

MEXICO—RESURVEY OF BOUNDARY LINE.

CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE UNITED STATES OF MEXICO.

PROVIDING FOR AN INTERNATIONAL BOUNDARY SURVEY TO RELOCATE THE EXISTING FRONTIER LINE BETWEEN THE TWO COUNTRIES WEST OF THE RIO GRANDE.

Concluded, July 29, 1882.

Ratification advised by the Senate, August 8, 1882.

Ratified by the President of the United States of Mexico, November 7, 1882.

Ratified by the President of the United States of America, January 29, 1883.

Ratifications exchanged, March 3, 1883.

Proclaimed, March 5, 1883.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a convention was concluded between the United States of America and the United States of Mexico for the purpose of defining the manner in which the monuments heretofore erected for the purpose of marking the boundary between the two countries, but which have been destroyed or displaced are to be restored to their proper places and new ones erected, if necessary; and whereas said convention was signed by the respective plenipotentiaries of the two countries at Washington on the twenty-ninth day of July, one thousand eight hundred and eighty-two, the original of which convention being in the English and Spanish languages, is, word for word, as follows:

The President of the United States of America on the one hand and the President of the United States of Mexico on the other, being desirous of putting an end to whatever difficulties arise from the destruction or displacement of some of the monuments erected for the purpose of marking the boundary between the two countries, have thought proper to conclude a con-

El Presidente de los Estados Unidos de América, por una parte, y el Presidente de los Estados Unidos Mexicanos, por la otra, deseando poner término á las dificultades á que da lugar la destrucción ó dislocación de algunos de los monumentos que se construyeron para marcar la línea divisoria entre ambos países, han creído oportuno celebrar una convencion con el ob-

re-locating the existing boundary line between the two countries west of the Rio Grande, and, being in the English and Spanish languages, is word for word as follows:

Additional article to the Convention concluded at Washington the twenty-ninth of July one thousand eight hundred and eighty-two between the United States of America and the United States of Mexico.

The United States of America and the United States of Mexico being desirous to comply with the provisions of the Convention, signed at Washington on the twenty-ninth of July, one thousand eight hundred and eighty-two, to survey and re-locate the existing boundary line, between the two countries west of the Rio Grande, which so far as they relate to Article VIII. of said Convention, have not been carried out through delays in the appointment of the Commission to undertake the work have deemed it expedient to agree upon an extension of the time provided for in said article, and to this end they have appointed their respective Plenipotentiaries, to wit:

The President of the United States of America, Thomas F. Bayard, Secretary of State to the United States of America, and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico in Washington,

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

Additional Article.

The time fixed in Article VIII. of the Convention concluded at Washington, July 29, 1882, between the United States of America and the United States of Mexico, to establish an international boundary com-

Artículo adicional á la Convencion concluida en Washington el veintinueve de Julio de mil ochocientos ochenta y dos entre los Estados Unidos de América y los Estados Unidos Mexicanos.

Deseando los Estados Unidos de América y los Estados Unidos Mexicanos cumplir con las estipulaciones de la Convencion firmada en Washington el veinte nueve de Julio de mil ochocientos ochenta y dos, para reponer y demarcar nuevamente la actual linea divisoria entre los dos países al Oeste del Rio Bravo del Norte, en cuanto ellas se refieren al artículo octavo de dicha Convencion, que no se ha llevado á efecto con motivo de la dilacion en nombramiento de la Comision que debe emprender ese trabajo, han creido oportuno, convenir en prorogar el plazo fijado en dicho artículo, y han nombrado, con ese objeto, sus respectivos Plenipotenciarios, á saber:

El Presidente de los Estados Unidos de América á Thomas F. Bayard, Secretario de Estado de los Estados Unidos de América, y

El Presidente de los Estados Unidos Mexicanos á Matias Romero, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos Mexicanos en Washington,

Quienes despues de haberse mostrado sus respectivos plenos poderes, y encontrádoslos en buena y debida forma, han convenido en el siguiente artículo:

Artículo adicional.

El plazo fijado en el artículo octavo de la Convencion concluida en Washington el veintinueve de Julio de mil ochocientos ochenta y dos, entre los Estados Unidos de América y los Estados Unidos Me-

mission for the purpose of re-surveying and re-locating the existing boundary line between the two countries, west of the Rio Grande, as provided for in said Convention, is hereby extended for eighteen months from the expiration of the term fixed in Article VIII. of the said Treaty of July 29, 1852.

This additional Article shall be ratified by the contracting parties in conformity with their respective constitutions and its ratification shall be exchanged in Washington, as soon as possible.

In faith whereof, we, the undersigned, in virtue of our respective full powers, have signed the present additional article in duplicate and have thereunto affixed our respective seals.

Done at the city of Washington, the 5th day of December, in the year of the Lord, one thousand eight hundred and eighty-five.

T. F. BAYARD. [SEAL.]
M. ROMERO. [SEAL.]

And whereas the said Additional Article, as amended, has been duly ratified on both parts, and the respective ratifications of the same were exchanged at the City of Washington on the 27th day of June, 1857;

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America have caused the said Additional Article, as amended, to be made public, to the end that the same and every clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done at the city of Washington this 28th day of June in the year of [SEAL.] our Lord 1887, and of the Independence of the United States of America the one hundred and eleventh.

GROVER CLEVELAND.

By the President:

T. F. BAYARD,
Secretary of State.

xicanos, para el establecimiento de una Comision internacional de límites, con objeto de reconocer y demarcar nuevamente la actual linea divisoria entre los dos paises al Oeste del Rio Bravo del Norte, conforme á las estipulaciones de dicha Convencion, se proroga, por el presente, por diez y ocho meses, contados desde la espiracion del plazo fijado en el Artículo VIII. de dicho Tratado de 29 de Julio de 1852.

Este artículo adicional será ratificado por las partes contratantes, de conformidad con sus respectivas Constituciones, y sus ratificaciones serán cambiadas en Washington tan pronto como fuere posible.

En fé de lo cual, nosotros los infrascritos, en virtud de nuestros respectivos plenos poderes, hemos firmado el presente artículo adicional, por duplicado, y lo hemos sellado con nuestros respectivos sellos.

Hecho en la ciudad de Washington, á los 5 dias de Diciembre del año del Señor de mil ochocientos ochenta y cinco.

MEXICO—RESURVEY OF BOUNDARY LINE.

ADDITIONAL ARTICLE

TO THE

CONVENTION OF JULY 29, 1882,

BETWEEN

THE UNITED STATES OF AMERICA AND THE UNITED
STATES OF MEXICO.

PROVIDING FOR AN EXTENSION OF THE TIME FIXED IN
ARTICLE VIII. OF SAID CONVENTION FOR RE-SURVEY-
ING AND RE-LOCATING THE EXISTING FRONTIER LINE
BETWEEN THE TWO COUNTRIES WEST OF THE RIO
GRANDE.

Concluded December 5, 1885.

Ratification advised by the Senate with Amendment June 21, 1886.

Ratified by the President of the United States June 23, 1887

Ratified by the President of Mexico May 18, 1887.

Ratifications exchanged at Washington June 27, 1887.

Proclaimed June 28, 1887.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an Additional Article to the Convention concluded on the 29th day of July, 1882, between the United States of America and the United States of Mexico was concluded and signed by the Plenipotentiaries of the said High Contracting Parties on the 5th day of December, 1885, the original of which Additional Article, as amended by the Senate of the United States of America, extends for eighteen months the time fixed in Article VIII. of the Convention aforesaid for re-surveying and

vention with the object of defining the manner in which the said monuments are to be restored to their proper places and new ones erected, if necessary; to which end they have appointed as their Plenipotentiaries, to wit:

The President of the United States of America, Frederick T. Frelinghuysen, Esquire, Secretary of State of the United States of America; and the President of the United States of Mexico, Señor Don Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico, in Washington;

Who, after reciprocal exhibition of their full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

With the object of ascertaining the present condition of the monuments marking the boundary line between the United States of America and the United States of Mexico, established by the treaties of February 2nd, 1848, and December 3rd, 1853, and for determining generally what monuments, if any, have been destroyed or removed and may require to be rebuilt or replaced, a preliminary reconnaissance of the frontier line shall be made by each government, within six months from the exchange of ratifications of this convention. These reconnaissances shall be made by parties under the control of officers of the regular army of the respective countries, and shall be effected in concert, in such manner as shall be agreed upon by the commanders of the respective parties. The expense of each reconnoitering party shall be borne by the government in whose behalf it operates.

These reconnaissance parties shall report to their respective governments, within eight months

del objeto de fijar la manera con que han de ser repuestos en sus lugares respectivos dichos monumentos y erijidos otros nuevos, si fuere necesario; y al efecto han nombrado sus Plenipotenciarios; á saber:

El Presidente de los Estados Unidos de América, al Sr. Frederick T. Frelinghuysen, Secretario de Estado de los Estados Unidos de América; y el Presidente de los Estados Unidos Mexicanos, al Señor Don Matias Romero, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos Mexicanos en Washington;

Quienes, despues de haberse exhibido sus respectivos plenos poderes y de encontrarlos en buena y debida forma, han convenido en los artículos siguientes:

ARTÍCULO I.

Con el objeto de conocer la actual condicion de los monumentos que marcan la línea divisoria entre los Estados Unidos de América y los Estados Unidos Mexicanos, establecida conforme á los tratados de 2 de Febrero de 1848 y de 3 de Diciembre de 1853, y determinar en general, qué monumentos hayan sido destruidos ó removidos de su lugar, en caso de que esto se haya verificado, y se necesite reconstruirlos ó volverlos á colocar, se hará un reconocimiento preliminar de la línea fronteriza por cada Gobierno, dentro de los seis meses siguientes al canje de ratificaciones de la presente convencion. Estos reconocimientos se harán por secciones que funcionarán bajo la direccion de oficiales del ejército regular de los respectivos países, y se verificarán obrando dichas secciones de concierto y de la manera en que lo convinieren los jefes de ambas. Los gastos de cada seccion de reconocimiento serán pagados por el gobierno en cuyo nombre funcionan.

Estas secciones de reconocimiento presentarán á sus respectivos gobiernos dentro de ocho meses

from the exchange of the ratifications of this convention:

(a) the condition of the present boundary monuments;

(b) the number of destroyed or displaced monuments;

(c) the places, settled or capable of eventual settlement, where it may be advisable to set the monuments closer together along the line than at present;

(d) the character of the new monuments required, whether of stone or iron; and their number, approximately, in each case.

contados desde el canje de ratificaciones del presente tratado, un informe:

(a) del estado en que se hallan actualmente los monumentos que marcan los límites;

(b) del número de los monumentos destruidos ó dislocados;

(c) de los lugares habitados ó habitables en donde fuere conveniente colocar los monumentos mas cerca entre sí en la línea divisoria, de como lo están ahora;

(d) de la clase de los nuevos monumentos que se requieran, ya sean de piedra ó de hierro, y de su número aproximado en cada caso.

ARTICLE II.

Pending the conclusion of the preliminary reconnaissances provided in Article I, each government shall appoint a surveying party, consisting of an Engineer-in-chief, two Associates, one of whom shall be a practical astronomer, and such number of assistant engineers and associates as it may deem proper. The two parties so appointed shall meet at El Paso del Norte, or at any other convenient place to be agreed upon, within six months from the exchange of the ratifications hereof, and shall form, when combined, an "International Boundary Commission."

ARTICLE III.

The International Boundary Commission shall be required and have the power and authority to set in the proper places along the boundary line between the United States and Mexico, from the Pacific Ocean to the Rio Grande, the monuments heretofore placed there under existing treaties, whenever such monuments shall have become displaced; to erect new monuments on the site of former monuments when these shall have been destroyed; and to set new monuments at such points as may be necessary, and be

ARTÍCULO II.

Antes de concluirse los reconocimientos preliminares estipulados en el Artículo I, cada gobierno nombrará una seccion de reconocimiento compuesta de un Ingeniero en Jefe y dos asociados, uno de los cuales será astrónomo práctico, y del número de ingenieros auxiliares y adjuntos que cada uno considere suficiente. Las dos secciones así organizadas se reunirán en Paso del Norte ó en algun otro lugar conveniente que se acuerde, dentro de seis meses contados desde el canje de las ratificaciones de esta convencion; y formarán, cuando estén reunidas, la "Comision Internacional de Límites."

ARTÍCULO III.

La Comision Internacional de Límites tendrá la obligacion y la facultad y autorizacion de colocar en sus respectivos lugares á lo largo de la línea divisoria entre los Estados Unidos y México, desde el Océano Pacifico hasta el Rio Grande, los monumentos que hasta ahora habian estado situados en ella conforme á los tratados vigentes, siempre que dichos monumentos hayan sido dislocados; para erijir nuevos monumentos en el sitio de los primitivos, si estos hubieren sido destruidos; y para es-

chosen by joint accord between the two Commissioner Engineers-in-Chief. In rebuilding and replacing the old monuments and in providing for new ones, the respective reports of the reconnaissance parties, provided by Article I, may be consulted; provided, however, that the distance between two consecutive monuments shall never exceed eight thousand metres, and that this limit may be reduced on those parts of the line which are inhabited or capable of habitation.

ARTICLE IV.

Where stone shall be found in sufficient abundance the monuments may be of stone; and in other localities shall be of iron, in the form of a simple tapering four-sided shaft with pediment, rising above the ground to a height of six feet, and bearing suitable inscriptions on its sides. These monuments shall be at least two centimeters in thickness, and weigh not less than five hundred pounds each.

The approximate number thereof to be required may be determined from the reports of the preliminary reconnaissance parties, and the monuments, properly cast and finished, may be sent forward from time to time to such spots as the commission may select, to be set in place at the sites determined upon as the work progresses.

ARTICLE V.

The Engineers-in-Chief of both sections shall determine, by common consent, what scientific processes are to be adopted for the resetting of the old monuments and the erection of the new ones; and they shall be responsible for the proper performance of the work.

tablecer monumentos nuevos en los puntos en que sea necesario y sean designados de comun acuerdo por los dos Comisionados Ingenieros en Jefe. Al reconstruir y reemplazar los antiguos monumentos y al proveer para el establecimiento de los nuevos, podrán consultarse los informes respectivos de las comisiones de reconocimiento estipulados en el Artículo I; con tal que la distancia entre dos monumentos contiguos nunca exceda de ocho mil metros y que éste limite pueda reducirse en aquellas partes de la línea que están habitadas ó sean habitables.

ARTÍCULO IV.

Cuando haya piedra en suficiente abundancia, podrán ser construidos los monumentos con piedra, y en las otras localidades con hierro, de la figura de una columna sencilla en forma de pirámide cuadrangular, con base que tenga seis piés de altura sobre el suelo, y con inscripciones adecuadas en sus lados. Estos monumentos tendrán cuando menos dos centímetros de espesor y un peso que no baje de quinientas libras cada uno.

El número aproximado de los que sean necesarios podrá determinarse en vista de los informes de las comisiones de reconocimiento preliminar, y los monumentos, debidamente fundidos y acabados, podrán ser enviados con anticipación, de tiempo en tiempo, á los lugares designados por la Comisión, para ser colocados en los lugares convenidos á medida que progresen los trabajos.

ARTÍCULO V.

Los Ingenieros en Jefe de ambas secciones determinarán de comun acuerdo los procedimientos científicos que deban adoptarse para la reposición de los antiguos monumentos y la erección de los nuevos; y serán responsables de que la obra se haga debidamente.

On commencing operations, each section shall report to its government the plan of operations upon which they shall have jointly agreed; and they shall from time to time submit reports of the progress made by them in the said operations; and finally they shall present a full report, accompanied by the necessary drawings, signed by the Engineer-in-Chief and the two Associate Engineers on each side, as the official record of the International Boundary Commission.

ARTICLE VI.

The expenses of each section shall be defrayed by the government which appointed it; but the cost of the monuments and of their transportation shall be equally shared by both governments.

ARTICLE VII.

Whenever the number of the monuments to be set up shall be approximately known as the result of the labors of the preliminary reconnaissance parties, the Engineer-in-Chief shall prepare an estimate of their cost, conveyance and setting up; and when such estimate shall have been approved by both governments, the mode of making the payment of the part to be paid by Mexico shall be determined by a special arrangement between the two governments.

ARTICLE VIII.

The work of the International Boundary Commission shall be pushed forward with all expedition; and the two governments hereby agree to regard the present convention as continuing in force until the conclusion of said work, provided that such time does not exceed four years and four months from the date of the exchange of the ratifications hereof.

Al comenzar los trabajos, cada seccion informará á su respectivo gobierno del plan de operaciones en que ambas hayan convenido; y de tiempo en tiempo les someterán informes de los progresos que dichas secciones hagan en las operaciones; y finalmente presentarán un informe completo, acompañado de los diseños necesarios, firmado por el Ingeniero en Jefe y los dos Ingenieros Adjuntos de cada seccion, que será el informe oficial de la Comision Internacional de Límites.

ARTÍCULO VI.

Los gastos de cada seccion serán pagados por el gobierno que la haya nombrado; pero el costo de los monumentos y su transporte serán pagados por partes iguales por ambos gobiernos.

ARTÍCULO VII.

Cuando sea conocido aproximadamente el número de los monumentos que deban ser colocados, como resultado de los trabajos de las secciones de reconocimiento preliminar, los Ingenieros en Jefe formarán un presupuesto de su costo, conduccion y colocacion; y cuando este presupuesto haya sido aprobado por ambos gobiernos, se determinará, por medio de un arreglo especial entre los dos Gobiernos, la manera con que México pague la parte que le corresponda.

ARTÍCULO VIII.

Los trabajos de la Comision Internacional de Límites se proseguirán con la mayor prontitud; y los dos Gobiernos convienen en considerar la presente convencion en todo su vigor y fuerza hasta que sean concluidas dichas obras; con tal que ese tiempo no exceda de cuatro años y cuatro meses, contados desde la fecha del canje de sus ratificaciones.

ARTICLE IX.

The destruction or displacement of any of the monuments described herein, after the line shall have been located by the International Boundary Commission as aforesaid, is hereby declared to be a misdemeanor, punishable according to the justice of the country of the offender's nationality, if he be a citizen of either the United States or Mexico; and if the offender be of other nationality, then the misdemeanor shall be punishable according to the justice of either country where he may be apprehended.

This convention shall be ratified on both sides and the ratifications exchanged at Washington as soon as possible.

In testimony whereof we have signed this convention in duplicate, in the English and Spanish languages, and affixed hereunto the seals of our arms.

Done in the City of Washington this 29th day of July, in the year of our Lord one thousand eight hundred and eighty-two.

FRED'K T. FREELINGHUYSEN. [SEAL.]
M. ROMERO. [SEAL.]

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged in the city of Washington on the third day of March in the year one thousand eight hundred and eighty-three:

Now therefore, be it known that I, CHESTER A. ARTHUR, President of the United States of America, have caused the said convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 15th day of March in the year of our Lord one thousand eight hundred and eighty-three, and [SEAL.] of the independence of the United States of America the one hundred and seventh.

CHESTER A. ARTHUR.

By the President:

FRED'K T. FREELINGHUYSEN,
Secretary of State.

ARTÍCULO IX.

Se declara delito la destrucción ó dislocación de cualquiera de los monumentos mencionados en este convenio, despues de que haya sido localizada la línea divisoria por la Comisión Internacional de Límites, en los términos convenidos aquí, y será castigado conforme á las leyes del país cuya nacionalidad tengan los culpables, ya sean estos ciudadanos de los Estados Unidos ó ya de México; y si el culpable tuviere otra nacionalidad, el delito se castigará conforme á las leyes de cualquiera de los dos países en que sea aprehendido.

La presente convencion será ratificada por ambas partes, y las ratificaciones cangeadas en Washington, tan pronto como fuere posible.

En testimonio de lo cual hemos firmado este tratado por duplicado en las lenguas Inglesa y Española; y puesto en él el sello de nuestras armas.

Hecho en la ciudad de Washington, el día 29 de Julio del año del Señor de mil ochocientos ochenta y dos.