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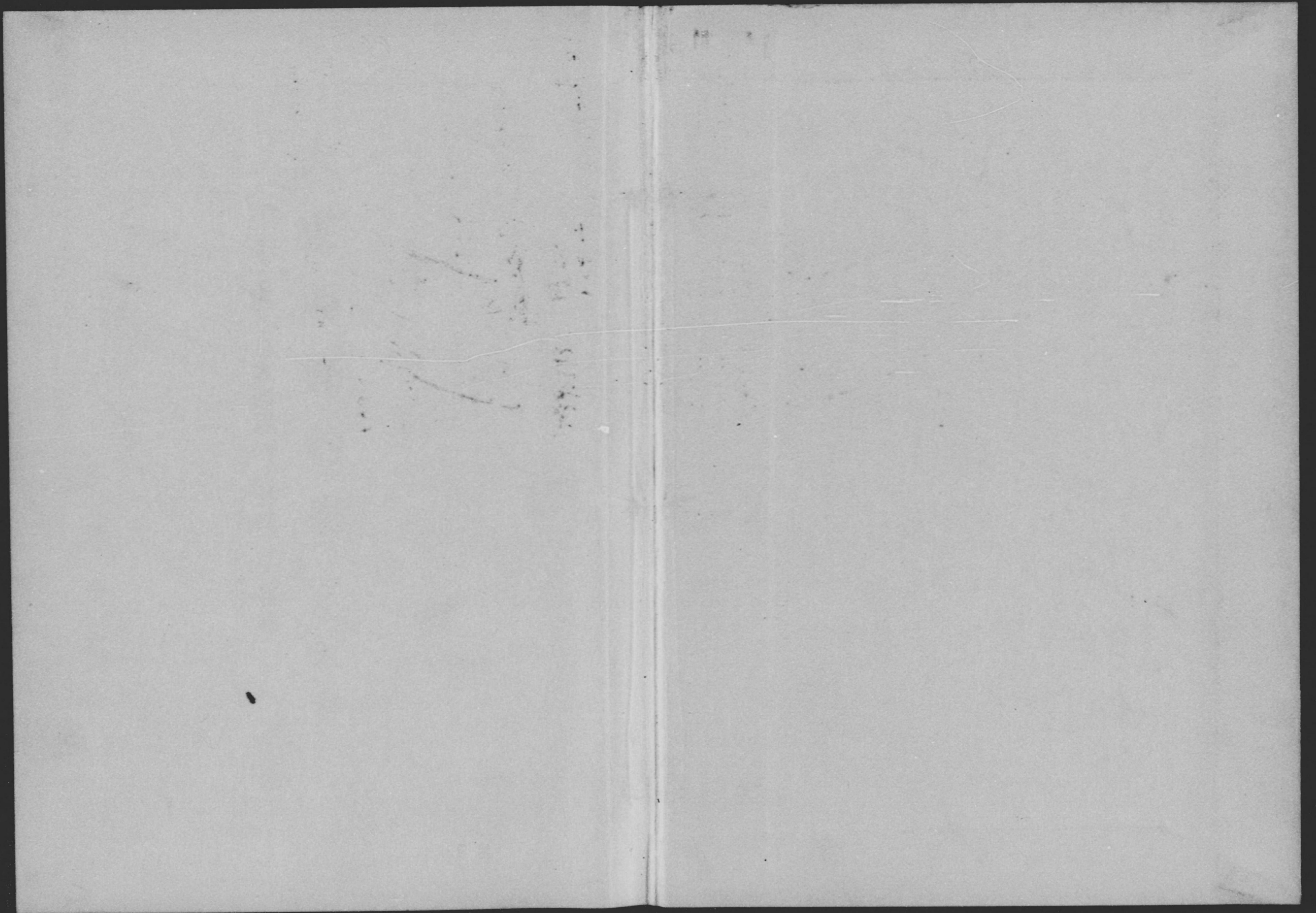
大東亞条約集

外務省条約局

第6卷

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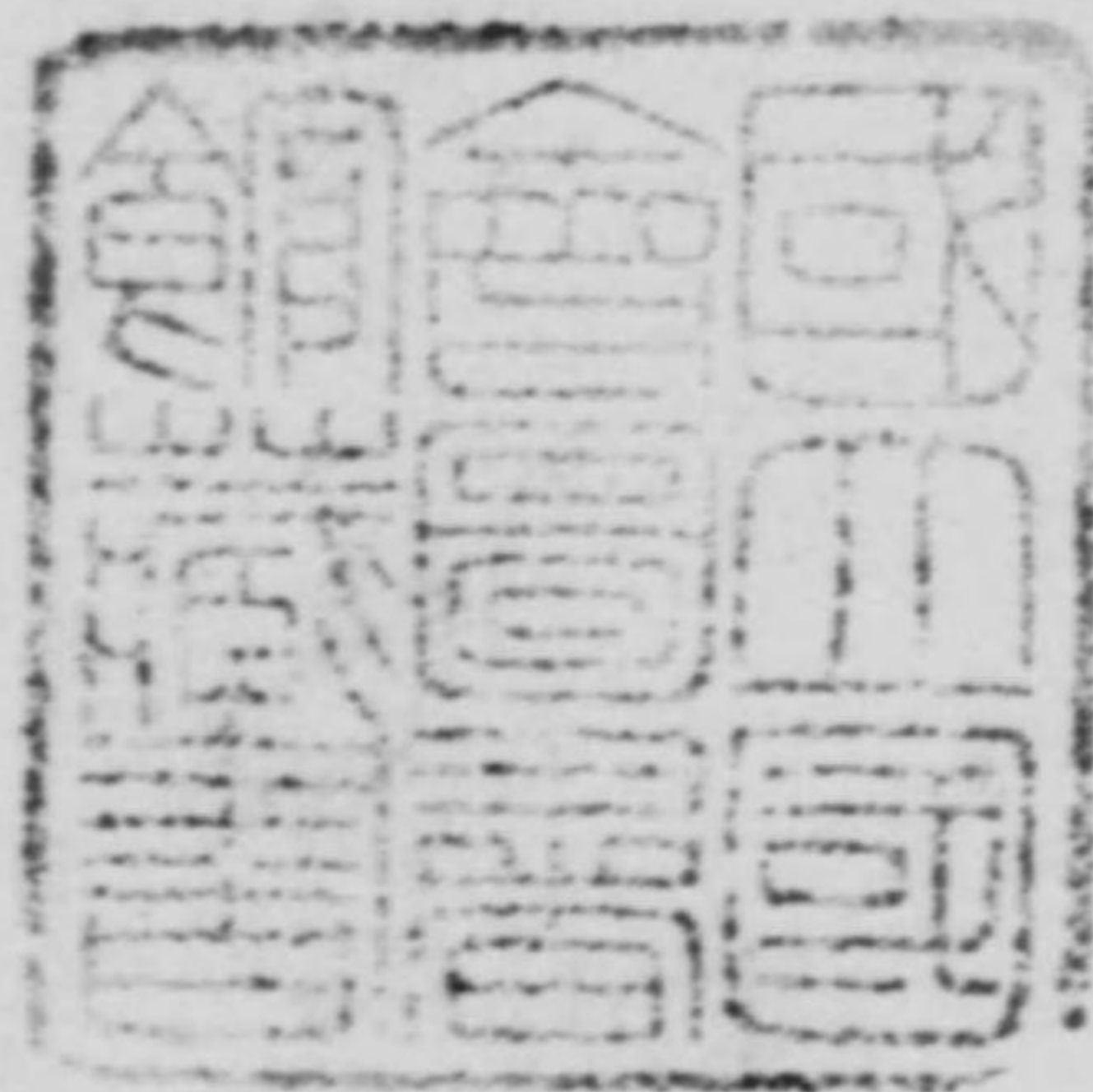
昭和十八年八月

大東亞條約集 第六卷

〔タイ〕 國ト日本國以外ノ外國トノ條約

外務省條約局

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緒言

一 本書ハ大東亞戦争下ノ諸施策上一般執務ノ便ニ供センガ爲特ニ大東亞地域ニ於ケル各國ノ締結シタル條約ヲ集録シタル「大東亞條約集」ノ第六卷トシテ刊行セルモノナリ。

一 本書編纂ニ當リテハ其ノ内容ノ正確ヲ期スル爲有ラユル努力ヲ惜マザリシモ或ハ尙遺憾ナキヲ保シ難シ。今後尙其ノ完璧ヲ期セントス。

昭和十八年八月

外務省條約局第一課長

凡 例

- 一 本書中特ニ重要性認メラルル條約ニ對シテハ假譯文ヲ附シタリ。
- 一 本書ハ之ヲ第一部友好及中立國、第二部敵國及斷交國ノ二部ニ分チ集録シタリ。
- 一 本書第一部中(參考)ト記セル條約ハ效力ヲ失ヒタルモノナリ但シ○印ヲ附シタルモノハ一部有效ナルモノヲ示ス。

(參照)ト記セル條約ハ帝國モ締約當事國トナリ居ルモノナリ。

- 一 條約ノ配列ハ第一部、第二部共「フランス」語 ABC 順ニ依リ國別ニ分類シ各分類ニ於テハ先ヅ現行條約次ニ「參考」條約ヲ年代順ニ依リ集録シタリ。

大東亞條約集第六卷

(「タイ」國ト日本國以外ノ外國トノ條約)

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八十七 (參考) 「シム」國ニ於ケル英國裁判管轄權行使ニ關スル英國勅令……………一八七六年一〇月二三日……………九七三

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八十九 「チェンマイ」、「ランコン」及「ランブーンチ」ノ領域ニ於ケル犯罪防止ノ爲……………一八八三年九月三日……………九七九

竝ニ英領「ビルマ」及上記領域間ノ通商増進ノ爲ノ「シム」國英國間條約……………一八八四年一月三十一日……………九八九

九十 千八百八十三年九月三日ノ條約ノ「シム」國ニ於ケル行使ノ擴張ニ關スル「シム」國英國間交換公文……………一八八五年一月一〇日……………九八一

九十一 犯罪人引渡ニ關スル「シム」國英國間條約ノ補足條款……………一八八五年一月三〇日……………九九一

九十二 小包郵便交換ニ關スル「シム」國郵便局「インド」郵便局間取極……………一八八五年五月一五日……………九九五

九十三 「シム」國ニ關スル英佛宣言……………一八八六年一月一五日……………九九九

九十四 千八百八十三年九月三日ノ條約ノ「シム」國ニ於ケル行使ノ擴張ニ附スル「シム」國英國間交換公文……………一八八六年九月二九日……………一〇〇一

九十五 「シム」國ニ於ケル英國人登録ニ關スル「シム」國英國間取極……………一八八九年一月二九日……………一〇〇三

九十六 千八百五十五年ノ修好通商條約ノ補足協定ニ定ムル地租ノ廢止ニ關スル協定……………一八八九年九月二〇日……………一〇〇五

九十七 「シム」國ニ關スル英佛宣言……………一九〇四年四月八日……………一〇〇七

九十八 千八百八十三年ノ條約ニ掲ゲラルル森林約定ノ登録ヲ免除スル「シム」國英國間交換公文……………一九〇六年六月六日……………一〇〇九

九十九 「シム」國鐵道省「マレー」政府間借款ニ關スル取極……………一九〇九年三月一〇日……………一〇一一

百 「シム」國ノ或地ニ國際裁判所設置ニ關スル「シム」國英國間議事錄……………一九〇九年七月六日……………一〇一五

百一 「ランコン、ランパン」ニ國際裁判所設置ニ關スル「シム」國英國間議事錄……………一九一〇年八月二五日……………一〇一七

百二 「タイ」國英國間犯罪人引渡條約……………一九一一年三月四日……………一〇一九

百三 「シム」國ト「マレー」半島ノ或州トノ間ノ逃亡犯罪人引渡ニ關スル「シム」國英國間取極……………一九一二年二月二〇日……………一〇二七

百四 「シム」國英國間「シム」國ト北「ボルネオ」トノ間ノ逃亡犯罪人引渡ニ關……………一九一二年二月二〇日……………一〇二七

スル條約

百五 小包郵便交換ニ關スル「シヤム」國海峽殖民地間取極 一九一三年九月一八日...一〇二九

百六 條約改正ノ爲ノ「シヤム」國英國間條約 一九二一年一月七日...一〇三一

百七 「シヤム」國英國間通商航海條約 一九二五年七月四日...一〇三九

百八 「シヤム」國英國間仲裁裁判條約 一九二五年七月四日...一〇五五

百九 「シヤム」國關稅法ニ依ル拂戻稅及從價率計算方法ニ關スル交換公文 一九二六年一月二五日...一〇七三

百十 「メコン」河航行ニ關スル交換公文 一九二六年九月三〇日...一〇七五

百十一 千九百二十五年七月十四日ノ條約第二條、第三條及第四條ヲ「インド」ニ適用スルコトニ關スル交換公文 一九二七年七月一七日及一九二八年二月七日、八月一八日及二一日...一〇八一

百十二 千九百二十五年七月十四日ノ條約第二條、第三條及第四條ヲ英國ノ殖民地保護領及委任統治地域ニ擴張スルコトニ關スル交換公文 一九二八年三月五日、六月及一〇日...一〇八七

百十三 代金引換小包交換ニ關スル「シヤム」國郵政廳海峽殖民地郵政廳間取極 一九二八年四月一四日五月一五、一六日及一七日...一〇九一

百十四 「ビルマ」「シヤム」國間ノ境界ニ關スル「シヤム」國政府ト英國政府及「インド」政府トノ間ノ千九百三十一年ノ協定並ニ關係交換公文 一九三〇年三月二一日...一〇九五

百十五 「ビルマ」「テナセリム」「シヤム」國間ノ境界ニ關スル「シヤム」國政府ト英國政府及「インド」政府トノ間ノ交換公文 一九三一年五月一二日、七月一七日及八月二七日並ニ一九三二年三月一四日...一一〇一

百十六 「ビルマ」「テナセリム」「シヤム」國間ノ境界再確定ニ因リ影響ヲ蒙リタル者ノ國籍ニ關スル協定ヲ構成スル「シヤム」國政府ト英國政府及「インド」政府 一九三四年六月一日...一一一一

トノ間ノ交換公文

百十七 小包郵便業務設置ニ關スル「シヤム」國郵便局「マレー」郵便局間取極 一九三七年三月三一日...一一一九

百十八 郵便爲替業務設置ニ關スル「シヤム」國郵便局「マレー」郵便局間取極 一九三七年九月二一日...一一五五

百十九 千九百二十五年七月十四日ノ條約ノ附屬議定書第二條ニ關スル交換公文 一九三七年一月二三日...一一六三

百二十 「タイ」國英國間通商航海條約 一九三七年一月二五日...一一六七

百二十一 「ビルマ」「シヤム」國及「インド」ノ上空ヲ通過スル定期航空業務ノ運行ニ關スル「シヤム」國政府ト英國及「インド」ノ政府トノ間ノ交換公文 一九三七年一月三一日...一二〇五

百二十二 郵便爲替交換ニ關スル「シヤム」國郵便局「ビルマ」郵便局間協定 一九三九年二月三〇日...一二〇九

百二十三 英國「タイ」國間不侵略規約 一九四〇年六月二一日...一二一七

百二十四 「ビルマ」「タイ」國間ノ境界ニ關スル「タイ」國政府及英國政府間交換公文 一九四〇年一月一〇日...一二二三

(四) 「ノールウエー」國

百二十五 「シヤム」國「ノールウエー」國間修好通商航海條約 一九二六年七月一六日...一二三七

百二十六 「タイ」國「ノールウエー」國間修好通商航海條約 一九三七年一月一五日...一二五五

(五) 「オランダ」國

百二十七 「シヤム」國「オランダ」國間修好通商航海條約 一八六〇年二月一七日...一二七一

百二十八 「シヤム」國「オランダ」國間領事職務條約 一八六七年四月一日...一二八三

百二十九 「シヤム」國「オランダ」國間酒類ノ輸入及販賣ニ關スル千八百六十年十月十七日ノ條約ノ附屬條項……………一八八三年一月一日…一二八九

百三十 「シヤム」國「オランダ」國間修好通商航海條約……………一九二五年六月八日…一二九三

百三十一 「シヤム」國「オランダ」國間司法的解決及調停條約……………一九二八年一月二七日…一三〇九

百三十二 「タイ」國「オランダ」國間修好通商航海條約……………一九三八年二月一日…一三一三

第一
部

(一)
「ド
イ
ツ」
國

一 「タイ」王國「ドイツ」國間修
好通商航海條約

(千九百三十七年十二月三十日「メンコー
ク」ニ於テ署名)

「タイ」國皇帝陛下及「ドイツ」國總統ハ幸ニ兩國間ニ存在
スル友好親善ノ關係ヲ強固ナラシメンコトヲ欲シ且之ヲ達
成スルニハ兩國間ニ從來存在スル條約ノ改正ニ依ルニ優ル
モノナキコトヲ確信シ相互、衡平及互惠ノ原則ノ基礎ニ於
テ右改正ヲ完成スルコトニ決シ之ガ爲左ノ如ク其ノ全權委
員ヲ任命セリ

「タイ」國皇帝陛下

外務大臣「ルアン、ブラディット、マヌータム」(「
リッヂイ、パノムヨン」)

「ドイツ」國總統

「タイ」國駐節「ドクトル、ヴィルヘルム、トーマス」

TREATY OF FRIENDSHIP, COMMERCE AND
NAVIGATION BETWEEN THE KINGDOM
OF THAILAND AND THE
GERMAN REICH.

(Signed at Bangkok, December 30, 1937).

His Majesty the King of Thailand and the Führer
and Chancellor of the German Reich, being disir-
ous of strengthening the relations of amity and
good understanding which happily exist between
the two States, and being convinced that this can-
not be better accomplished than by revising the
treaties hitherto existing between the two coun-
tries, have resolved to complete such revision, based
upon the principles of reciprocity, equity and mutual
benefit, and for that purpose have named as their
Plenipotentiaries, that is to say:

His Majesty THE KING OF THAILAND: Luang
Pradist Manudharm (Pridi Banomyong), Minister
of Foreign Affairs;

THE FÜHRER AND CHANCELLOR OF THE GERMAN
REICH: Dr. Wilhelm Thomas, Envoy Extraordinary
and Minister Plenipotentiary at Bangkok;

右各全權委員ハ互ニ其ノ全權委任狀ヲ示シ之ガ良好妥當ナルヲ認メタル後左ノ諸條ヲ協定セリ

第一條

- 一 「タイ」王國ト「ドイツ」國トノ間ニハ永久ノ平和及無窮ノ友好關係アルベシ
- 二 締約國ノ一方ノ國民ハ他方ニ於テ施行中ノ法令ヲ遵守スルニ於テハ自由ニ其ノ領域内ニ到リ、旅行シ、居住シ及右領域内ニ定住シ竝ニ何時ニテモ自由ニ之ヲ去ルコトヲ得右ノ點ニ關シテハ右國民ハ最惠國ノ國民ニ課セラレ又ハ課セラルルコトアルベキ所ト異ル如何ナル種類ノ一般の又ハ地方的制限又ハ課金ヲモ課セラルルコトナカルベシ締約國ノ一方ガ旅券規則ヲ制定スルノ權利竝ニ裁判所ニ依ル有罪判決ノ故ヲ以テ又ハ國ノ内部及外部ノ安全若ハ貧窮者、公衆ノ衛生及道德ニ關スル警察ノ取締ノ理由ヲ以テ各場合ニ付他方ノ國民ニ對シ居住許可ヲ拒否スルノ權利ハ前記規定ニ依リ影響ヲ受クルコトナカルベシ

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE 1.

1. There shall be constant peace and perpetual friendship between the Kingdom of Thailand and the German Reich.
2. The nationals of either of the High Contracting Parties may freely enter the territory of the other, travel, reside and settle therein and, at any time, freely leave such territory, provided they observe the laws in force in the country. In this regard they shall be subjected to no other general or local restrictions or impositions of any kind than those that are or may be imposed upon nationals of the most favoured nation. Not affected by these foregoing provisions shall be the right of either of the High Contracting Parties to enact passport regulations as well as the right, in each individual case, to deny nationals of the other Party permit

- 三 締約國ノ一方ノ國民ハ地方的法令ノ許ス限ニ於テ居住國ノ國民又ハ最惠國ノ國民ト均シク、他方ノ領域内ニ於テ宗教、教育及慈善ノ事業ニ従事シ、如何ナル商業、製造業、賣買業、産業、職業、修學及研究ニモ従事シ、居住、商業、産業、宗教、慈善及其ノ他ノ適法ナル目的ノ爲竝ニ墓地トシテ使用スル爲土地ヲ賃借シ、自己ノ選定セル代理人ヲ使用シ竝ニ一般ニハ賣買ニ附帯シ又ハ之ニ必要ナル何事ヲモ爲スコト殊ニ家屋、製造場、倉庫及店舗ヲ所有シ、賃借シ又ハ占有スルコト自由タルベシ

- 四 締約國ノ一方ノ國民ハ居住國ノ國民ニ課セララルル條件ニ從フニ於テハ他方ノ領域内ニ於テ其ノ身體及財産ニ付常ニ保護及保障ヲ受クベク且此ノ點ニ關シテハ居住國ノ國民ニ許與セラレ又ハ許與セララルコトアルベキ所ト同

of residence on account of conviction by a Court or for reasons of internal and external security of the State or of police control of the poor, public health and morals.

3. The nationals of each of the High Contracting Parties shall be at liberty, equally with nationals of the State of residence in so far as may be permitted by local law or with nationals of the most favoured nation, to engage, in the territory of the other, in religious, educational and charitable work and to carry on any commerce, manufacture, trade, industrial pursuits, profession, pursuits of study and research, to lease land for residential, commercial, industrial, religious, charitable and other lawful purposes and for use as cemeteries, to employ agents of their own choice, and generally to do anything incident to or necessary for trade, in particular also to own, lease or occupy houses, manufactories, warehouses and shops.

4. The nationals of either of the High Contracting Parties shall receive, in the territories of the other, the most constant protection and security for their persons and property and shall enjoy in

一ノ權利及特權ヲ享有スベシ

五 尤モ右一方ノ國民ハ他方ノ領域内ニ於テハ常備軍、護國軍又ハ民兵ノ何レタルヲ問ハズ陸、海又ハ空ニ於ケル強制兵役ヲ免レ、服役ノ代トシテ課セラルル金錢又ハ物品ヲ以テスル一切ノ貢納ヲ免レ且一切ノ強募公債又ハ軍事上ノ取立金ヲ免ルベシ右國民ハ平時タルト戰時タルトヲ問ハズ内國民ニ課セラルルモノヲ除キ軍事上ノ徵發ニ服スルコトナカルベク且各締約國ニ於テ施行中ノ法令ニ依リ内國民ニ對シ支拂ハルベキ補償金ヲ受クルノ權利ヲ相互的ニ有スベシ前記ノ規定ニ關シテハ締約國ノ一方ノ國民ハ他方ノ領域内ニ於テ最惠國ノ國民ニ比シ不利益ナル待遇ヲ受クルコトナカルベシ

六 締約國ノ一方ノ國民ハ他方ノ領域内ニ於テ信教ノ完全ナル自由ヲ享有スベク又地方的法律、命令及規則ニ從フ

ニ於テハ公私ノ禮拜ヲ行フノ權利ヲ享有スベシ

七 締約國ノ一方ノ國民ハ産業、生業及職業ニ關スル一切ノ事項ニ付テハ他方ノ領域ノ全域ニ亙リ相互主義ノ條件ノ下ニ最惠國ノ國民ト同一ノ地歩ニ置カルベシ

八 締約國ノ一方ノ國民ハ各種ノ財産ノ取得、處分及所有ニ關スル一切ノ事項ニ付テハ他方ノ領域ノ全域ニ亙リ相互主義ノ條件ノ下ニ最惠國ノ國民ト同一ノ地歩ニ置カルベシ

第二條

一 締約國ノ一方ノ國民ハ其ノ身體並ニ其ノ財産、權利及利益ニ關シテハ他方ノ領域内ニ於テ課金（租稅及税金）、實質上租稅タル限リ手数料及他ノ同様ノ課金ニ付居住國

第一部「ドイツ」國 修好通商航海條約（一九三七年）

this respect the same rights and privileges as are or may be granted to nationals of the State of residence on their submitting themselves to the conditions imposed upon nationals of the State of residence.

5. They shall, however, be exempt in the territories of the other from compulsory military service either on land, on sea, or in the air, in the regular forces, or in the national guard, or in the militia; from all contributions in money or in kind, imposed in lieu of personal military service, and from all forced loans or military contributions. They shall not be subjected, in time of peace or in time of war, to military requisitions except as imposed upon nationals, and they shall reciprocally be entitled to compensation payable to nationals by the laws in force in the respective countries. With regard to the foregoing provisions, the nationals of each of the High Contracting Parties shall not be treated in the territories of the other less favourably than the nationals of the most favoured nation.

6. The nationals of each of the High Contracting Parties shall enjoy in the territories of the

other entire liberty of conscience, and, subject to the local laws, ordinances and regulations, shall enjoy the right of private or public exercise of their worship.

7. In all that relates to industrial pursuits, callings and professions, the nationals of each of the High Contracting Parties shall throughout the whole extent of the territories of the other on condition of reciprocity be placed on the same footing as the nationals of the most favoured nation.

8. In all that concerns the acquisition, disposition and ownership of property rights of every description the nationals of each of the High Contracting Parties shall, throughout the whole extent of the territory of the other, on condition of reciprocity, be placed on the same footing as the nationals of the most favoured nation.

ARTICLE 2.

1. The nationals of either of the High Contracting Parties shall enjoy, in the territory of the other, in every respect the same treatment and the same

ノ國民ト一切ノ點ニ付同一ノ待遇及同一ノ保護ヲ財務官
憲及裁判所ヨリ享受スベシ

二 本條ノ規定ハ法人及第六條ニ掲ゲラルル會社ニモ適用
セラルベシ

第三條

締約國ノ一方ノ國民ガ他方ノ領域内ニ於テ有スル家宅、倉
庫、製造所、店舗及他ノ一切ノ財産並ニ之ニ附屬スル一切
ノ場所ニシテ居住又ハ商業ノ目的ニ使用セラルルモノハ之
ヲ侵スベカラズ居住國ノ國民ニ付法律、命令及規則ヲ以テ
定ムル條件及方式ニ依ルノ外右建物及場所ノ臨檢搜索ヲ爲
シ又ハ帳簿、書類若ハ計算書ノ檢査點閱ヲ爲スコトヲ得ズ

protection from the fiscal authorities and courts
for their persons as well as for their properties,
rights and interests in regard to charges (taxes
and duties), fees, so far as they are substantially
taxes, and other like charges, as the nationals of
the State of residence.
2. The provisions of this Article shall be like-
wise applied to juristic persons and to the com-
panies mentioned in Article 6.

ARTICLE 3.

The dwellings, warehouses, manufactories and
shops and all other property of the nationals of
each of the High Contracting Parties in the terri-
tories of the other, and all premises appertaining
thereto used for purposes of residence or commerce,
shall be respected. It shall not be allowable to
proceed to make a domiciliary visit to, or a search
of, any such buildings and premises, or to examine
or inspect books, papers, or accounts, except under
the conditions and with the forms prescribed by
the laws, ordinances and regulations for nationals

of the State of residence.

第四條

ARTICLE 4.

一 締約國ノ一方ガ貨物ノ輸入又ハ輸出ニ對シ已ムヲ得ズ
禁止又ハ制限ヲ設クル場合ニ於テハ右一方ハ適當ニ他方
ノ利益ヲ考慮スベシ

1. In the event of either of the High Contract-
ing Parties being compelled to place prohibitions
or restrictions upon the importation or exportation
of goods, it shall take into consideration the interests
of the other in reasonable manner.

二 前記規定ハ輸入又ハ輸出ニ對スル左ノ禁止又ハ制限ニ
對シテハ該禁止又ハ制限ガ一切ノ國ニ對シ同様ニ又ハ同
一ノ状態ノ存スル國ニ對シ適用セラルル限り適用セラレ
ザルベシ

2. The foregoing provision shall not apply to
the following prohibitions or restrictions on imports
or exports as far as they are applicable to all
countries alike or to countries in which the same
conditions prevail:

- (一) 軍用機材ニ對スル及例外的場合ニ於テハ戰爭ニ必
要ナル他ノ資材ニモ課セラルル禁止又ハ制限
- (二) 國若ハ公衆ノ安全又ハ公衆衛生ノ理由ニ依ル禁止
又ハ制限
- (三) 國ニ依リ又ハ其ノ取締ノ下ニ行ハルル專賣ノ目的
タリ又ハ今後目的ト爲ルコトアルベキ物品ニ對スル禁
止又ハ制限

- 1) Prohibitions or restrictions upon implements
of war, and in exceptional circumstances also other
materials needed in war;
- 2) Prohibitions or restrictions for reasons of
national or public security or public health;
- 3) Prohibitions or restrictions upon articles
which are or may hereafter become the object of
monopoly exercised by or under the control of the
State;

(四) 動物若ハ植物ヲ病疫若ハ寄生物ヨリ保護スル爲又ハ植物ノ變種若ハ絶滅ヲ防止スル爲ノ禁止又ハ制限

(五) 國內法ニ依リ國內ニ於ケル生産、消費又ハ輸送ガ禁止セラレ又ハ同様ニ制限セララル内國品ト同様ナル物品ニ對スル禁止又ハ制限

第五條

一 締約國ノ一方ノ國民ハ其ノ權利ヲ主張擁護センガ爲自由ニ他方ノ裁判所ニ申出ヅルコトヲ得且右裁判所ニ於テ其ノ權利ヲ主張擁護スル爲居住國ノ國民及最惠國ノ國民ト均シク代言人、辯護人及代理人ヲ選擇使用スルコト自由タルベシ

二 締約國ノ一方ノ國民ニ對シテハ居住國ノ國民又ハ最惠國ノ國民ニ對シ適用セラレザル何等ノ條件又ハ要件モ他方ノ裁判所ヘノ右申出ニ付課セララルコトナカルベシ但

4) Prohibitions or restrictions for the protection of animals or plants against diseases or pests, or for the prevention of the degeneration and extinction of plants;
5) Prohibitions or restrictions upon articles similar to domestic articles whose internal production, consumption, sale or transport is forbidden or similarly restricted by national law.

ARTICLE 5.

1. The nationals of each of the High Contracting Parties shall have free access to the Courts of Justice of the other in pursuit and defence of their rights; they shall be at liberty, equally with nationals of the State of residence, and with the nationals of the most favoured nation, to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts.

2. Subject to reciprocity, there shall be no conditions or requirements imposed upon the nationals of either of the High Contracting Parties in con-

シ相互主義ヲ條件トスルモノトス

第六條

一 締約國ノ一方ノ法令ニ從ヒ既ニ設立セラレ又ハ今後設立セラレベキ有限責任其ノ他ノ會社及組合ハ他方ノ法令ニ從フニ於テハ他方ノ領域内ニ於テ其ノ權利ヲ行使シ且原告又ハ被告トシテ裁判所ニ申出ヅルコトヲ得右會社及組合ハ右一方ノ國ノ法令ニ定メラレタル條件ノ下ニ於テ殊ニ該國ノ法令ガ必要トスル場合ニ於テ必要ナル認可ヲ得タルトキハ該國ニ於テ定住シ、支店又ハ代理店ヲ設立シ及其ノ活動ヲ爲スノ自由ヲ有スベシ

nection with such access to the Courts of Justice of the other, which do not apply to nationals of the State of residence or to the nationals of the most favoured nation.

ARTICLE 6.

1. Limited liability and other companies and associations, already or hereafter to be organized in accordance with the laws of either of the High Contracting Parties are authorized, in the territory of the other, to exercise their rights and appear in the Courts either as plaintiffs or defendants, subject to the laws of such other Party. Such companies and associations shall, upon the conditions laid down in the legislation of such country, especially upon obtaining the necessary authorization in those cases where such authorization is required by the laws of that country, have the liberty there to settle, to establish branches or agencies and to carry on their activities.

2. Subject to reciprocity, there shall be no conditions or requirements imposed upon such com-

二 右ノ會社及組合ニシテ締約國ノ一方ノ法令ニ從ヒ設立セララルモノニ對シテハ右他方ノ内國ノ會社及組合又ハ

最惠國ノ會社及組合ニ課セラレザル何等ノ條件又ハ要件モ他方ノ裁判所ヘノ右申出ニ付課セララルコトナカルベシ但シ相互主義ヲ條件トスルモノトス

三 右會社及組合ハ其ノ活動ヲ營ムノ權利ニ關シテハ最惠國ノ同様ノ會社及組合ニ對シ許與セラレ又ハ許與セララルコトアルベキ所ト同一ノ待遇ヲ相互主義ノ條件ノ下ニ享有スベシ右會社及組合ハ強制公債ヲモ免ルベシ

四 各種財産ノ取得、處分及所有ニ關スル一切ノ事項ニ付テハ右會社及組合ハ相互主義ノ條件ノ下ニ最惠國ノ會社及組合ト同一ノ地歩ニ置カルベシ

第七條

締約國ノ一方ノ領域ヨリノ又ハ之ニ至ル商品ノ通過ニシテ他方ノ領域ヲ經由スルモノニ關シテハ締約國ハ千九百二十

panies and associations organized in accordance with the laws of either High Contracting Party in connection with such access to the Courts of Justice of the other, which do not apply to such native companies and associations or those of the most favoured nation.

3. With regard to the right to carry on their activities, such companies and associations shall, on condition of reciprocity, enjoy the same treatment as is or may be granted to similar companies and associations of the most favoured nation. They shall also be exempt from any forced loans.

4. In all that concerns the acquisition, disposition and ownership of property rights of every description, such companies and associations shall on condition of reciprocity be placed on the same footing as the companies and associations of the most favoured nation.

ARTICLE 7.

As regards the transit of any article of commerce from or to the territory of one of the High Con-

一年四月二十日「バルセロナ」ニ於テ締結セラレタル通過ノ自由ニ關スル條約及規程ノ規定ヲ適用スベシ

第八條

一 締約國ノ一方ノ國民ハ對外的ノ通商及航海ノ爲ニ開カレ又ハ開カルコトアルベキ他方ノ領域内ノ一切ノ場所、港及河川ニ其ノ船舶及貨物ト共ニ自由ニ到ルコトヲ得但シ右ノ如ク到ル國ノ法令ニ常ニ從フベキモノトス

二 政府、官公吏、私人、團體若ハ各種營造物ノ名義ヲ以テ又ハ其ノ私益ノ爲ニ課セララル噸税、港税、水先案内料、燈臺税、檢疫費其ノ他性質又ハ名義ノ如何ニ拘ラズ之ト同様ノ又ハ之ニ該當スル税金ニシテ同様ノ場合ニ均シク且同一ノ條件ノ下ニ第三國ノ船舶ニ課セラルルモノハ一方ノ締約國ノ領域ノ港ニ於テ他方ノ國ノ船舶ニ課セラルコトナカルベシ右均等待遇ハ各締約國ノ船舶ニ對シ其

tracing Parties through the territory of the other, the High Contracting Parties shall apply the provisions of the Convention and Statute on Freedom of Transit concluded at Barcelona on the 20th April, 1921.

ARTICLE 8.

1. The nationals of each of the High Contracting Parties shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other which are or may be opened to foreign commerce and navigation, subject always to the laws of the country to which they thus come.

2. No duties of tonnage, harbour, pilotage, light-house, quarantine or other similar or corresponding duties of whatever nature, or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind shall be imposed in the ports of the territories of either country upon the vessels of the other

ノ何レノ港若ハ場所ヨリ到リ又ハ其ノ目的地ノ何レタルヲ問ハズ相互的ニ適用セララルベシ

country, which shall not equally and under the same conditions be imposed in the like cases on vessels of a third Power. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

第九條

ARTICLE 9.

一 締約國ノ一方ノ生産品又ハ製造品タル物品ニシテ他方ノ領域内ニ輸入セララルモノニ對シ適用セララル關稅ハ輸入國ノ國內法令ニ依リ定メララルベキコトヲ約ス

二 關稅及課金ノ額、徵收及保證並ニ稅關手續ニ關シテハ

締約國ノ一方ノ天產物及製造品ハ他方ノ領域ニ輸出シ又ハ該領域ニ輸入スルニ當リ最惠國主義ニ基キ待遇セララルベシ

1. It is agreed that the Customs tariffs applicable to articles, the produce of manufacture of either of the High Contracting Parties imported into the territories of the other, shall be regulated by the internal laws of the country of importation.
2. In regard to the amount, the collection and the guaranteeing of Customs duties and charges, as well as in regard to all Customs formalities, the natural produce and manufacture of either High Contracting Party shall, on the exportation to or on importation into the territory of the other Party, be treated on the most-favoured-nation principle.

第十條

ARTICLE 10.

國ノ爲タルト州、市町村又ハ團體ノ爲タルトヲ問ハズ締約國ノ一方ノ領域内ニ於テ物品ノ生産、製造又ハ消費ニ對シ課セララル課金ハ如何ナル名義ヲ以テスルヲ問ハズ他方ノ產品ニ對シテハ同様ノ内國產品ニ對スルヨリモ高キカ又ハ重キコトナカルベシ

Whether for account of the State or of provinces, communes or bodies corporate, the charges imposed upon the production, manufacture or consumption of any article in the territory of either High Contracting Party shall not, on any pretext whatever, be higher or more burdensome for the products of the other Party than for the similar commodities of national production.

第十一條

ARTICLE 11.

締約國ノ一方ノ國民ハ法令ノ定ムル手續ヲ履行スルニ於テハ特許、意匠、雛形、商標、商號、不正競争ヨリノ保護並ニ文學的及美術的著作權ノ保護ニ關シ内國民ト同一ノ權利ヲ他方ノ領域内ニ於テ有スベシ

The nationals of each of the High Contracting Parties shall have in the territories of the other the same rights as nationals in regard to patents for inventions, designs, models, trade-marks, trade-names, protection against unfair competition and protection of copyright in literary and artistic works, upon fulfilment of the formalities prescribed by law.

第十二條

ARTICLE 12.

一 締約國ノ一方ハ適法ニ輸入セラレ又輸出セラレ得ベキ一切ノ商品ノ輸入又ハ輸出及他方ノ船舶ヲ以テスル各自ノ領域ヨリノ又ハ之ヘノ旅客運送ヲ第四條ノ條件ニ從フノ條件ノ下ニ許可スベク又右船舶竝ニ其ノ載貨及旅客ハ内國船舶竝ニ其ノ載貨及旅客ト同一ノ特權ヲ享有スベク且之ニ課セラルル所ト異ルカ又ハ之ヨリ高キ何等ノ税金、課金又ハ制限ヲモ課セラルルコトナカルベシ

1. Each of the High Contracting Parties shall, subject to the provisions of Article 4, permit the importation or exportation of all merchandise which may be legally imported or exported, and also the carriage of passengers from or to their respective territories, upon the vessels of the other, and such vessels, their cargoes and passengers shall enjoy the same privileges as, and shall not be subject to any other or higher duties, charges or restrictions than national vessels and their cargoes and passengers.

二 前記規定ハ締約國ノ一方ガ自國ノ國籍ヲ有スル船舶ニ依リ捕獲セラレタル魚類ノ自國領域内ヘノ輸入ニ對シ許與スル特別待遇ニハ適用セラレザルベシ但シ締約國ノ一方ノ船舶ニ依リ捕獲セラレタル漁獲物ニ關シテハ魚類ハ他方ノ領域内ニ輸入セラルルニ當リテハ別國ノ船舶ニ依リ捕獲セラレタル魚類ニ比シ不利益ナル待遇ヲ受クルコトナカルベシ

2. The foregoing provision shall not apply to the special treatment accorded by either of the High Contracting Parties to the importation into its territory of fish caught by vessels of its own flag. Nevertheless, as regards catches caught by the vessels of the High Contracting Parties, the fish, on being imported into the territory of the other Party, shall not be treated less favourably than fish caught by vessels of any other nation.

第十三條

ARTICLE 13.

兩國ノ港、泊渠、船渠、碇泊所又ハ河川ニ於ケル船舶ノ出入、繫留竝ニ貨物ノ荷積及荷卸ニ關スル一切ノ事項ニ付テハ締約國ノ意嚮ハ此等ノ事項ニ付テハ兩國ノ船舶ニ對シ最惠國ノ船舶ニ許與セラルル待遇ヲ與フルニ在ルヲ以テ他方ノ國ノ船舶ニ均シク許與セラルルニ非ザル何等ノ特權ヲモ第三國ノ船舶ニ許與スルコトナカルベシ

In all that concerns the entering, clearing, stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the two countries, no privilege shall be granted to vessels of a third Power which shall not equally be granted to vessels of the other country; the intention of the High Contracting Parties being that in these respects the vessels of each shall receive the treatment accorded to vessels of the most favoured nation.

第十四條

ARTICLE 14.

一 締約國ノ一方ノ軍艦又ハ商船ニシテ天候不良又ハ他ノ危難ノ爲已ムヲ得ズ他方ノ港ニ避難スルモノハ右港ニ於テ修繕ヲ爲シ一切ノ需品ヲ求メテ出港スルコトヲ得ベク最惠國船舶ノ支拂フ所ト異ル何等ノ税金ヲモ徴收セラルルコトナカルベシ但シ商船ノ船長ガ費用ヲ支辨スル爲其ノ積荷ノ一部ヲ處分スル必要アル場合ニハ寄港地ノ規則及税法ニ從フコトヲ要ス

1. Any ship of war or merchant vessel of either of the High Contracting Parties, which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and put to sea again, without paying any dues other than such as would be payable by vessels of the most favoured nation.

二 締約國ノ一方ノ軍艦又ハ商船ガ他方ノ沿岸ニ於テ擱坐シ又ハ難破シタルトキハ地方官憲ハ當該地方ニ駐在スル領事官又ハ他方ノ國ノ最寄ノ領事官ニ對シ直ニ右ノ事故ヲ通知スベシ

三 右擱坐シ若ハ難破シタル船舶及其ノ一切ノ部分、右船舶ニ屬スル備品及附屬品竝ニ右船舶ヨリ救上セラレタル一切ノ貨物及商品（海中ニ投セラレタルモノヲ含ム）又ハ賣却セラレタル場合ニ於ケル其ノ賣得金ハ右擱坐シ又ハ難破シタル船舶内ニ於テ發見セラレタル一切ノ書類ト共ニ所有者又ハ其ノ代理人ニ依リ請求セラレタルトキ之ニ引渡サルベシ

四 右所有者又ハ代理人現場ニ在ラザルトキハ前記ノ財産

又ハ其ノ賣得金及當該船舶内ニ於テ發見セラレタル書類ハ難破シ又ハ擱坐シタル船舶ノ屬スル締約國ノ適當ナル領事官ガ難破又ハ擱坐ノ生ジタル國ノ法律、命令及規則ノ定ムル期間内ニ請求ヲ爲スニ於テハ之ニ引渡サルベク右ノ領事官、所有者又ハ其ノ代理人ハ財産ノ保存ニ付生ジタル費用及最惠國ノ船舶ノ難破又ハ擱坐ノ場合ニ於テ支拂ハルベキ救助費其ノ他ノ費用ノミヲ支拂フベシ

五 難破シ又ハ擱坐シタル船舶ヨリ救上セラレタル貨物及商品ハ消費ノ爲ニ通關セラレザル限り一切ノ關稅ヲ免除セラレベク消費ノ爲ニ通關セララル場合ニハ通常ノ關稅ヲ支拂フベキモノトス

六 締約國ノ一方ノ國民ニ屬スル船舶ガ天候不良ニ因リ他方ノ領域内ニ吹寄セラレ、該領域内ニ於テ擱坐シ又ハ難破シタル場合ニ於テ所有者又ハ其ノ代理人不在ナルカ又ハ現場ニ在ルモ其ノ請求アルトキハ締約國ノ適當ナル領

In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

2. If any ship of war or merchant vessel of one of the High Contracting Parties should run aground or be wrecked upon the coast of the other, the local authorities shall give prompt notice of the occurrence to the Consular Officer residing in the district or to the nearest Consular Officer of the other Power:

3. Such stranded or wrecked ship or vessel and all parts thereof, and all furniture and appurtenances belonging thereto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them.

4. If such owners or agents are not on the spot,

the aforesaid property or proceeds from the sale thereof and the papers found on board the vessel shall be delivered to the proper Consular Officer of the High Contracting Party whose vessel is wrecked or stranded, provided that such Consular Officer shall make claim within the period fixed by the laws, ordinances and regulations of the country in which the wreck or stranding occurred, and such Consular Officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of the wreck or stranding of a vessel of the most favoured nation.

5. The goods and merchandise saved from the wreck or stranding shall be exempt from all duties of the Customs unless cleared for consumption, in which case they shall pay ordinary duties.

6. In the case of a ship or vessel belonging to the nationals of one of the High Contracting Parties being driven in by stress of weather, run aground or wrecked in the territories of the other, the proper Consular Officer of the High Contract-

事官ハ自國ノ國民ニ必要ナル援助ヲ與フル爲關與スルコトヲ得ベシ

第十五條

締約國ノ一方ノ軍艦ハ別國ノ軍艦ガ出入スルコトヲ得ル他方ノ港及場所ニ到リ右港ニ於テ碇泊シ及修繕ヲ爲スコトヲ得右軍艦ハ別國ノ軍艦ト同一ノ規則ニ服從シ且別國ノ軍艦ニ現ニ許與セラレ又ハ今後許與セラルルコトアルベキ所ト同一ノ榮譽、利益、特權及免除ヲ享有スベシ

ing Party to which the vessel belongs, shall, if the owners or their agents are not present, or are present but require it, be authorized to interpose in order to afford the necessary assistance to the nationals of his State.

ARTICLE 15.

The vessels of war of each of the High Contracting Parties may enter, remain and make repairs in those ports and places of the other to which the vessels of war of other nations are accorded access; they shall submit to the same regulations and enjoy the same honours, advantages, privileges and exemptions as are now, or may hereafter be, conceded to the vessels of war of any other nation.

第十六條

締約國ノ一方ノ領事官ニシテ他方ノ領域内ニ駐在スルモノハ自國ノ船舶ヨリノ脱船者ノ回收ニ關シ法令ニ依リ自己ニ與ヘラルルコトヲ得ル援助ヲ地方官憲ヨリ受クルモノトス但シ右ノ規定ハ援助ヲ請求セラレタル地方官憲ノ屬スル締

ARTICLE 16.

The Consular Officers of each of the High Contracting Parties residing in the territories of the other shall receive from the local authorities such assistance as can by law be given to them for the

約國ノ國民ニハ適用セラレザルベシ

recovery of deserters from the vessels of the former Party, provided that this stipulation shall not apply to nationals of the High Contracting Party from whose local authorities assistance is requested.

第十七條

ARTICLE 17.

一 締約國ノ一方ハ別國ノ領事官ガ駐在スルコトヲ許サレタル他方ノ領域ノ都市又ハ港ニ駐在スベキ總領事、領事、副領事又ハ領事事務官ヲ任命スルコトヲ得

1. Each of the High Contracting Parties may appoint Consuls General, Consuls, Vice-Consuls or Consular Agents to reside in the towns or ports of the territories of the other where Consular representatives of the other Powers are permitted to reside.

二 尤モ右領事官及領事事務官ハ其ノ職務ヲ行フベキ地域ノ屬スル締約國ノ政府ノ認可ヲ得ル迄ハ其ノ職務ヲ開始スルコトヲ得ザルモノトス

2. They shall, however, not enter upon their functions until they shall have been admitted by the Government of that High Contracting Party, in the territory of which they are to perform their duty.

三 右領事官及領事事務官ハ最惠國ノ領事官ニ許與セラレ又ハ許與セラルルコトアルベキ一切ノ職權ヲ行使シ且一切ノ榮譽、特權、特典及免除ヲ享有スベシ但シ相互主義ヲ條件トスルモノトス

3. They shall be entitled, on condition of reciprocity, to exercise all the powers and enjoy all the honours, privileges, exemptions and immunities of every kind which are, or may be, accorded to Consular representatives of the most favoured nation.

第十八條

一 締約國ノ一方ノ國民ガ他方ノ領域内ニ於テ死亡シタル場合ニ知レタル相続人又ハ右國民ノ指定シタル遺言執行者右國民ノ死亡シタル國ニ在ラザルトキハ權限アル地方官憲ハ直ニ之ヲ最近地ニ駐在スル右死亡者所屬國ノ領事官ニ通知シ直ニ利害關係者ニ必要ナル通知ヲ爲スコトヲ得シムベシ

二 締約國ノ一方ノ國民ガ他方ノ領域内ニ於テ死亡シタル場合ニ右國民ノ本國ノ法令ニ依リ相続財産ヲ收受管理スルノ權利ヲ有スル者右國民ノ死亡地ニ在ラザルトキハ右死亡者ノ所屬國ノ權限アル領事官ハ必要ナル手續ヲ履行シタル上右死亡者ノ財産所在地ノ法令ノ定ムル方法及制限ニ從ヒ右相続財産ヲ保管管理スルコトヲ得

ARTICLE 18.

1. In case of the death of a national of one of the High Contracting Parties in the territories of the other without having in the country of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest Consular Officer of the nation to which the deceased belonged, in order that necessary information may be immediately forwarded to parties interested.

2. In case of the death of a national of one of the High Contracting Parties in the territories of the other, without leaving at the place of his decease any person entitled by the laws of his country to take charge of and administer the estate, the competent Consular Officer of the State to which the deceased belonged shall, upon fulfilment of the necessary formalities, be empowered to take custody of and administer the estate in the manner and under the limitations prescribed by the laws of the country in which the property of the deceased is situated.

三 締約國ノ一方ノ國民ガ他方ノ領域外ニ於テ死亡シタルモ該領域内ニ財産ヲ所有セル場合ニ相続財産ヲ收受管理スルノ權利ヲ有スル者右財産ノ所在地ニ在ラザルトキハ前項ノ規定ガ又適用セララルベシ

第十九條

締約國ハ本條約ニ掲ゲラルル規定ガ歸化、移民、警察及公安ニ關スル法律、命令及規則ノ何レニモ何等影響ヲ及ボシ、之ニ代リ又ハ之ヲ變更スルコトナキモノト了解ス

3. The foregoing provision shall also apply in case of a national of one of the High Contracting Parties dying outside the territories of the other, but possessing property therein, without leaving any person there entitled to take charge of and administer the estate.

ARTICLE 19.

It is understood by the High Contracting Parties that the stipulations contained in this Treaty do not in any way affect, supersede, or modify any of the laws, ordinances and regulations with regard to naturalization, immigration, police and public security.

第二十條

兩締約國ノ沿岸貿易及内國民漁業ハ本條約ノ規定ヨリ除外セラレ夫々「タイ」國及「ドイツ」國ノ法令、命令及規則ニ依リ定メララルベシ

ARTICLE 20.

The coasting trade and the national fisheries of both the High Contracting Parties are excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of Thailand and Germany respectively.

第二十一條

本條約中ノ最惠國待遇ニ關スル規定ハ左ノ事項ニハ適用ナキモノトス

- (一) 國境貿易ヲ容易ナラシムル爲接壤國ニ對シ許與セラレ又ハ今後許與セラルルコトアルベキ恩典
- (二) 關稅同盟ニ基キ第三國ニ對シ許與セラレ又ハ今後許與セラルルコトアルベキ恩典
- (三) 二重課稅ノ防止又ハ歲入ノ相互保護ノ爲第三國ニ對シ約定ニ依リ許與セラレ又ハ許與セラルルコトアルベキ恩典
- (四) 海ヨリ航行シ得ザル國境水路上ノ航行又ハ右水路ノ使用ニ關シ接壤國ニ對シ許與セラレ又ハ今後許與セラルルコトアルベキ恩典

第二十二條

締約國ハ本條約ノ何レカノ規定ノ適當ナル解釋又ハ適用ニ關シ締約國間ニ生ズルコトアルベキ紛争ガ何レカノ一方ノ請求ニ依リ仲裁裁判所ニ付託セラルベキコトニ同意シ且兩締約國ハ仲裁判決ヲ拘束力アルモノトシテ受諾スルコトヲ

ARTICLE 21.

The provisions of the present Treaty as regards the most-favoured-nation treatment do not apply to:

- 1) Favours granted or to be granted hereafter to an adjoining State to facilitate frontier traffic;
- 2) Favours granted or to be granted hereafter to a third State in virtue of a Customs Union;
- 3) Favours contractually granted or to be granted to a third State for the avoidance of double taxation or the mutual protection of revenue;
- 4) Favours granted or to be granted hereafter to an adjoining State with regard to the navigation on or use of boundary waterways not navigable from the sea.

ARTICLE 22.

The High Contracting Parties agree that any dispute that may arise between them as to the proper interpretation or application of any of the provisions of the present Treaty shall, at the re-

茲ニ約ス

紛争ガ付託セラルベキ仲裁裁判所ハ締約國ガ特殊ノ場合ニ於テ別段ノ協定ヲ爲サザル限り「ハーグ」ニ在ル常設仲裁裁判所トス

第二十三條

本條約ハ其ノ實施ノ日ヨリ千九百二十八年四月七日「バンコック」ニ於テ署名セラレタル「タイ」王國「ドイツ」國間友好通商航海條約ニ代ルベク且右ノ日ヨリハ右千九百二十八年ノ條約竝ニ締約國間ニ締結セラレ又ハ存在スル右條約ノ一切ノ從屬的取極及協定ハ拘束力ナキニ至ルベシ

第二十四條

一 本條約ハ其ノ實施ノ日ヨリ五年間引續キ效力ヲ有スベ

ARTICLE 24.

1. The present Treaty shall remain in force for

quest of either Party, be referred to arbitration, and both Parties hereby undertake to accept as binding the arbitral award.

The Court of Arbitration to which disputes shall be referred shall be the Permanent Court of Arbitration at The Hague, unless in any particular case the High Contracting Parties agree otherwise.

ARTICLE 23.

The present Treaty shall from the date of its coming into force, be substituted for the Treaty of Friendship, Commerce and Navigation between the Kingdom of Thailand and the German Reich signed at Bangkok on the 7th April 1928, and from this date the said Treaty of 1928 and all arrangements and agreements subsidiary thereto concluded or existing between the High Contracting Parties shall cease to be binding.

シ

- 二 右期間後ニ於テハ本條約ハ十二月ノ期間ヲ以テ廢棄セラルコトヲ得
- 三 尤モ右廢棄通告ガ本條約ニ依リ廢棄セラレタル條約、取極又ハ協定ノ何レヲモ復活セシムルノ效力ヲ有スルコトナカルベキハ明白ナルモノトス

第二十五條

- 一 本條約ハ批准セラルベク且其ノ批准書ハ成ルベク速ニ「バンコック」ニ於テ交換セラルベシ本條約ハ批准書交換ノ日ヨリ實施セラルベシ

- 二 本條約ハ「タイ」語、「ドイツ」語及「イギリス」語ヲ以テ其ノ本書ニ通ヲ作成ス

右證據トシテ下名ハ其ノ全權委任狀ヲ検査シ之ガ良好妥當ナルヲ認メタル後佛曆二千四百八十年九月三十日即チ西曆千九百三十七年十二月三十日「バンコック」ニ於テ本條約ニ署名調印セリ

five years from the date on which it comes into effect.

2. After this period the Treaty may be denounced with a term of twelve months.

3. It is clearly understood, however, that such denunciation shall not have the effect of reviving any of the Treaties, Conventions, Arrangements, or Agreements abrogated by the present Treaty.

ARTICLE 25.

- 1. This Treaty shall be ratified, and the ratifications thereof shall be exchanged at Bangkok as soon as possible, and the said Treaty shall come into force on the date of the exchange of ratifications.
- 2. The present Treaty is drawn up in duplicate in Thai, German and English.

IN WITNESS WHEREOF the Undersigned, after having examined and found their respective full powers in good and due form, have signed this Treaty and affixed their seals thereto at Bangkok

「タイ」王國政府ノ爲ニ
ルアン、プラデット、マヌーナム (印)
「ドイツ」國政府ノ爲ニ
ヴェー、トーマス (印)

最終議定書

本日「タイ」王國「ドイツ」國間ノ新友好通商航海條約ニ署名スルニ當リ兩締約國ノ全權委員ハ左ノ如ク協定セリ

- 一 本條約ニ於テ内國民待遇ノ規定セラレ居ル一切ノ事項ニ付テハ締約國ノ一方ノ國民、產品又ハ船舶ハ他方ニ依リ別國ノ國民、產品又ハ船舶ニ比シ不利益ナル待遇ヲ與

on the thirtieth day of the ninth month in the two thousand four hundred and eightieth year of the Buddhist Era, corresponding to the thirtieth day of December in the nineteen hundred and thirty-seventh year of the Christian Era.

On behalf of the Government of the Kingdom of Thailand
(L. S.) LUANG PRADIST MANUDHARM.
On behalf of the Government of the German Reich
(L. S.) W. THOMAS.

FINAL PROTOCOL

At the moment of proceeding this day to the signature of the new Treaty of Friendship, Commerce and Navigation between the Kingdom of Thailand and the German Reich, the Plenipotentiaries of the two High Contracting Parties have agreed as follows:

- 1. It is understood that in all matters for which national treatment is provided in this Treaty, the nationals, products or vessels of either of the High

ヘラルルコトナカルベキモノトス

二 第十條ノ規定ハ締約國ノ一方ガ輸入酒精飲料及國ニ依リ又ハ國ノ免許ニ基キ製造セラレタル酒精飲料ノ販賣ニ對シ異ル免許料率ヲ課スルコトヲ妨グルモノト解セララルコトナカルベキモノトス

三 本條約中ノ最惠國待遇ニ關スル規定ハ加入ノ爲一切ノ國ニ對シ開キ置カルル一般ノ重要性ヲ有スル條約ニシテ本條約ノ實施後ニ締結セララルコトアルベキモノニ基キ一方ノ締約國ガ專ラ第三國ニ許與スルコトアルベキ恩典ニハ適用セラレザルモノトス但シ他方ノ締約國ガ同一ノ恩典ヲ許與スル場合ハ此ノ限ニ在ラズ

右證據トシテ下名ハ佛曆二千四百八十年九月三十日即チ西曆千九百三十七年十二月三十日「バンコック」ニ於テ本最終議定書ニ署名調印セリ

ルアン、ブラディット、マヌータム (印)
ヴェー、トーマス (印)

交換公文

「ルアン、ブラディット、マヌータム」發「ドクトル、ヴェー、トーマス」宛書翰

以書翰啓上致候陳者本日署名セラレタル「タイ」王國「ドイツ」國間友好通商航海條約第一條第三項ニ關シ本大臣ハ貴公使ト本大臣トノ間ニ到達セラレタル一般ニ外國人労働者ノ使用ニ關シ締約國ニ依リ發セラレ又ハ將來發セラルルコトアルベキ規則ガ右第一條第三項ノ規定ニ依リ影響ヲ及ボサルルコトナキ旨ノ了解ヲ記録ニ留ムルノ光榮ヲ有シ候

Contracting Parties shall not be treated by the other less favourably than the nationals, products or vessels of any other country.

2. It is understood that the provisions in Article 10 shall not be deemed to preclude either of the High Contracting Parties from charging differing rates of licence fees for the sale of imported spirituous liquors and of spirituous liquors manufactured by or under licence from the State.

3. It is understood that the provisions of this Treaty as regards the most-favoured-nation treatment do not apply to favours which either High Contracting Party shall grant to a third State exclusively by virtue of Treaties of general importance open to all the States for adherence, which may be concluded after the coming into force of this Treaty, unless the other High Contracting Party shall grant the same favours.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Final Protocol and affixed their seals thereto at Bangkok on the thirtieth day of the ninth month in the two thousand four

hundred and eightieth year of the Buddhist Era, corresponding to the thirtieth day of December in the nineteen hundred and thirty-seventh year of the Christian Era.
(L.S.) LUANG PRADIST MANUDHARM.
(L.S.) W. THOMAS.

Luang Pradist Manudharm to Dr. W. Thomas.
Ministry of Foreign Affairs.
Saramonya Palace.
30th December 1937.

Monsieur le Ministre,
With reference to Article 1, paragraph 3, of the Treaty of Friendship, Commerce and Navigation between the Kingdom of Thailand and the German Reich signed this day, I have the honour to place on record an understanding arrived at between us, that the regulations that are or may in future be issued by the High Contracting Parties generally concerning the employment of foreign labourers are not affected by the provisions of the said Article and paragraph.

本大臣ハ茲ニ重テ閣下ニ向テ敬意ヲ表シ候 敬具
千九百三十七年十二月三十日「サラロム」宮殿外務省ニ
於テ

外務大臣 ルアン、ブラディット、マヌータム

「ドクトル、ヴェー、トーマス」發「ルアン、ブラディット、マヌータム」宛書翰

以書翰啓上致候陳者本日署名セラレタル「ドイツ」國「タイ」王國間友好通商航海條約第一條第三項ニ關シ本使ハ貴大臣ト本使トノ間ニ到達セラレタル一般的ニ外國人労働者ノ使用ニ關シ締約國ニ依リ發セラレ又ハ將來發セラルルトアルベキ規則ガ右第一條第三項ノ規定ニ依リ影響ヲ及ボサルルコトナキ旨ノ了解ヲ本國政府ヨリノ訓令ニ基キ記錄ニ留ムルノ光榮ヲ有シ候

本使ハ茲ニ重テ貴大臣ニ向テ敬意ヲ表シ候 敬具
千九百三十七年十二月三十日「バンコク」
「ドイツ」國 公使館ニ於テ

「ドイツ」國公使 ヴェー、トーマス

「ドクトル、ヴェー、トーマス」發「チャオ、ピヤ、スリダルマデーベス」宛書翰

Bb 第四六八號／一九三九年

以書翰啓上致候陳者「オーストリー」國ノ「ドイツ」國領域ヘノ切迫セル併合ヲ閣下ニ通報シタル千九百三十九年三月二十五日附ノ本使ノ書翰（Bb 第三四三號／一九三九年）ニ關シ本使ハ「オーストリー」國ノ關稅境界ノ撤廢及「ドイツ」國ニ依ル「オーストリー」國稅關ノ繼承ガ千九百三十九年四月一日ニ行ハレタル旨ヲ茲ニ貴大臣ニ通知スルノ光榮ヲ有シ候從テ千九百三十七年十二月三十日「ドイツ」國及「タイ」王國ノ間ニ締結セラレタル友好通商航海條約ノ適用ハ舊「オーストリー」聯邦ノ領域ニ及ボサルルモノニ有之候

本使ハ茲ニ重テ貴大臣ニ向テ敬意ヲ表シ候 敬具
千九百三十九年四月十八日在「バンコク」
「ドイツ」國 公使館ニ於テ

ヴェー、トーマス

I avail etc.

LUANG PRADIST MANUDHARM,
Minister of Foreign Affairs.

Dr. W. Thomas to Luang Pradist Manudharm.
Deutsche Gesandtschaft,
Bangkok.

Monsieur le Ministre,

30th December 1937.

With reference to Article 1, paragraph 3, of the Treaty of Friendship, Commerce and Navigation between the German Reich and the Kingdom of Thailand signed this day, I have the honour, under instructions from my Government, to place on record an understanding arrived at between us, that the regulations that are or may in future be issued by the High Contracting Parties generally concerning the employment of foreign labourers are not affected by the provisions of the said Article and paragraph.
I avail etc.

W. THOMAS,
German Minister.

Dr. W. Thomas to Chao Phya Sridharmadhes.

DEUTSCHE GESANDTSCHAFT,

BANGKOK.

Bangkok, 18th April 1939.

Bp. Nr. 468/39.

Monsieur le Ministre,

With reference to my letter dated 25th of March 1939—Bp. Nr. 343/39—in which the impending incorporation of Austria into the Reich Customs territory has been communicated to Your Excellency, I have the honour to inform you now that the abolition of the Austrian customs boundary and the Taking over of the Austrian customs by the Reich have been effected on the 1st of April 1939. Consequently the application of the Treaty of Friendship, Commerce and Shipping concluded on the 30th of December 1937 between Germany and the Kingdom of Thailand is extended to the territory of the former Federal States of Austria.
I avail etc.

W. THOMAS.

「チャオ、ピヤ、スリダルマディーベス」發「ドクトル」
ヴェー、トーマス」宛書翰

第一八八三號ノ二四八二年

以書翰啓上致候陳者本大臣ハ「オーストリー」國ノ「ドイツ」國領域ヘノ併合ニ關シ貴公使ガ千九百三十七年十二月三十日「ドイツ」國及「タイ」國ノ間ニ締結セラレタル友好通商航海條約ノ適用ガ千九百三十九年四月一日ヨリ舊「オーストリー」聯邦ノ領域ニ及ボサルモノナル旨ヲ本大臣ニ御通知相成リタル千九百三十九年四月十八日ノ閣下ノ書翰Bb第四六八號ノ一九三九年ヲ受領スルノ光榮ヲ有シ候

右御通報了承旁本大臣ハ茲ニ重テ貴公使ニ向テ敬意ヲ表シ候 敬具

千九百三十九年五月九日「サラロム」宮殿外務省ニ於テ

外務大臣 スリダルマディーベス

Chao Pya Sridharmadhibes to Dr. W. Thomas.
No. 1883/2482. Ministry of Foreign Affairs,
Saranromya Palace,

9th May, 1939.

Monsieur le Ministre,

I have the honour to acknowledge the receipt of Your Excellency's letter Bb. Nr. 468/39 of April 18, 1939, in which, referring to the incorporation of Austria into the territory of the German Reich, you were good enough to inform me that the application of the Treaty of Friendship, Commerce and Navigation concluded on December 30, 1937, between Germany and Thailand is extended as from April 1, 1939, to the territory of the former Federal State of Austria.

In taking note of the above communication, I avail etc.

SRIDHARMADHIBES.
Minister of Foreign Affairs.

(参考)

二 旅券査證ノ相互的廢止ニ關ス
ル協定ヲ構成スル「ドイツ」國
及「シアム」國ノ政府間ノ交換
公文

(千九百二十九年四月九日並ニ五月六日及
七日「ベンコック」ニ於テ署名)

第一

第E一/〇五〇九號

以書翰啓上致候陳者本大臣ハ貴代理公使ガ「ドイツ」國「シアム」王國間ノ從來ノ旅券査證ヲ廢止スルノ提案ヲ以テ「シアム」國政府ト交渉スルコトヲ貴國政府ニ依リ訓令セラレタル旨ヲ本大臣ニ通知セラレタル三月四日ノ貴翰ニ言及スルノ光榮ヲ有シ候本大臣ハ本件ガ「シアム」國政府ノ考慮中ノモノニシテ其ノ結果ハ追テ貴代理公使ニ通報セララルベキコトヲ陳述致候

EXCHANGE OF NOTES BETWEEN THE
GERMAN AND SIAMESE GOVERNMENTS
CONSTITUTING AN AGREEMENT RE-
GARDING THE RECIPROCAL ABOLI-
TION OF PASSPORT VISAS.—BANG-
KOK, APRIL 9, AND MAY 6
AND 7, 1929.

I.

MINISTRY
OF FOREIGN AFFAIRS.
No. E. 1/0509.

SARANROMYA PALACE,
April 9, 1929.

MONSIEUR LE CHARGÉ
D'AFFAIRES,

I have the honour to refer to your letter of the 4th of March in which you informed me that you have been instructed by your Government to approach His Majesty's Government with the proposal to abolish the customary passport visa between

本大臣ハ「シム」國政府ニ於テハ旅券査證ノ廢止ガ「シム」國「ドイツ」國間ノ旅行ニ於テ兩國國民ニ多大ノ便宜ヲ與フベキコトヲ了解スルヲ以テ「ドイツ」國政府ノ提案ヲ衷心ヨリ多トスルモノナル旨ヲ茲ニ貴代理公使ニ通知スルノ光榮ヲ有シ候

仍テ「シム」國政府ハ將來「シム」國ニ到ラント欲スル「ドイツ」國民ガ「シム」國ノ査證ヲ要セス又「ドイツ」國ニ到ラント欲スル「シム」國民モ亦「ドイツ」國ノ査證ヲ要セザル様兩國ノ權限アル官憲ニ依リ正當ニ發給セラルル一切ノ旅券ニ對シ査證手續ヲ相互ニ廢止スルコトニ同意致候

前記提案ガ貴國政府ノ同意ヲ得ルニ於テハ當該措置ヲ來ル七月一日ヨリ實施スルコトヲ提案致候

本大臣ハ茲ニ重テ貴代理公使ニ向テ敬意ヲ表シ候 敬具

the German Reich and the Kingdom of Siam. I state that the matter is under the consideration of His Majesty's Government the result of which will be communicated to you in due course.

I have now the honour to inform you that His Majesty's Government, realising that the abolition of passport visas would render great facilities to nationals of both countries in their travels between Siam and Germany, cordially appreciates the proposal of the German Government.

His Majesty's Government therefore agrees to reciprocally abolish the formality of the visa on all passports duly issued by the Competent Authorities of both countries, so that in future German nationals wishing to enter Siam will not require Siamese visa and Siamese nationals wishing to enter Germany will not also require German visa.

If the above suggestion meets with the concurrence of your Government, it is proposed to put the measure in application from the 1st of July next.

I avail myself of this opportunity, Monsieur le Chargé d'Affaires, to renew to you the assurance

of my high consideration.

TRAIDOS,

Minister for Foreign Affairs.

Dr. Hans Koester,

Chargé d'Affaires of the German Reich,

Bangkok.

II.

DEUTSCHE GESANDTSCHAFT.

BANGKOK, May 6, 1929.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of Your Highness' letter of the 9th April last, addressed to Dr. H. Koester, in which you were good enough to inform him that the Royal Siamese Government, realising that the abolition of passport visas would render great facilities to nationals of both countries in their travels between Siam and Germany, cordially appreciates the proposal of the German Government to this effect and that it

千九百二十九年四月九日「サラロム」宮殿外務省ニ於テ

外務大臣 トライトット

在「バンコック」

「ドイツ」國代理公使

「ドクトル、ハンス、ケスター」殿

第二

以書翰啓上致候陳者本使ハ「シム」王國政府ハ旅券査證ノ廢止ガ「シム」國「ドイツ」國間ノ旅行ニ於テ兩國國民ニ多大ノ便宜ヲ與フベキコトヲ了解スルヲ以テ右ノ趣旨ノ「ドイツ」國政府ノ提案ヲ衷心ヨリ多トスルモノナル旨竝ニ仍テ「シム」國政府ハ將來「シム」國ニ到ラント欲スル「ドイツ」國民ガ「シム」國ノ査證ヲ要セス又「ドイツ」國ニ到ラントスル「シム」國民モ亦「ドイツ」國ノ査證ヲ要セザル様兩國ノ權限アル官憲ニ依リ正當ニ發給セララル一切ノ旅券ニ對シ査證手續ヲ相互ニ廢止スルコトニ同

意スル旨ヲ御通知相成リタル「ドクトル、ハー、ケスター」宛去ル四月九日ノ閣下ノ書翰ヲ受領スルノ光榮ヲ有シ候閣下ハ前記提案ガ「ドイツ」國政府ノ同意ヲ得ルニ於テハ當該措置ヲ來ル七月一日ヨリ實施センコトヲ提案スル旨ヲ附言セラレ候

本件ハ審議ノ爲本國政府ニ照會セラレ居タル處本使ハ本國政府ガ右ニ述ベラレタル協定條件ニ全然同意ナル旨ヲ閣下ニ通知スルコトヲ只今訓令セラレ候但シ貴我兩國間ノ旅券査證ノ廢止ハ國境ニ在ル及兩國滞在中ノ外國人ノ取締ニ關スル兩國現存ノ規則ニハ何等ノ影響ヲモ及ボサザルモノト了解致候

閣下ニ依リ提案セラレタル如ク提案セラレタル措置ハ來ル七月一日ヨリ實施セララルコトヲ得ベク候

therefore agrees to reciprocally abolish the formality of the visa on all passports duly issued by the Competent Authorities of both countries, so that in future Siamese nationals wishing to enter Germany will not require German visa and German nationals wishing to enter Siam will not also require Siamese visa. Your Highness further added that, if the above suggestion meets with the concurrence of the German Government, it is proposed to put the measure in application from the 1st of July next. The matter has been referred to my Government for consideration and I am now instructed to inform Your Highness that my Government is in full accord with the terms of the agreement as set forth above. It is however understood that the abolition of passport visas between our two countries does not in any way affect regulations existing in both countries with regard to the control of foreigners at the frontiers and during their sojourn in the respective countries. As suggested by Your Highness, the proposed measure may come into effect from the 1st of July next.

本使ハ茲ニ重テ貴大臣ニ向テ敬意ヲ表シ候 敬具

千九百二十九年五月六日 「バンコック」 「ドイツ」 國公使館ニ於テ

エル、ヘルツ

在「バンコック」

外務大臣「トライットト、ブラハン」親王殿下

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Highness the assurance of my highest consideration. R. HERTZ. His Highness, Prince Traidos Prabandh, Minister for Foreign Affairs, Bangkok.

第三

III.

第E一—二六六二

MINISTRY OF FOREIGN AFFAIRS. No. E. 11/2662.

SARANROMYA PALACE, May 7, 1929.

MONSIEUR LE CHARGÉ D'AFFAIRES,

以書翰啓上致候陳者予ハ貴我兩國ノ國民ニ對スル旅券査證ノ廢止ニ關スル本月六日ノ貴翰ヲ受領スルノ光榮ヲ有シ候

I have the honour to acknowledge the receipt of your letter of the 6th instant with reference to the abolition of passport visas for the nationals of our two countries.

予ハ貴國政府ガ去ル四月九日ノ予ノ書翰ニ於テ述ベラレタル協定條件ニ全然同意シ從テ提案セラレタル措置ガ千九百二十九年七月一日ヨリ實施セラレベキコトヲ了承シ欣快ノ至ニ存シ候

尙予ハ貴我兩國間ノ旅券査證ノ廢止ガ國境ニ在ル及兩國滯在中ノ外國人ノ取締ニ關スル兩國現在ノ規則ニハ何等ノ影響ヲモ及ボサザルコトニ付「シム」國政府ガ貴國政府ト全然同一意見ナル旨ヲ附記致候

予ハ茲ニ重テ貴代理公使ニ向テ敬意ヲ表シ候 敬具

千九百二十九年五月七日「サラロム」宮殿外務省ニ於テ

外務大臣ニ代リ プラヤー、シーウイサーン

在「バンコック」

「ドイツ」國臨時代理公使

「ドクトル、リヒャルト、ヘルツ」殿

I am glad to note that the Government of the Reich is in full accord with the terms of the agreement as set forth in my letter of 9th April last and consequently the proposed measure will come into effect from the 1st July 1929.

I may add that His Majesty's Government is in entire agreement with your Government that the abolition of passport visas between our two countries does not in any way affect regulations existing in both countries with regard to the control of foreigners at the frontiers and during their sojourn in the respective countries.

I avail myself of this opportunity, Monsieur le Chargé d'Affaires, to renew to you the assurance of my high consideration.

Phya SRIVISAR,
for the Minister for
Foreign Affairs.

Dr. Richard Hertz,
Chargé d'Affaires *a. i.*
of the German Reich,
Bangkok.

(参考)

三 一方「シム」國他方「ドイツ」關稅及通商同盟並ニ「メクレンブルグ、シュヴェーリー」及「メクレンブルグ、シネトーレリッツ」大公國間修好通商航海條約

(千八百六十二年二月七日「スメンコック」ニ於テ署名)

TREATY OF AMITY, COMMERCE, AND NAVIGATION, BETWEEN SIAM, ON THE ONE PART, AND THE STATES OF THE GERMAN CUSTOMS AND COMMERCIAL UNION AND THE GRAND DUCHIES OF MECKLENBURG SCHWERIN AND MECKLENBURG STRELITZ ON THE OTHER PART.

(Signed at Bangkok, February 7, 1862.)

ARTICLE I.

Between Their Majesties the First and Second Kings of Siam, their Heirs and Successors, and the Contracting German States, as well as between

their respective subjects, there shall be constant peace and perpetual amity.
The subjects of each of the High Contracting Parties shall enjoy in the dominions of the other full security of person and property.
There shall be full and entire freedom of commerce and navigation for the subjects and vessels of the High Contracting Powers, in every portion of their respective territories, where trade and navigation are actually allowed, or may hereafter be allowed to the subjects or vessels of the most favoured nation.

ARTICLE II.

The High Contracting Powers recognise recipro-

callly their right to appoint Consuls-General, Consuls, Vice-Consuls and Consular Agents in the ports and towns of their respective States, and these officers are to enjoy the same privileges, immunities, powers and exemptions as are or may be accorded to those of the most favoured nation. The said Consular officers shall, however, not begin to exercise their functions until they shall have received the exequatur of the Local Government. The Contracting German States will appoint one Consular officer only for each port or town; but for those places where they appoint a Consul-General, or a Consul, they shall have the right of nominating a Vice-Consul or Consular Agent besides, to act for the Consul-General—or Consul—in case of his being absent or unable to attend. Vice-Consuls or Consular Agents may also be appointed by the Consuls-General or Consuls, their Chiefs.

The German Consular officer shall have under his protection, superintendence, and control, the interests of all subjects of the Contracting German States who reside or who arrive in Siam. He shall

conform to all the provisions of this treaty himself, and enforce the observance of the same by German subjects. He shall also promulgate and carry out all rules and regulations, which are now or may hereafter be enacted for the observance of German citizens with regard to the conducting of their business and their due obedience to the laws of Siam.

Should the German Consular officer be absent, subjects of the Contracting German States, visiting Siam or residing in it, may have recourse to the intervention of a Consul of a friendly nation, or they may address themselves directly to the local authorities, who then shall take means to secure to the said German subjects all the benefits of the present Treaty.

ARTICLE III.

Subjects of the Contracting German States visiting Siam, or taking up their residence there, shall be allowed the free exercise of their religion, and they shall be at liberty to build churches in such

convenient localities as shall be consented to by the Siamese authorities; and such consent shall not be withheld without sufficient reason being assigned.

ARTICLE IV.

Subjects of the Contracting German States wishing to reside in the Kingdom of Siam must be registered at the German Consulate, and a copy of this registration must be furnished to the Siamese authorities. Whenever a subject of one of the Contracting German States has to recur to the Siamese authorities, his petition or claim must be first submitted to the German Consular officer, who shall forward the same, if it appear to him reasonable and conceived in proper terms, or else shall modify its contents.

ARTICLE V.

Subjects of the Contracting German States, who may wish to take up their residence in Siam, shall

for the present do so only in the city of Bangkok, or within a district, the boundaries of which, in accordance with the provisions of the other treaties concluded between Siam and foreign Powers, are as follows:—

On the North: the Bangp'utsa canal from its junction with the Chow Phya river up to the old walls of the town of Lopburi, and a straight line from thence to the Pra-gnam landing-place near the town of Saraburi on the river Pasak.

On the East: a straight line drawn from the Pra-gnam landing-place to the junction of the Klaungk'ut canal with the Bangpakong river; and from this river thence to its mouth. On the coast between the Bangpakong river and the Island of Srimaharajah. German subjects may settle at any place within a distance of 24 hours from Bangkok.

On the South: the island of Srimaharajah, the Seechang islands and the city walls of Petchaburi.

On the western coast of the Gulf, German citizens may settle at Petchaburi and anywhere between that city and the river Meklaung within a journey of twenty-four hours from Bangkok. From the

mouth of the Meklaung river that river shall form the boundary up to the town of Rajburi; from thence a straight line drawn to the town of Supanaburi, and thence to the mouth of the Bangputsa canal into the Chow Phya river. Nevertheless, German subjects may reside beyond these boundaries on obtaining permission to do so from the Siamese authorities.

All subjects of the Contracting German States are at liberty to travel and trade throughout the entire Kingdom of Siam, and to buy and sell all merchandise not prohibited, from and to whomsoever they please. They are not bound to purchase from, or to sell to, officials or monopolists; nor is anybody permitted to interfere with them or hinder them in their business.

ARTICLE VI.

The Siamese Government will place no restrictions upon the employment of Siamese subjects in any capacity whatever by German subjects. But when a Siamese subject belongs or owes service

to some particular master, he may not engage himself to a German subject without the consent of the same. Should he, however, do so, the contract for the services is to be looked upon as concluded for three months only, unless a still shorter period should have been agreed upon, or the German subject be willing to discharge the Siamese at once; and during this period the German subject is bound to pay two-thirds of the stipulated wages, not to the Siamese in his employment, but to the person to whom he belongs or owes service. If Siamese in the employment of a German subject offend against the laws of Siam, or if any Siamese offenders or fugitives take refuge with a German subject in Siam, the German Consular officer shall, upon proof of their guilt or desertion, take the necessary steps to ensure their being delivered up to the Siamese authorities.

ARTICLE VII.

Subjects of the Contracting German States shall not be detained against their will in the Kingdom

of Siam, unless the Siamese authorities can prove to the German Consular officer that there are lawful reasons for such detention.

Within the boundaries fixed by Article V. of this Treaty, subjects of the Contracting German States shall be at liberty to travel without hindrance or delays of any kind whatever, provided they are in possession of a passport signed by their Consular officer, containing in Siamese characters their name, profession, and a description of their person, and countersigned by the competent Siamese authority. Should they wish to go beyond the said limits and travel in the interior of the Kingdom of Siam, they shall procure for themselves a passport, which shall be delivered to them at the request of the Consular officer by the Siamese authorities, and such passport shall not be refused in any instance, except with the concurrence of the Consular officer of the Contracting German States.

ARTICLE VIII.

Within the limits specified in the fifth Article

subjects of the Contracting German States may buy and sell, take or let on lease land and plantations, and may build, buy, rent, sell, or let houses. The right, however, of owning land, situated: 1st.—On the left bank of the river, within the city of Bangkok proper and on the piece of ground between the city walls and the Klaung-padung-krung-Kras'em canal, and 2nd.—On the right bank of the river between the points opposite the upper and the lower mouth of the Klaung-padung-krung-Kras'em canal within a distance of two English miles from the river, shall only belong to such as have received a special permission from the Siamese Government or have spent ten years in Siam. In order to obtain possession of such property, German subjects may make an application through the Consular officer to the Siamese Government, which thereupon will appoint a functionary, who, jointly with the Consular officer, shall equitably adjust and settle the amount of the purchase money, and make out and fix the boundaries of the property. The Siamese Government will then convey the property to the

German purchaser. All landed property of German subjects shall be under the protection of the district governor and the local authorities, but the proprietors shall conform in ordinary matters to all equitable directions proceeding from the said authorities, and shall be subject to the same taxation, as the subjects or citizens of the most favoured nation.

Subjects of the Contracting German States shall be at liberty to search for and open mines in any part of Siam, and the matter being distinctly set forth to the Consul, he shall, in conjunction with the Siamese authorities, arrange such suitable conditions and terms as shall admit of the mines being worked. German subjects shall likewise be permitted to engage in and carry on in Siam any description of manufacture not contrary to law, upon like reasonable terms arranged between the Consul and the Siamese authorities.

ARTICLE IX.

When a subject of one of the Contracting German

States, residing temporarily or permanently in the Kingdom of Siam, has any cause of complaint or any claim against a Siamese he shall first submit his grievances to the German Consular officer, who after having examined the affair shall endeavour to settle it amicably. In the same manner, when a Siamese shall have a complaint to make against any German subject, the Consular officer shall listen to his complaint and try to make an amicable settlement; but if, in such cases, this prove impossible, the Consular officer shall apply to the competent Siamese functionary, and, having conjointly examined the affair, they shall decide thereon according to equity.

ARTICLE X.

If a crime or an offence be committed in Siam, and the offender be a subject of one of the Contracting German States, he shall be punished by the Consular officer in conformity to the respective German laws, or be sent to Germany for punishment.

If the offender be a Siamese, he shall be punished by the Siamese authorities according to the laws of the country.

ARTICLE XI.

Should any act of piracy be committed on vessels belonging to one of the Contracting German States on the coast or in the vicinity of the Kingdom of Siam, the authorities of the nearest place, on being informed of the same, shall use all means in their power towards the capture of the pirates and the recovery of the stolen property, which shall be delivered to the Consular officer, to be restored by him to the owners. The same course shall be followed by the Siamese authorities in all acts of pillage and robbery directed against the property of German subjects on shore. The Siamese Government shall not be held responsible for property stolen from German subjects, as soon as it be proved that it has employed all means in its power for the recovery of the same; and this principle shall equally hold good with regard to

Siamese subjects living under the protection of one of the Contracting German States, and to their property.

ARTICLE XII.

On the German Consular officer sending a written application to the Siamese authorities, he shall receive from them every aid and support in detecting and arresting German sailors or other subjects, or any individuals under the protection of a German flag. The German Consular officer shall also, at his request, receive from the Siamese authorities every necessary assistance and a sufficient force to give due effect to his authority over German subjects and to keep up discipline among German shipping in Siam. In like manner, whenever a Siamese, guilty of desertion or any other crime, should take refuge in the house of a subject of one of the Contracting German States, or on board of a German vessel, the local authorities shall address themselves to the German Consular officer, who, on proof of the culpability of the accused,

shall immediately authorise his arrest. All concealment and connivance shall be avoided by both parties.

ARTICLE XIII.

Should a subject of one of the Contracting German States engaged in business in the Kingdom of Siam, become bankrupt, the German Consular officer shall take possession of all his goods, in order to distribute them proportionately among the creditors, to which end he shall receive every aid from the Siamese authorities; he shall also neglect no means to seize on behalf of the creditors all the goods which the said bankrupt may possess in other countries. In like manner in Siam, the authorities of the Kingdom shall adjudicate and distribute the effects of Siamese subjects who may become insolvent in their commercial transactions with subjects of the Contracting German States.

ARTICLE XIV.

Should a Siamese subject refuse or evade the

payment of a debt to a German subject, the Siamese authorities shall afford the creditor every aid and facility for recovering what is due to him. In like manner the German Consular officer shall give every assistance to Siamese subjects for recovering debts which may be due to them from subjects of the Contracting German States.

ARTICLE XV.

In case of the decease of one of their respective subjects in the dominions of the one or the other of the High Contracting Parties, his property shall be delivered unto the executor of his will; or if none have been appointed, unto the family of the deceased or unto his partners in business. If the defunct possess neither a family nor partners in business, his property shall, in the dominions of both of the High Contracting Parties, be placed, as far as the laws of the land permit it, under the charge and control of the respective Consular officers, in order that these may deal with it in the customary manner according to the laws and usages

of their country.

ARTICLE XVI.

Men-of-war belonging to one of the Contracting German States may enter the river and anchor at Paknam; but in case they intend to proceed to Bangkok they must first inform the Siamese authorities, and come to an understanding with the same respecting the anchorage.

ARTICLE XVII.

Should a German vessel in distress enter into a Siamese port, the local authorities shall offer every facility for her being repaired and revictualled, so that she may be able to continue her voyage. Should a German vessel be wrecked on the coast of the Kingdom of Siam, the Siamese authorities of the nearest place, being informed thereof, shall immediately afford every possible assistance to the crew, and take all measures necessary for the relief and security of the vessel and cargo. They

shall thereupon inform the German Consular officer of what has taken place, in order that he may, in conjunction with competent Siamese authority, take the proper steps for sending the crew home and dealing with the wreck and cargo.

ARTICLE XVIII.

By paying the import and export duties mentioned hereafter, vessels belonging to one of the Contracting German States and their cargoes shall be free in Siam of all dues of tonnage, pilotage, and anchorage, or other dues whatsoever, as well on their arrival as their departure. They shall enjoy all privileges and immunities which are or shall be granted to junks, Siamese vessels, or vessels of the most favoured nation.

ARTICLE XIX.

The duties to be levied on merchandise imported into the Kingdom of Siam by vessels belonging to any of the Contracting German States, shall not

exceed three per cent. of their value. They shall be paid in kind or in money at the choice of the importer. If the importer cannot agree with the Siamese Custom-house officers as to the value of the merchandise imported, the matter shall be referred to the Consular officer and a competent Siamese functionary, who, if they consider it necessary, will each invite one or two merchants to act as advisers, and will settle the difference according to justice.

After payment of the said import duty of three per cent. the merchandise may be sold by wholesale or retail free of any other charge whatsoever. Should goods be landed and not sold, and be again shipped for exportation, the whole of the duties paid on them shall be reimbursed; and in general no duty shall be levied on any cargo not sold. Nor shall any further duties, taxes or charges be imposed or levied on imported goods, after they have passed into the hands of Siamese purchasers.

ARTICLE XX.

The duties to be levied on Siamese produce

either before or at the time of shipment shall be according to the tariff annexed to the present Treaty. Every article of produce subject to duties of exportation according to this tariff shall be free of all transit and other dues throughout whole Kingdom of Siam; and, it is likewise agreed, that no Siamese produce which shall have paid transit or other dues, shall be subject to any tariff-duty or other charge whatsoever, either before or at the time of shipment.

ARTICLE XXI.

On paying the duties above-mentioned, which are not to be augmented in future, subjects of the Contracting German States shall be at liberty to import into the Kingdom of Siam from German and foreign ports, and likewise to export for all destinations all goods, which on the day of the signing of the present treaty are not the object of a formal prohibition or a special monopoly. The Siamese Government reserves to itself, however, the right of prohibiting the exportation of rice

whenever it shall find reason to apprehend a dearth in the country. But such prohibition, which must be published one month before being enforced, shall not interfere with the fulfilment of contracts made *bona fide* before its publication; German Merchants shall, however, inform the Siamese Authorities of any bargains they have concluded previously to the prohibition. It shall also be permitted that ships which have arrived in Siam at the time of the publication of said prohibition, or are on their way to Siam from Chinese ports or from Singapore—if they have left these ports before the prohibition to export could be known there—may be laden with rice for exportation. Should the Siamese Government hereafter reduce the duties on goods imported or exported in Siamese or other bottoms, vessels belonging to any of the Contracting German States, which import or export similar produce, shall immediately participate in the benefits accruing from such a reduction.

ARTICLE XXII.

The Consular officers of the Contracting German

States shall see that German Merchants and seamen conform themselves to the regulations annexed to the present treaty, and the Siamese authorities shall aid them herein. All fines levied for infractions of the present treaty shall belong to the Siamese Government.

ARTICLE XXIII.

The Contracting German States and their subjects shall be allowed free and equal participation in all privileges that may have been or may hereafter be granted by the Siamese Government to the Government, subjects or citizens, of any other nation.

ARTICLE XXIV.

After the lapse of twelve years from the date of ratification of this treaty, the Contracting States may propose a revision of the present treaty, and of the regulations and tariff thereunto annexed, in order to introduce such alterations, additions and

amendments, as experience may prove to be desirable. Notice of such an intention must, however, be given at least a year beforehand.

ARTICLE XXV.

The present treaty is executed in fourfold copies in the German, the Siamese, and the English language. All these versions have one and the same meaning and intention, but the English text shall be looked upon as the original text of the treaty, so that if any different interpretation of the German and Siamese versions should ever occur, the English text shall determine the sense.

The treaty shall take effect immediately, and its ratifications shall be exchanged at Bangkok within eighteen months of the present date.

In witness whereof the plenipotentiaries named at the beginning have signed and sealed the present treaty at Bangkok on the seventh day of the month of February in the year of our Lord one thousand eight hundred and sixty-two corresponding to the

Siamese date of the eighth day of the third moon in the year of the Cock, the third of the decade, eleventh of the present reign, and one thousand two hundred and twenty-third of the Siamese Civil Era.

TRADE REGULATIONS.

ARTICLE I.

The master of every ship belonging to one of the contracting German States, which comes to Bangkok to trade, must either before or after entering the river, as he may choose, report the arrival of his vessel at the Paknam Custom-house, and the number of his crew and guns, and the name of the port from whence he comes. As soon as his vessel has anchored at Paknam, he shall deliver up all his guns and ammunition into the custody of the Custom-house officers; and a Custom-house officer will then be appointed to accompany the vessel to Bangkok.

ARTICLE II.

Every Merchant-vessel passing Paknam without discharging her guns and ammunition as directed in the foregoing regulation will be sent back to Paknam to comply with its provisions, and will be liable to a fine not exceeding eight hundred Ticals. After having given up her guns and ammunition, she will be permitted to return to Bangkok. (This clause is not now enforced, as it was found unnecessary and inconvenient to take over custody of guns and ammunition.—Ed. B. D.)

ARTICLE III.

Whenever a German Merchant-vessel shall have cast anchor at Bangkok, the master shall, unless a holiday intervenes, proceed within four-and-twenty hours to the German Consulate, and there deposit the ship's papers, bills of lading, etc., together with a true manifest of his cargo; and upon the Consular officer reporting these particulars to the Custom-house, permission to break bulk will at

once be given by the latter.

Should the Custom-house delay granting such permission for more than twenty-four hours, the Consular officer may give a permit, which shall have the same validity, as if it proceeded from the Custom-house.

For neglecting to report his arrival, or for presenting a false manifest, the master will be liable to a penalty not exceeding four hundred Ticals; but he will be allowed to correct, within twenty-four hours after delivery of it, any mistake he may discover in his manifest, without incurring any penalty.

ARTICLE IV.

A German vessel breaking bulk and commencing to discharge before having obtained due permission, or smuggling on the river or outside the bar, shall be subject to a penalty not exceeding eight hundred Ticals, and to confiscation of the goods so smuggled or discharged.

ARTICLE V.

As soon as a German vessel shall have discharged her cargo and completed her outward lading, paid all her duties, and delivered a true manifest of her outward cargo to the German Consular officer, a Siamese port-clearance shall be granted to her; and in the absence of any legal impediment to her departure, the Consular officer will then return the ship's papers to the master and allow the vessel to leave. A Custom-house officer will accompany the vessel to Paknam, and there she will be inspected by the Custom-house officers of that station; and will receive back from them the guns and ammunition previously delivered into their charge.

ARTICLE VI.

All Custom-house officers shall carry a badge, by which they can be distinguished when acting officially, and only two Custom-house officers shall be allowed on board a German vessel at one time,

unless a greater number should be required to effect the seizure of smuggled goods.

TARIFF OF IMPORT, EXPORT, AND
INLAND DUTIES TO BE LEVIED
ON ARTICLES OF TRADE.

I.

The duty on goods imported into the Kingdom of Siam in vessels belonging to one of the contracting German States, shall not exceed three per cent. on their value, and shall be paid either in kind or in money, at the choice of the importer. No duty shall be levied on any cargo not sold.

II.

The under-mentioned articles shall be free from inland dues or other taxes on production or transit, and shall only pay the following export duty: See Treaty of Friendship and Commerce between

great Britain and Siam, signed at Bangkok, April 18th, 1855.)

III.

All other articles are exempted from export duties, but are subject to inland or transit duties, the present rates of which are not to be increased in future.

For the rates of these articles see Treaty of Friendship and commerce between Great Britain and Siam, signed at Bangkok, April 18th, 1855.

IV.

Foreign coins, gold and silver in bars or ingots,

gold leaf, provisions, and personal effects may be imported or exported duty free. Such Consular officers of the contracting German States as shall be prohibited by their Government from engaging in trade, are at liberty to import duty free all objects of furniture, outfit, and consumption they may require for their own private use.

V.

Opium may be imported duty free, but can be sold only to the opium farmer or his agents. In like manner guns and ammunition may only be sold to the Siamese Government or with consent of the same.

(参考)

四 「シム」王國「ドイツ」帝國間
酒精飲料ノ賣買ニ關スル協定

(千八百八十四年三月十二日「ムルン」
ニ於テ署名)
(千八百八十五年九月十一日批准書交換)

一方「ドイツ」帝國ノ名ニ於ケル「ドイツ」國皇帝「
ロシア」國皇帝陛下及他方「シム」國皇帝陛下ハ「シム」
國ニ於ケル酒精飲料ノ賣買ヲ一層満足スベキ方法ヲ以テ取
締リ且之ガ爲補足協定ニ依リ現存ノ「ドイツ」國「シム」
國間ノ條約上ノ約束ヲ變更スルノ便宜ナルコトヲ認メ下名
ハ之ガ爲正當ノ委任ヲ受ケ左ノ諸條ヲ協定セリ

第一條

「ドイツ」人ハ何レノ國ヨリモ又何レノ國旗ノ下ニ於テモ
火酒、麥酒及葡萄酒ヲ「シム」王國ニ輸入スルコトヲ得
酒精ノ強度ガ「シム」國政府ニ依リ「シム」國ニ於ケル製

第一節「ドイツ」國 酒精飲料賣買協定(一八八四年)

AGREEMENT BETWEEN THE GERMAN
EMPIRE AND THE KINGDOM OF
SIAM RESPECTING THE TRAFFIC
OF SPIRITUOUS LIQUORS.

SIGNED AT BERLIN, MARCH 12th, 1884.
Ratifications Exchanged, September 11th, 1885.

His Majesty the German Emperor, King of Prussia, in the name of the German Empire, on the one part, and His Majesty the King of Siam, on the other part, having recognised the expediency of regulating in a more satisfactory manner the traffic in spirituous liquors in Siam and of modifying with this view, by a Supplementary Agreement, the existing Treaty engagements between Germany and Siam, the undersigned, duly authorized to that effect, have agreed upon the following articles:

ARTICLE I.

Germans may import spirits, beer, and wines into the Kingdom of Siam from any country and under any flag.

造ヲ許可セラレタルモノヲ超エザル火酒ハ「シヤム」國ニ於テ製造セラレタル酒精強度ノ等シキ火酒ニ對シ「シヤム」國ノ消費税法ニ依リ賦課セラルル税金ト同額ノ税金ヲ支拂ヒタルトキ直ニ「ドイツ」人ニ依リ輸入セラレ且販賣セララルコトヲ得酒精ノ強度ガ「シヤム」國ニ於テ製造セラレタル火酒ヲ超ユル火酒ハ「シヤム」國政府ノ標準ニ對スル酒精強度ノ超過度ニ比例スル輸入税ヲ支拂ヒタルトキ直ニ輸入セラレ且販賣セララルコトヲ得

本協定實施ノ日ヨリ「シヤム」國ニ於テ製造セラレタル火酒ニ對スル消費税及外國ヨリ「ドイツ」人ニ依リ輸入セラレタル火酒ニ對スル輸入税ノ賦課セラルベキ基礎タル比率ハ本協定實施ノ爲ニ作成セララルベキ規則ニ掲ゲラルベシ右規則ハ輸入税ノ賦課ノ關スル限ニ於テハ本協定ノ實施前ニ兩國政府間ニ協定セララルベシ

輸入税額ニ關スル比率ノ變更ハ「ドイツ」國政府ノ同意ナ

キトキ及右變更ノ意圖ガ「シヤム」國政府ニ依リ「バンコック」駐在「ドイツ」帝國代表ニ通報セラレタル日ヨリ六月ノ滿了スルニ至ル迄ハ「ドイツ」人ニ影響ヲ及ボスコトナカルベシ

「ドイツ」人ニ依リ「シヤム」王國ニ輸入セララル麥酒及葡萄酒モ同様ニ其ノ入國ニ際シ條約上ノ現存約束ニ依リ賦課セラルル所ヨリ高キ税金ヲ課セラルルコトヲ得但シ右税金ハ如何ナル場合ニ於テモ從價一割ヲ超ユルコトナカルベシ

前記ノ如ク輸入セララル火酒、麥酒及葡萄酒ヨリ徵集セラルル税金ハ現存條約ニ依リ賦課セラルル從價三分ノ輸入税ニ代ルベキモノニシテ之ニ加ヘラルベキモノニ非ズ輸入セラルル火酒、麥酒及葡萄酒ニ對シテハ右以外ノ如何ナル税金、租税又ハ課金モ賦課セラルルコトナカルベシ

第二條

「ドイツ」人ニ依リ「シヤム」王國ニ輸入セラレタル火酒、

Spirits not exceeding in alcoholic strength those permitted to be manufactured by the Siamese Government in Siam may be imported and sold by Germans on payment of a duty equal in amount to the duty levied by the Siamese excise laws upon spirits of the same alcoholic strength, manufactured in Siam. Spirits exceeding in alcoholic strength spirits manufactured in Siam, may be imported and sold upon payment of an import duty proportionate to the excess of alcoholic strength above the Siamese Government standard.

The scale on which, from the date of the enforcement of this Agreement, excise duties upon spirits manufactured in Siam, as well as import duties upon spirits imported by Germans from abroad, are to be levied, shall be inserted in the Regulations which shall be drawn up for the purpose of carrying out this Agreement and which shall, as far as the levying of import duties is concerned, be agreed upon between the two Governments before the present Agreement is to come into operation.
No change of scale, as regards the amount of

import duty, shall affect Germans without the consent of the German Government, and not until after the expiration of six months from the date at which such intended change shall have been communicated by the Siamese Government to the Representative of the German Empire at Bangkok.

Beer and wines imported by Germans into the Kingdom of Siam may likewise be subjected at their entrance to a higher duty than that leviable under the existing Treaty engagements; but such duty shall in no case exceed ten per cent. ad valorem.

The duties levied as aforesaid from imported spirits, beer, and wines, shall be in substitution of, and not in addition to, the import duty of three per cent. ad valorem, leviable under the existing Treaties. No further duty, tax, or imposition whatever shall be imposed on imported spirits, beer, and wines.

ARTICLE II.

The testing of spirits, beer, or wines imported

麥酒又ハ葡萄酒ノ試験ハ「シム」國官意ニ依リ任命セラ
ル「ヨーロッパ」人タル官吏及「ドイツ」國領事ニ依リ任命
セラルル之ト同數ノ専門家ニ依リ施行セラルベシ意見ノ相
違アル場合ニハ兩當事者ハ審判人トシテ行動スベキ第三者
ヲ任命スベシ試験方法ハ本協定第一條ニ掲ゲラルル規則ニ
從ヒ前記ノ官吏及専門家ニ依リ協定セラルベシ

試験手續ハ船内ニ於テハ實施セラレザルベシ

第三條

「シム」國政府ハ第二條ニ規定セラルル方法ニ依リ施行セ
ラレタル試験ニ依リ公衆衛生ニ有害ナリト證明セラルベキ
火酒、麥酒又ハ葡萄酒ノ「ドイツ」人ニ依ル「シム」國へ
ノ輸入ヲ停止スルコトヲ得右ノ場合ニ於テハ「シム」國政
府ハ之ヲ輸入業者、荷受人又ハ所有者ニ通知シ右商品ヲ右
通知ノ日ヨリ三月以内ニ輸出セシムベシ右ガ實行セラレザ
ルトキハ「シム」國政府ハ右商品ヲ押收シ且之ヲ破毀スル
コトヲ得但シ一切ノ右ノ場合ニ於テハ常ニ右政府ハ該商品

into the Kingdom of Siam by Germans shall be carried out by European officials nominated by the Siamese authorities, and by an equal number of experts nominated by the German Consul. In case of difference the parties shall nominate a third person, who shall act as umpire. The mode of testing shall be agreed upon by the aforesaid officials and experts in accordance with the regulations mentioned in Article I. of this Agreement. The process of testing shall not be performed on board ship.

ARTICLE III.

The Siamese Government may stop the importation by Germans into Siam of any spirits, beer, or wines which by an examination, carried out in the manner provided in Article II., shall be proved to be deleterious to the public health. In such cases the Siamese Government shall give notice to the importers, consignees, or holders thereof to export the same within three months from the date of such notice. If this is not done, the Siamese

ニ對シ既ニ支拂ハレタルコトアルベキ如何ナル税金ヲモ拂
戻スノ義務ヲ有スベシ

「シム」國政府ハ「シム」國ニ於テ製造セラレタル一切ノ
火酒、麥酒又ハ葡萄酒ニシテ公衆衛生ニ有害ナルコトアル
ベキモノノ販賣ヲ禁止シ及之ヲ防止スル爲一切ノ必要ナル
措置ヲ執ルコトヲ約ス

第四條

「シム」國ニ於テ火酒、麥酒又ハ葡萄酒ヲ小賣セント欲ス
ル「ドイツ」人ハ之ガ爲ノ特別ノ許可書ヲ得ルコトヲ要ス
右許可書ハ「シム」國政府ニ依リ與ヘラレ公正且正當ノ事
由ナキ限り拒否セラルルコトナカルベシ「ドイツ」國領事
ガ文書ヲ以テ要求ヲ爲ストキハ「ドイツ」人ニ依リ請求セ
ラレタル許可書ノ拒否ノ根據タル事實ノ報告書ハ直ニ「ド
イツ」國領事ニ送付セラルベシ

火酒、麥酒及葡萄酒ノ小賣ノ爲ノ許可書ノ與ヘラレ又ハ拒
否セララルコトアルベキ根據タル原則ハ本協定第一條ニ掲

Government may seize and destroy the same, provided always that in all such cases the said Government shall be bound to refund any duty which may have been already paid thereon. The Siamese Government engage to take all necessary measures to prohibit and prevent the sale of all spirits, beer, or wines manufactured in Siam which may be deleterious to the public health.

ARTICLE IV.

Germans who desire to retail spirits, beer, or wines in Siam, must take out a special licence for that purpose, which is to be delivered from the Siamese Government, and which shall not be refused without just and reasonable cause. On demand made by the German Consul in writing a statement of the facts on which a licence applied for by a German has been refused, shall be at once communicated to him.

The principles upon which licences for retailing spirits, beer, and wines may be either granted or

ゲラルル規則ニ述ベラルベク又相互ノ同意ニ依リ時時變更セラルルコトヲ得右規則モ亦本協定ノ適用上「小賣」ナル用語ノ意義ヲ正確ニ定義スベシ

外國ヨリ輸入セラレタル火酒、麥酒又ハ葡萄酒ヲ販賣スル「シヤム」人又ハ他國人タル小賣業者ハ「シヤム」國ニ於テ製造セラレタル火酒、麥酒又ハ葡萄酒ヲ販賣スル小賣業者ト異ルカ又ハ之ニ過ギタル何等ノ税金又ハ條件ヲモ課セラルベカラザルコト明ナルモノトス

「シヤム」國政府ハ外國ヨリ輸入セラレタル火酒、麥酒又ハ葡萄酒ニシテ公衆衛生ニ有害ナリト認メラレザルモノノ小賣販賣ヲ如何ナル方法ニ依リテモ妨害スルコトナキコトヲ約ス

第五條

「ドイツ」人ハ火酒、麥酒又ハ葡萄酒ノ輸入及販賣ニ關シ竝ニ「シヤム」國ニ於ケル右物品ノ小賣ノ爲ニ「シヤム」國政府ニ依リ許與セララルル許可ニ關シテモ「シヤム」國臣民ト又ハ自己ノ選擇ニ依リ最惠國ノ臣民若ハ國民ト同一ノ權利

及特權ヲ常ニ享有スベシ「ドイツ」人ハ「シヤム」國臣民ヲ含ミテ如何ナル別國ノ臣民又ハ國民ヨリモ大ナル範圍ニ於テ本協定ノ規定ニ從フノ義務ナキコト明ナルモノトス

第六條

第五條ノ規定ヲ留保シ本協定ハ之ガ實施ノ爲作成セラルベキ規則ガ公布セラレタル後成ルベク速ニ實施セラルベク且本協定ヲ終了セシムル爲何レカノ一方ノ當事國ニ依リ爲サルル六月ノ豫告ノ期間滿了ニ至ル迄引續キ效力ヲ有スベシ

「ドイツ」國「シヤム」國間ノ現存ノ條約上ノ約束ハ本協定ノ實施セララル迄又右ノ日後ニ於テハ右約束ガ本協定ニ依リ明ニ變更セラレタル限ヲ除キ引續キ完全ナル效力ヲ有スベシ

本協定ガ終了セシメララルトキハ「ドイツ」國「シヤム」國

refused shall be clearly stated in the regulations, referred to in Article I. of this Agreement, and may be altered from time to time by mutual consent. The Regulations shall also define exactly the meaning of the expression "retail" for the purposes of this Agreement.

It is clearly understood that Siamese or other retail dealers who sell spirits, beer, or wines imported from abroad shall not be subjected to any other or further duties or conditions whatever than those who sell spirits, beer, or wines manufactured in Siam.

The Siamese Government engage not to hinder in any way the retail sale of spirits, beer, or wines imported from abroad which shall not be recognized as deleterious to the public health.

ARTICLE V.

Germans shall, at all times, in regard to the importation and sale of spirits, beer, or wines, and also in regard to the licences granted by the Siamese Government for the retail of such articles

in Siam, enjoy the same rights and privileges as Siamese subjects or, at their option, the subjects or citizens of the most favoured nation. It is clearly understood that Germans will not be bound to conform to the provisions of this Agreement to any further extent than the subjects or citizens of any other nation, including Siamese subjects.

ARTICLE VI.

Subject to the provisions of Article V. the present Agreement shall come into operation as soon as possible after the Regulations, to be drawn up for the purpose of carrying out the same, shall have been promulgated, and shall remain in force until the expiration of six months' notice given by either Party to terminate the same.

The existing Treaty-engagements between Germany and Siam shall continue in full force until the present Agreement comes into operation, and after that date, except in so far as they are expressly modified by this Agreement.

Should the present Agreement be terminated,

間ノ條約上ノ約束ハ一切ノ點ニ於テ復活シ且本協定ノ署名前ノ儘ニテ引續キ效力ヲ有スベシ

第七條

本協定ニ於テ「ドイツ」人ナル語ハ「ドイツ」國ノ法令ニ依リ「ドイツ」國領事ノ保護ノ許與セラルルコトヲ得ル一切ノ者ヲ包含スベシ又「ドイツ」國領事ナル語ハ「シムム」國駐在ノ「ドイツ」帝國ノ何レノ領事官ヲモ包含スベシ

第八條

本協定ハ批准セラルベク且其ノ批准書ハ成ルベク速ニ交換セラルベシ
本協定ハ「ドイツ」語及「イギリス」語ヲ以テ作成セラレ前記諸條ノ何レカガ相違シテ解釋セラルルトキハ「イギリス」語ノ本文ガ當該意義ヲ決定スベシ

the Treaty engagements between Germany and Siam shall revive in all respects and remain in force as they existed previously to the signature of this Agreement.

ARTICLE VII.

In this Agreement the word "Germans" shall comprise all persons to whom under the German laws the protection of the German Consul may be granted; and the words "German Consul" shall comprise any consular officer of the German Empire in Siam.

ARTICLE VIII.

The present Agreement shall be ratified, and its ratifications shall be exchanged as soon as possible.

This Agreement is drawn up in the German and English languages, with the understanding that, should any of the foregoing articles be differently interpreted, the English text shall determine the sense.

千八百八十四年三月十二日即チ「シムム」國天文紀元千二百四十五年、十年周期ノ第五年目、山羊ノ年「ブラダナマス」月ノ虧月ノ第一日「ベルリン」ニ於テ本書二通ニ署名調印セリ

グラフ、フォン、ハッツフェルト
プリスダング

千八百八十四年六月二十四日「ドイツ」國議會ニ提出セラレタル説明書

數年前「シムム」國政府ハ各條約國ニ對シ「シムム」國トノ現存諸條約ノ一般的改正ヲ提議セリ之ニ成功セザリシヲ以テ「シムム」國ハ外ニ火酒賣買ヲ他ノ方法ニ依リ調整スル爲特別ノ要求ヲ提出セリ最高三分ノ從價稅ハ一層多額ノ收入ガ消費稅トシテ徵集セラルルコトヲ禁止シ且火酒ノ蒸溜及販賣ガ「シムム」國ニ於テハ國ノ專賣タルニモ拘ラズ「シムム」國政府ガ右ノ課稅目的ヨリ一層多額ノ收入ヲ得ルコトヲ防止スルモノナリ

Signed and sealed in duplicate originals at Berlin this 12th day of March, 1884, corresponding to the first day of the waning moon of the month Phagunamas of the year of the Goat, fifth Decade, 1245, of the Siamese Astronomical Era.

GRAF V. HATZFELDT.
PRISDANG.

MEMORIAL LAID BEFORE THE GERMAN REICHSTAG, 24TH JUNE, 1884.

A few years ago the Siamese Government suggested to the treaty powers a general revision of the existing treaties with Siam. Having failed in this, Siam brought forward a special demand to adjust otherwise the trade in spirits. The maximum duty of 3 per cent. on the value prohibits a higher revenue being levied in the way of excise and prevents the Siamese Government drawing from this subject of taxation a higher revenue, notwithstanding that the distilling and sale of spirits are a monopoly of State in Siam.

「シム」國政府ハ關稅及消費稅ノ輕微ナルコトガ「シム」國民ノ過度ノ飲酒癖ヲ終熄セシムルコトヲ如何ニ妨害スルカ及支那ヨリ來ル有害ナル火酒ノ使用ガ特ニ災害アルコトヲ立證セルコトヲ指摘セリ

各條約國ハ火酒賣買ニ關スル條約上ノ現在ノ規定ヲ變更スル爲「シム」國政府ニ依リ提出セラレタル理由ヲ認識セザルヲ得ザリキ英國政府ハ火酒賣買ヲ取締ル爲昨年四月六日「シム」國全權委員「ブリスダイン」親王ト第一番ニ條約ヲ締結セリ

右ノ例ハ五月四日「ポルトガル」國ニ依リ、五月二十三日「フランス」國ニ依リ、七月十六日「スウェーデン」國及「ノールウェー」國ニ依リ、七月二十五日「デンマーク」國ニ依リ、八月四日「ベルギー」國ニ依リ又十一月十日「オランダ」國ニ依リ二三ノ修正ヲ加ヘテ做ハレタリ「オーストリー」國政府ハ貴我ノ本條約ヲ基礎トシテ締結スルノ意嚮ヲ有シ又本年五月十四日ニハ同一基礎ニ於テ「アメリカ」合衆國及「シム」國ノ全權委員ノ間ニ條約ガ締結セラレタリ

貴全權委員及予ハ其ノ商議中ニ於テ合法的ナル火酒賣買ニ對スル不合理ナル制限ニシテ今回ノ處理ノ目的ニ反スルトアルベキモノヲ阻止セントスル舊規定ニ掲ゲラレタル保障ヲ或程度強化スルコトニ努メ之ニ成功セリ

個個ノ箇條ニ付テハ左ノ注意ガ述べラルルコトヲ要ス

第一條 本條ハ外國及内國ノ產物ニ對スル衡平課稅ノ原則ヲ掲グルモノナリ一切ノ他國政府ガ論點ヲ放棄シタル後ハ課稅ノ額ヲ制限スルコトヲ主張セザルコトヲ要ス但シ本條約ニ於テハ輸入稅及輸出稅ノ兩者ヲ賦課スル爲ノ基礎タルベキ稅率表ハ「シム」國政府ト各條約國ノ代表者トノ間ニ作成セラレベキ規則ノ一部ヲ成スベキコト及了解ノ成立ニ先チ條約ガ實施セララルコトナカルベキコトガ規定セラレ

The Siamese Government pointed out how the insignificance of the duty and excise prevents a stop being put to the excessive tendency to drinking of the Siamese population, and that the use of deleterious spirits from China has proved especially disastrous.

The Treaty powers could not but acknowledge the reasons put forward by the Siamese Government to alter present treaty stipulations regarding the trade in spirits. The British Government was the first to conclude a convention with the Siamese Plenipotentiary, Prince Prisdang, on 6th April last year, to regulate the trade in spirits.

This example was followed with a few alterations by Portugal on 4th May, by France on 23rd May, by Sweden and Norway on 16th July, by Denmark on 25th July, by Belgium on 4th August, and by the Netherlands on 10th November. The Government of Austria, intends to close on the basis of our convention, and on the 14th May this year on the same basis a convention has been concluded between the United States and a Siamese Plenipotentiary.

In our negotiations we endeavoured not without success to strengthen to a certain degree the guarantees contained in former stipulations against unjustifiable restrictions on legitimate trade in spirits which might be contrary to the aim of this transaction.

On the different articles the following remarks are to be made:—

ARTICLE I.

Contains the principle of equal taxation on the foreign and inland produce. After all the other governments had abandoned the point it must not be insisted on to limit the amount of the taxation. But in the present convention it is stipulated that the tariff which is to be the basis for levying both import and export duty, will form a part of the regulations which will be formed between the Siamese Government and representatives of the treaty powers, and that before an understanding is arrived at the convention shall not come into force.

第二條 本條ハ輸入セラレタル火酒ノ検査ニ付規定スルモノナリ 最後ノ二項ハ他ノ規定ヲ有效ニ完成セシムルモノト看做サルルコトヲ得検査方法ハ規則中ニ於テ定メラルベシトノ規定ハ後ニ不確實ト反論トヲ防止スルニ適スト認メラル船内ニ於ケル検査ノ禁止ハ汽船ノ出發ノ遅延ヲ防止スルモノナリ

ARTICLE II.

Which treats about examination of imported spirits. The last two paragraphs can be regarded as a useful completion of other stipulations. The stipulation that the manner of the examination shall be laid down in the regulations, seems fit to prevent, later on, uncertainties and reclamations. The prohibition of examination on board of vessels prevents delay in the despatch of steamers.

ARTICLE III.

第三條 本條ハ衛生上有害ナリト立證セラレタル外國産及内國産ノ火酒ノ輸入及販賣ヲ防止スルノ權利ヲ「シヤム」國政府ニ許與スルモノナリ

Accords to the Siamese Government the right to prevent the importation as well as the sale of foreign and native spirits which are proved to be deleterious to health.

ARTICLE IV.

第四條 本條ハ特別許可ノ許與ノ有無ニ懸ルベキ小賣權ニ付規定シ外國人ト内國人トノ不衡平待遇ヲ防止スルモノナリ 他ノ條約ニ對比シ貴我ノ本條約ハ當該事件ニ於ケル

Treats about the right to retail, which shall depend on the granting of a special licence and guards against an unequal treatment of foreigners

許可ノ拒否セラレタル理由ガ「ドイツ」國領事ノ要求スル場合之ニ示サルベキコト竝ニ規則ハ許可ノ許與又ハ拒否ニ關スル原則及「小賣販賣」ナル語ノ意義ヲ定義スベキコトヲ定ム

and natives. As against other conventions our convention determines that the reasons why a licence in given cases is refused shall be given to the German Consul if he demands it, and that the regulations shall define the principle of allowing or refusing licences as well as the meaning of the word "retail sale."

ARTICLE V.

第五條 本條ハ「シヤム」國臣民及最惠國臣民ト同一ノ權利ヲ一切ノ點ニ於テ「ドイツ」國臣民ニ對シ保障スルモノナリ

Assures in all respects to German subjects the same right as Siamese subjects and the subjects of the most favoured nation.

ARTICLE VI.

第六條 本條ハ本條約ガ有害ナルコト明ナルトキハ何時ニテモ六月ノ豫告ヲ以テ之ヲ終了セシムベキコト及此ノ場合ニハ本條約ニ依リ改正セラレタル千八百六十二年二月ノ暹獨條約ノ條項ガ再ビ實施セララルベキコトヲ規定ス

Gives us the power to put this convention at an end any time after six months' notice if it should prove detrimental, and the articles of our Treaty of February, 1862, which are modified by this convention shall, in that case, come into force again.

第七條及第八條 本條ハ何等ノ説明ヲモ必要トセズ
然レドモ酒精飲料タル麥酒及葡萄酒ガ現在ニ至ル迄「シ
ム」國ニ於テ製造セラレタルコトナキニ拘ラズ何故ニ右
酒精飲料ガ本條約ニ包含セラルルカニ付テハ説明ヲ必要
トス

他國政府ガ既ニ本問題ヲ解決シタルノ事實以外ニ貴全權
委員及予ハ葡萄酒及麥酒ノ輸入及販賣ニ關スル公ノ監視
ノ可能性ナクシテハ有害ナル飲料ヲ「シム」國ニ輸入ス
ルノ誘惑起リ本條約ノ主タル目的ハ挫折セシメラルルナ
ランコトヲ認メザルヲ得ザリキ右ノ飲料ニ對スル最大限
從價一割ノ税金ハ必要ナル取締ノ費用ヲ支辨スルノ資力
ヲ「シム」國ニ與フベシ

本條約ガ單ニ「シム」國ヘノ特惠ノミヲ掲グルモノナリ
ト雖モ貴全權委員及予ハ前記ノ許與理由ノミナラズ近年
支那國原産ノ火酒ノ輸入ノ増加シタルト同程度ニ於テ他
ノ貨物ノ輸入ガ衰微シタルノ事實ヲ考慮スルコトヲ要ス
此ノ事實ハ酒精飲料ノ無制限ノ使用ノ惡結果ハ當國ノ一
般ノ購買力ヲ減少セシムトノ結論ニ導クモノナリ故ニ當
國ニ於ケル火酒ノ使用ヲ調整スルコトニ依リ本協定ガ國
民ノ購買力ヲ増強セシメ及右ノ手段ニ依リ外國貿易上ノ

ARTICLES VII. & VIII.

Do not require any explanation.

But an explanation is needed why beer and wine are included in this convention, notwithstanding that these spirituous liquors have up till now not been manufactured in Siam.

Besides the fact that other Governments had resolved on this already, we could not but recognize that without the possibility of an official supervision of the import and sale of wines and beers, there might be temptation to import into Siam deleterious beverages and the chief purpose of this convention would be frustrated. The duties on these beverages at a maximum rate of 10 per cent. ad valorem will give the Siamese Government the means to defray the expense of the necessary control. If this convention contains apparently only concessions to Siam, we have to consider, not only the before-mentioned reasons for granting, but also the fact that in the last years the imports of other goods declined in the same measure as the import of spirits of Chinese origin increased. This fact leads

利益ナルコトヲ立證スベシト想像スルモ不當ニハ非ザル
ベシ

to the conclusion that the evil consequences of an unlimited use of spirituous drinks decrease the general purchasing power of the country. The supposition is therefore not unjustified that this convention, by regulating the use of spirits in the country, will strengthen the purchasing power of the population and by this means prove an advantage to foreign trade.

(参考)

五 「シムム」國「ドイツ」國間暫定經濟取極

(千九百二十四年二月二十八日「シムム」ニ於テ署名)

PROVISIONAL ECONOMIC ARRANGEMENT
BETWEEN GERMANY AND SIAM,
SIGNED AT BERLIN, FEB-
RUARY 28, 1924.

THE GOVERNMENT OF HIS MAJESTY THE KING
OF SIAM and THE GOVERNMENT OF GERMANY,
being desirous of regulating the economic relations
between Siam and Germany, until the time when
a definite Treaty of Commerce is concluded be-
tween the two countries, have appointed as their
Plenipotentiaries, that is to say:

THE GOVERNMENT ON HIS MAJESTY THE KING
OF SIAM:

His Highness Prince CHAROON, Envoy Ex-
traordinary and Minister Plenipotentiary
of His Majesty the King of Siam at Paris;
and

THE GOVERNMENT OF GERMANY:

Baron von MALTZAN, Secretary of State for
Foreign Affairs,
who, after having communicated to each other
their respective full powers, found to be in good
and due form, have agreed as follows:

ARTICLE I.

German citizens, associations and companies in
Siam shall enjoy all the privileges with regard to
navigation and exportation and importation of
merchandise now existing or which may hereafter
come into existence in favour of the citizens or
subjects of the most-favoured nation. They shall
not be required to pay other or higher rates of
duties upon the importation or exportation of
merchandise than are paid by the citizens or sub-
jects of the most-favoured nation. In all matters

of internal and/or local taxation, German subjects shall be charged no other or higher taxes or charges than are imposed upon Siamese subjects.

German citizens, associations and companies in Siam shall enjoy, upon fulfilment of the formalities prescribed by law, the same protection as the citizens or subjects of the most-favoured nation, with regard to patents, trade marks, trade names, designs and copyrights.

ARTICLE II.

During the existence of this Arrangement, German citizens and commercial, trading and financial associations and companies shall have liberty, subject always to the application of Siamese laws on trade, navigation, immigration, naturalisation, police and public security, now in force or which may hereafter be enacted, to enter, travel, reside and do business in Siam and shall have the right to lease lands, houses and buildings for residential, commercial, manufacturing and religious purposes, and may own and dispose of such leaseholds and other

property, under the same conditions as Siamese subjects.

ARTICLE III.

The most-favoured-nation treatment provided for in this Arrangement shall not apply to favourisation granted or to be granted by either High Contracting Party to a third nation on the basis of a tariff union or to a so-called short boundary traffic.

ARTICLE IV.

The coasting trade and coasting fishery in territorial waters of both High Contracting Parties are excepted from the provisions of this present Arrangement and shall be regulated according to the laws, ordinances and regulations of Siam and Germany respectively. It is, however, understood that Siamese subjects, associations and companies, and German citizens, associations and companies shall enjoy in these respects the rights which are or may be granted under such laws, ordinances and

regulations to the subjects or citizens of other nations.

ARTICLE V.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls and other consular officers or agents to reside in the towns and ports of the other, where similar officers of third Powers are permitted to reside.

Such consular officers and agents shall be entitled to exercise all the powers and enjoy all the honours, privileges, exemptions and immunities which are or may be accorded to consular officers and agents of the most-favoured nation, except, however, German consular officers and agents in Siam may not exercise any special right or privilege, as such, in Siamese Courts, and shall have no extra-territorial jurisdiction.

ARTICLE VI.

All the rights and privileges herein granted by

Siam to German citizens, associations and companies shall be enjoyed by Siamese subjects, associations and companies in Germany. It is, however, understood that for the matters regarding which Siam grants the own nationals treatment, Germany shall grant the most-favoured-nation treatment.

ARTICLE VII.

This Arrangement, together with the Protocol and Annex of the same date, shall be ratified and the ratifications thereof shall be exchanged at Berlin within six months. It shall come into effect on the date of the exchange of ratifications and shall remain in force for two years from that date and thereafter for six months from the date on which one of the High Contracting Parties notifies to the other the intention of terminating it.

It witness whereof, the undersigned, duly authorised in this behalf, have hereunto signed their names and affixed their seals.
Done in duplicate, in the English language, at

Berlin, on the twenty-eighth day of the month of Kumbhabandhu in the year two thousand four hundred and sixty-six of the Buddhist Era, corresponding to the twenty-eighth day of February in

the year one thousand nine hundred and twenty-four of the Christian Era.

(L.S.) CHAROON.
(L.S.) VON MALTZAN.

議定書

(千九百二十四年二月二十八日「ムネリン」ニ於テ署名)

「シムム」國皇帝陛下ノ政府及「ドイツ」國政府ハ「ヴェルサイユ」條約ニ基キ本日署名セラレタル暫定經濟取極ノ效力ニ關シ一切ノ誤解ヲ避クルコトヲ欲シ左ノ如ク協定セリ

THE GOVERNMENT OF HIS MAJESTY THE KING OF SIAM and THE GOVERNMENT OF GERMANY, being desirous to avoid any misunderstanding as to the effect of the Provisional Economic Arrangement, signed on this day, upon the Treaty of Versailles, have agreed as follows:

PROTOCOL.

第一條

同日「シムム」國政府ヨリ「ドイツ」國政府ニ手交セラレタル右事項ニ關スル特別宣言書ニ明記セラルル限度ノ範圍内ニ於テハ「ヴェルサイユ」條約第八編第二附屬書十八ハ適用セラレザルベシ

ARTICLE I.

Within the limits specified in the special Declaration on the matter handed on the same day by the Siamese Government to the German Government, Paragraph 18 of Annex 2 to Part VIII of the Treaty of Versailles shall not apply.

第二條

「ヴェルサイユ」條約第十編第二百六十四條、第二百六十五條、第二百六十六條、第二百六十七條、第二百七十一條、第二百七十三條(第一項)、第二百七十四條、第二百七十五條、第二百七十六條、第二百七十七條、第二百七十九條、第二百八十條、第三百零六條(第五項)、第三百一十三條、第三百二十四條、第三百二十五條、第三百二十六條及第三百二十七條ハ本日署名セラレタル暫定經濟取極ガ引續キ效力ヲ有スル限り適用セラレザルベシ

ARTICLE II.

As long as the Provisional Economic Arrangement signed on this day will remain in force, Articles 264, 265, 266, 267, 271, 273 (first alinéa), 274, 275, 276, 277, 279, 280, 306 (fifth alinéa), 323, 324, 325, 326, and 327 of Part X of the Treaty of Versailles shall not apply.

第三條

本議定書ハ本日署名セラレタル暫定經濟取極ノ一部ニシテ之ト同一ノ效力ヲ有ス

ARTICLE III.

This Protocol is part of the Provisional Economic Arrangement signed on this day and has the same force.

右證據トシテ下名ハ右事項ニ關シ正當ノ委任ヲ受ケ本議定書ニ署名調印セリ

In witness whereof the undersigned, duly authorized in this behalf, have hereunto signed their names and affixed their seals.

佛曆二千四百六十六年二月二十八日即チ西曆千九百二十四年二月二十八日「ベルリン」ニ於テ「イギリス」語ヲ以テ本書ニ通ヲ作成ス

Done in duplicate in the English language at Berlin, on the twenty-eighth day of the month of Kumbhabandhu in the year two thousand four

hundred and sixty-six of the Buddhist Era, corresponding to the twenty-eighth day of February in the year one thousand nine hundred and twenty-four of the Christian Era.

(L.S.) CHAROON.
(L.S.) VON MALTZAN.

チャローン (印)
フォン・マルツァン (印)

ANNEX.

(Signed February 28, 1924.)

At the moment of proceeding this day to the signature of a Provisional Economic Arrangement between THE GOVERNMENT OF HIS MAJESTY THE KING OF SIAM and THE GOVERNMENT OF GERMANY, the Plenipotentiaries of the two High Contracting Parties, in order to settle all questions, pending between the two countries or which might arise between them from the above Arrangement or from the Treaty of Versailles, have agreed as follows:

SECTION I.

The German Government, in order to give a

proof of their earnest readiness to remove all obstacles which may still stand in the way of resuming the relations of a perfect amity between the two countries, oblige themselves to indemnify the Royal Siamese Government, apart from and in addition to the obligation of the German Government under Part VIII of the Treaty of Versailles, for the seizure of Siamese property, rights and interests in German territory during the war. This compensation is hereby settled and fixed in the amount of two million (2,000,000) Ticals, which sum shall be paid solely out of the proceeds of liquidation of German property, rights and interests in Siam and not otherwise. The German Government, however, shall not be regarded as having, by

this Arrangement, prejudiced themselves as to the application of Article 297 of the Treaty of Versailles.

The Royal Siamese Government, on their part, shall instantly withdraw the claims which they have instituted before the German-Siamese Mixed Arbitral Tribunal in Paris against the German Government and the Direction der Disconto Gesellschaft, Berlin.

SECTION II.

The Royal Siamese Government, in order to facilitate the charitable purposes pursued by the German Red Cross, oblige themselves to release, if this has not already been done, the bank balance of six hundred and seventy (670) Ticals standing to its credit at the outbreak of war, and seized, after declaration of war, by the Royal Siamese Government.

SECTION III.

Pending the ratifications of the Provisional

Economic Arrangement and of its Protocol and Annex, the Royal Siamese Government agree to issue licences of temporary admission into Siam to those German citizens whose applications had already been filed and to receive a German special temporary diplomatic mission.

SECTION IV.

Upon the exchange of the ratifications of the Provisional Economic Arrangement, the High Contracting Parties shall immediately resume their normal diplomatic relations.

SECTION V.

This Annex is part of the Arrangement signed on this day and has the same force.

In witness whereof the undersigned, duly authorized for this purpose, have hereunto set their names and affixed their seals, the twenty-eighth day of the month of Kumbhabandhu in the year two

thousand four hundred and sixty-six of the Buddhist Era, corresponding to the twenty-eighth day of February in the year one thousand nine hundred

and twenty-four of the Christian Era.

(L.S.) CHAROON.
(L.S.) VON MALTZAN.

(參考)

六 「シヤム」國「ドイツ」國間修好通商航海條約

(千九百二十八年四月七日「バンコック」ニ於テ署名)

TREATY OF FRIENDSHIP, COMMERCE AND
NAVIGATION BETWEEN THE GERMAN
REICH AND THE KINGDOM
OF SIAM.

(Signed at Bangkok, April 7, 1928.)

The President of the German Reich and His Majesty the King of Siam, being desirous of strengthening the bonds of peace which happily prevail between the two States, have resolved to conclude a Treaty of Friendship, Commerce and Navigation, and for that purpose have appointed as their plenipotentiaries, that is to say:

The President of the German Reich:

RUDOLF ASMIS, LL. D., Ph. D., Envoy Extraordinary and Minister Plenipotentiary at Bangkok, and

His Majesty the King of Siam:
His Highness Prince PRAIDOS PRABANDH, Minister for Foreign Affairs,
Who, having communicated to each other their respective full powers found to be in good and due form, have agreed as follows:

ARTICLE I.

There shall be constant peace and perpetual friendship between the German Reich and the Kingdom of Siam.

ARTICLE II.

The citizens or subjects of each of the High Contracting Parties shall be entitled equally with

citizens or subjects of the most favoured nation to enter, travel and reside in the territory of the other, provided that they conform to the regulations and conditions contained in the national laws concerning aliens in general. They shall be entitled there, on the same terms as nationals or citizens or subjects of the most favoured nation, to engage in religious, educational and charitable work; to carry on all lawful trade, commerce, industry, callings, professions, studies and researches; to own, lease or occupy houses, manufactories, warehouses and shops; to employ agents of their choice and generally to do anything incidental to or necessary for trade.

In all that concerns the acquisition, disposition and ownership of property rights of every description, the citizens or subjects of each of the High Contracting Parties shall, through the whole extent of the territory of the other, be placed on the same footing as the citizens or subjects of the most favoured nation, provided that reciprocity be assured.

The citizens or subjects of each of the High

Contracting Parties may dispose of their property by way of sale, exchange, gift, marriage, will, or in any other manner on the same terms and conditions as nationals. Furthermore they shall be at liberty to remove from the country the proceeds of the sale of their property, or generally whatever belongs to them without being subjected to conditions other than, or charges higher than, those imposed under like circumstances upon nationals or upon the citizens or subjects of the most favoured nation.

The citizens or subjects of the High Contracting Parties shall not be compelled, in the territory of the other, to pay any charges or taxes other or higher than those paid by nationals or the citizens or subjects of the most favoured nation. The High Contracting Parties however may impose immigration taxes or charges, provided that the most favoured nation treatment is accorded.

The citizens or subjects of either High Contracting Party shall receive, in the territory of the other, the most constant protection and security for their persons and property and shall enjoy in this respect

the same rights and privileges as are or may be granted to nationals on submitting themselves to the conditions imposed on nationals.

They shall be exempt in the territory of the other from compulsory military service either on land, or sea, or in the air, in the regular forces, in the national guard or in the militia; from all contributions imposed in lieu of personal military service and from all forced loans.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territory of the other entire liberty of conscience, and subject to the laws, ordinances and regulations there in force, shall enjoy the right of private or public exercise of their worship.

ARTICLE III.

There shall be reciprocally full and entire freedom of commerce and navigation between the territories of the two High Contracting Parties.

The citizens or subjects of either of the High Contracting Parties shall have liberty, freely and

securely, to come with their vessels and cargoes to all places, ports and rivers in the territory of the other which are or may hereafter be open to foreign commerce and navigation; on the understanding that they shall duly observe the laws of the country, they shall there enjoy the same rights, favours, liberties and exemptions in matters of commerce and navigation as now are, or hereafter shall be, enjoyed by nationals or by the citizens or subjects of the most favoured nation.

ARTICLE IV.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territory of the other, upon fulfilment of the formalities prescribed by law, the same protection as nationals or the citizens or subjects of the most favoured nation in regard to patents, trade-marks, trade-names, designs, samples, models, copyrights and suppression of unfair competition.

ARTICLE V.

The High Contracting Parties agree that no prohibitions or restrictions shall be placed upon the importation or exportation of any article of commerce between the two countries, subject to the following exceptions, which however shall be applicable to all countries alike or to such countries as are subject to the same conditions :

- (1) Prohibitions or restrictions upon munitions of war, and in exceptional circumstances other materials needed in war ;
- (2) Prohibitions or restrictions for reasons of national or public safety or public health ;
- (3) Prohibitions or restrictions upon articles which are or may hereafter become the object of State monopoly ;
- (4) Prohibitions or restrictions for the protection of animals or plants against diseases or pests ; or for the prevention of the degeneration and extinction of plants ;
- (5) Prohibitions or restrictions upon articles similar to domestic articles whose internal production,

consumption, sale or transport is forbidden or similarly restricted by national law.

ARTICLE VI.

As regards the transit of any article of commerce from or to the territory of one of the High Contracting Parties through the territory of the other, the High Contracting Parties shall apply the provisions of the Convention and Statute on Freedom of Transit concluded at Barcelona the twentieth day of April one thousand nine hundred and twenty-one.

ARTICLE VII.

The citizens or subjects of the High Contracting Parties shall have free access to the Courts of Justice of the other in pursuit and defence of their rights. They shall have the liberty, equally with nationals or with citizens or subjects of the most favoured nation, to choose and employ lawyers, advocates and representatives to pursue or defend

their rights before such courts. No conditions or requirements shall be imposed upon the citizens or subjects of either of the High Contracting Parties in connection with such access to the Courts of Justice of the other, which do not apply to nationals or citizens or subjects of the most favoured nation.

ARTICLE VIII.

Limited liability and other companies and associations already or hereafter to be organized in accordance with the laws of either of the High Contracting Parties and domiciled in the territory of such Party are authorized within the territory of the other to exercise their rights and appear in the courts either as plaintiffs or defendants, subject to the laws of such country. Such companies and associations shall, upon the conditions laid down in the legislation of such country, especially upon obtaining the necessary authorization in those cases where such authorization is required by the laws of that country, have the liberty there to settle, to establish branches or agencies and to carry on

their activities.

With regard to the right to carry on their activities, such companies and associations shall enjoy the same treatment as is or may be granted to similar companies and associations of the most favoured nation.

Such companies and associations shall not be compelled to pay any taxes or charges other or higher than those that are or may be paid by companies and associations of the country or by companies and associations of the most favoured nation ; they shall also be exempt from all forced loans.

In all that concerns the acquisition, disposition and ownership of property rights of every description, such companies and associations shall be placed on the same footing as the companies and associations of the most favoured nation, provided that reciprocity be assured.

ARTICLE IX.

In regard to the amount, the collection and the guaranteeing of customs duties and charges, as well

as in regard to all customs formalities, the natural produce and the manufactures of either High Contracting Party shall, on exportation to or on importation into the territory of the other Party, be treated on the most favoured nation principle.

ARTICLE X.

Whether for account of the State or of provinces, communes or bodies corporate, the charges imposed upon the production, manufacture or consumption of any article in the territory of either High Contracting Party shall not, on any pretext whatever, be higher or more burdensome for the products of the other Party than for the similar commodities of national production or those of the most favoured nation.

ARTICLE XI.

All articles, whatever their character or origin, whose importation, exportation, transit or storage is permitted in the territory of either of the High

Contracting Parties, if conveyed by national vessels or by vessels of the most favoured nation, shall be importable, exportable transportable or storable in that territory if conveyed by vessels of the other Party, and such articles shall enjoy the same advantages and shall be subject to no other or higher taxes, charges, dues or restrictions than those applicable to similar articles conveyed by national vessels or by vessels of the most favoured nation. The foregoing provision shall not apply to the special treatment accorded by either of the High Contracting Parties to the importation into its territory of fish caught by vessels of its own flag. Nevertheless, as regards catches caught by the vessels of either of the High Contracting Parties, the fish, on being imported into the territory of the other Party, shall not be treated less favourably than fish caught by vessels of any other nation.

ARTICLE XII.

As regards the stationing, loading and unloading of vessels in the territory of either of the High

Contracting Parties, and generally in relation to all formalities and provisions whatever to which merchant vessels, their crews and their cargoes may be subject, national vessels shall be accorded no privileges or favours which are not in like cases granted to vessels of the other Party, it being the intention of the High Contracting Parties that in these respects the vessels of the two Contracting Parties shall be treated alike.

ARTICLE XIII.

The nationality of vessels shall be determined in accordance with the laws and regulations of the country to which they belong by means of documents and certificates issued by the competent authorities and carried on board.

ARTICLE XIV.

In regard to duties of tonnage, harbour, pilotage, lighthouse, quarantine or other similar or corresponding charges of whatever denomination levied in the name or for the profit of the Government,

public functionaries, private individuals, corporations, or establishments of any kind, the vessels of either of the High Contracting Parties shall be given, in the ports and waters of the other, treatment at least as favourable as that accorded to national vessels or vessels of any other foreign country.

ARTICLE XV.

The coasting trade of each of the High Contracting Parties is excepted from the provisions of the present Treaty and shall be regulated according to the laws, ordinances and regulations of each of the High Contracting Parties respectively. Nevertheless each Party may claim for its vessels the same rights and privileges conceded to the vessels of any other country, provided that it grants the same rights and privileges to the vessels of the other Party.

ARTICLE XVI.

If a ship of war or merchant vessel of either of

the High Contracting Parties has stranded or been wrecked in the waters or harbours of the other State or has been compelled by damage at sea or some emergency to put into a port of the other State, the ship or vessel, her passengers and cargo shall enjoy the same favours and immunities as those which the laws and regulations of the latter State grant or may grant in analogous cases to national vessels or to those of the most favoured nation. Aid and assistance shall be rendered to the captain and crew in the same measure as to nationals or to the citizens or subjects of the most favoured nation. The merchandise which has been saved from a merchant vessel of one of the High Contracting Parties which has been stranded or wrecked or compelled to put into port shall not be subject to any customs duty in the territory of the other High Contracting Party unless it is cleared for consumption in the latter State.

In case a ship of war or merchant vessel belonging to one of the High Contracting Parties should be stranded or wrecked upon the coasts of the other Party, the local authorities shall forth-

with give notice thereof to the competent or nearest consular officer of the interested Party.

ARTICLE XVII.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls or Consular Agents to reside in the towns and ports of the other where similar officers of other powers are permitted to reside.

They shall not enter upon their functions until they shall have received their exequaturs or other requisite authorization.

Consular Officers and Agents of either High Contracting Party shall enjoy, in the territory of the other, all the honours, privileges, exemptions and immunities which are or may hereafter be accorded to the Consular Officers and Agents of the most favoured nation. Nevertheless, neither of the High Contracting Parties shall, by virtue of the most favoured nation clause, claim for its Consular Officers and Agents more extensive honours, privileges, exemptions and immunities than those

which it grants to the Consular Officers of the other Party.

ARTICLE XVIII.

The Consular Officers of one of the High Contracting Parties residing in the territory of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of the other Party; provided that this stipulation shall not apply to subjects of the Contracting Party from whose local authorities assistance is requested.

ARTICLE XIX.

In case of the death of a national of either High Contracting Party in the territory of the other without having in the territory of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest consular officer of the State of which the deceased was a national of the fact of his death,

in order that necessary information may be forwarded to the parties interested.

In case of the death of a national of either of the High Contracting Parties without will or testament, in the territory of the other High Contracting Party, the consular officer of the State of which the deceased was a national and within whose district the deceased made his home at the time of death, shall, so far as the laws of the country permit and pending the appointment of an administrator and until letters of administration have been granted, be deemed qualified to take charge of the property left by the decedent for the preservation and protection of the said property. Such consular officer shall have the right to be appointed as administrator within the discretion of a tribunal or other agency controlling the administration of estates provided the laws of the place where the estate is administered so permit.

The above provisions shall also apply to cases in which a citizen or subject of one of the High Contracting Parties owning property within the territory of the other Party dies elsewhere without

having any known heirs or testamentary executors by him appointed in the country where the property is situated.

ARTICLE XX.

The two High Contracting Parties agree that any dispute that may arise between them as to the proper interpretation or application of any of the provisions of the present Treaty, shall, at the request of either Party, be referred to arbitration.

The court of arbitration to which such disputes shall be referred shall be the Permanent Court of International Justice at the Hague, unless, in any particular case, the two High Contracting Parties agree otherwise.

ARTICLE XXI.

The Provisions of the present Treaty as regards the most favoured nation treatment do not apply to:

- (1) Favours granted or to be granted hereafter to

- (2) an adjoining State to facilitate frontier traffic;
- (2) Favours granted or to be granted hereafter to a third State in virtue of a Customs Union;
- (3) Favours contractually granted or to be granted to a third State for the avoidance of double taxation or the mutual protection of revenue;
- (4) Favours granted or to be granted hereafter to an adjoining State with regard to navigation on or use of boundary waterways not navigable from the sea.

ARTICLE XXII.

The present Treaty shall come into effect on the date of the exchange of ratifications and shall remain in force for five years from that date. In case neither of the High Contracting Parties shall have notified twelve months before the expiration of the said term of five years the intention of terminating it, it shall remain binding until the expiration of one year from the date on which either of the High Contracting Parties shall have denounced it.

ARTICLE XXIII.

This Treaty shall be ratified and the ratifications thereof shall be exchanged at Bangkok as soon as possible. This Treaty has been executed in German and in English; and it is hereby agreed that in case any dispute arises as to the precise meaning thereof, the meaning and intention shall be determined by the English text.

In witness whereof the respective Plenipotentiaries have hereunto signed their names and affixed their seals.

Done in duplicate at Bangkok the seventh day of April in the nineteen hundred and twenty-eighth year of the Christian Era, corresponding to the seventh day of the first month in the two thousand four hundred and seventy-first year of the Buddhist Era.

(L.S.) Dr. ASMIS
(L.S.) TRAI DOS PRABANDH

PROTOCOL CONCERNING
THE PROVISIONAL ECONOMIC ARRANGEMENT
BETWEEN GERMANY
AND SIAM

At the moment of proceeding this day to the signature of the Treaty of Friendship, Commerce and Navigation between the German Reich and the Kingdom of Siam, the Plenipotentiaries of the two High Contracting Parties have agreed as follows:

When the Treaty of Friendship, Commerce and Navigation comes into effect, the Provisional German-Siamese Economic Arrangement signed at Berlin on February 28th, 1924, shall become operative, with the exception of the Protocol which shall definitely remain in force.

In witness whereof the respective Plenipotentiaries have hereunto signed their names and affixed their seals.

Done in duplicate at Bangkok the seventh day of April in the nineteen hundred and twenty-

eighth year of the Christian Era, corresponding to the seventh day of the first month in the two thousand four hundred and seventy-first year

of the Buddhist Era.

(L.S.) Dr. ASMIS
(L.S.) TRAIKOS PRABANDH

(二) 「デンマーク」國

七 「タイ」國「デンマーク」國間
修好通商航海條約

(千九百三十七年十一月五日「コーペンハーゲン」ニ於テ署名)
(千九百三十八年三月十五日「コーペンハーゲン」ニ於テ批准書交換)
(千九百三十八年三月三十日實施)

「タイ」國皇帝陛下並ニ「デンマーク」國及「アイスランド」國皇帝陛下ハ幸ニ兩國間ニ存在スル友好親善ノ關係ヲ強固ナラシメンコトヲ欲シ且之ヲ達成スルニハ兩國間ニ從來存在スル條約ヲ改訂スルヲ最善トスルコトヲ確信シ相互衡平及互惠ノ原則ニ基キ右改訂ヲ完成スルコトニ決シ之ガ爲左ノ如ク其ノ全權委員ヲ任命セリ

「タイ」國皇帝陛下

特命全權公使「ブラヤー、ラチャワンサン」

第一部 「デンマーク」國 修好通商航海條約 (一九三七年)

TREATY OF FRIENDSHIP, COMMERCE AND
NAVIGATION BETWEEN THAILAND
AND DENMARK.

(Signed at Copenhagen, November 5th, 1937)

(Ratification exchanged at Copenhagen,
March 15th, 1938)

(Came into force March 30th, 1938)

His Majesty the King of Thailand and His Majesty the King of Denmark and Iceland, being desirous of strengthening the relations of amity and good understanding which happily exist between the two States, and being convinced that this cannot be better accomplished than by revising the treaties hitherto existing between the two countries, have resolved to complete such revision, based upon the principles of reciprocity, equity and mutual benefit, and for that purpose have named as their Plenipotentiaries, that is to say:

HIS MAJESTY THE KING OF THAILAND:

His Excellency Phya Rajawangsan, His Envoy
Extraordinary and Minister Plenipotentiary;

「デンマーク」國及「アイスランド」國皇帝陛下

外務大臣「ベーター、ロッヘグーネ、ムンク」

右各全權委員ハ互ニ其ノ全權委任狀ヲ示シ之ガ良好妥當ナルヲ認メタル後左ノ諸條ヲ協定セリ

第一條

「タイ」王國ト「デンマーク」王國トノ間ニハ永久ノ平和及無窮ノ友好關係アルベシ

第二條

締約國ノ一方ノ國民ハ他方ノ領域内ニ於テ施行セラルル法令ニ從フニ於テハ右領域内ニ到リ、旅行シ及居住スルコト、宗教、教育及慈善ノ事業ニ從事スルコト、家屋、製造所、倉庫及店舗ヲ所有シ又ハ賃借シ及使用スルコト、其ノ選定セル代理人ヲ使用スルコト並ニ居住、商業、産業、宗教、慈善其ノ他ノ適法ナル目的ノ爲及墓地トシテ使用スル爲土地

ヲ所有シ又ハ賃借スルコトヲ最惠國ノ國民ト同一ノ條件ノ下ニ認許セラルベシ

右國民ハ何等ノ名義ヲ以テスルモ他方ノ條約國ノ國民ノ納付シ又ハ納付スルコトアルベキ所ト異ルカ又ハ之ヨリ高キ何等ノ税金、租稅又ハ課金ヲモ支拂フコトヲ強制セラルルコトナカルベシ

締約國ノ一方ノ國民ハ他方ノ領域内ニ於テ當該地方ニ施行セラルル法令ニ從フニ於テハ其ノ身體及財産ニ付常ニ保護及保障ヲ享受スベク此ノ點ニ關シテハ他方ノ締約國ノ國民ニ許與セラレ又ハ許與セラルルコトアルベキ所ト同一ノ權利及特權ヲ享有スベシ

尤モ右國民ハ他方ノ領域内ニ於テハ後見ノ場合ヲ除キ行政又ハ司法ノ何レタルヲ問ハズ一切ノ強制職務ヲ免レ又常備軍、護國軍又ハ民兵ノ何レタルヲ問ハズ陸、海ハ又空ニ於ケル強制兵役ヲ免レ、服役ノ代トシテ課セララルル金錢又ハ

HIS MAJESTY THE KING OF DENMARK
AND ICELAND:

Peter Rohegune Munch, D. S., His Minister
for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE 1.

There shall be constant peace and perpetual friendship between the Kingdom of Thailand and the Kingdom of Denmark.

ARTICLE 2.

The nationals of each of the High Contracting Parties, upon submitting themselves to the laws and regulations in force in the territory of the other, shall be permitted to enter, travel and reside in this territory, to engage in religious, educational and charitable work, to own or lease and occupy

houses, manufactories, warehouses and shops, to employ agents of their choice, and to own or lease land for residential, commercial, industrial, religious, charitable and other lawful purposes and for use as cemeteries on the same terms as the nationals of the most favoured nation.

They shall not be compelled, under any pretext whatsoever, to pay any dues, taxes or charges of any nature whatsoever other or higher than those that are or may be paid by nationals of the other High Contracting Party.

The nationals of each of the High Contracting Parties shall receive, in the territory of the other, the most constant protection and security for their persons and property and shall enjoy in this respect the same rights and privileges as are or may be granted to nationals of the other High Contracting Party, on their submitting themselves to the laws and regulations locally in force.

They shall, however, be exempt in the territory of the other Party from all compulsory functions, whether administrative or judicial, except in cases of guardianship, and from compulsory military

物品ヲ以テスル一切ノ貢納ヲ免レ且一切ノ強募公債、強制贈與及一切ノ軍事上ノ取立金ヲ免ルベシ右國民ハ平時タルト戰時タルトヲ問ハズ内國民ニ課セラルル場合ヲ除キ軍事上ノ徵發ニ服スルコトナカルベク且各締約國ニ施行セララル法律ニ依リ内國民ニ對シ支拂ハルベキ補償金ヲ受クルノ權利ヲ相互的ニ有スベシ

締約國ノ一方ノ國民ハ他方ノ領域内ニ於テハ信教ノ完全ナル自由ヲ享有スベク且當該地方ノ法令ニ從フニ於テハ公私ノ禮拜ヲ行フノ權利ヲ享有スベシ

締約國ノ一方ノ國民ハ其ノ商業、海運業、工業及農業並ニ生業及職業ニ關スル一切ノ事項ニ付他方ノ領域ノ全域ニ亙リ最惠國ノ國民ト一切ノ點ニ於テ同一ノ地歩ニ置カルベシ

service either on land, on sea, or in the air, in the regular forces, or in the national guard, or in the militia; from all contributions in money or in kind, imposed in lieu of personal military service, and from all forced loans and forced gifts and from all military contributions. They shall not be subjected, in time of peace or in time of war, to military requisitions except as imposed upon nationals, and they shall reciprocally be entitled to compensation payable to nationals by the laws in force in their respective countries.

The nationals of each of the High Contracting Parties shall enjoy in the territory of the other entire liberty of conscience, and, subject to the local laws and regulations, shall enjoy the right of private or public exercise of their worship.

In all that relates to their commercial, shipping, industrial and agricultural pursuits, and to callings and professions, the nationals of either of the High Contracting Parties shall throughout the whole extent of the territory of the other be placed in all respects on the same footing as the nationals of the most favoured nation.

右國民ハ取得、占有又ハ處分ガ當該國ニ施行セラルル法律ニ依リ最惠國ノ國民ニ許與セラレ又ハ今後許與セラルルトアルベキ如何ナル種類ノ動産及不動産ヲモ取得シ、占有シ又ハ處分スルノ權利ヲ右全域ニ於テ享有スベシ

They shall have right to acquire, possess or dispose of any kind of movable and immovable property, the acquisition, possession or disposal of which is or may hereafter be allowed by the laws in force in the country to nationals of the most favoured nation.

第三條

ARTICLE 3.

締約國ノ一方ノ國民ガ他方ノ領域内ニ於テ有スル家宅、倉庫、製造所、店舗及他ノ一切ノ建物並ニ之ト關聯シテ使用セラルル一切ノ場所ニシテ適法ノ目的ニ使用セラルルモノハ他方ノ締約國ノ國民ニ適用セラルル法令ヲ以テ定ムル條件及方式ニ依ルノ外臨檢及搜索並ニ右建物及場所内ニ在ル帳簿、書類又ハ計算書ノ検査又ハ點閱ヲ免ルベシ

The dwellings, warehouses, manufactories, shops and all other buildings of the nationals of each of the High Contracting Parties in the territory of the other, together with all premises used in connection therewith for lawful purposes, shall be exempt from visits and searches and from examinations or inspections of books, papers, or accounts therein located except under the conditions and with the forms prescribed by the laws and regulations applying to the nationals of the other High Contracting Party.

第四條

ARTICLE 4.

締約國ノ一方ノ國民ハ其ノ到達國ノ法令ニ從フニ於テハ他

The nationals of each of the High Contracting

方ノ領域内ニ於テ對外通商及航海ノ爲ニ開カレ又ハ開カルルコトアルベキ一切ノ場所、港及水路ニ船舶及貨物ト共ニ自由ニ到ルコトヲ得

Parties shall have liberty freely to come with their ships and cargoes to all places, ports and waterways in the territory of the other which are or may be opened to foreign commerce and navigation, subject always to the laws of the country to which they thus come.

第五條

ARTICLE 5.

締約國ノ一方ガ兩國間ニ於ケル商品ノ輸入又ハ輸出ニ付禁止又ハ制限ヲ設定スルノ必要アル場合ニハ右一方ハ他方ノ利益ヲ能フ限り考慮スルコトヲ約ス

In the event of one of the High Contracting Parties being in the necessity of establishing prohibitions or restrictions on the importation or exportation of any article of commerce between the two countries, the said Party undertakes to take into consideration as far as possible the interests of the other Party.

本條約ハ何レノ締約國モ左記ヲ課スルノ權利ヲ制限スルモノト解セラルルコトナカルベシ

Nothing in this Treaty shall be construed to restrict the right of either High Contracting Party to impose:

(一) 警察法又ハ税法ノ實施ノ爲ニスル禁止、制限又ハ取締、右法律ハ酒精若ハ酒精飲料又ハ阿片、「コカ」葉、此等ノ誘導體及其ノ他ノ麻藥類ノ輸入、輸出又ハ販賣ヲ禁止シ又ハ制限スル法律竝ニ國內法ニ依リ國內ニ於ケル生

1) Prohibitions, restrictions or regulations for the enforcement of police or revenue laws, including laws prohibiting or restricting the importation, exportation, or sale of alcohol or alcoholic beverages

産、消費、販賣又ハ輸送ノ禁止若ハ制限セラレ又ハ禁止若ハ制限セラルルコトアルベキ物品ニ課セラルル其ノ他ノ法律ヲ含ムモノトス

(二) 兵器、軍需品及軍用資材竝ニ例外的場合ニ於ケル他ノ一切ノ軍事供給品ノ賣買又ハ取引ニ對スル禁止又ハ制限

or of opium, the coca leaf, their derivatives and other narcotic drugs, as well as other laws imposed upon articles the internal production, consumption, sale or transport of which is or may be forbidden or restricted by the national law;

(三) 國若ハ公共ノ安全又ハ衛生ノ保護ノ爲或ハ動植物ノ生命ヲ病疫、有害ナル寄生物又ハ絶滅ヨリ保護センガ爲ニ必要ナル禁止又ハ制限

2) Prohibitions or restrictions on the trade or traffic in arms, ammunitions and war materials, and in exceptional circumstances all other military supplies;

(四) 生産又ハ賣買ガ當該國內ニ於テ國又ハ其ノ監督ニ依ル專賣タリ又ハ今後專賣タルコトアルベキ物品ニ對スル禁止又ハ制限

3) Prohibitions or restrictions necessary for the protection of national or public security or health, or for the protection of animal or plant life against disease, harmful pests or extinction;

第六條

ARTICLE 6.

締約國ノ一方ノ國民ハ其ノ權利ヲ主張擁護センガ爲自由ニ他方ノ裁判所ニ申出ヅルコトヲ得且右裁判所ニ於テ其ノ權利ヲ主張擁護スルニ付他方ノ締約國ノ國民及最惠國ノ國民

The nationals of each of the High Contracting Parties shall have free access to the Courts of Justice of the other in pursuit and defense of their

ト均シク代言人、辯護人及代理人ヲ選擇使用スルコトヲ得

締約國ノ一方ノ國民ハ他方ノ裁判所ニ申出ヅルコトニ付他方ノ締約國ノ國民又ハ最惠國ノ國民ニ課セラレザル何等ノ條件又ハ要件ヲモ課セララルコトナカルベシ

「判決金額支拂ノ保證設定」ニ關スル規則ノ免除ハ相互主義ヲ條件トシテミノ許與セララル

第七條

締約國ノ一方ノ法律ニ從ヒ既ニ設立セラレ又ハ今後設立セラレベキ有限責任及其ノ他ノ一切ノ經濟的性質ヲ有スル會社ニシテ右一方ノ領域内ニ住所ヲ有スルモノハ他方ノ法律ニ從フニ於テハ他方ノ領域ニ於テ自己ノ權利ヲ行使シ且原

告又ハ被告トシテ裁判所ニ出頭スルコトヲ得

締約國ノ一方ノ法律ニ從ヒ設立セララル右會社ハ他方ノ裁判所ニ申出ヅルニ付右他方ノ内國會社又ハ最惠國ノ會社ニ課セラレザル何等ノ條件又ハ要件ヲモ課セララルコトナカルベシ

前記ノ會社ハ他方ノ法律ニ從ヒ且右法律ガ認可ヲ必要トスル場合ニ於テ必要ナル認可ヲ得ルニ於テハ他方ノ締約國ニ於テ開業ヲ爲シ、支店及代理店ヲ設ケ且該國ニ於テ活動ヲ爲スコトヲ得

前記ノ會社ハ其ノ活動ヲ爲スコト並ニ動産及不動産ヲ取得、占有及賃借スルコトニ關シテハ一旦認許セラレタル場合ニ於テハ最惠國ノ同様ノ會社ニ許與セラレ又ハ許與セララルコトアルベキ所ト同一ノ待遇ヲ享受スベシ

rights; they shall be at liberty, equally with nationals of the other High Contracting Party and with the nationals of the most favoured nation, to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts.

There shall be no conditions or requirements imposed upon the nationals of either of the High Contracting Parties in connection with such access to the Courts of Justice of the other which do not apply to nationals of the other High Contracting Party or to the nationals of the most favoured nation.

Exemption from the regulations regarding "cautio judicatum solvi" is only granted on condition of reciprocity.

ARTICLE 7.

Limited liability and all other companies of economic character, already or hereafter to be organized in accordance with the laws of either High Contracting Party and domiciled in the ter-

ritory of such Party, are authorized in the territory of the other to exercise their rights and appear in the Courts either as plaintiffs or defendants, subject to the laws of such other Party.

There shall be no conditions or requirements imposed upon such companies organized in accordance with the laws of either High Contracting Party in connection with such access to the Courts of Justice of the other which do not apply to such national companies or those of the most favoured nation.

Such companies may, provided they comply with the laws of the other Party and obtain the necessary authorization in cases where such authorization is required by the said laws, establish themselves in the latter country, set up branches and agencies and carry on their activities therein.

With regard to the carrying on of their activities as well as with regard to the right to acquire, to possess and to lease movable and immovable property such companies, once admitted, shall enjoy the same treatment as is granted or may be granted to similar companies of the most favoured nation.

前記ノ會社ハ其ノ活動ニ付テモ其ノ財産ニ付テモ最惠國ノ會社ニ適用セラレ又ハ適用セラルルコトアルベキ所ト異ルカ又ハ之ヨリ高キ何等ノ課金、租稅又ハ税金ヲモ課セラルルコトナカルベシ前記ノ會社ノ業務ニシテ締約國ノ一方ノ領域ニ於テ行ハルルモノ及右會社ノ財産ニシテ實際右領域内ニ在ルモノノミガ課金、租稅又ハ税金ヲ課セラルベシ

第八條

締約國ハ通過運送ニ關シテハ相互的關係ニ付千九百二十一年四月二十日「バルセロナ」ニ於テ署名セラレタル通過ノ自由ニ關スル條約及規程ノ規定ヲ適用スベシ

第九條

締約國ノ一方ハ其ノ領域ニ於ケル又ハ之ヲ經由スル人、手荷物及貨物ノ運送ニ關スル一切ノ事項ニ付テハ他方ニ對シ内國民待遇ヲ許與スルコトヲ約ス

Neither in respect of their activities nor of their property shall they be subject to other or higher imposts, taxes, or dues of whatever nature than those which are applied or may be applied to the companies of the most favoured nation; and only such business of the said companies as is transacted on the territory of the other Contracting Party and such of their property as is actually found there shall be subject to any imposts, taxes, or dues.

ARTICLE 8.

As regards traffic in transit, the High Contracting Parties shall apply in their reciprocal relations the provisions of the Convention and Statute on Freedom of Transit, signed at Barcelona on April 20, 1921.

ARTICLE 9.

Each of the High Contracting Parties agrees to grant to the other national treatment in all that relates to the transport on or through its territory of person, baggage and goods.

第十條

締約國ノ一方ノ領域ノ原産ニ依リ他方ノ領域内ニ輸入セララル各種ノ貨物ハ他方ノ領域ニ於テハ最惠國ノ同様ノ貨物ニ課セラレ又ハ課セラルルコトアルベキ所ヨリ高キ國産稅、入市稅、消費稅及他ノ如何ナル内國稅ヲモ課セラルルコトナカルベシ

第十一條

締約國ノ一方ノ生産又ハ製造ニ係リ他方ノ領域内ニ輸入セララル物品ニ適用セラルベキ關稅率ハ輸入國ノ法令ニ依リ定メララルモノトス

締約國ハ一切ノ種類ノ輸入稅及副次稅、關稅率表ノ分類及解釋ニ關スル一切ノ事項ニ關シ、課稅ノ方法ニ關シ並ニ貨物ノ通關、稅戻、稅保倉庫ノ使用及原產地證明書ニ關シ課セララル規則、手續及課金ニ關スル一切ノ事項ニ付相互ニ最惠國ノ待遇ヲ與フルコトヲ約ス

Goods of every nature, originating within the territory of one of the High Contracting Parties and imported into the territory of the other, shall not there be subjected to excise, octroi, consumption and any other internal duties higher than those which are or may be levied on similar goods of the most favoured nation.

ARTICLE 11.

It is agreed that the Customs tariffs applicable to articles, the produce or manufacture of either of the High Contracting Parties imported into the territory of the other shall be regulated by the laws and regulations of the country of importation. The High Contracting Parties agree to grant each other most-favoured-nation treatment in all matters concerning Customs duties and subsidiary duties of every kind, the classification and interpretation of tariffs and in the method of levying duties, and, further, in all matters concerning the

從テ締約國ノ一方ノ原産ニ係ル天産物又ハ製造品ニシテ他方ノ領域ニ輸入セラルルモノハ其ノ何レノ地ヨリ到ルヲ問ハズ前記事項ニ關シテハ第三國ノ原産ニ係ル同様ノ産物ガ課セラレ若ハ將來課セラルコトアルベキ所ト異ルカ若ハ之ヨリ高キ税金、租稅若ハ課金又ハ右課セラレ若ハ將來課セラルコトアルベキ所ト異ルカ又ハ之ヨリ重キ規則及手續ヲ如何ナル場合ニモ課セラルコトナカルベシ

同様ニ締約國ノ一方ノ領域ヨリ輸出セラレ他方ノ領域ニ到ル天産物又ハ製造品ハ前記ノ事項ニ關シテハ別國ノ領域ニ到ル際ニ於ケル同様ノ産物ニ課セラレ又ハ將來課セラルコトアルベキ所ト異ルカ若ハ之ヨリ高キ税金、租稅若ハ課金又ハ右課セラレ又ハ將來課セラルコトアルベキ所ト異ルカ若ハ之ヨリ重キ規則及手續ヲ如何ナル場合ニモ課セラルコトナカルベシ

rules, formalities and charges imposed in connection with the clearing of goods through the Customs, drawbacks, the use of bonded warehouses and certificates of origin.

Accordingly, natural or manufactured products having their origin in either of the contracting countries, imported into the territory of the other, from whatever place arriving, shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules and formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of either Contracting Party and destined for the territory of the other Party shall in no case be subject, in regard to the above-mentioned matters, to any duties, taxes, or charges other or higher, or to any rules and formalities other or more burdensome, than those to which the like products when destined for the territory of any other country are or may here-

after be subject.

ARTICLE 12.

The nationals of each of the High Contracting Parties shall have in the territory of the other the same rights as nationals of that High Contracting Party in regard to patents for inventions, trademarks, trade-names, designs and copyright in literary and artistic works, upon fulfilment of the formalities prescribed by law.

ARTICLE 13.

The merchant vessels of either of the High Contracting Parties, whether in ballast or with cargoes, which arrive at or depart from the ports of the other Party shall enjoy the same rights, privileges, liberties, favours, immunities and exemptions in matters of navigation as those which are or may be enjoyed by national vessels, from whatever place such vessels may arrive and whatever may be their place of destination.

第十二條

締約國ノ一方ノ國民ハ法律ノ定ムル手續ヲ履行スルニ於テハ特許、商標、商號、意匠並ニ文學的及美術的著作權ニ關シ他方ノ國民ト同一ノ權利ヲ他方ノ領域内ニ於テ有スベシ

第十三條

何レノ地ヨリ到リ又何レノ地ニ到ルモノタルヲ問ハズ締約國ノ一方ノ商船ニシテ他方ノ港ニ入り又ハ之ヨリ出ヅルモノハ積荷ノ有無ニ拘ラズ航海ニ關シテハ内國船舶ノ享受シ又ハ享受スルコトアルベキ所ト同一ノ權利、特權、自由、恩典、特典及免除ヲ享有スベシ

政府、官公吏、私人、團體若ハ各種營造物ノ名義ヲ以テ又ハ其ノ利益ノ爲ニ課セラルル噸税、港税、水先案内料、燈臺税、檢疫費其ノ他性質又ハ名稱ノ如何ニ拘ラズ之ト同様ノ又ハ之ニ該當スル税金ニ關シテハ締約國ハ千九百二十三年十二月九日「ジュネーヴ」ニ於テ署名セラレタル海港ノ國際制度ニ關スル條約及規程ノ規定ヲ相互ニ適用スベシ

第十四條

締約國ノ一方ハ第五條ノ規定ヲ留保シ適法ニ輸入セラレ又ハ輸出セララルコトアルベキ一切ノ商品ノ輸入又ハ輸出及各自ノ領域ヨリノ又ハ之ニ向フ旅客ノ他方ノ船舶ニ依ル運送ヲ許スベシ又右船舶並ニ其ノ載貨及旅客ハ内國船舶並ニ其ノ載貨及旅客ト同一ノ特權ヲ享有スベク且之ト異ルカ又ハ之ヨリ高キ何等ノ税金、課金又ハ制限ヲモ課セララルコトナカルベシ

In regard to duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind, the High Contracting Parties shall reciprocally apply the provisions of the Convention and Statute on the International Regime of Maritime Ports, signed at Geneva on December 9, 1923.

ARTICLE 14.

Each of the High Contracting Parties shall, subject to the provisions of Article 5, permit the importation or exportation of all merchandise which may be legally imported or exported, and also the carriage of passengers from or to their respective territory, upon the vessels of the other; and such vessels, their cargoes and passengers shall enjoy the same privileges as, and shall not be subject to any other or higher duties, charges or restrictions than national vessels, their cargoes and passengers.

第十五條

兩締約國ノ港、泊渠、船渠、碇泊所又ハ水路ニ於ケル船舶ノ出入、繫留貨物積卸ニ關スル一切ノ事項ニ付テハ締約國ノ意嚮ガ此等ノ事項ニ付テモ兩國ノ船舶ニ對シ内國船舶ニ許與セララル待遇ヲ與フルニ在ルヲ以テ他方ノ締約國ノ船舶ニ均シク許與セララルニ非ザル何等ノ特權モ内國船舶ニ許與セララルコトナカルベシ

ARTICLE 15.

In all that concerns the entering, clearing, stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or waterways of the two countries, no privilege shall be granted to national vessels which shall not equally be granted to vessels of the other country; the intention of the High Contracting Parties being that in these respects the vessels of each shall receive the treatment accorded to national vessels.

第十六條

兩締約國ノ沿岸貿易及内國漁業ハ本條約ノ規定ヨリ除外セラレ夫々「タイ」國及「デンマーク」國ノ法令ニ依リ定メラルベシ

ARTICLE 16.

The coasting trade and the national fisheries of both the High Contracting Parties are excepted from the provisions of the present Treaty, and shall be regulated according to the laws and regulations of Thailand and Denmark respectively.

第十七條

締約國ノ一方ノ軍艦又ハ商船ニシテ天候ニ依リ又ハ其ノ他

ARTICLE 17.

Any ship of war or merchant vessel of either

ノ危難ノ爲已ムヲ得ズ他方ノ港ニ避難スルモノハ其ノ地ニ於テ修繕ヲ爲シ一切ノ需要品ヲ求メテ出港スルコトヲ得ベク内國船舶ノ支拂フ所ト異ル何等ノ税金ヲモ徴收セラルルコトナカルベシ但シ商船ノ船長ガ費用ヲ支辨スル爲其ノ積荷ノ一部ヲ處分スルノ必要アル場合ニハ寄港地ノ規則及税法ニ從フコトヲ要ス

締約國ノ一方ノ軍艦又ハ商船ガ他方ノ沿岸ニ於テ擱坐シ又ハ難破シタルトキハ地方官廳ハ當該地方又ハ最近地ニ駐在スル他ノ一方ノ領事官ニ對シ直ニ其ノ旨ヲ通知スベシ

右擱坐シ又ハ難破シタル船舶及其ノ一切ノ部分、備附品、附屬品竝ニ該船舶ヨリ救上セラレタル一切ノ貨物及商品（海中ニ投下セラレタルモノヲ含ム）又ハ此等物品中賣却セラレタルモノアル場合ノ收得金ハ右擱坐シ又ハ難破シタル

船舶内ニ發見セラレタル一切ノ書類ト共ニ所有者又ハ其ノ代理人ヨリ要求アルトキハ難破又ハ擱坐ノ生ジタル國ノ法令ニ依リ定メラルル期間内ニ之ヲ引渡サルベク又右所有者又ハ代理人ハ財産ノ保存ニ要シタル費用及内國船舶ノ難破又ハ擱坐ノ場合ニ於テ支拂ハルベキ救助費其ノ他ノ費用ノミヲ支拂フベシ

難破シ又ハ擱坐シタル船舶ヨリ救上セラレタル貨物及商品ハ消費ノ爲ニ引取ラレザル限り一切ノ關稅ヲ免除セララルベク消費ノ爲ニ引取ララル場合ニハ通常ノ關稅ヲ納付スベキモノトス
締約國ノ一方ノ國民ニ屬スル船舶ガ他方ノ領域内ニ於テ天候ニ依リ避難シ、擱坐シ又ハ難破シタル場合ニ所有者又ハ其ノ代理人不在ナルカ又ハ現場ニ在ルモ其ノ請求アルトキハ該船舶ノ屬スル締約國ノ當該領事官ハ自國ノ國民ニ必要ナル援助ヲ與フル爲關與スルコトヲ得

of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies and put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant vessel of one of the High Contracting Parties should run aground or be wrecked upon the coast of the other, the local authorities shall give prompt notice of the occurrence to the Consular Officer residing in the district or to the nearest Consular Officer of the other Power.

Such stranded or wrecked ship or vessel and all parts thereof, and all furniture and appurtenances belonging thereto, and all goods and merchandise saved therefrom, including those which may have

been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them, within the period fixed by the laws and regulations of the country in which the wreck or stranding occurred, and such owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of the wreck or stranding of a national vessel.

The goods and merchandise saved from the wreck or stranding shall be exempt from all duties of the customs unless cleared for consumption, in which case they shall pay ordinary duties.

In the case of a ship or vessel belonging to the nationals of one of the High Contracting Parties being driven in by stress of weather, run aground or wrecked in the territory of the other, the proper Consular Officer of the High Contracting Party to which the vessel belongs shall, if the owners or their agents are not present, or are present but

第十八條

締約國ノ一方ノ軍艦ハ別國ノ軍艦ガ出入スルコトヲ得ベキ
他方ノ港及場所ニ入り、碇泊シ及修繕ヲ爲スコトヲ得右軍
艦ハ別國ノ軍艦ト同一ノ規則ニ服從シ且別國ノ軍艦ニ現ニ
許與セラレ又ハ今後許與セラルコトアルベキ所ト同一ノ
榮譽、利益、特權及免除ヲ享受スベシ

require it, be authorized to interpose in order to afford the necessary assistance to the nationals of his State.

ARTICLE 18.

The vessels of war of each of the High Contracting Parties may enter, remain and make repairs in those ports and places of the other to which the vessels of war of other nations are accorded access; they shall submit to the same regulations and enjoy the same honours, advantages, privileges and exemptions as are how, or may hereafter be conceded to the vessels of war of any other nation.

第十九條

締約國ノ一方ノ領事官ニシテ他方ノ領域内ニ駐在スルモノ
ハ自國ノ船舶ヨリノ脱船者ノ回收ニ關シ地方官憲ヨリ法ノ
認ムル援助ヲ受クルモノトス但シ右ノ規定ハ締約國ニシテ
其ノ地方官憲ガ援助ノ請求ヲ受ケタルモノノ國民ニ對シテ
ハ適用セラレザルモノトス

The Consular Officers of each of the High Contracting Parties residing in the territory of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of the

ARTICLE 19.

former Party, provided that this stipulation shall not apply to nationals of the High Contracting Party from whose local authorities assistance is requested.

ARTICLE 20.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls and other Consular Officers or Agents to reside in the towns and ports of the territory of the other where similar officers of other Powers are permitted to reside.

Such Consular Officers and Agents, however, shall not enter upon their functions until they shall have been approved and admitted by the Government to which they are sent.

They shall be entitled, on condition of reciprocity, to exercise all the powers and enjoy all the honours, privileges, exemptions and immunities of every kind which are, or may be accorded to Consular Officers of the most favoured nation.

第二十條

締約國ノ一方ハ他方ノ領域内ニ於テ別國ノ領事官ノ駐在ヲ
許サレタル都市及港ニ駐在セシムル爲メ總領事、領事、副領
事其ノ他ノ領事官又ハ領事事務官ヲ任命スルコトヲ得

尤モ右領事官及領事事務官ハ其ノ駐在國政府ノ承認及許可
ヲ得タル後ニ非ザレバ其ノ職務ヲ執行スルコトヲ得ザルモ
ノトス

右領事官及領事事務官ハ相互主義ニ依ルニ於テハ最惠國ノ
領事官ニ許與セラレ又ハ許與セラルルコトアルベキ一切ノ
職權ヲ行使シ且一切ノ榮譽、特權、特典及免除ヲ享受スベ
シ

第二十一條

締約國ノ一方ノ國民ガ他方ノ領域内ニ於テ死亡シタル場合ニ知レタル相續人又ハ死亡者ノ指定シタル遺言執行者其ノ死亡シタル國ニ在ラザルトキハ當該地方官憲ハ直ニ之ヲ最近地ニ駐在スル死亡者所屬國ノ領事官ニ通知シ速ニ利害關係者ニ必要ナル通知ヲ爲スコトヲ得シムベシ

ARTICLE 21.

In case of the death of a national of one of the High Contracting Parties in the territory of the other without having in the country of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest Consular Officer of the nation to which the deceased belonged, in order that necessary information may immediately be forwarded to parties interested.

締約國ノ一方ノ國民ガ他方ノ領域内ニ於テ死亡シタル場合ニ死亡者ノ本國ノ法律ニ依リ相續財産ヲ收受管理スルノ權利ヲ有スル者其ノ死亡シタル地ニ在ラザルトキハ死亡者所屬國ノ當該領事官ハ右死亡者財産所在地ノ法律ノ定ムル方法及制限ニ從ヒ該相續財産ヲ保管管理スルコトヲ得

In case of the death of a national of one of the High Contracting Parties in the territory of the other, without leaving at the place of his decease any person entitled by the laws of his country to take charge of and administer the estate, the competent Consular Officer of the State to which the deceased belonged shall be empowered to take custody of and administer the estate in the manner and under the limitations prescribed by the laws of the country in which the property of the deceased is situated.
The foregoing provisions shall also apply in case

締約國ノ一方ノ國民ガ他方ノ領域外ニ於テ死亡シタルモ該

領域内ニ財産ヲ所有セル場合ニ相續財産ヲ收受管理スルノ權利ヲ有スル者右財産所在地ニ在ラザルトキハ前項ノ規定ヲ準用ス

第二十二條

本條約ノ規定ハ左ノ事項ニハ適用ナシ

- (一) 國境貿易ヲ便ナラシムル爲接壤國ニ對シ許與セラレ又ハ今後許與セララルコトアルベキ恩典
- (二) 關稅同盟ニ基キ第三國ニ對シ許與セラレ又ハ今後許與セララルコトアルベキ恩典
- (三) 二重課稅ヲ避クル爲又ハ相互ニ收入ヲ保護スル爲第三國ニ對シ約定ニ依リ許與セラレ又ハ許與セララルコトアルベキ恩典

- (四) 海ヨリ航行シ得ザル國境水路ノ航行又ハ使用ニ關シ接壤國ニ對シ許與セラレ又ハ今後許與セララルコトアルベキ恩典

of a national of one of the High Contracting Parties dying outside the territory of the other, but possessing property therein, without leaving any person there entitled to take charge of and administer the estate.

ARTICLE 22.

The provisions of the present Treaty do not apply to:

- 1) Favours granted or to be granted hereafter to an adjoining State to facilitate frontier traffic;
- 2) Favours granted or to be granted hereafter to a third State in virtue of a Customs Union;
- 3) Favours contractually granted or to be granted to a third State for the avoidance of double taxation or the mutual protection of revenue;
- 4) Favours granted or to be granted hereafter to an adjoining State with regard to the navigation on or use of boundary waterways not navigable from the sea.

第二十三條

本條約ノ内容、解釋又ハ適用ニ關シ締約國間ニ生ズルコトアルベキ紛争ニシテ外交手段ヲ以テ解決シ得ザルモノハ反對ノ協定ナキ場合ニ於テハ締約國ノ一方ノ要請ニ依リ「ヘーグ」ニ在ル常設國際司法裁判所ニ付託セラレベシ之ニ依リ兩締約國ハ仲裁判定ヲ拘束力アルモノトシテ受諾スルコトヲ約ス常設國際司法裁判所ハ締約國ガ普通ノ手續ガ適用セララルコトニ意見一致セザル限り司法裁判所規程第二十九條ニ掲ゲラルル簡易手續ニ從ヒ其ノ判決ヲ與フベシ

ARTICLE 23.

Any dispute which may arise between the High Contracting Parties with respect to the contents, the interpretation, or the application of the present Treaty which cannot be settled by diplomatic means, shall at the request of either Party be submitted in the absence of contrary agreement to the Permanent Court of International Justice at The Hague. Both Parties hereby undertake to accept as binding the arbitral award. The Court shall give its decision in accordance with the summary procedure mentioned in article 29 of the Statute of the Court, unless the High Contracting Parties agree that the ordinary procedure shall be applied.

第二十四條

本條約ハ其ノ實施ノ日ヨリ千九百二十五年九月一日「コーペンハーゲン」ニ於テ署名セラレタル「タイ」國「デンマーク」國間友好通商航海條約ニ代ルベク右ノ日以後ハ千九百二十五年ノ右條約竝ニ締約國間ニ締結セラレタル又ハ存在

ARTICLE 24.

The present Treaty shall, from the date of its coming into force, be substituted for the Treaty of Friendship, Commerce and Navigation between Thailand and Denmark, signed at Copenhagen on

スル右條約ノ補足タル一切ノ取極及協定ハ拘束力ナキニ至ルベシ

第二十五條

本條約ハ其ノ效力發生ノ日ヨリ五年間引續キ效力ヲ有スベシ
締約國ノ何レノ一方モ本條約ヲ終了セシムルノ意思ヲ右五年ノ滿了ノ十二月前ニ通告セザル場合ニハ本條約ハ締約國ノ何レカノ一方ガ之ガ廢棄ノ通告ヲ爲シタル日ヨリ一年ノ期間ノ滿了ニ至ル間迄引續キ效力ヲ有スベシ

ARTICLE 25.

The present Treaty shall remain in force for 5 years from the date on which it comes into effect.
In case neither of the High Contracting Parties should have notified 12 months before the expiration of the said 5 years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it.

尤モ右廢棄通告ハ本條約ニ依リ廢棄セラレタル條約、取極又ハ協定ヲ復活セシムルノ效果ヲ有セザルベキハ明ナルモノトス

It is clearly understood, however, that such denunciation shall not have the effect of reviving any of the Treaties, Conventions, Arrangements, or Agreements abrogated by the present Treaty.

第二十六條

本條約ハ批准セラレベク且其ノ批准書ハ成ルベク速ニ「コ
ーベンハーゲン」ニ於テ交換セラレベシ右條約ハ批准書ノ
交換後十五日ヨリ實施セラレベシ

右證據トシテ下名ノ全權委員ハ西曆千九百三十七年十一月
五日即チ佛曆二千四百八十年八月五日日本條約ニ署名調印セ
リ

ブラヤー、ラチャワンサン(印)
ペー、ムンク (印)

ARTICLE 26.
This Treaty shall be ratified, and the ratifications thereof shall be exchanged at Copenhagen as soon as possible, and the said Treaty shall come into force on the fifteenth day after the exchange of ratifications.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have hereto signed their names and affixed their seals, this fifth day of November in the nineteen hundred and thirty-seventh year in the Christian era, corresponding to the fifth day in the eighth month in the two thousand four hundred and eightieth year of the Buddhist era.

(L. S.) PHYA RAJAWANGSAN.
(L. S.) P. MÜNCH.

最終議定書

(千九百三十七年十一月五日署名)

下名ノ全權委員ハ本條約ニ調印スル爲會合シ左ノ通協定セ
リ

一 千九百十八年十一月三十日ノ聯合法ニ從ヒ「デンマー
ク」國「アイスランド」國間ニ存スル關係ヲ考慮シ前記
條約ノ規定ニ基キ「タイ」國ハ「デンマーク」國ガ「ア
イスランド」國ニ許與シ又ハ許與スルコトアルベキ特別
ノ利益ヲ請求スルノ權利ヲ有セザルモノトス

二 本條約ノ規定ハ「デンマーク」國ガ「ノールウェー」國
若ハ「スウェーデン」國又ハ此等兩國ニ許與シ又ハ許與
スルコトアルベキ恩典ニ對シテハ該恩典ガ前記ノ國以外
ノ國ニ許與セラレザル限り適用セラレザルベシ

三 本條約ノ規定ハ自國ノ通商及航海ヲ「デンマーク」國
ノ爲ニ留保スル「グリーンランド」ニ對シテハ適用ナシ
但シ「グリーンランド」ニ於テ生産セラレ又ハ製造セラ
レタル貨物ハ「タイ」國ニ於テハ別ノ國ニ於テ生産セラ
レ又ハ製造セラレタル貨物ニ與ヘラルト一切ノ點ニ於
テ同様ニ有利ナル待遇ヲ享受スベク又「タイ」國ニ於テ

FINAL PROTOCOL.

The undersigned Plenipotentiaries, meeting in order to sign the present Treaty, have agreed upon the following:

- 1) Considering the relations, existing between Denmark and Iceland in conformity with the Union-Law of 30th November 1918, it is understood that by virtue of the provisions of the above-named Treaty Thailand shall not be entitled to claim the special benefits which Denmark has granted or may grant to Iceland.
- 2) The provisions of this Treaty do not apply to favours granted or to be granted by Denmark to Norway or Sweden or both these countries, so long as these favours are not granted to states other than those mentioned above.
- 3) The provisions of this Treaty do not apply to Greenland where commerce and navigation are reserved for the Danish State. Nevertheless, goods produced or manufactured in Greenland shall enjoy in Thailand a treatment in all respects as favourable as that accorded to goods produced or manufactured

生産セラレ又ハ製造セラレタル貨物ハ「グリーンランド」ニ於テハ別國ニ於テ生産セラレ又ハ製造セラレタル貨物ニ與ヘラルト同様ニ有利ナル待遇ヲ享有スベシ

四 第二條第七項及第七條第四項ニ規定セラルル不動産ニ關スル最惠國待遇ハ相互主義ノ條件ノ下ニ與ヘラルルモノトス

五 本條約ニ於テ内國民待遇ガ規定セラレタル一切ノ事項ニ付テハ締約國ノ一方ノ國民及船舶ハ他方ノ締約國ニ依リ別國ノ國民及船舶ニ比シ不利益ナル待遇ヲ與ヘラレザルベキモノトス

六 本條約ニ規定セラレタル最惠國待遇ハ即時且無條件ニテ與ヘラルベキモノトス

右證據トシテ下名ノ全權委員ハ西曆千九百三十七年十一月五日即チ佛曆二千四百八十年八月五日本最終議定書ニ署名調印セリ

ブラヤー、ラチャワンサン(印)
ベ、ー、ム、ン、ク(印)

交換公文

(千九百三十七年十一月五日交換)

「ブラヤー、ラチャワンサン」ヨリ「ヘー、ムンク」ニ宛テタル書翰

拜啓陳者本日署名セラレタル「タイ」國「デンマーク」國間友好通商航海條約最終議定書中ノ第四號ニ關シ本使ハ「タイ」國政府ガ「デンマーク」國政府ト左記ニ關シ同一意見ナルコトヲ閣下ニ對シ確認スルノ光榮ヲ有シ候

締約國ノ一方ニ於テ不動産ニ關スル法令ニシテ他方ノ締約國ガ相互主義ノ條件ガ履行セラレズト認ムルモノヲ採用スル場合ニハ兩國政府ハ満足ナル方式ヲ設定スル爲商議ヲ開始スベキコト

敬具

in any other country, and goods produced or manufactured in Thailand shall enjoy in Greenland a treatment as favourable as that accorded to goods produced or manufactured in any other country.
4) It is understood that the most-favoured-nation treatment in regard to immovable property provided for in Article 2, paragraph 7, and Article 7, paragraph 4, is accorded on condition of reciprocity.
5) It is understood that in all the matters for which national treatment is provided in this Treaty, the nationals and vessels of either High Contracting Party shall not be treated by the other less favourably than the nationals and vessels of any other country.
6) It is understood that the most-favoured-nation treatment provided for in this Treaty shall be accorded immediately and unconditionally.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have hereto signed their names this fifth day of November in the nineteen hundred and thirty-seventh year of the Christian era, cor-

responding to the fifth day in the eighth month in the two thousand four hundred and eightieth year of the Buddhist era.

(L. S.) PHYA RAJAWANGSAN.
(L. S.) P. MÜNCH.

(Phya Rajawangsan to Mr. P. Munch)

Copenhagen, November 5th, 1937.

Sir,

Referring to paragraph 4 in the Final Protocol in the Treaty of Friendship, Commerce and Navigation between Thailand and Denmark, signed this day, I have the honour to confirm that the Thai Government agree with the Danish Government on the following:

If one of the High Contracting Parties introduces such legislation with regard to immovable property that the other Party is of opinion that the condition of reciprocity is not fulfilled, the two Governments will take up negotiations with a view to establishing a satisfactory modus.

千九百三十七年十一月五日「コーペンハーゲン」ニ於テ
ブラヤー、ラチャワンサン

「ペー、ムンク」ヨリ「ブラヤー、ラチャワンサン」
ニ宛テタル書翰

拜啓陳者本日署名セラレタル「タイ」國「デンマーク」國
間友好通商航海條約最終議定書中ノ第四號ニ關シ本大臣ハ
「デンマーク」國政府ガ左記ニ關シ「タイ」國政府ト同一
意見ナルコトヲ閣下ニ對シ確認スルノ光榮ヲ有シ候

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約國ガ相互主義ノ條件ガ履行セラレズト認ムルモノヲ採
用スル場合ニハ兩國政府ハ満足ナル方式ヲ設定スル爲商
議ヲ開始スベキコト
千九百三十七年十一月五日「コーペンハーゲン」外務省
ニ於テ

ペー、ムンク

I have the honour to be, etc.

PHYA RAJAWANGSAN.

(Mr. P. Munch to Phya Rajawangsan)

MINISTRE DES AFFAIRES ETRANGERES.

Copenhagen, November 5, 1937.

Sir,

Referring to paragraph 4 in the Final Protocol
of the Treaty of Friendship, Commerce and Navigation
between Denmark and Thailand, signed this
day, I have the honour to confirm that the Danish
Government agree with the Thai Government on
the following:

If one of the High Contracting Parties introduces
such legislation with regard to immovable property
that the other Party is of opinion that the condition
of reciprocity is not fulfilled, the two Governments
will take up negotiations with a view to establishing
a satisfactory modus.

P. MÜNCH.

(参考)

八 「シヤム」國「デンマーク」國間修好通商航海條約

(千八百五十八年五月二十一日「スミンコッタ」ニ於テ署名)
(千八百五十九年九月十五日「スミンコッタ」ニ於テ批准書交換)

TREATY OF FRIENDSHIP, COMMERCE, AND
NAVIGATION, BETWEEN DENMARK AND
SIAM.—SIGNED AT BANGKOK,
MAY 21, 1858.

(Ratifications exchanged at Bangkok,
September 15, 1859.)

His Majesty Frederick VII, King of Denmark,
of the Vandals and Goths, Duke of Schleswig,
Holstein, Stormarn, the Dithmarshes, Lauenburg
and Oldenburg; and their Majesties, Phra Bard
Sondetch Phra Paramendr Maha Mongkut, Phra
Chorn Klau Chau Yu Hua the first King of Siam,
and Phra Bard Sondetch Phra Pawarendr. Rarnesr,
Mahiswareer Phra Pin Klau Chau Yu Hua the
second King of Siam;
Desiring to facilitate and extend their relations

of good understanding and trade, between their
respective subjects, have resolved to conclude a
Treaty of Friendship, Commerce and Navigation,
based on the common interests of both countries,
and have therefore, to that end, named their pleni-
potentiaries; that is to say:

His Majesty the King of Denmark has named
John Jarvie, Esquire, Consul of Denmark for
Singapore.

And their Majesties the first and second Kings
of Siam, have named His Royal Highness Krom
Hluang Wongsa Dhiraji Snidh, his Lordship Chau
Phaya Sri Suriyongse Samant Bongs Bisudde
Maha Purus Ratnedom Samuha Phra Kralahome (the
Prime Minister), his Lordship Chaw Phaya Rawe
Wongs Maha Kosadhiputi (the Minister for Foreign
Affairs), his Lordship Chau Phaya Yomaraj (the

Lord Mayor of the City of Bangkok), his Excellency Phaya Wora Bongse Bidadhne (Superintendent of the Royal Private Ministers), who after having communicated to each other their respective full powers, and found them to be in good and due form, have agreed upon and concluded the following Articles :

ARTICLE I.

There shall be constant peace and perpetual friendship, between his Majesty the King of Denmark, his heirs and successors on the one part, and their Majesties the first and second Kings of Siam, their heirs and successors on the other part, as well as between the subjects of both States, without exception of persons and places.

The subjects of each shall enjoy in the country of the other full and entire protection for their persons and property, agreeably to the established laws.

There shall be full and entire freedom of commerce and navigation, for the subjects and vessels

of the two High Contracting Powers, in every portion of their respective territories, where trade or navigation is actually allowed, or may hereafter be allowed to the subjects or vessels of the most favoured nation.

Danish ships of war shall render friendly aid and assistance to such Siamese vessels as they may meet on the high seas, so far as can be done in accordance with international law, and all Danish Consuls residing at ports visited by Siamese, shall also afford them such friendly aid as may be permitted by the laws of the respective countries, in which the Consuls reside.

ARTICLE II.

The two High Contracting Powers recognize reciprocally the right to establish and appoint, in the ports and the towns of their respective States, Consuls and Consular Agents; and that these officers shall enjoy the same privileges, immunities, powers and exemptions, as are or may be enjoyed by those of the most favoured nation. Such

Consuls or Consular Agents, however, shall not begin to exercise their functions, until they shall have received the Exequatur of the local Government. Danish Consuls or Consular Agents in Siam shall be at liberty to hoist their national flag over their Consulates.

The Danish Consul or Consular Agent in Siam shall have the interests of all the Danish subjects in or coming to Siam, under his protection, regulation and control. He shall himself conform to all the provisions of this Treaty, and enforce the observance of the same Danish subjects (sic). He shall also promulgate, and give due effect to all rules and regulations, which are now, or may hereafter be enacted, for the government of Danish subjects in Siam, the conduct of their business, and their due observance of the laws of Siam.

Should the Consul or Consular Agent be absent, Danish subjects visiting or residing in Siam may have recourse to the intervention of a Consul of a friendly nation, or they may address themselves directly to the local authorities, and the said authorities shall take means to secure to such

Danish subjects, all the benefits of the present Treaty.

ARTICLE III.

Danish subjects visiting or residing in Siam shall be allowed the free exercise of their religious belief and worship, and be at liberty to build churches, in such convenient localities as shall be consented to by the Siamese authorities, and such consent shall not be withheld, without sufficient reason being assigned.

ARTICLE IV.

Danish subjects wishing to reside in the Kingdom of Siam must be registered at the Consulate of Denmark, a copy of which registration to be furnished to the Siamese authorities. Whenever a Danish subject shall have recourse to the Siamese authorities, his petition or claim must be first submitted to the Consul of Denmark, and if the petition or claim appear to the Consul to be

reasonable, and written with propriety, he shall forward it, or otherwise modify its contents. The Siamese on their part, when they shall have to address themselves to the Consulate of Denmark, shall follow a similar course, in first addressing themselves to the Siamese authorities, who shall act in like manner.

ARTICLE V.

Danish subjects who shall reside in a permanent manner in Siam, shall for the present do so only in the city of Bangkok, or within a limit defined by the following boundaries, viz.:

1. *On the North.*—By the Bang Putsa Canal from its mouth on the Chau Phya River, to the old city walls of Lobpury, and a straight line from Lobpury to the landing place of Tha Phrangam, near to the town of Saraburi, on the river Pasak.
2. *On the East.*—By a straight line drawn from the landing place of Tha Phrangam, to the junction of Klongkut Canal, with the Bangpakong River; the Bangpakong River from the junction of the

Klongkut Canal, to its mouth; and the coast from the mouth of the Bangpakong river to the island of Srimaharajah, to such distance inland as can be reached, within 24 hours journey, from Bangkok.

3. *On the South.*—By the Island of Srimaharajah and the Islands of Se-Chang on the east side of the gulf, and the city walls of Petchaburi on the west side.

4. *On the West.*—By the western coast of the gulf to the mouth of the Meklong River, to such a distance inland as can be reached within 24 hours journey from Bangkok. The Meklong River, from its mouth, to the city walls of Rajpuri. A straight line from the city walls of Rajpuri, to the town of Suphanapuri; and a straight line from Suphanapuri to the mouth of the Bangputsa Canal, on the Chau Phya River.

But Danish subjects may reside beyond these boundaries, on obtaining permission to do so, from the Siamese authorities.

All Danish subjects are at liberty to travel throughout the entire Kingdom of Siam, and to trade by buying and selling merchandize, not being

contraband, from and to whomsoever they shall think proper; this privilege being in no way whatever affected by any farm or exclusive right of sale and purchase.

ARTICLE VI.

The Siamese Government will place no restrictions upon the employment by Danish subjects of Siamese subjects, in any capacity whatever. But whenever a Siamese subject belongs or owes service to some particular master, the servant who engages himself to a Danish subject, without the consent of his master, may be reclaimed by him, and the Siamese Government will not enforce an agreement for services, between a Danish subject and any Siamese in his employment, unless made with the knowledge and consent of the master.

If Siamese in the employment of a Danish subject offend against the laws of Siam, or if any Siamese having so offended, or desiring to desert, take refuge with a Danish subject in Siam, they

shall be searched for, and, upon proof of their guilt or desertion, they shall be delivered up by the Consul to the Siamese authorities.

ARTICLE VII.

Danish subjects shall not be detained against their will in the Kingdom of Siam, unless the Siamese authorities shall prove to the Consul of Denmark that there are lawful reasons for such detention.

Within the boundaries fixed by Article V of this Treaty, Danish subjects shall be at liberty to travel without hindrance or delays of any kind whatsoever, provided they have a passport signed by the Consul or Consular Agent of Denmark, containing in Siamese characters their names, profession and identity, and countersigned by the competent Siamese authority.

Should they wish to go beyond the said limit and travel in the interior of the Kingdom of Siam, they shall procure for themselves a passport, which shall be delivered to them on the request of the

Consul or Consular Agent by the Siamese authorities, and such passport shall not be refused in any instance, except with concurrence of the Danish Consul or Consular Agent.

ARTICLE VIII.

Danish subjects may purchase land or plantations, and may take on lease or let land and plantations, and may hire, buy, or build houses, within the boundaries specified by Article V., with this exception and limitation only, that the power to purchase lands in the city of Bangkok, or within four British statute miles from its walls, shall be confined to those who shall have resided in Siam for 10 years, or who shall obtain a special licence from the Siamese Government. In order to obtain possession of such property, the Danish subject shall in the first place, make application through the Consul to the Siamese Government, and the Siamese Government shall name an officer who, along with the Consul (having satisfied themselves of the honest intentions of the applicant), shall adjust and

settle upon equitable terms the amount of the purchase money, and shall make out and fix the boundaries of the property. The Siamese Government shall then convey the property to the Danish purchaser, and such property shall thereupon be under the protection of the governor of the district, and of the particular local authorities; the said purchaser shall conform, in ordinary matters, to any just direction to be given to him by them, and he shall be subject to the same taxation as that levied on Siamese subjects. But if, through negligence, the want of capital, or other causes, a Danish subject shall fail to commence the cultivation or improvement of the lands so acquired within a term of 3 years from the date of receiving possession thereof, the Siamese Government shall have the power of resuming the property upon returning to the Danish subject the purchase money paid by him for the same.

Danish subjects shall be at liberty to search for and open mines in any part of Siam; and, on a proper exposition being furnished to the Consul, he, in conjunction with the Siamese authorities,

shall decide thereon according to equity.

ARTICLE X.

Should a Danish subject be charged with any grave crime in the Kingdom of Siam, he shall be arrested by the local authorities and be punished by the Consul according to the laws of Denmark, or be transmitted by him to Denmark, to receive punishment on being found guilty. Should a Danish subject commit any minor offence or misdemeanor in Siam, he shall in like manner be arrested by the Siamese authorities, and, on proof of his guilt, the Consul will punish him either by deportation or pecuniary mulct. If a Siamese be guilty of any crime or offence against a Danish subject, the offender shall be arrested by the local authorities, and made over to the severity of the laws of the kingdom.

ARTICLE XI.

Should any act of piracy be committed on

shall arrange such suitable conditions and terms as shall admit of the mines being worked. Danish subjects shall also be permitted to engage in and carry on any description of manufacture in Siam (the same not being contrary to law), upon like reasonable conditions and terms, arranged between the Consul and Siamese authorities.

ARTICLE IX.

When a Danish subject, residing permanently or temporarily in the Kingdom of Siam, shall have any subject of complaint or any claim to make against a Siamese, he shall first submit his grievances to the Consul of Denmark, who after having examined the affair shall endeavour to settle it amicably. In the same manner, when a Siamese shall have to complain against a Danish subject, the Consul shall hear the complaint, and try to make an amicable settlement; but if in such cases this is impossible, the Consul shall apply to a competent Siamese functionary, and both, after having together examined the affair,

Danish vessels on the coast or in the vicinity of the Kingdom of Siam, the authorities of the nearest place, on being informed of the same, shall afford every assistance in the capture of the pirates, and recovery of the stolen property, which shall be delivered to the Consul for restoration to the owners. The same course shall be followed by the Siamese authorities in all acts of pillage and robbery committed on the property of Danish subjects on shore. The Siamese Government shall not be held responsible for stolen property belonging to Danish subjects, when it is proved that every means in their power have been used for its recovery, and the same conditions shall apply equally to Siamese subjects and property, under the control of the Danish Government.

viduals under the protection of the Danish flag. On the requisition of the Danish Consul, he shall also receive from the Siamese authorities every aid and assistance, and such a force as may be necessary to enable him to give due effect to his authority over Danish subjects, and to enforce discipline among Danish shipping in Siam. In like manner, should a Siamese, guilty of desertion or any other crime, take refuge in the house of a Danish subject or on board a Danish vessel, the local authorities shall address themselves to the Consul of Denmark, and he shall, on proof of the culpability of the accused, immediately authorize his arrest. All concealment and connivance shall be carefully avoided by both parties.

ARTICLE XII.

ARTICLE XIII.

On the Danish Consul sending a written application to the Siamese authorities he shall receive from them every aid and support in detecting and arresting Danish sailors or subjects, or other indi-

Should a Danish subject engaged in business in the Kingdom of Siam become bankrupt, the Consul of Denmark shall take possession of all his goods, in order that the same may be distributed rateably amongst his creditors; and the Consul shall neglect

no means to seize, on behalf of creditors, all the goods the said bankrupt may possess in other countries, and the Consul shall have the aid of the Siamese authorities for the purpose. And, in like manner, the Siamese authorities shall adjudicate and administer the effects of Siamese subjects who may become bankrupt in their commercial transactions with Danish subjects.

Siamese subject who may die Denmark, shall be delivered to the executor of his will, or (in case of intestacy) to the Consul or Consular Agent, to be dealt with according to the laws of the nation to which the deceased belonged.

ARTICLE XIV.

ARTICLE XVI.

Should a Siamese subject refuse or evade the payment of a debt to a Danish subject, the Siamese authorities, shall afford the creditor every aid and facility to recover all that is due to him. In like manner, the Consul of Denmark shall give every assistance to Siamese subjects to recover debts which may be due to them by Danish subjects.

Danish ships of war shall be at liberty to enter the river and anchor at Paknam, but they must inform the Siamese authorities of their intention to go up to Bangkok, and have an understanding with the said authorities concerning the place where they are to anchor.

ARTICLE XV.

ARTICLE XVII.

The goods and property of any Danish subject who may die in the Kingdom of Siam, or of any

Should a Danish vessel in distress enter into a Siamese port, the local authorities shall give every facility for her being repaired and revictualled, so that she may be enabled to continue her voyage. Should a Danish vessel be wrecked on the coast of the Kingdom of Siam, the Siamese authorities

of the nearest place, being informed thereof, shall immediately give all assistance to the crew, shall supply their wants, and take all measures necessary for the salvage and protection of the vessel and cargo, and shall afterwards inform the Consul of Denmark of what has been done by the said authorities, in order that the Consul, together with the competent Siamese authority, may take steps for sending the crew to their homes, and for preserving and disposing of the wreck and cargo, and adjusting any legal claims thereon.

ARTICLE XVIII.

By paying the duties of importation and exportation, as after mentioned, Danish vessels and their cargoes shall be free in Siamese ports of all taxes of tonnage, pilotage, anchorage, and of any other tax whatever, either on their arrival or on their departure. Danish vessels shall enjoy all privileges and immunities which are or shall be granted to junks and to Siamese vessels themselves, as well as to the vessels of the most favoured nations.

ARTICLE XIX.

The duties to be levied on merchandize imported by Danish vessels into the Kingdom of Siam, shall not exceed 3 per cent. on their value. They shall be paid in kind or in money, at the choice of the importers. If the importer cannot agree with the Siamese officer as to the value of the imported merchandize, a reference shall be made to the Consul of Denmark and a competent Siamese functionary, who, after having each called in for consultation one or two merchants as advisers, if they shall think it necessary, shall settle the difference according to justice.

After the payment of the said import duty of 3 per cent. the merchandize may be sold by wholesale or retail, free of any other tax or charge whatsoever. Should merchandize be landed and not sold, and be again shipped for exportation, the whole of the duties paid on them shall be reimbursed. No duty shall be levied on any cargo not sold. And no further duty, tax or charge shall be imposed or levied on such imported merchandize when it

has passed into the hands of Siamese purchasers.

ARTICLE XX.

The duties to be levied on Siamese produce, either before or at the time of shipment, shall be according to tariff, annexed to the present Treaty. Every article of produce subject by the tariff to duties of exportation shall be free of any duty of transit, or any other duty in any part of the Kingdom; and all Siamese produce which shall have been already taxed either for transit, or for any other cause, shall be no more taxed either under the tariff hereto annexed, or in any way whatever before or at the time of shipment.

The Siamese Government reserves to itself the right, at any time hereafter, to impose a single tax or duty upon any article which is, or may become a production of Siam, and which is not specified in the annexed tariff, or at present subject, either directly or indirectly, to a Governmental charge of any kind, but the Siamese Government agrees that the said tax or duty, if levied, shall be just and reasonable.

ARTICLE XXI.

By paying the duties above mentioned, which shall not be increased in future, Danish subjects shall be free to import into the Kingdom of Siam, from Danish and foreign ports, and likewise to export for all destinations any merchandize which shall not be, on the day of the signing of the present Treaty, the object of a formal prohibition or of a special monopoly. The Siamese Government reserve to themselves, however, the right of prohibiting the exportation of salt, rice, or fish, whenever they shall think that there is reason to apprehend a dearth in the country. But the prohibition, which must be published one month before being enforced, shall not have any effect on the fulfillment of contracts, made *bonâ fide* before the publication of such prohibition. Danish merchants, however, shall inform the Siamese authorities of any purchases they may have made previously to the prohibition. Specie, provisions, and personal effects may be imported and exported, free of duty. Should the Siamese Government

hereafter reduce the duties on merchandise, imported or exported, by Siamese or any other vessels, the benefit of this reduction shall be immediately applied to similar produce imported or exported by Danish vessels.

ARTICLE XXII.

The Consul of Denmark shall see that Danish merchants and shipmasters conform themselves to the regulations annexed to the present Treaty, and the Siamese authorities shall aid him to that end. All fines levied for infractions of the present Treaty shall belong to the Siamese Government.

ARTICLE XXIII.

The Danish Government and Danish subjects shall be allowed free and equal participation in any privileges that may have been, or may hereafter be granted by the Siamese Government to the Government, citizens, or subjects of any other nation.

ARTICLE XXIV.

After the lapse of 12 years from the date of the ratification of this Treaty, upon the desire of either of the High Contracting Parties, and on 12 months' notice thereof, this Treaty, together with the Tariff and regulations hereunto annexed, and those that may hereafter be introduced, shall be subject to revision by Commissioners to be appointed on both sides for the purpose with power to make such alterations, additions, and amendments as experience may prove to be desirable.

ARTICLE XXV.

This Treaty, executed in English, as the language of communication between the two High Contracting Powers, and of which Treaty a translation in the Siamese character is appended, shall take effect immediately, and the ratification of the same shall be exchanged at Bangkok, within 18 months from the date thereof.

Here follow

GENERAL REGULATIONS UNDER WHICH
DANISH TRADE IS TO BE CONDUCTED
IN SIAM

AND

TARIFF OF EXPORT AND INLAND
DUTIES TO BE LEVIED ON
ARTICLES OF TRADE,

substantially the same as those attached to the Treaty with Great Britain, April 18, 1855.

In witness whereof the above-named Plenipotentiaries have signed and sealed the present Treaty in triplicate, at Bangkok, on the 21st day of May, in the year of 1858 of the Christian era, corresponding with the 9th waxing day of the 7th moon, of the 1220th year of the Siamese civil era.

(L. S.) J. JARVIE.

(Signatures and seals of the 5 Siamese
Plenipotentiaries.)

(参考)

九 酒類輸送ノ規則ニ關スル「シムム」國「デンマーク」國間條約

(千八百八十三年七月二十五日「コーペンハーゲン」ニ於テ署名)

AGREEMENT BETWEEN DENMARK AND
SIAM, FOR THE REGULATION OF THE
TRAFFIC IN SPIRITUOUS LIQUORS,
—SIGNED AT COPENHAGEN,
JULY 25, 1883.

(Translation.)

The Government of His Majesty the King of Denmark and the Government of His Majesty the King of Siam, being desirous of making satisfactory arrangements for the regulation of the traffic in spirituous liquors in Siam, the Undersigned, duly authorized to that effect, have agreed as follows:—

ARTICLE I.

Spirits of all kinds, not exceeding in alcoholic strength those permitted to be manufactured by

the Siamese Government in Siam, may be imported and sold by Danish subjects on payment of the same duty as that levied by the Siamese excise laws upon spirits manufactured in Siam; and spirits exceeding in alcoholic strength spirits manufactured in Siam as aforesaid may be imported and sold upon payment of such duty and of a proportionate additional duty for the excess of alcoholic strength above the Siamese Government standard.

Beer and wines may be imported and sold by Danish subjects on payment of the same duty as that levied by the Siamese excise laws upon similar articles manufactured in Siam; but the duty on imported beer and wines shall in no case exceed 10 per cent. *ad valorem*.

The said duty on imported spirits, beer, and wines shall be in substitution of, and not in addition to, the import duty of 3 per cent. leviable

under the existing Treaties; and no further duty, tax, or imposition whatever shall be imposed on imported spirits, beer, and wines.

The scale of excise duty to be levied upon spirits, beer, and wines manufactured in Siam shall be communicated by the Siamese Government to the Danish Consul at Bangkok, and no change in the excise duties shall affect Danish subjects until after the expiration of six months from the date at which such notice shall have been communicated by the Siamese Government to His Danish Majesty's Representative at Bangkok.

ARTICLE II.

The testing of spirits imported into the Kingdom of Siam by Danish subjects shall be carried out by European officials nominated by the Siamese authorities and by an equal number of experts nominated by His Danish Majesty's Consul. In case of difference the parties shall nominate a third person, who shall act as umpire.

ARTICLE III.

The Siamese Government may stop the importation by Danish subjects into Siam of any spirits which, on examination, shall be proved to be deleterious to the public health; and they may give notice to the importers, consignees, or holders thereof to export the same within three months from the date of such notice, and if this is not done the Siamese Government may seize the said spirits and may destroy them: provided always, that in all such cases the Siamese Government shall be bound to refund any duty which may have been already paid thereon.

The testing of spirits imported by Danish subjects, and which may be alleged to be deleterious, shall be carried out in the manner provided by Article II.

The Siamese Government engage to take all necessary measures to prohibit and prevent the sale of spirits manufactured in Siam which may be deleterious to the public health.

ARTICLE IV.

Any Danish subject who desires to retail spirituous liquors, beer, or wines in Siam must take out a special licence for that purpose from the Siamese Government, which shall not be refused without just and reasonable cause.

This licence may be granted upon conditions to be agreed upon from time to time between the two Governments.

ARTICLE V.

Danish subjects shall at all times enjoy the same rights and privileges in regard to the importation and sale of spirits, beer, wines, and spirituous liquors in Siam as the subjects of the most favoured nation; and spirits, beer, wines, and spirituous liquors coming from any port of His Danish Majesty's dominions shall enjoy the same privileges in all respects as similar articles coming from any other country the most favoured in this respect. It is, therefore, clearly understood that Danish

subjects are not bound to conform to the provisions of the present Convention to any greater extent than the subjects of other nations are so bound.

ARTICLE VI.

Subject to the provisions of Article V, the present Agreement shall come into operation on a date to be fixed by mutual consent between the two Governments, and shall remain in force until the expiration of six months' notice given by either party to determine the same.

The existing Treaty engagements between Denmark and Siam shall continue in full force until the present Agreement comes into operation, and after that date except in so far as they are modified hereby.

Should the present Agreement be terminated the Treaty engagements between Denmark and Siam shall revive, and remain as they existed previously to the signature hereof.

ARTICLE VII.

In this Agreement the words "Danish subject" shall include any naturalized or protected subject of His Danish Majesty, and the words "His Majesty's Consul" shall include any Consular officer of His Danish Majesty in Siam.

In witness whereof the Undersigned have signed the same in duplicate, and have affixed thereto their seals.

Done at Copenhagen, the 25th day of July, 1883.

(L.S.) ROSENÖRN-LEHN.

(L.S.) PRISDANG.

(參考)

十 「デンマーク」國トノ條約

(千九百五年三月二十四日署名)

「シヤム」國及其ノ一切ノ屬領、「ラオス、チエーン」、「ラオス、カオ」、「マライ」、「カリアンス」等ノ皇帝「ソムデット」、フラ、ボラメンタラ、マハ、チュロンコーン「陛下及」デンマーク「國皇帝「ヴァンダル」人及「ゴート」人ノ王、「シュレスウイヒ、ホルシュタイン」、「シットルマルン」、「デトマルシユ」、「ラウエンブルヒ」及「オルデンブルヒ」ノ侯爵「クリステイアン」第九世陛下ハ兩國間ノ友交親善ノ關係ヲ容易ナラシメ且之ヲ擴張センコトヲ欲シ「シヤム」國ニ在ル「デンマーク」國臣民ノ登録及裁判管轄ニ關スル條約ヲ締結スルコトニ決シ之ガ爲左ノ如ク全權委員ヲ任命セリ

CONVENTION WITH DENMARK.

(SIGNED MARCH 24TH, 1905.)

His Majesty Sordetch Phra Paramindr Maha Chulalongkorn, King of Siam and all its dependencies, Laos Chiang, Laos Kao, Malays, Kareans, &c., and

His Majesty Christian the Ninth, King of Denmark, of the Vandals and Goths, Duke of Schleswig-Holstein, Stormarn, the Ditmarshes, Lauenburg and Oldenburg;

Desiring to facilitate and extend the relations of friendship and good understanding between their respective countries, have resolved to conclude a convention concerning the registration of and jurisdiction over Danish subjects in Siam, and have to* that end appointed the following Plenipotentiaries:

His Majesty the King of Siam: His Royal Highness Prince Devawongse Varoprakar, Minister for Foreign Affairs;

And His Majesty the King of Denmark: A. E. Olarovsky, Esquire, Minister Resident of His Majesty

「シヤム」國皇帝陛下

外務大臣「テワヴァン、ワロブラカーン」殿下

「デンマーク」國皇帝陛下

「シヤム」國ニ於ケル「デンマーク」國ノ利益ヲ委託

第一部 「デンマーク」國 「シヤム」國ニ於ケル「デンマーク」人ノ登録及裁判管轄 (一九〇五年)

セラレタル「デンマーク」王國「ダーネブローク」勳章勳爵士、「ロシア」國皇帝陛下辨理公使「アー、エー、オラロフスキー」
右各全權委員ハ互ニ其ノ全權委任狀ヲ示シ之ガ良好妥當ナルヲ認メタル後左ノ諸條ヲ協定締結セリ

第一條 「シム」國在住ノ「デンマーク」國臣民ノ登録ハ「デンマーク」國ノ法令ガ「デンマーク」國ノ國籍ヲ與フル「シム」國在住ノ一切ノ者ヲ包含スベク他ノ如何ナル者モ「デンマーク」國政府ヨリ何等ノ保護ヲモ受クルノ權利ヲ有セザルベシ

第二條 登録ノ名簿ハ適當ナル通知ガ爲サレタルトキハ「シム」國政府ノ檢閲ニ對シ開放セラルベシ

第三條 何レカノ人ガ「デンマーク」國領事館ニ登録セララルノ權利ニ關シ又ハ右領事館ニ依リ發行セラレタル登録證明書ノ效力ニ關シ何等カノ疑問生ズルトキハ「デンマーク」國領事及正當ノ委任ヲ受ケタル「シム」國政府代表者ニ依リ共同調査ガ行ハルベク兩者ハ證明書ノ效力又ハ登録セラレベキ者ノ權利ノ利益ノ爲ニ提出セラレベキ證據物件ヲ適當ニ考慮シテ問題ヲ解決スベシ

「シム」國政府ハ代表者及「デンマーク」國領事ハ意見一致スルコト能ハザルトキハ當該事件ニ於ケル證據物件ヲ兩者ノ意見一致セル第三者ニ提出スルノ權利ヲ有スベク右第三者ノ決定ハ最終的タルベシ

第四條 性質上前記調査ノ結果ノ判明スル迄延期スルコト能ハザル民事又ハ刑事ノ訴訟ガ右調査ノ進行中審理中ナルトキハ右訴訟ノ審理セラレベキ裁判所ノ問題ハ「デンマーク」國領事及「シム」國政府代表者ニ依リ共同シテ決定セララルベシ

第五條 調査ノ行ハルル者ガ本協定第一條ニ規定セラレタル登録條件ノ範圍内ニ在リト認メラルル場合ニハ右ノ者ハ未ダ登録セラレズトモ直ニ「デンマーク」國臣民トシテ登録セラレ「デンマーク」國領事館ヨリ登録證明書ヲ與ヘラルコトヲ得右以外ノ場合ニ於テハ右ノ者ハ「シム」國ノ裁判管轄ニ屬スルモノト認メラルベク又既ニ「デンマーク」國領事館ノ名簿ニ記載セラレアリシトキハ其ノ氏名ハ該名簿ヨリ抹消セラルベシ

the Emperor of Russia, charged with Danish interests in Siam, Commander of the Royal Danish Order of the Danebrog;

Who, after having communicated to each other their respective full powers and found them to be in good and due form, have agreed upon and concluded the following articles:

ART. I. The registration of Danish subjects residing in Siam shall comprise all persons residing in Siam upon whom the Danish laws confer Danish nationality, and no other persons shall be entitled to any protection from the Danish Government.

II. The lists of registration shall be open to the inspection of the Siamese Government on proper notice being given.

III. If any question arises as to the right of any person to be registered at the Danish Consulate or as to the validity of a certificate of registration issued by that Consulate, a joint inquiry shall be held by the Consul for Denmark and a duly authorized representative of the Siamese Government, who will settle the question, giving due regard to the evidence to be produced in behalf

of the validity of the certificate or of the right of the person to be registered.

If the representative of the Siamese Government and the Consul for Denmark cannot agree, they shall be entitled to submit the evidence in the case to a third person to be agreed upon by them both, whose decision shall be final.

IV. Should any action, civil or criminal, be pending while such inquiry is going on, which by its nature cannot be deferred until the result of the inquiry is known, the question of the court in which such action shall be heard shall be determined jointly by the Danish Consul and the representative of the Siamese Government.

V. If the person in respect of whom the inquiry is held comes within the conditions for registration laid down in Article I of this agreement, he may, if not yet registered, forthwith be registered as a Danish subject and provided with a certificate of registration at the Danish Consulate; otherwise he will be recognised as falling under Siamese jurisdiction, and if already on the lists of the Danish Consulate his name shall be erased

第六條 將來ハ例外ナク「シヤム」國在住ノ一切ノ「デンマーク」國臣民ガ服スベキ裁判管轄ニ關シテハ兩國政府ハ左ノ如ク意見一致ス

甲一、刑事事件ニ於テ犯罪人ガ「デンマーク」國臣民ナルトキハ右犯罪人ハ「デンマーク」國領事ニ依リ裁判セラレ且處罰セラレベシ

乙一、尤モ「チュンマイ」、「ラクホン」、「ラムブーン」、「プライ」及「ナン」ノ地方ニ發生シタル民事又ハ刑事ノ一切ノ事件ニシテ「シヤム」國政府ニ依リ又ハ「シヤム」國若ハ外國ノ臣民ニ依リ提起セラレ又ハ開始セラレ「デンマーク」國人ガ被告タルベキコトアルベキモノ竝ニ同様ニ民事及刑事一切ノ事件ニシテ「デンマーク」國臣民ハ原告又ハ訴願人タリ被告ハ「シヤム」國ノ裁判管轄ニ屬スル者タルモノハ總テ「シヤム」國國際裁判所ニ於テ審理セラレベシ

乙二、右最後ノ號ニ掲ゲラレタル事件ノ何レニ於テモ「デンマーク」國領事ハ裁判ニ立會ヒ又ハ正當ノ委任ヲ受ケタル代理人ニ依リ右裁判ニ於テ代表セラレ且正義ノ爲適當ナリト思考スル如何ナル意見ヲモ述ブルノ權利ヲ有スベシ

三、被告ガ「デンマーク」國臣民タル事件ニ於テハ「デンマーク」國領事ハ裁判手續ノ如何ナル段階ニ於テモ自己ニ於テ適當ナリト認めタルトキハ請求書ニ依リ自己ノ許ニ該事件ヲ移スコトヲ得右事件ハ次デ「デンマーク」國領事法廷ニ移送セラレベシ右法廷ハ爾後專ラ右事件ヲ裁判スルノ權能ヲ有スベク「シヤム」國官憲ハ之ニ其ノ援助ヲ與フルノ義務ヲ負フベシ

四、法令ガ保釋ヲ許ス一切ノ刑事事件ニ於テハ被告人ハ監禁セララル代ニ保釋ヲ許サルベシ

第七條 對外事件裁判所竝ニ「チュンマイ」、「ラクホン」、「ラムブーン」、「プライ」及「ナン」ノ諸州ニ設立セラレタル國際裁判所ニ依リ下サレタル判決ニ對スル控訴ハ「バンコック」控訴院ニ提起セララルベシ

therefrom.

VI. With regard to the jurisdiction to which in the future without any exception all Danish subjects in Siam will be subjected, the two Governments agree:

(a)—1. In criminal matters if the offender be a Danish subject, he shall be tried and punished by the Danish Consular officer.

2. In civil matters all actions brought by a Siamese against a Danish subject shall be heard before the Danish Consular Court. If the defendant is a Siamese, the action shall be heard by the Siamese Court for Foreign Causes.

(b)—1. But all civil or criminal cases arising in the Provinces of Chiengnai, Lakhon, Lampon, Pray and Nan, brought or instituted either by the Siamese Government or by Siamese or Foreign subjects, in which a Danish subject may be a defendant, and likewise all civil and criminal cases in which a Danish subject may be the plaintiff or complainant, the defendant being a person under Siamese jurisdiction, shall be heard before the Siamese International Court.

2. In any of the cases mentioned in the last preceding paragraph, the Danish Consul shall have the right to be present at the trial or to be represented there by a duly authorized delegate and to make any observations which he may deem proper in the interest of justice.

3. In case where the defendant is a Danish subject, the Danish Consul may, at any stage of the proceedings, if he thinks proper, by means of a written requisition evoke the case before him. Such case shall then be transferred to the Danish Consular Court, which shall from that time alone be competent to try the case, and to which the Siamese authorities shall be bound to give their assistance.

4. In all criminal cases where the law allows bail, the accused shall be admitted to bail instead of being imprisoned.

VII. Appeals from the judgments rendered by the Court for Foreign Causes, as well as by the International Court established in the Provinces of Chiengnai, Lakhon, Lampon, Pray and Nan, shall be brought before the Court of Appeal of Bangkok.

第八條 「デンマーク」國 「シム」國間ノ従前ノ條約又ハ協定ノ一切ノ規定ニシテ本條約ニ依リ變更セラレザルモノハ引續キ完全ナル效力ヲ有スベシ

第九條 本條約ハ批准セララルベク且批准書ハ本條約ノ署名ノ日ヨリ六月以内ニ交換セララルベシ

右證據トシテ各全權委員ハ本條約ニ署名調印セリ

西曆千九百五年三月二十四日「バンコック」ニ於テ締約國間ノ通信語トシテ「イギリス」語ヲ以テ本書ニ通ヲ作成ス

テワヅァン、ワロブラカーン (印)
アー、エー、オラロフスキー (印)

VIII. All enactments in former treaties, agreements of conventions between Denmark and Siam that are not modified by the present convention remain in full force.
IX. The present Convention shall be ratified and the ratifications shall be exchanged within six months from date of its signature.

In witness whereof the respective Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done at Bangkok in two copies in English as the language of communication between the High Contracting Parties on this the twenty-fourth day of March in year one thousand nine hundred and five of the Christian era.

(L. S.) DEVAWONGSE VAROPRAKAR.
(L. S.) A. E. OLAROVSKY.

(参考)

十一 「シム」國ニ於ケル「デンマーク」國臣民ニ行使セラルベキ裁判管轄權ヲ規定スル「シム」國「デンマーク」國間條約

(千九百十三年三月十五日「コーペンハーゲン」ニ於テ署名)
(千九百十三年七月十二日「バンコック」ニ於テ批准書交換)

TREATY BETWEEN DENMARK AND SIAM
DEFINING THE JURISDICTION TO BE
EXERCISED OVER DANISH SUBJECTS IN SIAM. COPENHAGEN,
MARCH 15, 1913.

(Ratifications exchanged at Bangkok, July 12, 1913.)

His Majesty the King of Denmark and His Majesty the King of Siam, desirous of improving the relations existing between the two countries by a recognition, through the introduction of a new plan of jurisdiction of the altered conditions in Siam since the signature of the Treaty of the 24th March, 1905, and by an extension of the rights of Danish citizens in Siam, have decided to conclude a new Treaty, and have appointed for this purpose

as their Plenipotentiaries:

His Majesty the King of Denmark: Carl Willem Count Ahlefeldt Laurvig, his Minister for Foreign Affairs, &c.; and

His Majesty the King of Siam: Phya Sri-dhammasana, his Envoy Extraordinary and Minister Plenipotentiary;

Who, duly empowered, have agreed upon and concluded the following Articles:—

ARTICLE I. The jurisdiction hitherto exercised in Siam by the Danish Consul or the Danish Consular Court is hereby transferred to the Siamese Government in accordance with the provisions of the following Articles:—

II. In regard to the trial of cases, the two Governments have agreed to substitute the following

in place of the provisions contained in the Convention of the 24th March, 1905:—

All Danish subjects in Siam shall hereafter be subject to the jurisdiction of the ordinary Siamese Courts: provided that all Danish subjects registered at the Danish Consulate before the date of the ratification of this Treaty shall be subject to the jurisdiction of the Siamese International Courts under the conditions hereinafter defined.

III. The jurisdiction of the International Courts shall extend:—

1. In civil matters: to all civil and commercial matters to which Danish subjects shall be parties.
2. In penal matters: to all breaches of law of every kind, whether committed by Danish subjects or to their injury.

IV. In cases in the International Courts where the defendant or accused is a Danish subject the Danish Consul may, at any time before judgment in the Court of First Instance, by means of a written requisition, evoke the case, if he shall think proper in the interests of justice. Such cases shall then be transferred for adjudi-

cation to the Danish Consul, who from this moment shall alone be competent and to whom the Siamese authorities shall be bound to give their assistance.

The right of evocation in the International Courts shall cease to be exercised in all matters coming within the scope of codes or laws regularly promulgated, as soon as the text of such codes or laws shall have been communicated to the Danish Diplomatic Representative at Bangkok. There shall be an understanding between the Siamese Minister for Foreign Affairs and the Danish Diplomatic Representative at Bangkok for the disposal of cases pending at the time that the said codes and laws are communicated.

V. Appeals against the decisions of the International Courts of First Instance shall be adjudged by the Siamese Court of Appeal at Bangkok.

Notice of all such appeals shall be communicated to the Danish Consul, who shall have the right to give a written opinion upon the case to be annexed to the record.

An appeal on a question of law shall lie from the Court of Appeal at Bangkok to the Supreme or

Dika Court.

VI. The system of International Courts shall come to an end, and the jurisdiction of those Courts shall be transferred to the ordinary Siamese Courts after the promulgation and the coming into force of all of the following Siamese Codes, namely, the Penal Code, the Civil and Commercial Codes, the Codes of Procedure, and the law for the Organization of Courts.

VII. In all cases brought before the ordinary Siamese Courts, as well as before the International Courts, Danish subjects shall enjoy, on similar conditions, equal rights and advantages with those which the Siamese Government has already granted or which it may grant to the citizens or subjects of any other nation.

The benefit of the treatment of the most favored nation is, at the present moment, particularly extended:

1. To the right of the defendant or accused in any case arising in the provinces to apply for a change of venue to Bangkok.
2. To the sitting of European legal advisers,

either in the capacity of advisers or in the capacity of judges, in any of the different grades of Courts of either class.

VIII. No plea of want of jurisdiction based on the rules prescribed by the present Treaty shall be advanced in any Court after a defense on the main issue has been offered.

IX. In order to prevent difficulties which may arise in future from the transfer of jurisdiction contemplated by the present Treaty, it is agreed:

(a) All cases in which action shall be taken subsequently to the date of the ratification of this Treaty shall be entered and decided in the International or Siamese Court, whether the cause of action arose before or after the date of ratification.

(b) All cases pending in the Danish Court in Siam on the date of the ratification of this Treaty shall take their usual course in such Court and in any Appeal Court until such cases have been finally disposed of, and the jurisdiction of the Danish Court shall remain in full force for this purpose.

The execution of the judgment rendered in any such pending case shall be carried out by the

International Courts.

X. Danish citizens and subjects shall enjoy throughout the whole extent of Siam the rights and privileges enjoyed by the natives of the country, notably the right of property, the right of residence and travel.

They and their property shall be subject to all taxes and services, but these shall not be other or higher than the taxes and services which are or may be imposed by law on Siamese subjects.

Danish subjects in Siam shall be exempted from all military service, either in the army or navy, from all forced loans or military exactions or contributions.

Limited liability and other companies and associations, commercial, industrial, and financial, already or hereafter to be organized in accordance with the laws of either High Contracting Party, are authorized in the territories of the other, to exercise their rights and appear in the Courts either as plaintiffs or defendants, subject to the laws of such other party.

The foregoing stipulation has no bearing upon

the question whether a company or association organized in one of the two countries will or will not be permitted to transact its business or industry in the other, this permission remaining always subject to the laws and regulations enacted or established in the respective countries or in any part thereof.

XI. The provisions of all Treaties, Agreements and Conventions between Denmark and Siam, not modified by the present Treaty, remain in full force.

XII. The present Treaty shall be ratified, and the ratifications shall be exchanged at Bangkok within six months from its date, and shall come into force immediately after the exchange of ratifications.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and affixed thereto their seals.

Done at Copenhagen, in duplicate, the 15th day of March, in the year 1913.

(L. S.) C. W. AHLEFELDT LAURVIG.
(L. S.) PHVA SRIDHAMASASANA.

(參考)

十一 「シアン」國「デンマーク」國間修好通商航海條約

(一九二五年九月一日「コーペンハーゲン」ニ於テ署名)

TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION BETWEEN DENMARK AND SIAM,—SIGNED AT COPENHAGEN,

SEPTEMBER 1, 1925.

PREAMBLE.

His Majesty the King of Denmark and Iceland and His Majesty the King of Siam, being desirous of strengthening the relations of amity and good understanding which happily exist between the two States, and being convinced that this cannot be better accomplished than by revising the treaties hitherto existing between the two countries, have resolved to complete such revision, based upon the principles of equity and mutual benefit, and for that purpose have named as their Plenipotentiaries, that is to say:

His Majesty the King of Denmark and Iceland:

Carl Poul Oscar Count Moltke, His Minister for Foreign Affairs, etc. ;
His Majesty the King of Siam:
His Serene Highness the Prince Vipulya Svastivongs, His Envoy Extraordinary and Minister Plenipotentiary, etc. ;
Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE 1.

There shall be constant peace and perpetual friendship between the Kingdom of Denmark and the Kingdom of Siam.

ARTICLE 2.

The subjects of each of the High Contracting

Parties upon submitting themselves to the laws and regulations there in force shall have liberty to enter, travel and reside in the territory of the other. They shall furthermore be entitled there to engage in religious, educational and charitable work, to employ agents of their choice, to lease land or buildings for residential, commercial, industrial, religious, charitable and other lawful purposes upon the same terms as subjects or citizens of the most favoured nation submitting themselves to the laws and regulations there established.

In all that relates to their commercial, shipping, industrial and agricultural pursuits, and to callings and professions, as well as with regard to the acquisition, possession and disposition of property- rights of every description, the subjects of either of the High Contracting Parties shall throughout the whole extent of the territory of the other be placed in all respects on the same footing as the subjects or citizens of the most favoured nation.

They shall not be compelled, under any pretext whatever, to pay any internal charges or taxes other or higher than those that are or may be

exactd from native subjects or from the subjects or citizens of the most favoured nation.

The subjects of each of the High Contracting Parties shall receive, in the territory of the other, the most constant protection and security for their persons and property and shall enjoy in this respect the same rights and privileges as are or may be granted to native subjects or to the subjects or citizens of the most favoured nation upon submitting themselves to the laws and regulations locally in force.

They shall, however, be exempt in the territory of the other from compulsory military service either on land, on sea or in the air, in the regular forces, in the national guard or in the militia; from all contributions imposed in lieu of personal military service, and from all forced loans; they shall also be exempt from military exactions or contributions unless imposed on them upon the same terms as upon native subjects as owners, lessees or occupiers of immovable property, in which regard, however, they shall enjoy the same treatment as native subjects or the subjects or citizens of the most

favoured nation.

The subjects of each of the High Contracting Parties shall enjoy in the territory of the other entire liberty of conscience, and, subject to the laws, ordinances, and regulations there in force, shall enjoy the right of private or public exercise of their worship.

ARTICLE 3.

The dwellings, warehouses, manufactories, shops, and all other buildings of the subjects of each of the High Contracting Parties in the territory of the other, together with all premise used in connection therewith for lawful purposes, shall be exempt from visits and searches, and from examinations or inspections of books, papers, or accounts therein located except under the conditions and with the forms prescribed by the laws, ordinances, and regulations applying to native subjects or to the subjects or citizens of the most favoured nation.

There shall be full and entire freedom of commerce and navigation between the territories of the two High Contracting Parties.

The subjects of either of the High Contracting Parties shall have liberty freely and securely to come with their ships and cargoes to all places, ports, and waterways in the territory of the other which are or may hereafter be opened to foreign commerce and navigation.

ARTICLE 5.

The High Contracting Parties agree that no prohibitions or restrictions shall be placed upon the importation, exportation, or transit of any article of commerce between the two countries which shall not be applicable to all countries alike or to such countries as are subject to the same conditions.

The foregoing provision shall not be applicable to:

- (1) Prohibitions or restrictions upon munitions of war;
- (2) Prohibitions or restrictions for reasons of national or public safety or public health;
- (3) Prohibitions or restrictions upon articles which are or may hereafter become the object of Government monopoly;
- (4) Prohibitions or restrictions for the protection of cattle or plants against disease, noxious insects, or parasites.

ARTICLE 6.

The subjects of each of the High Contracting Parties shall have free access to the Courts of Justice of the other in pursuit and defence of their rights; they shall be at liberty, equally with subjects of the other Party and with the subjects or citizens of the most favoured nation to choose and employ lawyers, advocates, and representatives to pursue and defend their rights before such Courts. No surety or deposit of any kind which is not under similar circumstances required of native

subjects shall be demanded of the subjects of one of the High Contracting Parties who are plaintiffs or interveners before the Courts of the other Party. The same rule shall apply as to the deposit which may be demanded of plaintiffs or interveners in order to guarantee the payment of judicial fees.

ARTICLE 7.

Commercial, industrial, financial, and insurance companies and all other companies of economic character, duly established in accordance with the laws of either of the High Contracting Parties, and domiciled in the territory of such Party, are authorized within the territory of the other Party, upon conforming themselves to the laws and regulations of the latter, to exercise their rights and to appear in the Courts as plaintiffs or defendants.

Such companies shall upon the conditions laid down in the legislation of this latter country and upon obtaining the necessary authorization in those cases where such authorization is required by the laws of said country, have liberty there to settle,

to establish branches or agencies, and to carry on their activities.

With regard to the carrying on of their activities as well as with regard to the right to acquire, to possess and to lease movable and immovable property, such companies, once admitted, shall enjoy the same treatment as is granted or may be granted to similar companies of the most favoured nation.

Neither in respect of their activities nor of their property shall they be subject to other or higher imposts, taxes, or dues of whatever nature than those which are applied or may be applied to the companies of the most favoured nation; and only such business of the said companies as is transacted on the territory of the other Contracting Party and such of their property as is actually found there shall be subject to any imposts, taxes, or dues.

ARTICLE 8.

The High Contracting Parties pledge themselves in all matters relating to transit to grant each other the treatment of the most favoured nation.

However, neither Contracting Party shall by this

article be bound to afford transit for goods whose importation is prohibited, either as a measure for the safety of the public or the security of the State or as a sanitary measure or as a precaution against diseases of animals or plants.

Goods in transit shall not be subject to any special dues in respect of transit (including entry and exit), except to such dues as are intended solely to defray expenses of supervision and administration entailed by such transit, and such dues as are imposed on account of transactions with the goods in the course of their warehousing or their transport.

For the purpose of this article "transit" and "goods in transit" shall be interpreted according to the definition contained in Article 1 of the Statute on Freedom of Transit, adopted by the Barcelona Conference on April 14, 1921.

ARTICLE 9.

Each of the High Contracting Parties agrees to grant to the other national treatment or most-

favoured-nation treatment in all that relates to the transport on or through its territory of persons, baggage and goods.

ARTICLE 10.

Goods of every nature, originating within the territory of one of the High Contracting Parties and imported into the territory of the other, shall not there be subjected to excise, octroi, or consumption duties higher than those which are or may be levied on similar goods of the most favoured nation.

ARTICLE 11.

The Kingdom of Denmark recognizes that the principle of national autonomy should apply to the Kingdom of Siam in all that pertains to the rates of duties on importations and exportations of merchandise, drawbacks, and transit and all other taxes and impositions; and subject to the condition of equality of treatment with other nations in these

respects, Denmark agrees to assent to increases by Siam in its tariff to rates higher than those established by existing treaties, on the further condition, however, that all other nations entitled to claim special tariff treatment in Siam assent to such increases freely and without the requirement of any compensatory benefit or privilege.

ARTICLE 12.

Articles, the produce or manufacture of Denmark (including Greenland) and articles, the produce or manufacture of Siam, shall on their importation into the territory of the other Party in all matters relating to import duties, taxes, or charges of any kind enjoy a treatment at least as favourable as that which is or may be granted to articles of the most favoured nation.

Articles exported from Denmark to Siam and articles exported from Siam to Denmark shall in all matters relating to export duties, taxes, or charges of any kind enjoy a treatment at least as favourable as that which is or may be granted to

articles exported to the most favoured nation.

The said treatment of the most favoured nation shall be interpreted to include the Customs regime, all Customs formalities, drawbacks, the use of bonded warehouses, and certificates of origin.

ARTICLE 13.

All articles which are or may legally be imported into the ports of the territory of the Kingdom of Siam in Siamese vessels or vessels of a third Power, may likewise be imported into those ports in Danish vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Siamese vessels or vessels of a third Power; and, reciprocally, all articles which are or may legally be imported into the ports of the territory of the Kingdom of Denmark in Danish vessels or vessels of a third Power, may likewise be imported into those ports in Siamese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Danish vessels or

vessels of a third Power. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same internal and export duties shall be paid and the same bounties and drawbacks allowed in the territory of either of the High Contracting Parties on the exportation of any article which is or may legally be exported therefrom, whether such exportation take place in Siamese or Danish vessels or vessels of a third Power and whatever may be the port of destination, whether a port of either of the High Contracting Parties or of any third Power.

ARTICLE 14.

The merchant vessels of either of the High Contracting Parties, whether in ballast or with cargoes, which arrive at or depart from the ports of the other Party shall enjoy the same rights, privileges,

liberties, favours, immunities, and exemptions in matters of navigation as those which are or may be enjoyed by national vessels or by those of the most favoured nation, from whatever place such vessels may arrive and whatever may be their place of destination.

No duties of tonnage, harbour, pilotage, light-house, quarantine or other similar or corresponding duties of whatever nature, or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, corporations, or establishments of any kind shall be imposed in the ports of the territory of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels or vessels of a third Power.

ARTICLE 15.

In all that concerns the entering, clearing, stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or waterways

of the two countries, no privilege shall be granted to national vessels or to vessels of a third Power which shall not equally be granted to vessels of the other country; the intention of the High Contracting Parties being that in these respects the vessels of each shall receive the treatment accorded to national vessels or to vessels of the most favoured nation.

ARTICLE 16.

The coasting trade and the national fisheries of each of the High Contracting Parties are excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of Denmark and Siam respectively.

ARTICLE 17.

A merchant vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall

be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels or by the vessels of the most favoured nation. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If a merchant vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall give prompt notice of the occurrence to the Consular Officer residing in the district or to the nearest Consular Officer of the other Power.

Such stranded or wrecked ship or vessel and all parts thereof, and all furniture and appurtenances belonging thereto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given

up to the owners or their agents, when claimed by them, within the period fixed by the laws, ordinances, and regulations of the country in which the wreck or stranding occurred, and such owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of the wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all duties of the Customs unless cleared for consumption, in which case they shall pay ordinary duties.

In the case of a ship or vessel belonging to the subjects of one of the High Contracting Parties being driven in by stress of weather, run aground or wrecked in the territory of the other, the proper Consular Officer of the High Contracting Party to which the vessel belongs, shall, if the owners or their agents are not present, or are present but require it, be authorized to interpose in order to afford the necessary assistance to the subjects of his State.

ARTICLE 18.

The subjects of each of the High Contracting Parties shall enjoy in the territory of the other, upon fulfilment of the formalities prescribed by law, the same protection as native subjects, or the subjects or citizens of the nation most favoured in these respects, in regard to patents, trade-marks, trade-names, designs, and copyrights.

ARTICLE 19.

It is understood and agreed that none of the stipulations of the present Treaty by which Siam grants most-favoured-nation treatment is to be interpreted as granting rights, powers, privileges, or immunities arising solely by virtue of the existence of rights of exemption from Siamese jurisdiction possessed by other foreign countries.

ARTICLE 20.

Each of the High Contracting Parties may ap-

point Consuls-General, Consuls, Vice-Consuls, and other Consular Officers or Agents to reside in the towns and ports of the territory of the other where similar officers of other Powers are permitted to reside.

Such Consular Officers and Agents, however, shall not enter upon their functions until they shall have been approved and admitted by the Government to which they are sent.

They shall be entitled to exercise all the powers and enjoy all the honours, privileges, exemptions, and immunities of every kind which are or may be accorded to Consular Officers of the most favoured nation.

They shall be entitled to exercise all the powers and enjoy all the honours, privileges, exemptions, and immunities of every kind which are or may be accorded to Consular Officers of the most favoured nation.

ARTICLE 21.

In case of the death of a subject of one of the High Contracting Parties in the territory of the other without having in the country of his decease any known heirs or testamentary executors appointed by him, the competent local authorities shall at once inform the nearest Consular Officer

of the nation to which the deceased belonged, in order that necessary information may be immediately forwarded to parties interested.

In case of the death of a subject of one of the High Contracting Parties in the territory of the other without leaving at the place of his decease any person entitled by the laws of his country to take charge of and administer the estate, the competent Consular Officer of the State to which the deceased belonged shall, upon fulfilment of the necessary formalities, be empowered to take custody of and administer the estate in the manner and under the limitations prescribed by the laws of the country in which the property of the deceased is situated.

The foregoing provision shall also apply in case of a subject of one of the High Contracting Parties dying outside the territory of the other, but possessing property therein, without leaving any person there entitled to take charge of and administer the estate.

It is understood that in all that concerns the administration of the estates of deceased persons,

any right, privilege, favour, or immunity which either of the High Contracting Parties has actually granted, or may hereafter grant, to the Consular Officers of any other foreign State shall be extended immediately and unconditionally to the Consular Officers of the other High Contracting Party.

ARTICLE 22.

Siam shall not, by virtue of the provisions of this Treaty, be entitled to claim the benefits which have been granted or which may hereafter be granted by Denmark to Norway or Sweden or both these countries, so long as these benefits are not granted to States other than those mentioned above.

The provisions of the present Treaty shall not be applicable within the territory of Greenland.

Neither of the High Contracting Parties shall by virtue of the provisions of the present Treaty be entitled to claim the benefits which have been granted or may be granted to neighbouring States in order to facilitate frontier traffic with regard to local needs.

ARTICLE 23.

Any dispute which may arise between the High Contracting Parties with respect to the contents, the interpretation, or the application of the present Treaty or the Protocols annexed hereto which cannot be settled by diplomatic means shall at the request of either Party be submitted in the absence of contrary agreement to the Permanent Court of International Justice at The Hague. Both Parties hereby undertake to accept as binding the arbitral award. The Court shall give its decision in accordance with the summary procedure mentioned in Article 29 of the Statute of the Court, unless the High Contracting Parties agree that the ordinary procedure shall be applied.

ARTICLE 24.

The present Treaty shall, from the date of its coming into force, be substituted for the Treaty of Friendship, Commerce, and Navigation between Denmark and Siam, signed at Bangkok on May

21, 1858, and from this date the said Treaty of 1858 and all subsequent Treaties, Conventions, and Arrangements, concluded or existing between the High Contracting Parties, including the Convention signed at Bangkok on March 24, 1905, and the Treaty, signed at Copenhagen on March 15, 1913, shall cease to be binding, except Articles 1, 2, 3 and 5 of the Convention signed at Bangkok on March 24, 1905, which are continued in force.

ARTICLE 25.

The present Treaty shall remain in force for 10 years from the date on which it comes into effect.

In case neither of the High Contracting Parties should have notified 12 months before the expiration of the said 10 years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it.

It is clearly understood, however, that such denunciation shall not have the effect of reviving

any of the Treaties, Conventions, Arrangements, or Agreements abrogated by the present Treaty.

ARTICLE 26.

This Treaty shall be ratified, and the ratifications thereof shall be exchanged at Copenhagen within six months from its date, and the said Treaty shall come into force on the fifteenth day after the exchange of the ratifications.

In witness whereof the undersigned Plenipotentiaries have hereto signed their names and affixed their seals, this first day of September in the nineteen-hundred and twenty-fifth year of the Christian era, corresponding to the first day of the month of Kanyayon in the two-thousand-four-hundred and sixty-eighth year of the Buddhist era.

(L.S.) C. MOLTKE.
(L.S.) VIPULYA SVASTIVONGS.

The undersigned Plenipotentiaries, meeting in order to sign the present Treaty, have agreed upon the following:

Considering the relations existing between Denmark and Iceland in conformity with the Union Law of November 30, 1918, it is understood that by virtue of the provisions of the above-named Treaty Siam shall not be entitled to claim the special benefits which Denmark has granted or may grant to Iceland.

In witness whereof the undersigned Plenipotentiaries have thereto signed their names, this first day of September in the nineteen-hundred and twenty-fifth year of the Christian era, corresponding to the first day of the month of Kanyayon in the two-thousand-four-hundred and sixty-eighth year of the Buddhist era.

(Signed) C. MOLTKE.
(Signed) VIPULYA SVASTIVONGS.

FINAL PROTOCOL.

PROTOCOL CONCERNING JURISDICTION
APPLICABLE IN THE KINGDOM OF
SIAM TO DANISH SUBJECTS.

At the moment of proceeding this day to the signature of the new Treaty of Friendship, Commerce, and Navigation between the Kingdom of Denmark and the Kingdom of Siam, the Plenipotentiaries of the two High Contracting Parties have agreed as follows:—

ARTICLE 1.

The system of jurisdiction heretofore established in Siam for Danish subjects and the privileges, exemptions, and immunities now enjoyed by Danish subjects in Siam as a part of or appurtenant to the said system shall absolutely cease and determine on the date of the coming into force of the above-mentioned Treaty, and thereafter all Danish subjects, corporations, companies, and associations in Siam shall be subject to the jurisdiction of the Siamese Courts.

ARTICLE 2.

Until the promulgation and putting into force of all the Siamese Codes, namely, the Penal Code, the Civil and Commercial Code, the Codes of Procedure, and the Law for Organisation of Courts, and for a period of five years thereafter, but no longer, the Kingdom of Denmark, through its Diplomatic and Consular Officials in Siam, whenever in its discretion it deems it proper so to do in the interests of justice, may, by means of a written requisition addressed to judge or judges of the Court in which such case is pending, evoke any case pending in any Siamese Court, except the Supreme or Dika Court, in which a Danish subject, corporation, company, or association is defendant or accused. Such case shall then be transferred to the said Diplomatic or Consular Official for adjudication, and the jurisdiction of the Siamese Court over such case shall thereupon cease. Any case so evoked shall be disposed of by the said Diplomatic or Consular Official in accordance with the laws of the Kingdom of Denmark, except that as to all

matters coming within the scope of Codes or Laws of the Kingdom of Siam regularly promulgated and in force, the texts of which have been communicated to the Danish Legation in Bangkok, and not falling within the scope of the Danish Penal Code, the rights and liabilities of the parties shall be determined by Siamese law.

For the purpose of trying such cases and of executing any judgments which may be rendered therein, the jurisdiction of the Danish Diplomatic and Consular Officials in Siam is continued.

Until the date when all the Siamese Codes mentioned above shall have come into force the Siamese Government will continue to communicate to the Danish Legation in Siam the texts of all new laws and regulations which have been promulgated and the Siamese Government will endeavor to take into consideration the objections with regard to such texts which the said Legation may have submitted within a reasonable time.

ARTICLE 3.

Appeals from judgments of Courts of First

Instance in cases to which Danish subjects, corporations, companies, or associations may be parties, shall be adjudged by the Court of Appeal at Bangkok.

An appeal on a question of law shall lie from the Court of Appeal at Bangkok to the Supreme or Dika Court.

A Danish subject, corporation, company, or association who is defendant or accused in any case arising in the Provinces, may apply for a change of venue and should the Court consider such change desirable the trial shall take place either at Bangkok or before the judge in whose court the case would be tried at Bangkok.

The provisions of this article shall remain in force so long as the right of evocation continues to exist in accordance with Article 2.

ARTICLE 4.

In order to prevent difficulties which may arise from the transfer of jurisdiction contemplated by the present Protocol, it is agreed:—

(a) All cases instituted subsequently to the date of the coming into force of the above-mentioned treaty shall be entered and decided in the Siamese Courts, whether the cause of action arose before or after the date of the said treaty coming into force.

(b) All cases pending before the Danish Diplomatic and Consular Officials in Siam on the said date shall take their usual course before such Officials until such cases have been finally disposed of, and the jurisdiction of the Danish Diplomatic and Consular Officials shall remain in full force for this purpose.

In connection with any case coming before the Danish Diplomatic or Consular Officials under clause (b) of Article 4, or which may be evoked by the said Officials under Article 2, the Siamese authorities shall upon request by such Diplomatic or Consular Officials lend their assistance in all matters pertaining to the case.

In witness whereof the undersigned Plenipotentiaries have hereto signed their names and affixed

their seals, this first day of September in the nineteen-hundred and twenty-fifth year of the Christian era, corresponding to the first day of the month of Kanyayon in the two-thousand-four-hundred and sixty-eighth year of the Buddhist era.

(L.S.) C. MOLTKE.
(L.S.) VIPULYA SVASTIVONGS.

MINISTRY FOR FOREIGN AFFAIRS.

September 1st, 1925.

PRINCE,

In conformity with verbal agreement I hereby have the honour, on the occasion of the signing this day of the Treaty of Friendship, Commerce, and Navigation between Denmark and Siam with Protocol attached thereto, to confirm that the two Governments are agreed that the duration of the Protocol concerning jurisdiction applicable in the Kingdom of Siam to Danish subjects equally signed this day is exclusively dependent on the provisions contained in the said Protocol and not dependent

on the provisions of denunciation contained in Article 25 of the Treaty.

I avail myself of this opportunity to renew to you, Prince, the assurance of my high consideration.

C. MOLTKE.

His Serene Highness

The Prince VIPULYA SVASTIVONGS,
Minister of Siam.

ROYAL SIAMESE LEGATION

COPENHAGEN, September 1st, 1925.

MONSIEUR LE COMTE,

In conformity with verbal agreement I hereby have the honour, on the occasion of the signing this day of the Treaty of Friendship, Commerce, and Navigation between Siam and Denmark with Protocol attached thereto, to confirm that the two Governments are agreed that the duration of the Protocol concerning jurisdiction applicable in the Kingdom of Siam to Danish subjects equally signed this day is exclusively dependent on the provisions

contained in the said Protocol and not dependent on the provisions of denunciation contained in Article 25 of the Treaty.

I avail myself of this opportunity to renew to you, Monsieur le Comte, the assurance of my highest consideration.

M. C. VIPULYA.

His Excellency Count C. MOLTKE,

Minister for Foreign Affairs,
etc., etc.,
Copenhagen.

ROYAL SIAMESE LEGATION

COPENHAGEN, March 1st, 1926.

MONSIEUR LE COMTE,

I hereby have the honour to inform you that owing to the fact that I have not yet received from Bangkok the Siamese instrument of ratification of the Treaty of Friendship, Commerce, and Navigation, concluded between Siam and Denmark on September 1st, 1925, it will be impossible to comply with the provision contained in Article 26

of the said Treaty, according to which the ratifications should be exchanged at Copenhagen within six months from the date of signing, that means within the 1st of March 1926.

In consequence hereof I have the honour to propose to the Danish Government that the term mentioned in the said Article should be prolonged by two months, i.e., until May 1st, 1926, whereas the provisions contained in Article 26 concerning the coming into force of the Treaty otherwise remain unchanged, i.e., that the Treaty shall come into force on the fifteenth day after the exchange of the ratifications.

I avail myself of this opportunity to renew to you, Monsieur le Comte, the assurance of my highest consideration.

M.C. VIPULYA.

His Excellency Count C. MOLTKE,
Minister for Foreign Affairs,
etc., etc., etc.,
Copenhagen.

MINISTRY FOR FOREIGN AFFAIRS.
COPENHAGEN, March 1st, 1926.

PRINCE,

By a note of to-day's date you have been good enough to inform me that owing to the fact that you have not yet received from Bangkok the Siamese instrument of ratification of the Treaty of Friendship, Commerce, and Navigation, concluded between Denmark and Siam on September 1st, 1925, it will be impossible to comply with the provision contained in Article 26 of the said Treaty, according to which the ratifications should be exchanged at Copenhagen within six months from the date of signing, that means within the 1st of March, 1926.

In consequence thereof you have proposed to the Danish Government that the said term should be prolonged by two months, i.e., until May 1st, 1929, whereas the provisions contained in Article 26 concerning the coming into force of the Treaty otherwise remain unchanged, i.e., that the Treaty shall come into force on the fifteenth day after the exchange of the ratifications.

In reply I have the honour to inform you that the Danish Government agree with the Siamese Government that the term mentioned in Article 26 of the said Treaty be prolonged by two months, i.e., until May 1st, 1926, whereas the provisions contained in the said Article concerning the coming into force of the Treaty otherwise remain unchanged, i.e., that the Treaty shall come into force

on the fifteenth day after the exchange of the ratifications.

I avail myself of this opportunity to renew to you, Prince, the assurance of my high consideration.

C. MOLTKE.

His Serene Highness,
The Prince VIPULYA SVASTIVONGS,
Minister of Siam.

(三)

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國

十三 「シム」王國 「スペイン」
王國間修好通商航海條約

(千九百二十五年八月三日 「マドリード」ニ
於テ署名)

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完成スルコトニ決シ之ガ爲左ノ如ク其ノ全權委員ヲ任命セ
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「スペイン」國皇帝陛下

國務次官「フェルナンド、エスピノサ、デ、ロス、モ
ンテロス、イ、ベルメヒリオ」

「シム」國皇帝陛下

「スペイン」國駐劄特命全權公使「ブラヤー、サッハ

TREATY OF FRIENDSHIP, COMMERCE AND
NAVIGATION BETWEEN THE KINGDOM
OF SPAIN AND THE KINGDOM OF
SIAM.—SIGNED AT MADRID,
AUGUST 3, 1925.

HIS MAJESTY THE KING OF SPAIN and HIS
MAJESTY THE KING OF SIAM, being desirous of
strengthening the relations of amity and good
understanding which happily exist between the two
States, and being convinced that this cannot be
better accomplished than by revising the Treaties
hitherto existing between the two countries, have
resolved to complete such revision, based upon the
principles of equity and mutual benefit, and for
that purpose have named as their Plenipotentiaries,
that is to say:

HIS MAJESTY THE KING OF SPAIN:

His Excellency Sr. D. FERNANDO ESPINOSA DE
LOS MONTEROS y BERMEJILLO, Under-
Secretary in charge of the Ministry of State;

HIS MAJESTY THE KING OF SIAM:

His Excellency PHYA SARBAKICH PRUJA, His

キット、ブリチアー」

右各全權委員ハ互ニ其ノ全權委任狀ヲ示シ之ガ良好妥當ナルヲ認メタル後左ノ諸條ヲ協定セリ

第一條

「スペイン」王國ト「シヤム」王國トノ間ニハ永久ノ平和及無窮ノ友好關係アルベシ

第二條

締約國ハ單純ナル協定又ハ外交手段ニ依リテ解決シ能ハザル何等カノ紛争生ジタル場合ニハ兩締約國ニ依リテ選任セラレタル一又ハ二以上ノ仲裁裁判官又ハ「ハーグ」ニ在ル常設國際司法裁判所ニ之ヲ付託スベシ後者ハ兩締約國間ノ共同協定ニ基キ又ハ該協定成立セザルトキハ締約國ノ一方ノ單純ナル要求ニ基キテ事件ノ管轄權ヲ取得スベシ

Envoy Extraordinary and Minister Plenipotentiary at Madrid;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:

ARTICLE I.

There shall be constant peace and perpetual friendship between the Kingdom of Spain and the Kingdom of Siam.

ARTICLE II.

The High Contracting Parties agree that, in case any difference shall arise between them which cannot be settled by simple agreement or by diplomatic means, they will submit the difference to one or more arbitrators chosen by them, or to the Permanent Court of International Justice at The Hague. The latter will acquire jurisdiction over the matter by means of a common agreement

between the two Parties, or in case of a failure to agree, by the simple request of either Party.

ARTICLE III.

The subjects of each of the High Contracting Parties, upon submitting themselves to the laws and regulations there in force, shall have liberty to enter, travel and reside in the territories and possessions of the other, and in these territories and possessions to carry on trade, commerce and manufacture; to engage in religious, educational and charitable work; to employ agents, and to lease land or buildings, upon the same terms as the subjects of the most favoured nation.

In all that relates to the acquisition, possession and disposition of property rights of every description, the subjects of each of the High Contracting Parties shall, throughout the whole extent of the territories and possessions of the other, be placed in all respects on the same footing as the subjects or citizens of the most favoured nation.

The subjects of each of the High Contracting

第三條

締約國ノ一方ノ臣民ハ當該國施行ノ法令ニ從フニ於テハ他方ノ領域及屬地内ニ到リ、旅行シ及居住スルコト、最惠國民ト同様ノ條件ニ於テ右領域及屬地内ニ於テ貿易、商業及製造業ヲ營ムコト、宗教教育及慈善ノ事業ニ従事スルコト、代理人ヲ使用スルコト、土地家屋ヲ賃借スルコト自由タルベシ

締約國ノ一方ノ臣民ハ各種財産權ノ取得、占有及處分ニ關スル一切ノ事項ニ付テハ他方ノ領域及屬地ノ全域ニ互リ最惠國ノ臣民又ハ國民ト一切ノ點ニ於テ同一ノ地歩ニ置カルベシ

締約國ノ一方ノ臣民ハ最惠國臣民ヨリ現ニ取立テラレ又ハ