

FRIENDSHIP, COMMERCE, AND NAVIGATION: WHALE SHIPS

Convention signed at Lima July 4, 1857, interpreting article XII of treaty of July 26, 1851

Ratified by Peru October 5, 1857

Senate advice and consent to ratification April 30, 1858

Ratified by the President of the United States May 7, 1858

Ratifications exchanged at Washington October 13, 1858

Entered into force October 13, 1858

Proclaimed by the President of the United States October 14, 1858

Treaty of July 26, 1851, terminated December 9, 1863¹

11 Stat. 725; Treaty Series 278²

Certain doubts having arisen with regard to the interpretation to be given to Article Twelfth of the Treaty of the 26th of July 1851,³ as to the goods, other than oil and the produce of their fishery, that the whale ships of the United States may land and sell, or barter, duty free; for the purpose of obtaining provisions and refitting; a concession which, in Articles eighty one and one hundred and ten of the General, Commercial Regulations,² is not so extensive; and it being convenient for the advantage of the citizens of the United States, employed in the whale fishery and of the citizens of Peru who furnish provisions, to fix, clearly and definitively, the proper meaning of the concessions stipulated in the abovementioned Article twelfth of the Treaty of the 26th of July 1851; so that while those reciprocal benefits are secured, all and every controversy in the matter may be avoided:

The Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Republic of Peru, John Randolph Clay, in virtue of his Full Powers;

And His Excellency, Doctor, Don Manuel Ortiz de Zevallos, Minister of Foreign Affairs of the Republic of Peru, fully authorised to act in the Premises by the Excellent Council of Ministers charged with the Government of the Republic;

¹ Pursuant to notice of termination given by Peru Dec. 9, 1862.

² For a detailed study of this convention, see 7 Miller 649.

³ TS 276, *ante*, p. 1006.