impeachment for and conviction of treason is a ground for remov­ing the president, vice-president, and other civil officers. The punishment by an Act of 1790 was declared to be death by hanging. But during the Civil War a new Act (17 July 1862) was passed, providing that the punishment should be death, or, at the discretion of the court, imprisonment at hard labour for not less than five years, and a fine of not less than 10,000 dollars to be levied on the real and personal property of the offender, in addition to disability to hold any office under the United States. The Act of 1862 and other Acts also deal with the crimes of inciting or engaging in rebellion or insurrection, criminal correspondence with foreign Governments in relation to any disputes or controversies with the United States, or to defeat the measures of the Government of the United States, seditions, conspiracy, recruiting soldiers or sailors and enlistment to serve against the United States. The Act of 1790 further provides for the delivery to the prisoner of a copy of the indictment and a list of the jurors, for defence by counsel, and for the finding of the indictment within three years after the commission of the treason. Misprision of treason is de­fined to be the crime committed by a person owing allegiance to the United States, and having knowledge of the commission of any crime against them, who conceals and does not as soon as may be disclose and make known the same to the president or to some judge of the United States, or to the governor or to some judge or justice of a particular State. The punishment is imprisonment for not more than seven years and a fine of not more than 1000 dollars (see *Revised Statutes,* §§ 1033, 1034,1043, 5331-5338 ; Story, *Constitution of the United States,* §§1296-1301, 1796-1802). Treason against the United States cannot be inquired into by any State court, but the States may, and some of them have, their own constitutions and legislation as to treasons committed against themselves, generally following the lines of the constitution and legislation of the United States. In some cases there are differ­ences which are worth notice. Thus the constitution of Massa­chusetts, § 25, declares that no subject ought in any case or in any time to be declared guilty of treason by the legislature. The same provision is contained in the constitutions of Vermont, Connecticut, Pennsylvania, Alabama, and others. In some States the crime of treason cannot be pardoned ; in others, as in New York, it may be pardoned by the legislature, and the governor may suspend the sentence until the end of the session of the legislature next following conviction. In some States a person convicted of treason is disqualified for exercising the franchise. In New York conviction carries with it forfeiture of real estate for the life of the convict and of his goods and chattels. (J. W†. )

TREASURE-TROVE is defined by Blackstone to be money or coin, gold, silver, plate, or bullion found hidden in the earth or other private place, the owner thereof being unknown. This definition is simply an extension of the Roman law definition of *thesaurus inventus* as an ancient deposit of money *(vetus depositio pecuniæ)* found by accident and without actual search. The right to treasure­trove was not, however, the same in Roman and English law. The former at its latest stage divided it between the finder and the owner of the land on which it was found, except where it was found on public or imperial property, when one-half went to the fisc. If a man found treasure on his own land, he had a right to the whole. The rights of the crown, modified by those of the feudal lord, gradu­ally became more extensive in the feudal law of Europe, so much so as to become, in the words of Grotius, “jus commune et quasi gentium.” In more recent times there has been a return, at any rate in the case of France, to the division made by the Roman law. In England the com­mon law, which at one time apparently conferred treasure­trove, wherever found, upon the finder, now gives it all to the king, in accordance with the maxim “ quod nullius est fit domini regis.” This is always provided that the owner cannot be known or discovered. If he can be, he and not the king is entitled to it.

A right to treasure-trove may be granted by the British crown as a Franchise (*q.v.*). It is the duty of one finding treasure to make it known to the coroner. By the statute *De Officio Coronatoris* (4 Edw. I. st. 2), the coroner is to inquire of treasure that is found, who were the finders and likewise who is suspected thereof, and that may be well perceived where one liveth riotously, haunting taverns, and hath done so of long time. Concealment of treasure­trove is a misdemeanour at common law. There can be no larceny of it until it has been found by the coroner to be the property of the crown. The Home Office has recently issued a notification modifying the existing regulations so far as to permit the finders of coins and antiquities coming under the description of treasure­trove to retain articles not actually required for national institu­tions, and the sum received from such institutions as the antiquarian value of any articles retained, subject to a deduction of 20 per cent. from the antiquarian value of the objects retained and 10 per cent. from the value of other objects. In the United States treasure­trove is usually vested in the State as *bona vacantia.* Louisiana follows the French *Code Civil,* and gives half to the finder and half to the landowner. The importance of treasure-trove in India led to the passing of the Indian Treasure-Trove Act (Act vi. of 1878). It provides that treasure is to be delivered to the finder if no owner appears. If the owner can be found, three-fourths go to the finder and one-fourth to the owner, power being reserved to the Govern­ment to acquire it by payment of a sum equal to one-fifth more than the value of the material.

TREATIES. 1. A treaty is a contract between two or more states. The term “ tractatus, ” and its derivatives, though of occasional occurrence in this sense from the 13th century onwards, only began to be commonly so employed, in lieu of the older technical terms “ conventio publica,” or “ fœdus,” from the end of the 17 th century. In the language of modern diplomacy the term “ treaty ” is re­stricted to the more important international agreements, especially to those which are the work of a congress, while agreements dealing with subordinate questions are de­scribed by the more general term “convention.’’ The present article will disregard this distinction.

2. The making and the observance of treaties is neces­sarily a very early phenomenon in the history of civilization, and the theory of treaties was one of the first departments of international law to attract attention. Treaties are recorded on the monuments of Egypt and Assyria ; they occur in the Old Testament Scriptures; and questions arising under σ*υvθῆ*και and “ fœdera ” occupy much space in the Greek and Roman historians.@@1

3. Treaties have been classified on many principles, of which it will suffice to mention the more important. A “ personal treaty,” having reference to dynastic interests, is contrasted with a “ real treaty,” which binds the nation irrespectively of constitutional changes; treaties creating outstanding obligations are opposed to “ transitory con­ventions,” *e.g.,* for cession of territory, recognition of inde­pendence, and the like, which operate irrevocably once for all, leaving nothing more to be done by the contracting parties ; and treaties in the nature of a definite transaction *(Rechtsgeschäft)* are opposed to those which aim at estab­lishing a general rule of conduct *(Rechtssatz).* With refer­ence to their objects, treaties may perhaps be conveniently classified as (1) political, including treaties of peace, of alliance, of cession, of boundary, for creation of inter­national servitudes, of neutralization, of guarantee, of submission to arbitration ; (2) commercial, including con­sular and fishery conventions, and slave trade and naviga­tion treaties ; (3) confederations for special social objects, such as the Zollverein, the Latin monetary union, and the still wider unions with reference to posts, telegraphs, sub­marine cables, and weights and measures ; (4) relating to criminal justice, *e.g.,* to extradition and arrest of fugitive seamen ; (5) relating to civil justice, *e.g.,* to the protection of trade-mark and copyright, to the execution of foreign judgments, to the reception of evidence, and to actions by and against foreigners ; (6) providing general rules for the conduct of warfare, *e.g.,* the declaration of Paris and the convention of Geneva. It must be remarked that it is not always possible to assign a treaty wholly to one or other of the above classes, since many treaties contain in com­bination clauses referable to several of them.

@@@1 For the celebrated treaty of 509 B.C. between Rome and Carthage, see Polybius iii. 22; and, on the subject generally, Barbeyrac’s full but very uncritical *Histoire des Anciens Traitéz,* 1739 ; Müller- Jochmus, *Geschichte des Völkerrechts im Alterthum,* 1848; E. Egger, *Études Historiques sur les Traités Publics chez les Grecs et chez les Romains,* new ed., 1866.