

## RIGHTS OF NEUTRALS AT SEA

*Declaration signed at Honolulu March 26, 1855, relating to accession by  
Hawaii to convention of July 22, 1854, between the United States  
and Russia*

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Whereas the President of the United States of America, has invited His Majesty the King of the Hawaiian Islands to concur in and adopt the principles of the Convention between the United States and His Majesty the Emperor of all the Russias, concluded in Washington, on the 22 day of July 1854,<sup>1</sup> which convention is word for word as follows:

### ARTICLE 1<sup>st</sup>

The two high contracting parties recognise as permanent and immutable the following principles. viz:

1<sup>st</sup> That free Ships make free goods that is to say, that the effects or goods belonging to subjects or Citizens of a Power or State at War, are free from Capture and confiscation, when found on board of neutral vessels with the exception of articles contraband of War.

2. That the property of neutrals on board an enemys vessel is not subject to confiscation, unless the same be contraband of War.

They engage to apply these principles to the Commerce and Navigation of all such powers and states as shall consent to adopt them on their part as permanent and immutable.

### ARTICLE 2<sup>d</sup>

The two high contracting parties reserve to themselves to come to an ulterior understanding, as circumstances may require, with regard to the application and extension to be given, if there be any cause for it, to the principles laid down in the first article. But they declare from this time that they will take the stipulations contained in said article 1<sup>st</sup> as a rule, whenever it shall become a question to judge of the rights of neutrality.

### ARTICLE 3<sup>d</sup>

It is agreed by the high contracting Parties that all nations which shall or may consent to accede to the Rules of the first article of this convention, by a formal Declaration stipulating to observe them, shall enjoy the rights resulting from such accession as they shall be enjoyed and observed by the two Powers signing this convention. They shall mutually communicate to each other the results of the steps which may be taken on the subject.

### ARTICLE 4<sup>th</sup>

The present convention shall be approved and ratified by the President of the United States of America by and with the advice and consent of the Senate of said States, and

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<sup>1</sup> TS 300, *post*, U.S.S.R.