

February 8, 1907. *Convention between the United States of America and the Dominican Republic providing for the assistance of the United States in the collection and application of the customs revenues of the Dominican Republic. Concluded February 8, 1907; ratification advised by Senate February 25, 1907; ratified by President June 22, 1907; ratified by President of the Dominican Republic June 18, 1907; ratifications exchanged at Washington July 8, 1907; proclaimed July 25, 1907.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Dominican Re-  
public customs  
revenue.  
Preamble.

Whereas a convention between the United States of America and the Dominican Republic providing for the assistance of the United States in the collection and application of the customs revenues of the Dominican Republic, was concluded and signed by their respective Plenipotentiaries at the City of Santo Domingo, on the eighth day of February, one thousand nine hundred and seven, the original of which convention, being in the English and Spanish languages, is word for word as follows:

Whereas during disturbed political conditions in the Dominican Republic debts and claims have been created, some by regular and some by revolutionary governments, many of doubtful validity in whole or in part, and amounting in all to over \$30,000,000, nominal or face value;

And Whereas the same conditions have prevented the peaceable and continuous collection and application of National revenues for payment of interest or principal of such debts or for liquidation and settlement of such claims; and the said debts and claims continually increase by accretion of interest and are a grievous burden upon the people of the Dominican Republic and a barrier to their improvement and prosperity;

And Whereas the Dominican Government has now effected a conditional adjustment and settlement of said debts and claims under which all its foreign creditors have agreed to accept about

Por cuanto, durante las condiciones de disturbios políticos en la República Dominicana se han originado deudas y reclamaciones, creadas unas por Gobiernos legales y otras, por Gobiernos revolucionarios, muchas de dudosa validez en todo ó en parte y montantes en total á mas de \$30.000.000 oro de valor nominal;

Y por cuanto, ese estado de cosas ha impedido el cobro pacífico y continuado y la aplicación de las rentas de la nación para el pago de intereses ó capital de dichas deudas ó para la liquidación y ajuste de dichas reclamaciones; y dichas deudas y reclamaciones van en continuo aumento por acumulacion de intereses y son una carga onerosa para el pueblo Dominicano y un obstáculo á su mejoramiento y prosperidad;

Y por cuanto, el Gobierno Dominicano acaba de llevar á efecto un ajuste y arreglo condicional de dichas deudas y reclamaciones de acuerdo con cuyos términos todos sus acreedores extranjeros

\$12,407,000 for debts and claims amounting to about \$21,184,000 of nominal or face value, and the holders of internal debts or claims of about \$2,028,258 nominal or face value have agreed to accept about \$645,827 therefor, and the remaining holders of internal debts or claims on the same basis as the assents already given will receive about \$2,400,000 therefor, which sum the Dominican Government has fixed and determined as the amount which it will pay to such remaining internal debt holders; making the total payments under such adjustment and settlement, including interest as adjusted and claims not yet liquidated, amount to not more than about \$17,000,000.

And Whereas a part of such plan of settlement is the issue and sale of bonds of the Dominican Republic to the amount of \$20,000,000 bearing five per cent interest payable in fifty years and redeemable after ten years at 102½ and requiring payment of at least one per cent per annum for amortization, the proceeds of said bonds, together with such funds as are now deposited for the benefit of creditors from customs revenues of the Dominican Republic heretofore received, after payment of the expenses of such adjustment, to be applied first to the payment of said debts and claims as adjusted and second out of the balance remaining to the retirement and extinction of certain concessions and harbor monopolies which are a burden and hindrance to the commerce of the country and third the entire balance still remaining to the construction of certain railroads and bridges and other public improvements necessary to the industrial development of the country;

And Whereas the whole of said plan is conditioned and dependent

han convenido en aceptar unos \$12.407.000 por deudas y reclamaciones ascendentes á unos \$21.184.000, valor nominal, y los tenedores de reclamaciones y deudas interiores por valor nominal de \$2.028.258 aproximadamente, han convenido en aceptar unos \$645.827 por las mismas, y los demás tenedores de deudas ó reclamaciones interiores, según los mismos términos que han servido de base en las aceptaciones ya recibidas, percibirán unos \$2.400.000 por aquellas, la cual suma el Gobierno Dominicano ha fijado y señalado como la que pagará á dichos tenedores restantes de la deuda interior; lo que hace ascender los pagos totales que hayan de efectuarse de acuerdo con dicho ajuste y arreglo, incluyendo el interés ajustado y las reclamaciones por liquidar, á no más de unos \$17.000.000.

Y por cuanto, en dicho plan de arreglo entra la emision y venta de bonos de la República Dominicana por la cantidad de \$20.000.000, devengando interés al tipo de cinco por ciento, que serán amortizados dentro de cincuenta años y redimibles transcurridos diez años al ciento dos y medio por ciento, y requiriendo el pago del uno por ciento por lo menos al año para amortización, debiendo ser aplicado el producto de dichos bonos junto con la cantidad que se halla depositada en favor de los acreedores, procedente de los ingresos de aduanas de la República Dominicana hasta la fecha recibidos, una vez pagados los gastos de dicho ajuste, primeramente al pago de dichas deudas y reclamaciones en los términos ajustados, y en segundo lugar, con el remanente, á cancelar y extinguir ciertas concesiones y monopolios en los puertos, que son una gravosa carga y un obstáculo al comercio del país, y en tercer término, el sobrante total que aun quede, á la construcción de ciertos ferrocarriles y puentes y otras obras públicas necesarias al desarrollo industrial del país.

Y por cuanto, dicho plan en su totalidad tiene por condición

upon the assistance of the United States in the collection of customs revenues of the Dominican Republic and the application thereof so far as necessary to the interest upon and the amortization and redemption of said bonds, and the Dominican Republic has requested the United States to give and the United States is willing to give such assistance:

Agreement.

The Dominican Government, represented by its Minister of State for Foreign Relations, Emiliano Tejera, and its Minister of State for Finance and Commerce, Federico Velasquez H.,

and the United States Government, represented by Thomas C. Dawson, Minister Resident and Consul General of the United States to the Dominican Republic, have agreed:

Appointment of  
General Receiver of  
Dominican Customs.

1. That the President of the United States shall appoint, a General Receiver of Dominican Customs, who, with such Assistant Receivers and other employees of the Receivership as shall be appointed by the President of the United States in his discretion, shall collect all the customs duties accruing at the several customs houses of the Dominican Republic until the payment or retirement of any and all bonds issued by the Dominican Government in accordance with the plan and under the limitations as to terms and amounts hereinbefore recited; and said General Receiver shall apply the sums so collected, as follows:

Use of moneys  
collected.

First, to paying the expenses of the receivership; second, to the payment of interest upon said bonds; third, to the payment of the annual sums provided for amortization of said bonds including interest upon all bonds held in sinking fund; fourth, to the purchase and cancellation or the retirement and cancellation pursuant to the terms thereof of any of said bonds as may be directed by the Dominican Government; fifth, the remainder to be paid to the Dominican Government.

y depende de la ayuda de los Estados Unidos en la recaudacion de las rentas aduaneras de la República Dominicana y en la aplicación de ellas hasta donde fuere necesario al pago de los intereses, amortizacion y redencion de los referidos bonos, y que la República Dominicana ha solicitado de los Estados Unidos dicha ayuda y que los Estados Unidos convienen en prestarla:

El Gobierno Dominicano representado por el Secretario de Estado de Relaciones Exteriores, Ciudadano Emiliano Tejera y el Secretario de Estado de Hacienda y Comercio, Ciudadano Federico Velasquez H.,

y el Gobierno de los Estados Unidos, representado por Thomas C Dawson, Ministro Residente y Cónsul General de los Estados Unidos en la República Dominicana, han convenido en lo siguiente:

1º El Presidente de los Estados Unidos nombrará un Receptor General de las Aduanas dominicanas, quien en union de los Receptores Auxiliares y otros empleados de la Receptoría que libremente nombre el Presidente de los Estados Unidos percibirá todos los derechos de aduanas que se recauden en las distintas aduanas de la República Dominicana hasta tanto queden pagados ó retirados todos y cada uno de los bonos emitidos por el Gobierno Dominicano de acuerdo con el plan y dentro de las limitaciones en cuanto á plazos y cantidades mas arriba señalados; y dicho Receptor General aplicará las sumas así recaudadas como sigue: Primero, al pago de los gastos de receptoría; segundo, al pago de los intereses de dichos bonos; tercero, al pago de las cantidades anuales señaladas para la amortizacion de dichos bonos incluyendo el interes de todos los bonos que se retengán como fondo de amortizacion; cuarto, á la compra y cancelacion ó retiro y cancelacion de cualesquiera de dichos bonos, conforme con sus propios términos, segun disponga el Gobierno Dominicano; quinto, el remanente será entregado al Gobierno Dominicano.

The method of distributing the current collections of revenue in order to accomplish the application thereof as hereinbefore provided shall be as follows:

The expenses of the receivership shall be paid by the Receiver as they arise. The allowances to the General Receiver and his assistants for the expenses of collecting the revenues shall not exceed five per cent unless by agreement between the two Governments.

On the first day of each calendar month the sum of \$100,000 shall be paid over by the Receiver to the Fiscal Agent of the loan, and the remaining collection of the last preceding month shall be paid over to the Dominican Government, or applied to the sinking fund for the purchase or redemption of bonds, as the Dominican Government shall direct.

*Provided*, that in case the customs revenues collected by the General Receiver shall in any year exceed the sum of \$3,000,000, one half of the surplus above such sum of \$3,000,000 shall be applied to the sinking fund for the redemption of bonds.

II. The Dominican Government will provide by law for the payment of all customs duties to the General Receiver and his assistants, and will give to them all needful aid and assistance and full protection to the extent of its powers. The Government of the United States will give to the General Receiver and his assistants such protection as it may find to be requisite for the performance of their duties.

III. Until the Dominican Republic has paid the whole amount of the bonds of the debt its public debt shall not be increased except by previous agreement between the Dominican Government and the United States. A like agreement shall be necessary to modify the import duties, it being an indispensable condition for the modification of such duties that the Dominican Executive demonstrate

La manera de distribuir las recaudaciones ordinarias de las rentas, á fin de darles la aplicacion que anteriormente se dispone, será la siguiente:

Los gastos de la Receptoría serán pagados por el Receptor segun se vayan causando. La cantidad que se señale al Receptor General y á sus ayudantes para gastos de la recaudacion de las rentas no excederá del cinco por ciento de éstas, á menos que se convenga otra cosa entre ambos Gobiernos.

El dia primero de cada mes natural, el Receptor hará entrega de la suma de \$100.000 al Agente fiscal del empréstito, y el remanente de la recaudacion del mes próximo precedente será entregado al Gobierno Dominicano, ó destinado al fondo de amortizacion para la compra ó redención de bonos segun disponga el Gobierno Dominicano

Es entendido que en el caso de que las rentas de aduanas recaudadas por el Receptor General excedan en cualquier año de la cantidad de \$3.000.000, la mitad del excedente sobre dicha suma de \$3.000.000 se destinará al fondo de amortizacion para la redencion de bonos.

2° El Gobierno Dominicano dispondrá por medio de una ley que el pago de todos los derechos de Aduanas se haga al Receptor General y á sus auxiliares, á quienes prestará todo el apoyo y auxilio que sea necesario y la mas amplia proteccion que pueda dentro de sus facultades. El Gobierno de los Estados Unidos dará al Receptor General y á sus auxiliares la proteccion que estimare necesaria para el cumplimiento de los deberes de estos.

3° Hasta que la República Dominicana no haya pagado la totalidad de los bonos del empréstito, su deuda pública no podrá ser aumentada, sino mediante un acuerdo previo entre el Gobierno Dominicano y los Estados Unidos. Igual acuerdo será preciso para modificar los derechos de importacion de la República por ser condicion indispensable para que esos derechos puedan ser modificados que el

Distribution of current collections.

Payments.

*Provido.*  
Sinking fund.

All customs duties paid to General Receiver, etc.

Increase of public debt restricted.

Modification of import duties.

and that the President of the United States recognize that, on the basis of exportations and importations to the like amount and the like character during the two years preceding that in which it is desired to make such modification, the total net customs receipts would at such altered rates of duties have been for each of such two years in excess of the sum of \$2,000,000 United States gold.

Ejecutivo Dominicano compruebe y el Presidente de los Estados Unidos reconozca que tomando por base las importaciones y exportaciones de los dos años precedentes al en que se quiere hacer la alteración en los referidos derechos, y calculados el monto y la clase de los efectos importados ó exportados, en cada uno de esos dos años al tipo de los derechos de importación que se pretendan establecer, el neto total de esos derechos de aduana en cada uno de los dos años, excede de la cantidad de dos millones de pesos oro americano.

Monthly accounts  
of General Receiver.

IV. The accounts of the General Receiver shall be rendered monthly to the Contaduría General of the Dominican Republic and to the State Department of the United States and shall be subject to examination and verification by the appropriate officers of the Dominican and the United States Governments.

4° El Receptor General rendirá cuentas mensualmente á la Contaduría General de la República Dominicana y al Departamento de Estado de los Estados Unidos, y dichas cuentas quedarán sujetas al examen y comprobación por los funcionarios competentes de los Gobiernos de la República Dominicana y de los Estados Unidos.

Effect.

V. This agreement shall take effect after its approval by the Senate of the United States and the Congress of the Dominican Republic.

5° Este Convenio comenzará á regir una vez aprobado por el Congreso de la República Dominicana y el Senado de los Estados Unidos.

Signatures.

Done in four originals, two being in the English language, and two in the Spanish, and the representatives of the high contracting parties signing them in the City of Santo Domingo this 8th day of February, in the Year of our Lord 1907.

Hecho en cuatro originales, dos en idioma ingles y dos en castellano, firmados por los Representantes de las Altas Partes contratantes en la Ciudad de Santo Domingo á los ocho dias del mes de Febrero del año del Señor de 1907.

THOMAS C DAWSON  
EMILIANO TEJERA  
FEDERICO VELAZQUEZ H.

EMILIANO TEJERA  
FEDERICO VELAZQUEZ H.  
THOMAS C DAWSON

Ratification.

And whereas the said convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the eighth day of July, one thousand nine hundred seven;

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, 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 and the citizens thereof.

In testimony 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 25th day of July in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States of America the one hundred and thirty-second.

THEODORE ROOSEVELT

By the President:  
ROBERT BACON  
*Acting Secretary of State.*