

TENURE AND DISPOSITION OF REAL AND PERSONAL PROPERTY

Convention signed at Guatemala August 27, 1901

Senate advice and consent to ratification January 30, 1902

Ratified by the President of the United States February 6, 1902

Ratified by Guatemala September 12, 1902

Ratifications exchanged at Guatemala September 16, 1902

Proclaimed by the President of the United States September 18, 1902

Entered into force September 26, 1902

32 Stat. 1944; Treaty Series 412

The United States of América and the Republic of Guatemala, desiring to improve the condition of the citizens of each of the respective countries in relation to the tenure and disposition of real and personal property situated or being within the territories of the other, as well as to authorize the representation of deceased persons by the Consuls of their respective nations in the settlement of estates, have resolved to conclude a convention for those purposes and have named as their Plenipotentiaries:

The President of the United States of America the Honorable W. Godfrey Hunter, Envoy Extraordinary and Minister Plenipotentiary of the United States of America in Guatemala; and

The President of Guatemala the Licentiate Juan Barrios M., Secretary of State in the Department of Foreign Affairs,

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

ARTICLE I

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