

SLAVE TRADE AND IMPORTATION INTO AFRICA OF FIREARMS, AMMUNITION, AND SPIRITU- OUS LIQUORS (GENERAL ACT OF BRUSSELS)

General act signed at Brussels July 2, 1890

Ratifications deposited at Brussels July 2, 1891, and January 2, February 2, and March 30, 1892¹

Senate advice and consent to ratification of general act and protocol of January 2, 1892, with a statement, January 11, 1892²

Ratified by the President of the United States January 19, 1892

Ratification of the United States deposited at Brussels, with a statement, February 2, 1892²

*Entered into force August 31, 1891; for the United States April 2, 1892
Proclaimed by the President of the United States April 2, 1892*

Provisions relating to duties on spirituous liquors revised by conventions of June 8, 1899,³ and November 3, 1906⁴

Replaced, as between contracting parties to the later conventions, by the convention of September 10, 1919,⁵ revising the general acts of Berlin and Brussels (except for the stipulations contained in article 1 of the 1919 convention) and by the convention of the same date on the subject of the liquor traffic in Africa⁶

27 Stat. 886; Treaty Series 383

GENERAL ACT

[TRANSLATION]

IN THE NAME OF GOD ALMIGHTY

The President of the United States of America; His Majesty the German Emperor, King of Prussia, in the name of the German Empire; His Majesty the Emperor of Austria, King of Bohemia, etc., and Apostolic King of Hungary; His Majesty the King of the Belgians; His Majesty the King of Den-

¹ For texts of protocols of these dates recording ratifications, see pp. 161, 165, 169, and 170.

² For text of U.S. statement, see p. 169.

³ TS 389, *post*, p. 226.

⁴ TS 467, *post*, p. 551.

⁵ TS 877, *post*, vol. 2.

⁶ TS 779, *post*, vol. 2.

mark; His Majesty the King of Spain, and in his name her Majesty the Queen Regent of the Kingdom; His Majesty the Sovereign of the Independent State of the Congo; The President of the French Republic; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India; His Majesty the King of Italy; His Majesty the King of the Netherlands, Grand Duke of Luxemburg, etc.; His Majesty the Shah of Persia; His Majesty the King of Portugal and the Algarves, etc., etc.; His Majesty the Emperor of all the Russias; His Majesty the King of Sweden and Norway, etc., etc.; His Majesty the Emperor of the Ottomans; and His Highness the Sultan of Zanzibar;

Being equally actuated by the firm intention of putting an end to the crimes and devastations engendered by the traffic in African slaves, of efficiently protecting the aboriginal population of Africa, and of securing for that vast continent the benefits of peace and civilization;

Wishing to give fresh sanction to the decisions already adopted in the same sense and at different times by the powers, to complete the results secured by them, and to draw up a body of measures guaranteeing the accomplishment of the work which is the object of their common solicitude;

Have resolved, in pursuance of the invitation addressed to them by the Government of His Majesty the King of the Belgians, in agreement with the Government of Her Majesty the Queen of Great Britain and Ireland, Empress of India, to convene for this purpose a conference at Brussels, and have named as their plenipotentiaries:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

Mr. Edwin H. Terrell, Envoy Extraordinary and Minister Plenipotentiary of the United States of America near His Majesty the King of the Belgians, and

Mr. Henry Shelton Sanford;

HIS MAJESTY THE EMPEROR OF GERMANY, KING OF PRUSSIA, IN THE NAME OF THE GERMAN EMPIRE,

Frederic John, Count of Alvensleben, His Chamberlain and Actual Privy Councillor, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians, and

Mr. William Göhring, His Privy Councillor of Legation, Consul-General of the German Empire at Amsterdam;

HIS MAJESTY THE EMPEROR OF AUSTRIA, KING OF BOHEMIA AND APOSTOLIC KING OF HUNGARY,

Rodolphe Count Khevenhüller-Metsch, His Chamberlain, His Envoy Extraordinary and Minister Plenipotentiary near his Majesty the King of the Belgians,

HIS MAJESTY THE KING OF THE BELGIANS,

Auguste Baron Lambermont, His Minister of State, His Envoy Extraordinary and Minister Plenipotentiary, and

M. Emile Banning, Director General in the Department of Foreign Affairs of Belgium;

HIS MAJESTY THE KING OF DENMARK,

Mr. Frederic-George Schack de Brockdorff, Consul-General of Denmark at Antwerp;

HIS MAJESTY THE KING OF SPAIN, AND IN HIS NAME HER MAJESTY THE QUEEN REGENT OF THE KINGDOM,

Don José Gutierrez de Aguëra, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians;

HIS MAJESTY THE SOVEREIGN-KING OF THE INDEPENDENT STATE OF THE CONGO,

Mr. Edmund Van Eetvelde, Administrator-General of the Department of Foreign Affairs of the Independent State of the Congo, and

Mr. Auguste Van Maldeghem, Councillor in the Belgian Court of Cassation;

THE PRESIDENT OF THE FRENCH REPUBLIC,

M. Albert Bourée, Envoy Extraordinary and Minister Plenipotentiary of the French Republic near His Majesty the King of the Belgians, and

M. George Cogordan, Minister Plenipotentiary, Director of the Office of the Minister of Foreign Affairs of France;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, EMPRESS OF INDIA,

Lord Vivian, Peer of the United Kingdom, Her Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians, and

Sir John Kirk;

HIS MAJESTY THE KING OF ITALY,

Francis de Renzis, Baron of Montanaro, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians, and

Mr. Thomas Catalani, His Envoy Extraordinary and Minister Plenipotentiary;

HIS MAJESTY THE KING OF THE NETHERLANDS, GRAND DUKE OF LUXEMBURG,

Louis Baron Gericke de Herwynen, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians;

HIS IMPERIAL MAJESTY THE SHAH OF PERSIA,

General Nazare Aga, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians;

HIS MAJESTY THE KING OF PORTUGAL AND OF THE ALGARVES,

Mr. Henrique de Macedo Pereira Coutinho, Member of His Council, Peer of the Kingdom, Minister and Honorary Secretary of State, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians;

HIS MAJESTY THE EMPEROR OF ALL THE RUSSIAS,
 Leon Prince Ouroussoff, Master of His Court, His Envoy Extraordinary
 and Minister Plenipotentiary near His Majesty the King of the Belgians,
 and

Mr. Frederic de Martens, His Actual Councillor of State, Permanent Mem-
 ber of the Council of Foreign Affairs of Russia;

HIS MAJESTY THE KING OF SWEDEN AND NORWAY,

Mr. Charles de Burenstam, His Chamberlain, His Minister Plenipotentiary
 near His Majesty the King of the Belgians and near His Majesty the
 King of the Netherlands;

HIS MAJESTY THE EMPEROR OF THE OTTOMANS,

Étienne Carathéodory Efendi, High Dignitary of His Empire, His Envoy
 Extraordinary and Minister Plenipotentiary near His Majesty the King
 of the Belgians;

HIS HIGHNESS THE SULTAN OF ZANZIBAR,

Sir John Kirk, and
 Mr. William Göhring;

Who, being furnished with full powers, which have been found to be in
 good and due form, have adopted the following provisions:

CHAPTER I. *Slave-trade countries.—Measures to be taken in the places of
 origin*

ARTICLE I

The powers declare that the most effective means of counteracting the
 slave-trade in the interior of Africa are the following:

1. Progressive organization of the administrative, judicial, religious, and
 military services in the African territories placed under the sovereignty or
 protectorate of civilized nations.

2. The gradual establishment in the interior, by the powers to which the
 territories are subject, of strongly occupied stations, in such a way as to make
 their protective or repressive action effectively felt in the territories devastated
 by slave hunting.

3. The construction of roads, and in particular of railways, connecting
 the advanced stations with the coast, and permitting easy access to the inland
 waters, and to such of the upper courses of the rivers and streams as are
 broken by rapids and cataracts, with a view to substituting economical and
 rapid means of transportation for the present system of carriage by men.

4. Establishment of steam-boats on the inland navigable waters and on
 the lakes, supported by fortified posts established on the banks.

5. Establishment of telegraphic lines, insuring the communication of the
 posts and stations with the coast and with the administrative centres.

6. Organization of expeditions and flying columns, to keep up the com-

munication of the stations with each other and with the coast, to support repressive action, and to insure the security of high roads.

7. Restriction of the importation of fire-arms, at least of those of modern pattern, and of ammunition throughout the entire extent of the territory in which the slave-trade is carried on.

ARTICLE II

The stations, the inland cruisers organized by each power in its waters, and the posts which serve as ports of register for them shall, independently of their principal task, which is to prevent the capture of slaves and intercept the routes of the slave-trade, have the following subsidiary duties:

1. To support and, if necessary, to serve as a refuge for the native population, whether placed under the sovereignty or the protectorate of the State to which the station is subject, or independent, and temporarily for all other natives in case of imminent danger; to place the population of the first of these categories in a position to co-operate for their own defense; to diminish intestine wars between tribes by means of arbitration; to initiate them in agricultural labor and in the industrial arts so as to increase their welfare; to raise them to civilization and bring about the extinction of barbarous customs, such as cannibalism, and human sacrifices.

2. To give aid and protection to commercial enterprises; to watch over their legality by especially controlling contracts for service with natives, and to prepare the way for the foundation of permanent centres of cultivation and of commercial settlements.

3. To protect, without distinction of creed, the missions which are already or that may hereafter be established.

4. To provide for the sanitary service and to extend hospitality and help to explorers and to all who take part in Africa in the work of repressing the slave-trade.

ARTICLE III

The powers exercising a sovereignty or a protectorate in Africa confirm and give precision to their former declarations, and engage to proceed gradually, as circumstances may permit, either by the means above indicated or by any other means that they may consider suitable, with the repression of the slave-trade, each State in its respective possessions and under its own direction. Whenever they consider it possible, they shall lend their good offices to such powers as, with a purely humanitarian object, may be engaged in Africa in the fulfillment of a similar mission.

ARTICLE IV

The States exercising sovereign powers or protectorates in Africa may in all cases delegate to companies provided with charters all or a portion of the engagements which they assume in virtue of Article III. They remain,

nevertheless, directly responsible for the engagements which they contract by the present act, and guarantee the execution thereof. The powers promise to encourage, aid and protect such national associations and enterprises due to private initiative as may wish to co-operate in their possessions in the repression of the slave-trade, subject to their receiving previous authorization, such authorization being revocable at any time, subject also to their being directed and controlled, and to the exclusion of the exercise of rights of sovereignty.

ARTICLE V

The contracting powers pledge themselves, unless this has already been provided for by laws in accordance with the spirit of the present article, to enact or propose to their respective legislative bodies, in the course of one year at the latest from the date of the signing of the present general act, a law rendering applicable, on the one hand, the provisions of their penal laws concerning grave offenses against the person, to the organizers and abettors of slave-hunting, to those guilty of mutilating male adults and children, and to all persons taking part in the capture of slaves by violence; and, on the other hand, the provisions relating to offenses against individual liberty, to carriers and transporters of, and to dealers in, slaves.

The accessories and accomplices of the different categories of slave captors and dealers above specified shall be punished with penalties proportionate to those incurred by the principals.

Guilty persons who may have escaped from the jurisdiction of the authorities of the country where the crimes or offenses have been committed shall be arrested either on communication of the incriminating evidence by the authorities who have ascertained the violation of the law, or on production of any other proof of guilt by the power in whose territory they may have been discovered, and shall be kept, without other formality, at the disposal of the tribunals competent to try them.

The powers shall communicate to one another, with the least possible delay, the laws or decrees existing or promulgated in execution of the present Article.

ARTICLE VI

Slaves liberated in consequence of the stoppage or dispersion of a convoy in the interior of the continent, shall be sent back, if circumstances permit, to their country of origin; if not, the local authorities shall facilitate, as much as possible, their means of living, and if they desire it, help them to settle on the spot.

ARTICLE VII

Any fugitive slave claiming, on the continent, the protection of the signatory powers, shall receive it, and shall be received in the camps and stations officially established by said powers, or on board of the vessels of the State

plying on the lakes and rivers. Private stations and boats are only permitted to exercise the right of asylum subject to the previous consent of the State.

ARTICLE VIII

The experience of all nations that have intercourse with Africa having shown the pernicious and preponderating part played by firearms in operations connected with the slave-trade as well as internal wars between the native tribes; and this same experience having clearly proved that the preservation of the African population whose existence it is the express wish of the powers to protect, is a radical impossibility, if measures restricting the trade in fire-arms and ammunition are not adopted, the powers decide, so far as the present state of their frontiers permits, that the importation of fire-arms, and especially of rifles and improved weapons, as well as of powder, ball and cartridges, is, except in the cases and under the conditions provided for in the following Article, prohibited in the territories comprised between the 20th parallel of North latitude and the 22d parallel of South latitude, and extending westward to the Atlantic Ocean and eastward to the Indian Ocean and its dependencies, including the islands adjacent to the coast within 100 nautical miles from the shore.

ARTICLE IX

The introduction of fire-arms and ammunition, when there shall be occasion to authorize it in the possessions of the signatory powers that exercise rights of sovereignty or of protectorate in Africa, shall be regulated, unless identical or stricter regulations have already been enforced, in the following manner in the zone defined in Article VIII:

All imported fire-arms shall be deposited, at the cost, risk and peril of the importers, in a public warehouse under the supervision of the State government. No withdrawal of fire-arms or imported ammunition shall take place from such warehouses without the previous authorization of the said government. This authorization shall, except in the cases hereinafter specified, be refused for the withdrawal of all arms for accurate firing, such as rifles, magazine guns, or breech-loaders, whether whole or in detached pieces, their cartridges, caps, or other ammunition intended for them.

In seaports, and under conditions affording the needful guarantees, the respective governments may permit private warehouses, but only for ordinary powder and for flint-lock muskets, and to the exclusion of improved arms and ammunition therefor.

Independently of the measures directly taken by governments for the arming of the public force and the organization of their defence, individual exceptions may be allowed in the case of persons furnishing sufficient guarantees that the weapon and ammunition delivered to them shall not be given, assigned or sold to third parties, and for travelers provided with a

declaration of their government stating that the weapon and ammunition are intended for their personal defence exclusively.

All arms, in the cases provided for in the preceding paragraph, shall be registered and marked by the supervising authorities, who shall deliver to the persons in question permits to bear arms, stating the name of the bearer and showing the stamp with which the weapon is marked. These permits shall be revocable in case proof is furnished that they have been improperly used, and shall be issued for five years only, but may be renewed.

The above rule as to ware-housing shall also apply to gunpowder.

Only flint-lock guns, with unrifled barrels, and common gunpowder known as trade powder, may be withdrawn from the warehouses for sale. At each withdrawal of arms and ammunition of this kind for sale, the local authorities shall determine the regions in which such arms and ammunition may be sold. The regions in which the slave-trade is carried on shall always be excluded. Persons authorized to take arms or powder out of the public warehouses, shall present to the State government, every six months, detailed lists indicating the destinations of the arms and powder sold, as well as the quantities still remaining in the warehouses.

ARTICLE X

The Governments shall take all such measures as they may deem necessary to insure as complete a fulfilment as possible of the provisions respecting the importation, sale and transportation of fire-arms and ammunition, as well as to prevent either the entry or exit thereof via their inland frontiers, or the passage thereof to regions where the slave-trade is rife.

The authorization of transit within the limits of the zone specified in Article VIII shall not be withheld when the arms and ammunition are to pass across the territory of the signatory or adherent power occupying the coast, towards inland territories under the sovereignty or protectorate of another signatory or adherent power, unless this latter power have direct access to the sea through its own territory. If this access be wholly interrupted, the authorization of transit can not be withheld. Any application for transit must be accompanied by a declaration emanating from the government of the power having the inland possessions, and certifying that the said arms and ammunition are not intended for sale, but are for the use of the authorities of such power, or of the military forces necessary for the protection of the missionary or commercial stations, or of persons mentioned by name in the declaration. Nevertheless, the territorial power of the coast retains the right to stop, exceptionally and provisionally, the transit of improved arms and ammunition across its territory, if, in consequence of inland disturbances or other serious danger, there is ground for fearing lest the despatch of arms and ammunition may compromise its own safety.

ARTICLE XI

The powers shall communicate to one another information relating to the traffic in fire-arms and ammunition, the permits granted, and the measures of repression in force in their respective territories.

ARTICLE XII

The powers engage to adopt or to propose to their respective legislative bodies the measures necessary everywhere to secure the punishment of infringers of the prohibitions contained in Articles VIII and IX, and that of their accomplices, besides the seizure and confiscation of the prohibited arms and ammunition, either by fine or imprisonment, or by both of these penalties, in proportion to the importance of the infraction and in accordance with the gravity of each case.

ARTICLE XIII

The signatory powers that have possessions in Africa in contact with the zone specified in Article VIII, bind themselves to take the necessary measures for preventing the introduction of fire-arms and ammunition across their inland frontiers into the regions of said zone, at least that of improved arms and cartridges.

ARTICLE XIV

The system stipulated in Articles VIII to XIII, shall remain in force for twelve years. In case none of the contracting parties shall have given notice twelve months before the expiration of this period, of its intention to put an end to it, or shall have demanded its revision, it shall remain obligatory for two years longer, and shall thus continue in force from two years to two years.

CHAPTER II. *Caravan Routes and Transportation of Slaves by land*

ARTICLE XV

Independently of the repressive or protective action which they exercise in the centres of the slave-trade, it shall be the duty of the stations, cruisers and posts, whose establishment is provided for in Article II, and of all other stations established or recognized by Article IV, by each government in its possessions, to watch, so far as circumstances shall permit, and in proportion to the progress of their administrative organization, the roads traveled in their territory by slave-dealers, to stop convoys on their march, or to pursue them wherever their action can be legally exercised.

ARTICLE XVI

In the regions of the coasts known to serve habitually as places of passage or terminal points for slave-traffic coming from the interior, as well as at

the points of intersection of the principal caravan routes crossing the zone contiguous to the coast already subject to the control of the sovereign or protective powers, posts shall be established under the conditions and with the reservations mentioned in Article III, by the authorities to which the territories are subject, for the purpose of intercepting the convoys and liberating the slaves.

ARTICLE XVII

A strict watch shall be organized by the local authorities at the ports and places near the coast, with a view to preventing the sale and shipment of slaves brought from the interior, as well as the formation and departure landwards of bands of slave-hunters and dealers.

Caravans arriving at the coast or in its vicinity, as well as those arriving in the interior at a locality occupied by the territorial power, shall, on their arrival, be subjected to a minute inspection as to the persons composing them. Any such person being ascertained to have been captured or carried off by force, or mutilated, either in his native place or on the way, shall be set free.

ARTICLE XVIII

In the possessions of each of the contracting powers, it shall be the duty of the government to protect liberated slaves, to return them, if possible, to their country, to procure means of subsistence for them, and, in particular, to take charge of the education and subsequent employment of abandoned children.

ARTICLE XIX

The penal arrangements provided for by Article V shall be applicable to all offences committed in the course of operations connected with the transportation of and traffic in slaves on land whenever such offences may be ascertained to have been committed.

Any person having incurred a penalty in consequence of an offence provided for by the present general act, shall incur the obligation of furnishing security before being able to engage in any commercial transaction in countries where the slave-trade is carried on.

CHAPTER III. *Repression of the Slave-trade by Sea*

SECTION I. *General provisions*

ARTICLE XX

The signatory powers recognize the desirability of taking steps in common for the more effective repression of the slave-trade in the maritime zone in which it still exists.

ARTICLE XXI

This zone extends, on the one hand, between the coasts of the Indian Ocean (those of the Persian Gulf and of the Red Sea included), from

Beloochistan to Cape Tangalane (Quilimane); and, on the other hand, a conventional line which first follows the meridian from Tangalane till it intersects the 26th degree of South latitude; it is then merged in this parallel, then passes round the Island of Madagascar by the east, keeping 20 miles off the east and north shore, till it intersects the meridian at Cape Ambre. From this point the limit of the zone is determined by an oblique line, which extends to the coast of Beloochistan, passing 20 miles off Cape Ras-el-Had.

ARTICLE XXII

The signatory powers of the present general act, among whom exist special conventions for the suppression of the slave-trade, have agreed to restrict the clauses of those conventions concerning the reciprocal right of visit, of search and of seizure of vessels at sea, to the above mentioned zone.

ARTICLE XXIII

The same powers also agree to limit the above mentioned right to vessels whose tonnage is less than 500 tons. This stipulation shall be revised as soon as experience shall have shown the necessity thereof.

ARTICLE XXIV

All other provisions of the conventions concluded for the suppression of the slave-trade between the aforesaid powers shall remain in force provided they are not modified by the present general act.

ARTICLE XXV

The signatory powers engage to adopt efficient measures to prevent the unlawful use of their flag, and to prevent the transportation of slaves on vessels authorized to fly their colors.

ARTICLE XXVI

The signatory powers engage to adopt all measures necessary to facilitate the speedy exchange of information calculated to lead to the discovery of persons taking part in operations connected with the slave-trade.

ARTICLE XXVII

At least one international bureau shall be created; it shall be established at Zanzibar. The high contracting parties engage to forward to it all the documents specified in Article XLI, as well as all information of any kind likely to assist in the suppression of the slave-trade.

ARTICLE XXVIII

Any slave who has taken refuge on board a ship of war bearing the flag of one of the signatory powers, shall be immediately and definitively set free.

Such freedom, however, shall not withdraw him from the competent jurisdiction if he has been guilty of any crime or offense at common law.

ARTICLE XXIX

Any slave detained against his will on board of a native vessel shall have the right to demand his liberty. His release may be ordered by any agent of any of the signatory powers on whom the present general act confers the right of ascertaining the status of persons on board of such vessels, although such release shall not withdraw him from the competent jurisdiction if he has committed any crime or offense at common law.

SECTION II. *Regulation concerning the use of the flag and supervision by cruisers*

1. RULES FOR GRANTING THE FLAG TO NATIVE VESSELS, AND AS TO CREW LISTS AND MANIFESTS OF BLACK PASSENGERS ON BOARD.

ARTICLE XXX

The signatory powers engage to exercise a strict surveillance over native vessels authorized to carry their flag in the zone mentioned in Article XXI, and over the commercial operations carried on by such vessels.

ARTICLE XXXI

The term "native vessel" applies to vessels fulfilling one of the following conditions:

1. It shall present the outward appearance of native build or rigging.
2. It shall be manned by a crew of whom the captain and the majority of the seamen belong by origin to one of the countries on the coast of the Indian Ocean, the Red Sea, or the Persian Gulf.

ARTICLE XXXII

The authorization to carry the flag of one of the said powers shall in future be granted only to such native vessels as shall satisfy at the same time the three following conditions:

1. Fitters-out or owners of ships must be either subjects of or persons protected by the power whose flag they ask to carry.
2. They shall be obliged to prove that they possess real estate situated in the district of the authority to whom their application is addressed, or to furnish *bona fide* security as a guaranty of the payment of such fines as may be incurred.
3. The above-named fitters-out or owners of ships, as well as the captain of the vessel, shall prove that they enjoy a good reputation, and that in particular they have never been sentenced to punishment for acts connected with the slave-trade.

ARTICLE XXXIII

This authorization granted shall be renewed every year. It may at any time be suspended or withdrawn by the authorities of the power whose colors the vessel carries.

ARTICLE XXXIV

The act of authorization shall contain the statements necessary to establish the identity of the vessel. The captain shall have the keeping thereof. The name of the native vessel and the amount of its tonnage shall be cut and painted in Latin characters on the stern, and the initial or initials of the name of the port of registry, as well as the registration number in the series of the numbers of that port, shall be printed in black on the sails.

ARTICLE XXXV

A list of the crew shall be issued to the captain of the vessel at the port of departure by the authorities of the power whose colors it carries. It shall be renewed at every fresh venture of the vessel, or, at the latest, at the end of a year, and in accordance with the following provisions:

1. The list shall be visaed at the departure of the vessel by the authority that has issued it.
2. No negro can be engaged as a seaman on a vessel without having previously been questioned by the authority of the power whose colors it carries, or, in default thereof, by the territorial authority, with a view to ascertaining the fact of his having contracted a free engagement.
3. This authority shall see that the proportion of seamen and boys is not out of proportion to the tonnage or rigging.
4. The authorities who shall have questioned the men before their departure shall enter them on the list of the crew in which they shall be mentioned with a summary description of each of them alongside his name.
5. In order the more effectively to prevent any substitution, the seamen may, moreover, be provided with a distinctive mark.

ARTICLE XXXVI

When the captain of a vessel shall desire to take negro passengers on board, he shall make his declaration to that effect to the authority of the power whose colors he carries, or in default thereof, to the territorial authority. The passengers shall be questioned, and after it has been ascertained that they embarked of their own free will, they shall be entered in a special manifest, bearing the description of each of them alongside of his name, and specially sex and height. Negro children shall not be taken as passengers unless they are accompanied by their relations, or by persons whose respectability is well known. At the departure, the passenger roll shall be visaed by the afore-

said authority after it has been called. If there are no passengers on board, this shall be specially mentioned in the crew-list.

ARTICLE XXXVII

At the arrival at any port of call or of destination, the captain of the vessel shall show to the authority of the power whose flag he carries, or, in default thereof, to the territorial authority, the crew-list, and, if need be, the passenger-roll previously delivered. The authority shall check the passengers who have reached their destination or who are stopping in a port of call, and shall mention their landing in the roll. At the departure of the vessel the same authority shall affix a fresh *visé* to the list and roll, and call the roll of the passengers.

ARTICLE XXXVIII

On the African coast and on the adjacent islands, no negro passengers shall be taken on board of a native vessel, except in localities where there is a resident authority belonging to one of the signatory powers.

Throughout the extent of the zone mentioned in Article XXI no negro passengers shall be landed from a native vessel except at a place in which there is a resident officer belonging to one of the high contracting powers, and unless such officer is present at the landing.

Cases of *vis major* that may have caused an infraction of these provisions shall be examined by the authority of the power whose colors the vessel carries, or, in default thereof, by the territorial authority of the port at which the vessel in question calls.

ARTICLE XXXIX

The provisions of Articles XXXV, XXXVI, XXXVII, and XXXVIII are not applicable to vessels only partially decked, having a crew not exceeding ten men, and fulfilling one of the two following conditions:

1. That it be exclusively used for fishing within the territorial waters.
2. That it be occupied in the petty coasting trade between the different ports of the same territorial power, without going further than 5 miles from the coast.

These different boats shall receive, as the case may be, a special license from the territorial or consular authority, which shall be renewed every year, and subject to revocation as provided in Article XL, the uniform model of which license is annexed to the present general act⁷ and shall be communicated to the international information office.

ARTICLE XL

Any act or attempted act connected with the slave-trade that can be legally shown to have been committed by the captain, fitter-out, or owner of a ship

⁷ See p. 161.

authorized to carry the flag of one of the signatory powers, or having procured the license provided for in Article XXXIX, shall entail the immediate withdrawal of the said authorization or license. All violations of the provisions of Section 2 of Chapter III shall render the person guilty thereof liable to the penalties provided by the special laws and ordinances of each of the contracting powers.

ARTICLE XLI

The signatory powers engage to deposit at the international information office the specimen forms of the following documents:

1. License to carry the flag;
2. The crew-list;
3. The negro passenger list.

These documents, the tenor of which may vary according to the different regulations of each country, shall necessarily contain the following particulars, drawn up in one of the European languages:

1. As regards the authorization to carry the flag:

- (a) The name, tonnage, rig, and the principal dimensions of the vessel;
- (b) The register number and the signal letter of the port of registry;
- (c) The date of obtaining the license, and the office held by the person who issued it.

2. As regards the list of the crew:

- (a) The name of the vessel, of the captain and of the fitter-out or owner;
- (b) The tonnage of the vessel;
- (c) The register number and the port of registry, its destination, as well as the particulars specified in Article XXV [XXXV].

3. As regards the list of negro passengers:

The name of the vessel which conveys them, and the particulars indicated in Article XXXVI, for the proper identification of the passengers.

The signatory powers shall take the necessary measures so that the territorial authorities or their consuls may send to the same office certified copies of all authorizations to carry their flag as soon as such authorizations shall have been granted, as well as notices of the withdrawal of any such authorization.

The provisions of the present article have reference only to papers intended for native vessels.

2. THE STOPPING OF SUSPECTED VESSELS.

ARTICLE XLII

When the officers in command of war-vessels of any of the signatory powers have reason to believe that a vessel whose tonnage is less than 500 tons, and which is found navigating in the above-named zone, is engaged in the slave-

trade or is guilty of the fraudulent use of a flag, they may examine the ship's papers.

The present article does not imply any change in the present state of things as regards jurisdiction in territorial waters.

ARTICLE XLIII

To this end, a boat commanded by a naval officer in uniform may be sent to board the suspected vessel after it has been hailed and informed of this intention.

The officers sent on board of the vessel which has been stopped shall act with all possible consideration and moderation.

ARTICLE XLIV

The examination of the ship's papers shall consist of the examination of the following documents:

1. As regards native vessels, the papers mentioned in Article XLI.
2. As regards other vessels, the documents required by the different treaties or conventions that are in force.

The examination of the ship's papers only authorizes the calling of the roll of the crew and passengers in the cases and in accordance with the conditions provided for in the following article.

ARTICLE XLV

The examination of the cargo or the search can only take place in the case of vessels sailing under the flag of one of the powers that have concluded, or may hereafter conclude the special conventions provided for in Article XXII, and in accordance with the provisions of such conventions.

ARTICLE XLVI

Before leaving the detained vessel, the officer shall draw up a minute according to the forms and in the language in use in the country to which he belongs.

This minute shall be dated and signed by the officer, and shall recite the facts.

The captain of the detained vessel, as well as the witnesses, shall have the right to cause to be added to the minutes any explanations they may think expedient.

ARTICLE XLVII

The commander of a man-of-war who has detained a vessel under a foreign flag shall, in all cases, make a report thereof to his own government, and state the grounds upon which he has acted.

ARTICLE XLVIII

A summary of this report, as well as a copy of the minute drawn up by the officer on board of the detained vessel, shall be sent, as soon as possible, to the international information office, which shall communicate the same to the nearest consular or territorial authority of the power whose flag the vessel in question has shown. Duplicates of these documents shall be kept in the archives of the bureau.

ARTICLE XLIX

If, in performing the acts of supervision mentioned in the preceding articles, the officer in command of the cruiser is convinced that an act connected with the slave-trade has been committed on board during the passage, or that irrefutable proofs exist against the captain, or fitter-out, for accusing him of fraudulent use of the flag, or fraud, or participation in the slave-trade, he shall conduct the arrested vessel to the nearest port of the zone where there is a competent magistrate of the power whose flag has been used.

Each signatory power engages to appoint in the zone, and to make known to the international information office, the territorial or consular authorities or special delegates who are competent in the above-mentioned cases.

A suspected vessel may also be turned over to a cruiser of its own nation, if the latter consents to take charge of it.

3. OF THE EXAMINATION AND TRIAL OF VESSELS SEIZED.

ARTICLE L

The magistrate referred to in the preceding article, to whom the arrested vessel has been turned over, shall proceed to make a full investigation, according to the laws and rules of his country, in the presence of an officer belonging to the foreign cruiser.

ARTICLE LI

If it is proved by the inquiry that the flag has been fraudulently used, the arrested vessel shall remain at the disposal of its captor.

ARTICLE LII

If the examination shows an act connected with the slave-trade, proved by the presence on board of slaves destined for sale, or any other offense connected with the slave-trade for which provision is made by special convention, the vessel and cargo shall remain sequestered in charge of the magistrate who shall have conducted the inquiry.

The captain and crew shall be turned over to the tribunals designated by Articles LIV and LVI. The slaves shall be set at liberty as soon as judgment has been pronounced.

In the cases provided for by this article, liberated slaves shall be disposed of in accordance with the special conventions concluded, or to be concluded, between the signatory powers. In default of such conventions, the said slaves shall be turned over to the local authority, to be sent back, if possible, to their country of origin; if not, this authority shall facilitate to them, in so far as may be in its power, the means of livelihood, and, if they desire it, of settling on the spot.

ARTICLE LIII

If it shall be proved by the inquiry that the vessel has been illegally arrested, there shall be clear title to an indemnity in proportion to the damages suffered by the vessel being taken out of its course.

The amount of this indemnity shall be fixed by the authority that has conducted the inquiry.

ARTICLE LIV

In case the officer of the capturing vessel does not accept the conclusions of the inquiry held in his presence, the matter shall be turned over to the tribunal of the nation whose flag the captured vessel has borne.

No exception shall be made to this rule, unless the disagreement arises in respect of the amount of the indemnity stipulated in Article LIII, and this shall be fixed by arbitration, as specified in the following article.

ARTICLE LV

The capturing officer and the authority which has conducted the inquiry shall each appoint a referee within forty-eight hours, and the two arbitrators shall have twenty-four hours to choose an umpire. The arbitrators shall, as far as possible, be chosen from among the diplomatic, consular, or judicial officers of the signatory powers. Natives in the pay of the contracting Governments are formally excluded. The decision shall be by a majority of votes, and be considered as final.

If the court of arbitration is not constituted in the time indicated, the procedure in respect of the indemnity, as in that of damages, shall be in accordance with the provisions of Article LVIII, paragraph 2.

ARTICLE LVI

The cases shall be brought with the least possible delay before the tribunal of the nation whose flag has been used by the accused. However, the consuls or any other authority of the same nation as the accused, specially commissioned to this end, may be authorized by their Government to pronounce judgment instead of the tribunal.

ARTICLE LVII

The procedure and trial of violations of the provisions of Chapter III shall always be conducted in as summary a manner as is permitted by the laws and

regulations in force in the territories subject to the authority of the signatory powers.

ARTICLE LVIII

Any decision of the national tribunal or authorities referred to in Article LVI, declaring that the seized vessel did not carry on the slave-trade, shall be immediately enforced, and the vessel shall be at perfect liberty to continue on its course.

In this case, the captain or owner of any vessel that has been seized without legitimate ground of suspicion, or subjected to annoyance, shall have the right of claiming damages, the amount of which shall be fixed by agreement between the Governments directly interested, or by arbitration, and shall be paid within a period of six months from the date of the judgment acquitting the captured vessel.

ARTICLE LIX

In case of condemnation, the sequestered vessel shall be declared lawfully seized for the benefit of the captor.

The captain, crew, and all other persons found guilty shall be punished according to the gravity of the crimes or offenses committed by them, and in accordance with Article V.

ARTICLE LX

The provisions of Articles L to LIX do not in any way affect the jurisdiction or procedure of existing special tribunals, or of such as may hereafter be formed to take cognizance of offenses connected with the slave-trade.

ARTICLE LXI

The high contracting parties engage to make known to one another, reciprocally, the instructions which they shall give, for the execution of the provisions of Chapter III, to the commanders of their men-of-war navigating the seas of the zone referred to.

CHAPTER IV. *Countries to which slaves are sent, whose institutions recognize the existence of domestic slavery*

ARTICLE LXII

The contracting powers whose institutions recognize the existence of domestic slavery, and whose possessions, in consequence thereof, in or out of Africa, serve, in spite of the vigilance of the authorities, as places of destination for African slaves, pledge themselves to prohibit their importation, transit and departure, as well as the trade in slaves. The most active and the strictest supervision shall be enforced at all places where the arrival, transit, and departure of African slaves take place.

ARTICLE LXIII

Slaves set free under the provisions of the preceding article shall, if circumstances permit, be sent back to the country from whence they came. In all cases they shall receive letters of liberation from the competent authorities, and shall be entitled to their protection and assistance for the purpose of obtaining means of subsistence.

ARTICLE LXIV

Any fugitive slave arriving at the frontier of any of the powers mentioned in Article LXII shall be considered free, and shall have the right to claim letters of release from the competent authorities.

ARTICLE LXV

Any sale or transaction to which the slaves referred to in Articles LXIII and LXIV may have been subjected through circumstances of any kind whatsoever, shall be considered as null and void.

ARTICLE LXVI

Native vessels carrying the flag of one of the countries mentioned in Article LXII, if there is any indication that they are employed in operations connected with the slave-trade, shall be subjected by the local authorities in the ports frequented by them to a strict examination of their crews and passengers both on arrival and departure. If African slaves are found on board, judicial proceedings shall be instituted against the vessel and against all persons who may be implicated. Slaves found on board shall receive letters of release through the authorities who have seized the vessels.

ARTICLE LXVII

Penal provisions similar to those provided for by Article V shall be enacted against persons importing, transporting, and trading in African slaves, against the mutilators of male children or adults, and those who traffic in them, as well as against their associates and accomplices.

ARTICLE LXVIII

The signatory powers recognize the great importance of the law respecting the prohibition of the slave-trade sanctioned by His Majesty the Emperor of the Ottomans on the 4th (16th) of December, 1889 (22 Rebi-ul-Akhir, 1307), and they are assured that an active surveillance will be organized by the Ottoman authorities, especially on the west coast of Arabia and on the routes which place that coast in communication with the other possessions of His Imperial Majesty in Asia.

ARTICLE LXIX

His Majesty the Shah of Persia consents to organize an active surveillance in the territorial waters and those off the coast of the Persian Gulf and Gulf of Oman which are under his sovereignty, and on the inland routes which serve for the transportation of slaves. The magistrates and other authorities shall, to this effect, receive the necessary powers.

ARTICLE LXX

His Highness the Sultan of Zanzibar consents to give his most effective support to the repression of crimes and offences committed by African slave-traders on land as well as at sea. The tribunals created for this purpose in the Sultanate of Zanzibar shall rigorously enforce the penal provisions mentioned in Article V. In order to render more secure the freedom of liberated slaves, both in virtue of the provisions of the present general act and of the decrees adopted in this matter by His Highness and his predecessors, a liberation office shall be established at Zanzibar.

ARTICLE LXXI

The diplomatic and consular agents and the naval officers of the contracting powers shall, within the limits of existing conventions, give their assistance to the local authorities in order to assist in repressing the slave-trade where it still exists. They shall be entitled to be present at trials for slave-trading brought about at their instance, without, however, being entitled to take part in the deliberations.

ARTICLE LXXII

Liberation offices, or institutions in lieu thereof, shall be organized by the governments of the countries to which African slaves are sent, for the purposes specified by Article XVIII.

ARTICLE LXXIII

The signatory powers having undertaken to communicate to one another all information useful for the repression of the slave-trade, the Governments whom the present chapter concerns shall periodically exchange with the other Governments statistical data relating to slaves intercepted and liberated, and to the legislative and administrative measures which have been taken for suppressing the slave-trade.

CHAPTER V. *Institutions intended to insure the execution of the general act*SECTION I. *Of the international maritime office*

ARTICLE LXXIV

In accordance with the provisions of Article XXVII, an international office shall be instituted at Zanzibar, in which each of the signatory powers may be represented by a delegate.

ARTICLE LXXV

The office shall be constituted as soon as three powers have appointed their representatives.

It shall draw up regulations fixing the manner of exercising its functions. These regulations shall immediately be submitted to the approval of such signatory powers as shall have signified their intention of being represented in this office. They shall decide in this respect within the shortest possible time.

ARTICLE LXXVI

The expenses of this institution shall be divided in equal parts among the signatory powers mentioned in the preceding article.

ARTICLE LXXVII

The object of the office at Zanzibar shall be to centralize all documents and information of a nature to facilitate the repression of the slave-trade in the maritime zone. For this purpose the signatory powers engage to forward within the shortest time possible:

1. The documents specified in Article XLI;
2. Summaries of the reports and copies of the minutes referred to in Article XLVIII;
3. The list of the territorial or consular authorities and special delegates competent to take action as regards vessels seized according to the terms of Article XLIX;
4. Copies of judgments and condemnations in accordance with Article LVIII;
5. All information that may lead to the discovery of persons engaged in the slave-trade in the above-mentioned zone.

ARTICLE LXXVIII

The archives of the office shall always be open to the naval officers of the signatory powers authorized to act within the limits of the zone defined by Article XXI, as well as to the territorial or judicial authorities, and to consuls specially designated by their Governments.

The office shall supply to foreign officers and agents authorized to consult its archives, translations into a European language of documents written in an Oriental language.

It shall make the communications provided for in Article XLVIII.

ARTICLE LXXIX

Auxiliary officers in communication with the office at Zanzibar may be established in certain parts of the zone, in pursuance of a previous agreement between the interested powers.

They shall be composed of delegates of these powers, and established in accordance with Articles LXXV, LXXVI, and LXXVIII.

The documents and information specified in Article LXXVII, so far as they may relate to a part of the zone specially concerned, shall be sent to them directly by the territorial and consular authorities of the region in question, but this shall not exempt the latter from the duty of communicating the same to the office at Zanzibar, as provided by the same article.

ARTICLE LXXX

The office at Zanzibar shall prepare in the first two months of every year, a report of its own operations and of those of the auxiliary offices, during the past twelve months.

SECTION II. *Of the exchange between the Governments of documents and information relating to the slave-trade*

ARTICLE LXXXI

The powers shall communicate to one another, to the fullest extent and with the least delay that they shall consider possible:

1. The text of the laws and administrative regulations, existing or enacted by application of the clauses of the present general act;
2. Statistical information concerning the slave-trade, slaves arrested and liberated, and the traffic in fire-arms, ammunition, and alcoholic liquors.

ARTICLE LXXXII

The exchange of these documents and information shall be centralized in a special office attached to the foreign office at Brussels.

ARTICLE LXXXIII

The office at Zanzibar shall forward to it every year the report mentioned in Article LXXX, concerning its operations during the past year, and concerning those of the auxiliary offices that may have been established in accordance with Article LXXIX.

ARTICLE LXXXIV

The documents and information shall be collected and published periodically, and addressed to all the signatory powers. This publication shall be accompanied every year by an analytical table of the legislative, administrative, and statistical documents mentioned in Article LXXXI and LXXXIII.

ARTICLE LXXXV

The office expenses as well as those incurred in correspondence, translation, and printing, shall be shared by all the signatory powers, and shall be collected through the agency of the department of the foreign office at Brussels.

SECTION III. *Of the protection of liberated slaves*

ARTICLE LXXXVI

The signatory powers having recognized the duty of protecting liberated slaves in their respective possessions, engage to establish, if they do not already exist, in the ports of the zone determined by Article XXI, and in such parts of their said possessions as may be places for the capture, passage and arrival of African slaves, such offices and institutions as may be deemed sufficient by them, whose business shall specially consist in liberating and protecting them in accordance with the provisions of Articles VI, XVIII, LII, LXIII, and LXVI.

ARTICLE LXXXVII

The liberation offices or the authorities charged with this service shall deliver letters of release and shall keep a register thereof.

In case of the denunciation of an act connected with the slave-trade, or one of illegal detention, or on application of the slaves themselves, the said offices or authorities shall exercise all necessary diligence to insure the release of the slaves and the punishment of the offenders.

The delivery of letters of release shall in no case be delayed, if the slave be accused of a crime or offence against the common law. But after the delivery of the said letters an investigation shall be proceeded with in the form established by the ordinary procedure.

ARTICLE LXXXVIII

The signatory powers shall favor, in their possessions, the foundation of establishments of refuge for women and of education for liberated children.

ARTICLE LXXXIX

Freed slaves may always apply to the offices for protection in the enjoyment of their freedom.

Whoever shall have used fraudulent or violent means to deprive a freed slave of his letters of release or of his liberty, shall be considered as a slave-dealer.

CHAPTER VI. *Measures to restrict the traffic in spirituous liquors*

ARTICLE XC

Being justly anxious concerning the moral and material consequences to which the abuse of spirituous liquors subjects the native population, the signa-

tory powers have agreed to enforce the provisions of Articles XCI, XCII and XCIII within a zone extending from the 20th degree of North latitude to the 22d degree of South latitude, and bounded on the west by the Atlantic Ocean and on the east by the Indian Ocean and its dependencies, including the islands adjacent to the mainland within 100 nautical miles from the coast.

ARTICLE XCI

In the districts of this zone where it shall be ascertained that, either on account of religious belief or from some other causes, the use of distilled liquors does not exist or has not been developed, the powers shall prohibit their importation. The manufacture of distilled liquors shall be likewise prohibited there.

Each power shall determine the limits of the zone of prohibition of alcoholic liquors in its possessions or protectorates, and shall be bound to make known the limits thereof to the other powers within the space of six months.

The above prohibition can only be suspended in the case of limited quantities intended for the consumption of the non-native population and imported under the regime and conditions determined by each Government.

ARTICLE XCII

The powers having possessions or exercising protectorates in those regions of the zone which are not subjected to the regime of the prohibition, and into which alcoholic liquors are at present either freely imported or pay an import duty of less than 15 francs per hectolitre at 50 degrees centigrade, engage to levy on such alcoholic liquors an import duty of 15 francs per hectolitre at 50 degrees centigrade, for three years after the present general act comes into force. At the expiration of this period the duty may be increased to 25 francs during a fresh period of three years. At the end of the sixth year it shall be submitted to revision, the average results produced by these tariffs being taken as a basis, for the purpose of then fixing, if possible, a minimum duty throughout the whole extent of the zone where the prohibition referred to in Article XCI is not in force.

The powers retain the right of maintaining and increasing the duties beyond the minimum fixed by the present article in those regions where they already possess that right.

ARTICLE XCIII

Distilled liquors manufactured in the regions referred to in Article XCII, and intended for inland consumption, shall be subject to an excise duty.

This excise duty, the collection of which the powers engage to secure, as

far as possible, shall not be less than the minimum import duty fixed by Article XCII.

ARTICLE XCIV

The signatory powers having possessions in Africa contiguous to the zone specified in Article XC engage to adopt the necessary measures for preventing the introduction of spirituous liquors within the territories of the said zone via their inland frontiers.

ARTICLE XCV

The powers shall communicate to one another, through the office at Brussels, and according to the terms of Chapter V, information relating to the traffic in alcoholic liquors within their respective territories.

CHAPTER VII. *Final provisions*

ARTICLE XCVI

The present general act repeals all contrary stipulations of conventions previously concluded between the signatory powers.

ARTICLE XCVII

The signatory powers, without prejudice to the stipulations contained in Articles XIV, XXIII and XCII, reserve the right of introducing into the present general act, hereafter and by common consent, such modifications or improvements as experience may prove to be useful.

ARTICLE XCVIII

Powers who have not signed the present general act shall be allowed to adhere to it.

The signatory powers reserve the right to impose such conditions as they may deem necessary to their adhesion.

If no conditions shall be stipulated, adhesion implies acceptance of all the obligations and admission to all the advantages stipulated by the present general act.

The powers shall agree among themselves as to the steps to be taken to secure the adhesion of states whose cooperation may be necessary or useful in order to insure complete execution of the general act.

Adhesion shall be effected by a separate act. Notice thereof shall be given through the diplomatic channel to the Government of the King of the Belgians, and by that Government to all the signatory and adherent states.

ARTICLE XCIX

The present general act shall be ratified within the shortest possible period, which shall not in any case exceed one year.

Each power shall address its ratification to the Government of the King of the Belgians, which shall give notice thereof to all the other powers that have signed the present general act.

The ratifications of all the powers shall remain deposited in the archives of the Kingdom of Belgium.

As soon as all the ratifications shall have been furnished, or at the latest one year after the signature of the present general act, their delivery shall be recorded in a protocol which shall be signed by the representatives of all the powers that have ratified.

A certified copy of this protocol shall be forwarded to all the powers interested.

ARTICLE C

The present general act shall come into force in all the possessions of the contracting powers on the sixtieth day, reckoned from the day on which the protocol provided for in the preceding article shall have been drawn up.

In witness whereof, the respective plenipotentiaries have signed the present general act, and have thereto affixed their seals.

Done at Brussels the 2nd day of the month of July, 1890.

[For the United States:]		[For the United Kingdom:]	
EDWIN H. TERRELL	[SEAL]	VIVIAN	[SEAL]
H. S. SANFORD	[SEAL]	JOHN KIRK	[SEAL]
[For Germany:]		[For Italy:]	
ALVENSLEBEN	[SEAL]	F. DE RENZIS	[SEAL]
GÖHRING	[SEAL]	T. CATALANI	[SEAL]
[For Austria-Hungary:]		[For the Netherlands:]	
R. KHEVENHÜLLER	[SEAL]	L. GERICKE	[SEAL]
[For Belgium:]		[For Persia:]	
LAMBERMONT	[SEAL]	NAZARE AGA	[SEAL]
E. BANNING	[SEAL]	[For Portugal:]	
[For Denmark:]		HENRIQUE DE MACEDO	[SEAL]
SCHACK DE BROCKDORFF	[SEAL]	PEREIRA COUTINHO	
[For Spain:]		[For Russia:]	
J. G. DE AGÜERA	[SEAL]	L. OUROUSSOFF	[SEAL]
[For the Congo:]		MARTENS	[SEAL]
EDM. VAN EETVELDE	[SEAL]	[For Sweden and Norway:]	
A. VAN MALDEGHEM	[SEAL]	BURENSTAM	[SEAL]
[For France:]		[For Turkey:]	
A. BOURÉE	[SEAL]	ÉT. CARATHÉODORY	[SEAL]
G. COGORDAN	[SEAL]	[For Zanzibar:]	
		JOHN KIRK	[SEAL]
		GÖHRING	[SEAL]

ANNEX TO THE GENERAL ACT (ARTICLE XXXIX)

License to ply the coasting trade on the East Coast of Africa in conformity with Article XXXIX

Name of vessel, with description of form of build and rig	Nationality	Tonnage	Port of register	Name of captain	Number of crew	Maximum number of passengers	Limits within which vessel is entitled to ply	General remarks

The present license must be renewed on the —.

Rank of Official who has issued the permit: —.

PROTOCOL OF MEETING OF JULY 2, 1891

[TRANSLATION]

PROTOCOL

of the meeting held at Brussels in the Department of Foreign Affairs on July 2, 1891, pursuant to Article XCIX of the General Act of the Brussels Conference, signed on July 2, 1890.

The following were present:

For Germany:

His Excellency the Count of Alvensleben, Minister of Germany at Brussels.

For Austria-Hungary:

His Excellency Count Khevenhüller-Metsch, Minister of Austria-Hungary at Brussels.

For Belgium:

Baron Lambertmont, Minister of State.

Mr. Émile Banning, Director General in the Ministry of Foreign Affairs.

For Denmark:

Mr. F. G. Schack de Brockdorff, Consul General of Denmark at Antwerp.

For Spain:

His Excellency Gutierrez de Aguëra, Minister of Spain at Brussels.

For the Independent State of the Congo:

Mr. E. Van Eetvelde, Administrator General of the Department of Foreign Affairs of the Independent State of the Congo.

For the United States:

His Excellency Edwin H. Terrell, Minister of the United States of America at Brussels.

For Great Britain:

Mr. Martin Gosselin, Chargé d'Affaires of the Government of Her Britannic Majesty at Brussels.

For Italy:

His Excellency Baron de Renzis, Minister of Italy at Brussels.

For the Netherlands:

His Excellency Baron Gericke de Herwynen, Minister of the Netherlands at Brussels.

For Persia:

His Excellency General Nazare-Aga, Minister of Persia at Brussels.

For Russia:

His Excellency Prince Ouroussoff, Minister of Russia at Brussels.

For Sweden and Norway:

His Excellency de Burenstam, Minister of Sweden and Norway at Brussels.

For Turkey:

His Excellency Carathéodory Efendi, Minister of Turkey at Brussels.

For Zanzibar:

Mr. Martin Gosselin.

The undersigned met in the Ministry of Foreign Affairs at Brussels, for the purpose of carrying out Article XCIX of the General Act of the Brussels Conference.

Baron Lambermont, one of the Representatives of Belgium, read the aforesaid article and the penultimate paragraph of the Declaration.⁸ He informed the Assembly that the Government of His Majesty the King of the Belgians had received the instruments of ratification of His Majesty the Emperor of Germany, King of Prussia; of His Majesty the King of the Belgians; of His Majesty the King of Denmark; of His Majesty the King of Spain, and, in his name, of Her Majesty the Queen Regent; of His Majesty the Sovereign-King of the Independent State of the Congo; of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India; of His Majesty the King of Italy; of Her Majesty the Queen of the Netherlands, and, in her name, of Her Majesty the Queen Regent; of His Majesty the Shah of Persia; of His Majesty the King of Sweden and Norway; of His Highness the Sultan of Zanzibar.

The aforesaid ratifications were produced and, after examination, were found to be in good and due form. According to the provisions of Article XCIX, these documents will be deposited in the archives of the Government of the Kingdom of Belgium.

The Representatives of the above-mentioned Powers gave the Representatives of Belgium official confirmation of that deposit.

His Excellency Count Khevenhüller-Metsch stated that His Majesty the Emperor of Austria-Hungary, his august Sovereign, had signed the ratifications of the General Act and the Declaration of July 2, 1890, that they had

⁸ For English text of declaration of July 2, 1890, see Sir Edward Hertslet (ed.), *Commercial Treaties* (treaties between Great Britain and foreign powers), vol. XIX, p. 304.

been dispatched and would be deposited in the Ministry of Foreign Affairs of Belgium as soon as they arrived, in a day or two.

His Excellency Carathéodory Efendi stated that His Majesty the Emperor of the Ottomans, his august Sovereign, had also signed the ratifications and that they had been dispatched. His Excellency called attention to the reservation that his Government had made concerning the use of Turkish characters in the cases specified in Article XXXIV of the General Act; that reservation had been communicated to all the signatory Governments, and no objection to it had been raised.

The Representatives of the Powers acknowledged Their Excellencies' statements.

His Excellency Prince Ouroussoff stated that His Majesty the Emperor of all the Russias, his august Sovereign, had signed the act of ratification; however, His Excellency thought it advisable to postpone the deposit until such time as the execution of the General Act would be definitively ensured.

His Excellency Edwin H. Terrell stated that he was not officially authorized to speak at this meeting since he had not received any instructions from his Government in the matter. He had gone to this meeting only in response to the courteous invitation that had been sent to him.

However, he thought he could say that the question of the ratification of the Brussels General Act was still pending before the Senate of the United States, which was not now in session, but would meet early in December.

His Excellency added, unofficially, but merely for the information of the Representatives of the Powers, that, wishing to show its deep interest in the success of that great work, the Government of the United States had concluded an agreement with the State of the Congo⁹ for the express purpose of making it possible for the other Signatory Powers to ratify the Brussels General Act.

There was read the following letter from His Excellency the Minister of the French Republic at Brussels to the Minister of Foreign Affairs of Belgium:

“Brussels, July 1, 1891.—Your Royal Highness:—I have the honor to confirm to Your Excellency the information that I gave orally to Baron Lambermont yesterday: After a lengthy discussion which lasted through the sessions held on the 24th and 25th of last month, the Chamber of Deputies of France decided to postpone the authorization to ratify ‘the General act’ and the ‘Brussels Declaration’ of July 2, as well as the Protocol of February 9 last. His Majesty’s Government was aware of the part that the Cabinet had played in this serious discussion; it was certainly not the fault of its efforts that the conclusion was not entirely different. Furthermore, Your

⁹A treaty of amity, commerce, and navigation, between the United States and the Congo, was signed at Brussels Jan. 24, 1891 (TS 60), *post*.

Excellency already knows that the considerations that influenced the decisions of the Chamber were based on the nature of the measures for the suppression of the slave trade by sea.

"Hence, it is self-evident that, much to our regret, we will not find it possible to effect, within the prescribed time limit, that is, by the 2d of this month, the ratification of the agreements prepared by the Conference.

"Consequently, my Government can see no reason for my attending the meeting, the notice of which Your Excellency has been good enough to send me, since those of my colleagues who are to participate in it either have already received the instruments of ratification or can announce that they will receive them very soon.

"I avail myself of this opportunity, etc. (S.) A. BOURÉE."

Baron Lambermont stated that the Chargé d'Affaires of Portugal at Brussels had informed the Belgian Government that, in view of the decision of the French Chamber, the Parliamentary Commission had decided, for its part, to postpone taking a vote on the law approving the Brussels General Act. The Portuguese Government did not think it could do otherwise than accept the opinion of the Parliamentary Commission; and, while affirming its humanitarian sentiments and good will it did not think that, under the present circumstances, there was any reason for it to be represented at the meeting on July 2.

In view of the situation created by the above-mentioned acts and statements, the Assembly, sincerely desiring to see a unanimous agreement reached between the Powers, decided that the time limit prescribed by Article XCIX of the General Act for the deposit of the ratifications should be extended to a time that would be fixed by mutual agreement as soon as the Powers whose Representatives either were not present at the meeting or lacked the necessary official powers signified their approval of the extension.

This Protocol will remain open to them for that purpose for a period of ten days.

Before adjourning, the Assembly expressed the desire that the Government of His Majesty the King of the Belgians request and receive the approvals mentioned in the preceding paragraph and take steps, after obtaining them, to bring about an understanding between the Powers with respect to the duration of the extension.

The Representatives of Belgium will communicate this two-fold desire to their Government and do not doubt that it will be granted.

In witness whereof, this Protocol has been drawn up, and a certified copy thereof will be sent by the Government of His Majesty the King of the Belgians to each of the other Powers that have ratified the General Act and the Declaration of July 2, 1890.

[For Germany:] ALVENSLEBEN	[For Italy:] F. DE RENZIS
[For Austria-Hungary:] R. KHEVENHÜLLER	[For the Netherlands:] L. GERICKE
[For Belgium:] LAMBERMONT E. BANNING	[For Persia:] NAZARE AGA
[For Denmark:] SCHACK DE BROCKDORFF	[For Portugal:] BON DE SENDAL
[For Spain:] J. G. DE AGÜERA	[For Russia:] L. OUROUSSOFF
[For the Congo:] EDM. VAN EETVELDE	[For Sweden and Norway:] BURENSTAM
[For the United States:] EDWIN H. TERRELL	[For Turkey:] ÉT. CARATHÉODORY
[For France:] A. BOURÉE	[For Zanzibar:] MARTIN GOSSELIN
[For the United Kingdom:] MARTIN GOSSELIN	

PROTOCOL OF MEETING OF JANUARY 2, 1892

[TRANSLATION]

PROTOCOL

of the meeting held at Brussels in the Department of Foreign Affairs on January 2, 1892, pursuant to Article XCIX of the Brussels General Act and the Protocol of July 2, 1891.

The following were present:

For Germany:

Prince de la Tour et Taxis, Chargé d'Affaires of Germany at Brussels.

For Austria-Hungary:

His Excellency Count Khevenhüller-Metsch, Minister of Austria-Hungary at Brussels.

For Belgium:

Baron Lambermont, Minister of State.

Mr. É. Banning, Director in the Ministry of Foreign Affairs.

For Denmark:

Mr. F. G. Schack de Brockdorff, Consul General of Denmark at Antwerp.

For Spain:

His Excellency J. Gutierrez de Aguëra, Minister of Spain at Brussels.

For the Independent State of the Congo:

Mr. Van Eetvelde, Secretary of State for the Interior, of the Independent State of the Congo.

For France:

His Excellency Albert Bourée, Minister of France at Brussels.

For Great Britain:

His Excellency Lord Vivian, Minister of Her Britannic Majesty at Brussels.
Sir John Kirk.

For Italy:

His Excellency Baron de Renzis, Minister of Italy at Brussels.

For the Netherlands:

His Excellency Baron Gericke de Herwynen, Minister of the Netherlands at Brussels.

For Portugal:

His Excellency M. d'Antas, Minister of Portugal at Brussels.

For Russia:

His Excellency Prince Ouroussoff, Minister of Russia at Brussels.

For Sweden and Norway:

His Excellency de Burenstam, Minister of Sweden and Norway at Brussels.

For Turkey:

His Excellency Carathéodory Efendi, Minister of Turkey at Brussels.

For Zanzibar:

Sir John Kirk.

The undersigned met in the Ministry of Foreign Affairs at Brussels, in accordance with Article XCIX of the General Act of July 2, 1890, and pursuant to the Protocol of July 2, 1891, for the purpose of drawing up an act of deposit of the ratifications of the Signatory Powers that did not comply with this formality on July 2, 1891.

His Excellency Count Khevenhüller-Metsch informed the Assembly that the instrument of ratification by His Majesty the Emperor and Apostolic King of the General Act and the Declaration of July 2, 1890 had been deposited in the Ministry of Foreign Affairs of Belgium on July 3, 1891.

His Excellency Prince Ouroussoff deposited the instrument of ratification by His Majesty the Emperor of all the Russias of the General Act and the Declaration of July 2, 1890.

His Excellency Carathéodory Efendi deposited the instrument of ratification by His Majesty the Emperor of the Ottomans of the General Act and the Declaration of July 2, 1890.

His Excellency stated, in accordance with a communication that had been made known to the Signatory Powers, without giving rise to any objection on their part, that the Ottoman Imperial Government interpreted Article XXXIV of the General Act as meaning that the inscriptions prescribed by that article were to be made, as far as Ottoman vessels were concerned, in Turkish characters and numbers. The Sublime Porte, however, had no objection to the addition of a translation in Latin characters to the inscriptions in Turkish characters.

The statement made by the Minister of Turkey was acknowledged.

The deposit of the ratifications of their Sovereigns was also acknowledged to the Ministers of Austria-Hungary, Russia, and Turkey.

His Excellency A. Bourée deposited the instrument of ratification by the President of the French Republic of the General Act and the Declaration of July 2, 1890.

His Excellency stated that, in his ratification of the Brussels General Act, the President of the Republic had made a provisional reservation with respect to Articles XXI, XXII, and XXIII, as well as Articles XLII to LXI, until a subsequent understanding was reached.

The Representatives of the Powers acknowledged to the Minister of France the deposit of the ratification by the President of the French Republic, as well as the exception concerning Articles XXI, XXII, XXIII, and XLII to LXI.

It is understood that the Powers which have ratified the General Act in its entirety recognize that they are reciprocally bound with respect to all its clauses.

It is likewise understood that these Powers will be bound with regard to the Power which has ratified it partially only within the limits of the commitments made by it.

Lastly, it is clearly understood that, with regard to the Power which has ratified it partially, the matters forming the subject of Articles XLII to LXI shall continue, until a subsequent agreement, to be governed by the stipulations and agreements now in force.

Baron Lambermont, one of the Representatives of Belgium, communicated to the Assembly the following letter to the Minister of Foreign Affairs of Belgium from His Excellency the Minister of France:

“Legation of France in Belgium

“BRUSSELS, *December 31, 1891*

“Excellency:

“In the note verbale dated the 18th of this month, delivered on that day to the Minister of Foreign Affairs of France by Baron Beyens, the Belgian Government called the attention of the Government of the Republic to the conditions under which Articles XXX to XLI of the General Act of the Brussels Conference could be applied in certain French possessions. These articles concern the granting of the flag to native vessels, the crew list, and the manifest of negro passengers. In noting the importance of these articles and calling attention to the fact that they were due to the initiative of France, the Government of King Léopold pointed out that they were applicable only in the ports of the zone specified in Article XXI, with respect to which a reservation was being made by France. Consequently, it requested that the Representative of the Republic at Brussels be authorized to make known the intentions of the Cabinet in Paris in this matter.

“By order of my Government and in accordance with the wishes expressed

in the aforesaid note, I have the honor to inform Your Excellency that the provisions contained in Articles XXX to XLI of the Brussels General Act will be readily applied by the Government of the Republic in the territory of Obock and, as necessary, in the Island of Madagascar and the Comoro Islands.

“Accept, Excellency, the assurances of my high consideration.

(Signed) “A. BOURÉE

“His Excellency

Prince de Chimay,

Minister of Foreign Affairs, etc., etc., etc.”

His Excellency Baron Gericke de Herwynen stated, in the name of his Government, that, in signing the Protocol today, he was obliged to call attention to the fact that the constitutional provisions governing the Netherlands require that this Protocol be approved by the States-General. Since it had not been possible to request its approval before January 2, the Government of the Queen Regent intended to take care of the matter at the next session of the First and Second Chambers.

The statement of the Minister of the Netherlands was acknowledged to him.

After examination, the ratifications by His Majesty the Emperor of Austria-Hungary, the President of the French Republic, His Majesty the Emperor of all the Russias, and His Majesty the Emperor of the Ottomans were found to be in good and due form. According to the provisions of Article XCIX, these documents, together with the instruments of ratification delivered on July 2, 1891, will be deposited in the archives of the Government of the Kingdom of Belgium.

The Representatives of the Powers gave the Representative of Belgium official confirmation of that deposit.

His Excellency M. d'Antas stated that, since the circumstances had not permitted the Portuguese upper and lower chambers to make a decision on the General Act and the Declaration of July 2, 1890, he had been instructed by his Government to request that the Protocol remain open for the deposit of the ratifications by His Very Faithful Majesty until February 2, 1892.

The Assembly approved the extension of the time limit proposed by the Minister of Portugal.

In witness whereof, this Protocol has been drawn up, and a certified copy thereof will be transmitted by the Government of His Majesty the King of the Belgians to each of the other Powers that have signed the General Act and the Declaration of July 2, 1890.

Done at Brussels on January 2, 1892.

[For Germany:] PCE F. DE LA TOUR ET TAXIS	[For the United Kingdom:] VIVIAN JOHN KIRK
[For Austria-Hungary:] R. KHEVENHÜLLER	[For Italy:] F. DE RENZIS
[For Belgium:] LAMBERMONT E. BANNING	[For the Netherlands:] L. GERICKE
[For Denmark:] SCHACK DE BROCKDORFF	[For Portugal:] M. D'ANTAS
[For Spain:] J. G. DE AGUËRA	[For Russia:] L. OUBOUSOFF
[For the Congo:] EDM. VAN EETVELDE	[For Sweden and Norway:] BURENSTAM
[For France:] A. BOURÉE	[For Turkey:] ÉT. CARATHÉODORY
	[For Zanzibar:] JOHN KIRK
For Persia: His Excellency General Nazare-Aga, Minister of Persia at Brussels NAZARE-AGA January 3, 1892	

PROTOCOL OF U.S. DEPOSIT OF RATIFICATION

[TRANSLATION]

PROTOCOL

February 2nd, 1892, conformably to article XCIX of the General Act of July 2nd, 1890, and to the unanimous decision of the signatory Powers which prorogued to February 2nd, 1892, for the United States the term provided for in the same article XCIX, the undersigned, Envoy Extraordinary and Minister plenipotentiary of the United States of America has deposited in the hands of the Minister of Foreign Affairs of Belgium the ratifications of the President of the United States of the said General Act.

At the request of His Excellency, the following resolution by which the Senate of the United States consented to the ratification of the President has been inserted in the present protocol:

Resolved, (two-thirds of the Senators present concurring therein,)

That the Senate advise and consent to the ratification of the General Act signed at Brussels, July 2, 1890, by the plenipotentiaries of the United States and other Powers, for the suppression of the African Slave-Trade, and for other purposes.

Resolved further, That the Senate advise and consent to the acceptance of the partial ratification of the said General Act on the part of the French Republic, and to the stipulations relative thereto, as set forth in the protocol signed at Brussels January 2, 1892.

Resolved further, as a part of this act ratification, That the United States of America, having neither possessions nor protectorates in Africa,

hereby disclaims any intention, in ratifying this treaty, to indicate any interest whatsoever in the possessions or protectorates established or claimed on that continent by the other Powers, or any approval of the wisdom, expediency or lawfulness thereof, and does not join in any expressions in the said General Act which might be construed as such a declaration or acknowledgment; and, for this reason, that it is desirable that a copy of this resolution be inserted in the protocol to be drawn up at the time of the exchange of ratifications of this treaty on the part of the United States.

This resolution of the Senate of the United States having been preparatively and textually conveyed by the Government of His Majesty the King of the Belgians to the knowledge of all the signatory Powers of the General Act, the latter have given their assent to its insertion in the present Protocol which will remain annexed to the Protocol of January 2nd, 1892.

Acknowledgment of this is given to the Minister of the United States.

The ratifications of the President of the United States having been found in good and due form, acknowledgment of their deposit is equally given to His Excellency Mr. Edwin H. Terrell; they will be preserved in the archives of the Ministry of Foreign Affairs of Belgium.

At the moment of proceeding to the signature of the present Protocol, the Minister of Foreign Affairs of his Majesty the King of the Belgians made it known that the Representative of Russia, in the note expressing the assent of his Government, expressed the opinion that it would have been desirable that a translation into the French language accompany in the Protocol the English text of the resolutions of the Senate of the United States of America and that at all events the absence of this translation is not to form a precedent.

A certified copy of the present Protocol will be addressed by the Belgian Government to the signatory Powers of the General Act.

Done at Brussels, February 2nd, 1892.

*The Minister
of Foreign Affairs*

THE PRINCE DE CHIMAY

*The Envoy Extraordinary and
Minister Plenipotentiary of the United
States of America*

EDWIN H. TERRELL

PROTOCOL OF PORTUGUESE DEPOSIT OF RATIFICATION

[TRANSLATION]

PROTOCOL

recording the deposit of the ratifications by His Majesty the King of Portugal and the Algarves of the General Act and the Declaration of July 2, 1890

On March 30, 1892, in accordance with Article XCIX of the General Act of July 2, 1890 and the unanimous decision of the Powers which extended to April 2, 1892 for Portugal the time limit specified in that article,

the undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Portugal and the Algarves, deposited with the Minister of Finance of Belgium, Acting Minister of Foreign Affairs, the ratifications by His Sovereign of the aforesaid General Act and the Declaration of the same date annexed thereto.

The ratifications having been found to be in good and due form, confirmation of their deposit was given to His Excellency M. d'Antas. They will be kept in the archives of the Ministry of Foreign Affairs of Belgium, in accordance with Article XCIX of the General Act.

Done at Brussels on March 30, 1892.

*Minister of Finance of Belgium, Acting
Minister of Foreign Affairs*

A. BEERNAERT

*Envoy Extraordinary and Minister
Plenipotentiary of His Majesty the
King of Portugal and the Algarves*

M. D'ANTAS