

# *Liberia*

## COMMERCE AND NAVIGATION

*Treaty signed at London October 21, 1862*

*Ratified by Liberia December 24, 1862*

*Senate advice and consent to ratification January 9, 1863*

*Ratified by the President of the United States January 12, 1863*

*Ratifications exchanged at London February 17, 1863*

*Entered into force February 17, 1863*

*Proclaimed by the President of the United States March 18, 1863*

*Supplanted November 21, 1939, by agreement of August 8, 1938*<sup>1</sup>

12 Stat. 1245; Treaty Series 195<sup>2</sup>

The United States of America and the Republic of Liberia, desiring to fix, in a permanent and equitable manner, the rules to be observed in the intercourse and commerce they desire to establish between their respective countries have agreed for this purpose to conclude a treaty of commerce and navigation, and have judged that the said end cannot be better obtained than by taking the most perfect equality and reciprocity for the basis of their agreement: and to effect this they have named as their respective Plenipotentiaries, that is to say: The President of the United States of America, Charles Francis Adams, Envoy Extraordinary and Minister Plenipotentiary of the United States of America at the Court of St. James: and The Republic of Liberia, His Excellency Stephen Allen Benson, President thereof, who after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:

### ARTICLE I

There shall be perpetual peace and friendship between the United States of America and the Republic of Liberia, and also between the citizens of both countries.

<sup>1</sup> TS 956, *post*, p. 595.

<sup>2</sup> For a detailed study of this treaty, see 8 Miller 859.

## ARTICLE II

There shall be reciprocal freedom of commerce between the United States of America and the Republic of Liberia. The citizens of the United States of America may reside in, and trade to, any part of the territories of the Republic of Liberia to which any other foreigners are or shall be admitted. They shall enjoy full protection for their persons and properties, they shall be allowed to buy from and to sell to whom they like without being restrained or prejudiced by any monopoly, contract, or exclusive privilege of sale or purchase whatever; and they shall moreover enjoy all other rights and privileges which are or may be granted to any other foreigners, subjects or citizens of the most favored nation. The citizens of the Republic of Liberia shall, in return, enjoy similar protection and privileges in the United States of America and in their territories.

## ARTICLE III

No tonnage, import, or other duties or charges shall be levied in the Republic of Liberia on United States vessels, or on goods imported or exported in United States vessels, beyond what are or may be levied on national vessels, or on the like goods imported or exported in national vessels; and in like manner, no tonnage, import, or other duties or charges shall be levied in the United States of America and their territories on the vessels of the Republic of Liberia, or on goods imported or exported in those vessels, beyond what are or may be levied on national vessels, or on the like goods imported or exported in national vessels.

## ARTICLE IV

Merchandise or goods coming from the United States of America in any vessels, or imported in United States vessels from any country, shall not be prohibited by the Republic of Liberia, nor be subject to higher duties than are levied on the same kinds of merchandise or goods coming from any other foreign country or imported in any other foreign vessels.

All articles the produce of the Republic of Liberia may be exported therefrom by citizens of the United States and United States vessels, on as favorable terms as by the citizens and vessels of any other foreign country.

In like manner all merchandise or goods coming from the Republic of Liberia in any vessels, or imported in Liberian vessels from any country, shall not be prohibited by the United States of America, nor be subject to higher duties than are levied on the same kinds of merchandise or goods coming from any other foreign country or imported in any other foreign vessels. All articles the produce of the United States, or of their territories, may be imported therefrom by Liberian citizens and Liberian vessels on as favorable terms as by the citizens and vessels of any other foreign country.

## ARTICLE V

When any vessel of either of the contracting parties shall be wrecked, foundered, or otherwise damaged, on the coasts or within the territories of the other, the respective citizens shall receive the greatest possible aid as well for themselves as for their vessels and effects. All possible aid shall be given to protect their property from being plundered and their persons from ill treatment. Should a dispute arise as to the salvage, it shall be settled by arbitration, to be chosen by the parties respectively.

## ARTICLE VI

It being the intention of the two contracting parties to bind themselves by the present Treaty to treat each other on the footing of the most favored nation, it is hereby agreed between them, that any favor, privilege or immunity whatever in matters of Commerce and Navigation, which either contracting party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the citizens of the other contracting party, gratuitously, if the concession in favor of that other State shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

## ARTICLE VII

Each contracting party may appoint Consuls for the protection of trade, to reside in the dominions of the other; but no such Consul shall enter upon the exercise of his functions until he shall have been approved and admitted, in the usual form, by the Government of the country to which he is sent.

## ARTICLE VIII

The United States Government engages never to interfere, unless solicited by the Government of Liberia, in the affairs between the aboriginal inhabitants and the Government of the Republic of Liberia, in the jurisdiction and territories of the Republic. Should any United States citizens suffer loss in person or property from violence by the aboriginal inhabitants, and the Government of the Republic of Liberia should not be able to bring the aggressor to justice the United States Government engages, a requisition having been first made therefor by the Liberian Government, to lend such aid as may be required. Citizens of the United States residing in the territories of the Republic of Liberia are desired to abstain from all such intercourse with the aboriginal inhabitants as will tend to the violation of law and a disturbance of the peace of the country.

## ARTICLE IX

The present Treaty shall be ratified and the ratifications exchanged at London within the space of nine months from the date hereof.

In testimony whereof the Plenipotentiaries before mentioned, have hereto, subscribed their names and affixed their seals.

Done at London the Twenty first day of October in the year One thousand eight hundred and sixty two.

CHARLES FRANCIS ADAMS [SEAL]

STEPHEN ALLEN BENSON [SEAL]