) The Congress shall have power to enforce, by appropriate legislation, the provisions of this Article.”

SCHUYLER COLFAX,

Speaker of the House of Representatives.

LA FAYETTE S. FOSTER.

President of the Senate pro tempore.

Attest:

EDWD. MCPHERSON,

Clerk of the House of Representatives.

J. W. FORNEY,

Secretary of the Senate.⁽⁶⁾

⁽⁶⁾ The fourteenth amendment being declared by a concurrent resolution of Congress, adopted the 21st July, 1868, to have been ratified by “three-fourths and more of the several States of the Union,” the Secretary of State was required duly to promulgate the text. He accordingly issued a proclamation dated the 28th July, 1868, declaring the proposed amendment to have been ratified by thirty of the thirty-six States.

Fortieth Congress of the United States of America; at the Third Session, begun and held at the City of Washington, on Monday, the 7th day of December, 1868.

A Resolution proposing an Amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled (two-thirds of both Houses concurring): That the following Article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of the Constitution, namely:—

“ Art. 15.—Sec. (1.) The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, colour, or previous condition of servitude.

“(2.) The Congress shall have power to enforce this Article by appropriate legislation.”

SCHUYLER COLFAX,

Speaker of the House of Representatives.

B. F. WADE,

President of the Senate pro tempore.

Attest:

EDWD. MCPHERSON,

Clerk of House of Representatives.

GEO. C. GORHAM,

Secretary of Senate U.S. (?)

(?) The fifteenth amendment was declared in a proclamation of the Secretary of State dated the 30th March, 1870, to have been ratified by twenty-nine of the thirty-seven States.

Sixty-first Congress of the United States of America; at the First Session, begun and held at the City of Washington, on Monday, the 15th day of March, 1909.

Joint Resolution proposing an Amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled (two-thirds of each House concurring therein): That the following Article is proposed as an amendment to the Constitution of the United States, which, when ratified by the Legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:—

“ Art. 16. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.”

J. G. CANNON,

Speaker of the House of Representatives.

J. S. SHERMAN,

Vice-President of the United States and President of the Senate.

Attest:

A. McDOWELL,

Clerk of the House of Representatives.

CHARLES G. BENNETT, *Secretary.*

By HENRY H. GILFRY, *Chief Clerk.*

[*Endorsement.*]

I certify that this Joint Resolution originated in the Senate.

CHARLES G. BENNETT, *Secretary.*
By HENRY H. GILFRY, *Chief Clerk.*^(*)

(*) The sixteenth amendment was declared in a proclamation of the Secretary of State dated the 25th February, 1913, to have been ratified by thirty-eight of the forty-eight States.

Sixty-second Congress of the United States of America; at the Second Session, begun and held at the City of Washington, on Monday, the 4th day of December, 1911.

Joint Resolution proposing an Amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled (two-thirds of each House concurring therein): That in lieu of the first paragraph of Section (3) of Article 1 of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the States:—

“The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

“When vacancies happen in the representation of any State in the Senate, the Executive authority of such State shall issue writs of election to fill such vacancies: provided that the Legislature of any State may empower the Executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

“This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.”

CHAMP CLARK,

Speaker of the House of Representatives.

J. S. SHERMAN,

Vice-President of the United States and President of the Senate.

[*Endorsement.*]

I certify that this Joint Resolution originated in the House of Representatives.

SOUTH TRIMBLE, *Clerk.*⁽⁹⁾

⁽⁹⁾ The [seventeenth] amendment was declared in a proclamation of the Secretary of State dated the 31st May, 1913, to have been ratified by thirty-six of the forty-eight States.

Sixty-fifth Congress of the United States of America; at the Second Session, begun and held at the City of Washington, on Monday, the 3rd day of December, 1917.

Joint Resolution Proposing an Amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled (two-thirds of each House concurring therein): That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the Legislatures of the several States as provided by the Constitution:—

“ Art. —.—Sect. (1.) After one year from the ratification of this Article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

(2.) The Congress and the several States shall have concurrent power to enforce this Article by appropriate legislation.

(3.) This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.”

CHAMP CLARK,

Speaker of the House of Representatives.

THOS. R. MARSHALL,

Vice-President of the United States and President of the Senate.

I certify that this Joint Resolution originated in the Senate.

JAMES M. BAKER, *Secretary.*⁽¹⁰⁾

⁽¹⁰⁾ The [eighteenth] amendment was declared in a proclamation of the Acting Secretary of State dated the 29th January, 1919, to have been ratified by thirty-six of the forty-eight States.

Sixty-sixth Congress of the United States of America; at the First Session, begun and held at the City of Washington, on Monday, the 19th day of May, 1919.

Joint Resolution Proposing an Amendment to the Constitution extending the right of suffrage to women.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled (two-thirds of each House concurring therein): That the following Article is proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the several States.

“Art. —. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

“Congress shall have power to enforce this Article by appropriate legislation.”

F. H. GILLETT,

Speaker of the House of Representatives.

THOS. R. MARSHALL,

Vice-President of the United States and President of the Senate.

I certify that this Joint Resolution originated in the House of Representatives.

WM. TYLER PAGE, *Clerk.*⁽¹¹⁾

⁽¹¹⁾ The [nineteenth] amendment was declared in a proclamation of the Secretary of State dated the 26th August, 1920, to have been ratified by three-fourths of the whole number of States in the United States.

ACT of the Congress of the United States of America to amend and re-enact Sections 20, 22 and 50 of the Act of March 2, 1917, entitled “An Act to provide a Civil Government for Porto Rico, and for other purposes.”—Approved June 7, 1924.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the first paragraph of Section 20 of the Act entitled “An Act to provide a Civil Government for Porto Rico, and for other purposes,” approved the 2d March, 1917,⁽¹⁾ be, and the same is hereby, amended to read as follows:—

⁽¹⁾ Vol. CXII, page 1169.

“ Sec. 20. That there shall be appointed by the President an auditor, at an annual salary of 6,000 dollars for a term of four years and until his successor is appointed and qualified, who shall examine, audit, and settle all accounts pertaining to the revenues and receipts, from whatever source, of the Government of Porto Rico and of the municipal governments of Porto Rico, including public trust funds and funds derived from bond issues; and audit, in accordance with law and administrative regulations, all expenditures of funds or property pertaining to or held in trust by the Government of Porto Rico or the municipalities or dependencies thereof. He shall perform a like duty with respect to all Government branches.”

2. That Section 22 of the said Act be, and the same is hereby, amended to read as follows:—

“ Sec. 22. That there shall be appointed by the Governor, by and with the advice and consent of the Senate of Porto Rico, an executive secretary at an annual salary of 5,000 dollars, who shall record and preserve the minutes and proceedings of the public service commission hereinafter provided for and the laws enacted by the Legislature and all acts and proceedings of the Governor, and promulgate all Proclamations and Orders of the Governor and all laws enacted by the Legislature, and until otherwise provided by the Legislature of Porto Rico perform all the duties of Secretary of Porto Rico as now provided by law, except as otherwise specified in this Act, and perform such other duties as may be assigned to him by the Governor of Porto Rico. In the event of a vacancy in the office, or the absence, illness, or temporary disqualification of such officer, the Governor shall designate some officer or employee of the Government to discharge the functions of said office during such vacancy, absence, illness, or temporary disqualification.”

3. That Section 50 of the said Act be, and the same is hereby, amended to read as follows:—

“ Sec. 50. That, except as in this Act otherwise provided, the salaries of all the officials of Porto Rico not appointed by the President, including deputies, assistants and other help, shall be such and be so paid out of the revenues of Porto Rico as shall from time to time be determined by the Legislature of Porto Rico and approved by the Governor; and if the Legislature shall fail to make an appropriation for such salaries, the salaries theretofore fixed shall be paid without the necessity of further appropriations therefor. The salaries of all officers and all expenses of the offices of the various officials of Porto Rico appointed as herein provided by the President shall also be paid out of the revenues of Porto Rico on warrant of the auditor, countersigned by the Governor. The annual salaries of the following named officials appointed

by the President and also those appointed by the Governor of Porto Rico so to be paid shall be: The Governor, 10,000 dollars; in addition thereto he shall be entitled to the occupancy of the buildings heretofore used by the chief executive of Porto Rico, with the furniture and effects therein, free of rental; heads of executive departments, 6,000 dollars; Chief Justice of the Supreme Court, 7,500 dollars; Associate Justice of the Supreme Court, 6,500 dollars.

“Where any officer whose salary is fixed by this Act is required to give a bond, the premium thereof shall be paid from the insular treasury.”

Approved, June 7, 1924.

PROCLAMATION by the President of the United States of America relative to the enjoyment by Subjects of the Union of South Africa of the benefits of Copyright in the United States.—Washington, June 26, 1924:

(No. 1702.)

WHEREAS it is provided by the Act of Congress, approved the 4th March, 1909,⁽¹⁾ entitled “An Act to Amend and Consolidate the Acts respecting Copyright,” that the copyright secured by the Act, except the benefits under Section 1 (e) thereof, as to which special conditions are imposed, shall extend to the work of an author or proprietor who is a citizen or subject of a foreign State or nation, only upon certain conditions set forth in Section 8 of said Act, to wit:

(a.) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

(b.) When the foreign State or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection substantially equal to the protection secured to such foreign author under this Act or by Treaty; or when such foreign State or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto;

And whereas it is provided by Section 1 (e) of the said Act of Congress, approved the 4th March, 1909, that the provisions of the Act, “so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the

⁽¹⁾ Vol. CVIII, page 615.

musical work, shall include only compositions published and copyrighted after this Act goes into effect, and shall not include the works of a foreign author or composer unless the foreign State or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement or law, to citizens of the United States similar rights";

And whereas the President is authorised by Section 8 of the said Act to determine and declare by Proclamation made from time to time the existence of the reciprocal conditions aforesaid, as the purposes of the Act may require;

And whereas satisfactory official assurances have been received that the Governor-General in Council of the Union of South Africa has issued a Proclamation, which will come into operation on the 1st July, 1924,⁽²⁾ by which rights to protection for their works in the Union of South Africa are granted to citizens of the United States on substantially the same basis as to subjects of the Union of South Africa, including rights similar to those provided by Section 1 (e) of the Copyright Act of the United States, approved the 4th March, 1909:

Now therefore I, Calvin Coolidge, President of the United States of America, do hereby declare and proclaim:

That on and after the 1st July, 1924, one of the alternative conditions specified in Section 8, and the conditions specified in Section 1 (e) of the Act of the 4th March, 1909, will exist and will be fulfilled in respect to the subjects of the Union of South Africa, and that from that date subjects of the Union of South Africa will be entitled for all their works produced or published on or after said date to all the benefits of the said Copyright Act of the United States, approved the 4th March, 1909, including the benefits of Section 1 (e), and of the Acts amendatory of the said Act:

Provided that the enjoyment by any work to which the provisions of this Proclamation relate of the rights and benefits conferred by the Copyright Act approved the 4th March, 1909, and the Acts amendatory thereof, shall be conditional upon compliance with the requirements and formalities prescribed with respect to such works by the copyright laws of the United States, and shall commence from and after compliance with those requirements, constituting due registration for copyright in the United States.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 26th day of June, in the year of our Lord 1924, and of the independence of the United States of America the 148th.

(Seal) CALVIN COOLIDGE.

(²) Vol CXIX, page 315.

TREATY for General Obligatory Arbitration between the Oriental Republic of the Uruguay and the United States of Venezuela.—Monte Video, February 28, 1923.

[Ratifications exchanged at Monte Video, June 15, 1925.]

(Translation.)

His Excellency the President of the Oriental Republic of the Uruguay and his Excellency the President of the United States of Venezuela, desiring to cement the friendship which links their respective nations together, have agreed to enter into a general obligatory Arbitration Treaty, and have named as their Plenipotentiaries, to wit:—

His Excellency the President of the Oriental Republic of the Uruguay: Dr. Juan Antonio Buero, his Minister, Secretary of State for Foreign Relations; and

His Excellency the President of the United States of Venezuela: Dr. Pedro Cesar Dominici, his Envoy Extraordinary and Minister Plenipotentiary to his Excellency the President of the Oriental Republic of the Uruguay;

Who, having exchanged their full powers, found to be in good and due form, have agreed upon the following:—

ART. 1. The High Contracting Parties bind themselves to submit to arbitration all disputes of whatever nature which for whatever reason may arise between them, including disputes relative to the interpretation or execution of this Treaty: provided that they cannot be settled by direct negotiation.

2. Disputes which have already been the object of a final settlement between both High Contracting Parties cannot be reopened in virtue of this Treaty. In such cases arbitration shall be exclusively limited to disputes which may arise concerning the validity, the interpretation and the execution of such settlements.

3. For the settlement of disputes which in fulfilment of this Treaty shall be submitted to arbitration, the function of arbitrator shall be entrusted to a Head of State of one of the Spanish-American republics or to a President of a Spanish-American Court or Tribunal of Justice, and, failing this, to a Tribunal composed of Uruguayan, Venezuelan or Spanish-American Judges and experts. Should the High Contracting Parties fail to agree on the appointment of the arbitrator or arbitrators, the settlement of the dispute shall be entrusted to the permanent Court of International Justice.

4. In each individual case the High Contracting Parties shall conclude a special Agreement establishing the arbitrator appointed, the extent of his powers, the matter in dispute, the periods, the expenses and procedure that may be fixed.

5. Except in a case of denial of justice, Article 1 of this Treaty shall not be applicable to disputes which may arise between a citizen of one of the High Contracting Parties and the other State, when the Judges or Tribunals of this last State are, according to its legislation, competent to decide the dispute. Nevertheless, the question as to whether or not it be a case of denial of justice may be a matter for arbitration.

6. The present Treaty shall continue in force for ten years from the date of the exchange of ratifications. If, twelve months before the expiration of this period, neither of the High Contracting Parties have stated its intention to terminate it, the Treaty shall continue to be binding until a year after one or other of the High Signatory Parties shall have denounced it.

7. This Treaty shall be ratified by the High Contracting Parties according to their respective laws, and the ratifications exchanged in Montevideo or Caracas as soon as possible.

In faith whereof the aforementioned Plenipotentiaries sign this Treaty and thereunto affix their seals.

Done in duplicate, in Spanish, in Montevideo, the 28th day of February, 1923.

(L.S.)

J. A. BUERO.

(L.S.)

PEDRO CESAR DOMINICI.

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