

## MESSAGE

FROM THE

# PRESIDENT OF THE UNITED STATES,

TRANSMITTING

*A report of the Secretary of State recommending the enactment of a law for the protection of submarine cables.*

FEBRUARY 19, 1885.—Read and referred to the Committee on Foreign Relations and ordered to be printed.

*To the Senate :*

I transmit herewith a report of the Secretary of State of the 19th instant, recommending the enactment of a law for the protection of submarine cables, in pursuance of our treaty obligations under the international convention in relation to the subject, signed at Paris on the 14th day of March, 1884. I commend the matter to the favorable consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,  
Washington, February 19, 1885.

DEPARTMENT OF STATE,  
Washington, February 19, 1885.

*To the President :*

According to the provisions of Article XII of the international convention for the protection of submarine cables, signed at Paris on the 14th day of March, 1884, and ratified by the President by and with the consent of the Senate on the 12th day of June, 1884, the high contracting parties engaged to propose to their respective legislative bodies the measures necessary to secure the protection of submarine cables, and to provide for the punishment of persons contravening the provisions of Articles II, V, and VI of said convention.

It is expected that the ratifications of the convention in question will be exchanged at Paris during the present month by the representatives of the various dignitary powers. In order that this country may be prepared to fulfill its treaty obligations, it will be necessary to make immediate provision by law for enforcing the stipulations of the convention within the limits of our national jurisdiction. I therefore recommend that the subject be brought to the attention of both Houses of Congress with a view to having, if practicable, proper laws in regard to the matter enacted at the present session.

From a note which has been received by this Department from the

**2**      **LAW FOR THE PROTECTION OF SUBMARINE CABLES.**

minister of France at this capital, it appears that the French legislature has already enacted a law providing penalties for any violation of the convention of March 14, 1884. A translation of the note with the accompanying law is transmitted herewith for the information of Congress.

Respectfully submitted.

FRED'K T. FRELINGHUYSEN.

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*List of accompaniments.*

1. Mr. Roustan to Mr. Frelinghuysen, January 29, 1885, with an accompaniment translation.
2. French text of law for the protection of submarine cables.
3. English text of convention of March 14, 1884, for the protection of submarine cables.

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No. 1.

*Mr. Roustan to Mr. Frelinghuysen.*

[Translation.]

LEGATION OF THE FRENCH REPUBLIC IN THE UNITED STATES,  
*Washington, January 29, 1885.*

Mr. SECRETARY OF STATE:

My Government has just addressed me a communication calling my attention to the fact that, according to Article XII of the international convention, signed at Paris, March 14, 1884, the high contracting parties engaged to take, or to propose to their respective legislative bodies, the measures necessary to secure the protection of submarine cables, and especially to punish the infractions provided for in the diplomatic arrangement. It is, moreover, made their duty by the following article, to communicate to each other such laws as may have been, or as may hereafter be, enacted for this purpose in their respective States.

In accordance with this stipulation, the Government of the French Republic laid before the Parliament a bill providing penalties for any violation of the international arrangement concluded on the 14th of March last. This bill has just been passed by both houses, and it was promulgated on the 21st instant.

I am instructed to transmit to you the three copies of this act which you will find herewith inclosed.

The Government of the Republic would be very glad to receive, as speedily as possible, a copy of any laws or decrees that may have been promulgated in the United States in pursuance of Article XII of the convention.

I therefore beg leave to call your attention, Mr. Secretary of State, to the expediency of enacting, without delay, a penal law similar to that which is herewith inclosed, inasmuch as the time fixed for the exchange of the ratifications will expire on the 14th of March next, and as the time when the convention is to become operative cannot be determined before this formality shall have been accomplished.

Be pleased, &c.,

TH. ROUSTAN.

Hon. FREDERICK T. FRELINGHUYSEN,  
*Secretary of State of the United States.*

[Translation.]

*An act providing for the punishment of infractions of the international convention of March 14, 1884, relative to the protection of submarine cables.*

The senate and chamber of deputies have enacted, and the President of the Republic promulgates, the following law :

TITLE I.

SPECIAL PROVISIONS FOR NON-TERRITORIAL WATERS.

ARTICLE 1. Infractions of the international convention of March 14, 1884, for the protection of submarine cables, that may be committed by any person belonging to the crew of a French vessel, shall be tried by the correctional court of the district in which is situated the port where the vessel of the delinquent belongs, or of the district of the first French port into which the vessel shall be taken.

ART. 2. Parties so offending shall be prosecuted by the public ministry without prejudice to the rights of civil parties.

ART. 3. Statements of facts prepared in accordance with article 10 of the convention of March 14, 1884, shall not be subjected to affirmation; they shall be deemed worthy of full faith and credit until their falsity shall have been shown.

In default of statements of facts (*procès verbal*) or in case of the insufficiency of such statements, infractions may be proved by witnesses.

ART. 4. Whoever shall refuse to exhibit the documents necessary for the preparation of the statements provided for in the foregoing article shall be punished by a fine of from 5 to 100 francs, and by imprisonment for from two to ten days.

ART. 5. Any attack upon or violent resistance to persons having authority, according to article 10 of the convention of March 14, 1884, to draw up statements of facts, in the exercise of their functions, shall be punished with the penalties provided in case of rebellion according to the distinctions established in the penal code.

ART. 6. The following persons shall be punished by a fine of from 16 to 300 francs :

(1) The captain of any vessel that, while engaged in repairing or laying a submarine cable, shall fail to observe the rules relative to signals which have been adopted for the prevention of collisions.

(2) The captain or master of any vessel that, perceiving or being able to perceive those signals, shall not withdraw to or keep at a distance of at least one nautical mile from the vessel engaged in laying or repairing a submarine cable.

(3) The captain or master of any vessel that, seeing or being able to see buoys intended to indicate the position of cables, shall not keep at a distance of at least a quarter of a nautical mile from the line of said buoys.

ART. 7. The following persons shall be punished by a fine of from 16 to 300 francs, and may be punished by imprisonment for from one to five days :

(1) The captain or master of any vessel that shall have cast anchor at a distance of less than a quarter of a nautical mile from a submarine cable whose position he is able to recognize by means of buoy lines or otherwise, or that shall have made itself fast to a buoy intended to indicate the position of the cable, except in case of absolute necessity (*ris major*).

(2) The master of any fishing vessel who shall not keep his implements or nets at a distance of at least one nautical mile from a vessel engaged in laying or repairing a submarine cable; nevertheless fishing vessels perceiving, or being able to perceive, the telegraphic vessel carrying the signals adopted shall have, in order to obey this warning, such time as may be necessary to enable them to finish the operation in which they are engaged; provided that such time do not exceed twenty-four hours.

(3) The master of any fishing vessel who shall fail to keep his implements or nets at a distance of at least a quarter of a nautical mile from the line of the buoys intended to mark the position of the submarine cables.

ART. 8. The following persons shall be punished by a fine of from 16 to 300 francs, and may be punished by imprisonment for from six days to two months :

(1) Whoever, through culpable negligence, and especially in the cases contemplated by articles 6 and 7, shall have broken a submarine cable or have caused an injury to it that might result in interrupting, or at least in impeding, communication by telegraph.

(2) The captain of any vessel that, being engaged in laying or repairing a submarine cable, shall cause, by failing to observe the rules concerning signals which have been adopted with a view to the prevention of collisions, the breaking or injury of a cable by any other vessel.

ART. 9. The following persons shall be punished by a fine of from 16 to 300 francs and may be punished by imprisonment for from six days to two months :

(1) Whoever shall have manufactured, kept outside of his dwelling, exposed for

## 4 LAW FOR THE PROTECTION OF SUBMARINE CABLES.

sale, shipped or caused to be shipped any instruments or tools serving exclusively for cutting or destroying submarine cables.

(2) Whoever shall have made use of such instruments or tools.

ART. 10. Any person who shall have willfully broken a submarine cable or caused an injury to it that might interrupt or impede, either wholly or partially, communication by telegraph, shall be punished by a fine of from 300 to 1,000 francs and by imprisonment for from three months to five years.

Any person who shall attempt to commit the above-mentioned acts shall be liable to the same penalties.

The guilty party may, moreover, be placed under the surveillance of the police for a period not exceeding ten years from the day on which he shall have suffered his penalty.

Nevertheless these provisions shall not be applicable to persons who may have been compelled to break or injure a submarine cable by the actual necessity of protecting their lines or of providing for the safety of their vessel.

### TITLE II.

#### SPECIAL PROVISIONS FOR TERRITORIAL WATERS.

ART. 11. The provisions of articles 4, 6, 7, 8, 9, and 10 shall be observed in cases in which the infraction shall have been committed in our territorial waters by any person belonging to the crew of any vessel, whether French or foreign, without prejudice to the provisions of article 4 of the decree of December 27, 1851.

ART. 12. Any person guilty of the infractions provided for by the foregoing article shall be tried by the correctional court of the port where the vessel, on which the delinquent is engaged, belongs, or by that of the first French port in which that vessel shall stop, or by that of the place where the offense was committed.

ART. 13. Infractions committed in our territorial waters shall be established by statements made by duly qualified persons (*procès-verbaux*) or in default of such statements by witnesses.

ART. 14. The statements provided for in the foregoing article shall be prepared—

By officers commanding French vessels of war.

By all officers of the judicial police.

By all sworn officers of the municipal police.

By the other officers enumerated in article 10 of the decree of December 27, 1851, and article 16 of the decree of January 9, 1852.

Any attack upon, or violent resistance to, the officers who are empowered by the above provisions to prepare statements of facts in the exercise of their functions, shall be punished with the penalties provided for rebellion according to the distinctions established in the penal code.

ART. 15. Statements of facts (*procès-verbaux*) prepared by officers commanding French vessels of war shall not be subject to affirmation; they shall be considered as being entitled to full faith and credit until the contrary shall have been shown.

Statements of facts prepared by any other officers authorized to do so by article 14 shall be considered sufficient evidence, and shall be subjected to the formalities prescribed by special laws, especially articles 10 and 11, of the decree of December 27, 1851, and articles 17 and 20 of the decree of January 9, 1852.

### TITLE III.

#### GENERAL PROVISIONS.

ART. 16. The delinquent, in the case provided for in article 8, section 1, shall be obliged, within twenty-four hours from the time of his arrival, to notify the local authorities of the first port in which the vessel on board of which he is shall stop, of the breaking of, or injury to, the submarine cable of which he shall have been guilty.

In the event of his failure to give such notice the penalties incurred shall be doubled.

In the case provided for in article 10, section 4, the party who has caused the breakage or injury shall be required to make the above declaration, under penalty of a fine of from 16 to 100 francs.

ART. 17. In case the offense is repeated, the maximum of the penalties above provided for shall be imposed, and this maximum may be doubled.

An offense is repeated:

(1) In the case of the acts provided for by articles 6, 7, 8, and 9 of this law, when, in the course of the two preceding years, a final judgment has been rendered against the infringer for an infraction of the provisions of the said articles.

(2) In the case of the acts provided for by article 10, when at any time a final judgment has been rendered against the delinquent for an infraction of the provisions of that article.

ART. 18. Fitters out of vessels, whether owning them or not, shall be declared responsible for the fines imposed for infractions of this law and for civil condemnations occasioned by such infractions.

Other cases of civil responsibility shall be decided according to the provisions of article 1384 of the civil code.

ART. 19. In case of conviction of several of the infractions provided for by the present law, the highest penalty only shall be imposed.

ART. 20. Article 463 of the penal code shall be applicable to sentences pronounced for infractions of the present law.

The present law, having been considered and passed by the Senate and Chamber of Deputies, shall be executed as a law of the state.

Done at Paris, December 20, 1884.

JULES GRÉVY.

By the President of the Republic:

JULES FERRY,  
*President of the Council, Minister of Foreign Affairs.*  
 A. PEYRON,  
*Minister of the Marine and the Colonies.*  
 MARTIN FENILLÉE,  
*Keeper of the Seals, Minister of Justice and Worship.*  
 AD. COCHERY,  
*Minister of Posts and Telegraphs.*

No. 2.

*LOI concernant la répression des infractions à la Convention internationale du 14 mars 1884, relative à la protection des câbles sous-marins.*

Le Sénat et la Chambre des députés ont adopté ;

Le Président de la République promulgue la loi dont la teneur suit :

TITRE 1<sup>er</sup>.

DISPOSITIONS SPÉCIALES AUX EAUX NON TERRITORIALES.

ART. 1. Les infractions à la convention internationale du 14 mars 1884, ayant pour objet d'assurer la protection des câbles sous-marins, qui seront commises par tout individu faisant partie de l'équipage d'un navire français, seront jugées par le tribunal correctionnel, soit de l'arrondissement où sera situé le port d'attache du bâtiment du délinquant, soit de l'arrondissement du premier port de France dans lequel sera conduit le bâtiment.

ART. 2. Les poursuites auront lieu à la diligence du ministère public, sans préjudice du droit des parties civiles.

ART. 3. Les procès-verbaux dressés conformément à l'article 10 de la convention du 14 mars 1884 ne seront point soumis à l'affirmation ; ils font foi jusqu'à inscription de faux.

A défaut de procès-verbaux, ou en cas d'insuffisance de ces actes, les infractions pourront être prouvées par témoins.

ART. 4. Sera puni d'une amende de 5 à 100 francs et d'unem prisonnement de deux à dix jours quiconque se sera refusé à exhiber les pièces nécessaires pour rédiger les procès-verbaux prévus par l'article précédent.

ART. 5. Toute attaque, toute résistance avec violence et voies de fait, envers les personnes ayant qualité, aux termes de l'article 10 de la convention du 14 mars 1884, à l'effet de dresser procès-verbal, dans l'exercice de leurs fonctions, sera punie des peines appliquées à la rébellion, suivant les distinctions établies au Code pénal.

**ART. 6.** Sera puni d'une amende de 16 à 300 francs :

1. Le capitaine d'un bâtiment qui, occupé à la réparation ou à la pose d'un câble sous-marin, n'observera pas les règles sur les signaux adoptés en vue de prévenir les abordages ;

2. Le capitaine ou patron de tout bâtiment qui, apercevant ou étant en mesure d'apercevoir ces signaux, ne se retirera pas ou ne se tiendra pas éloigné d'un mille nautique au moins du bâtiment occupé à la pose ou à la réparation d'un câble sous-marin ;

3. Le capitaine ou patron de tout bâtiment qui, voyant ou étant en mesure de voir les bouées destinées à indiquer la position des câbles, ne se tiendra pas éloigné de la ligne des bouées d'un quart de mille nautique au moins.

**ART. 7.** Sera puni d'une amende de 16 à 300 francs et pourra être puni d'un emprisonnement de un à cinq jours :

1. Le capitaine ou patron de tout bâtiment qui aura jeté l'ancre à moins d'un quart de mille nautique d'un câble sous-marin dont il est en mesure de connaître la position au moyen de lignes de bouées ou autrement ; ou se sera amarré à une bouée destinée à indiquer la position du câble, sauf les cas de force majeure ;

2. Le patron de tout bateau de pêche qui ne tiendra pas ses engins ou filets à un mille nautique au moins du bâtiment occupé à la pose ou à la réparation d'un câble sous-marin ; toutefois, les bateaux de pêche qui aperçoivent ou sont en mesure d'apercevoir le bâtiment télégraphique portant les signaux adoptés auront, pour se conformer à l'avertissement, le délai nécessaire pour terminer l'opération en cours, sans que ce délai puisse dépasser vingt-quatre heures ;

3. Le patron de tout bateau de pêche qui ne tiendra pas ses engins ou filets à un quart de mille nautique au moins de la ligne des bouées destinées à indiquer la position des câbles sous-marins.

**ART. 8.** Sera puni d'une amende de 16 à 300 francs et pourra être puni d'un emprisonnement de six jours à deux mois :

1. Quiconque par négligence coupable, et notamment dans les cas visés par les articles 6 et 7, aura rompu un câble sous marin ou lui aura causé une détérioration qui pourrait avoir pour résultat d'interrompre ou d'entraver, en tout ou en partie, les communications télégraphiques ;

2. Le capitaine de tout bâtiment qui, occupé à la pose ou à la réparation d'un câble sous-marin, sera cause, par l'inobservation des règles sur les signaux adoptés en vue de prévenir les abordages, de la rupture ou de la détérioration d'un câble commise par tout autre navire.

**ART. 9.** Sera puni d'une amende de 16 à 300 francs et pourra être puni d'un emprisonnement de six jours à deux mois :

1. Quiconque aura fabriqué, détenu hors de son domicile, mis en vente, embarqué ou fait embarquer des instruments ou engins servant exclusivement à couper ou à détruire des câbles sous-marins ;

2. Quiconque aura fait usage des mêmes instruments ou engins.

**ART. 10.** Sera puni d'une amende de 300 à 1,000 francs et d'un emprisonnement de trois mois à cinq ans, quiconque, volontairement, aura rompu un câble sous-marin ou lui aura causé une détérioration qui pourrait interrompre ou entraver, en tout ou en partie, les communications télégraphiques.

Les mêmes peines seront prononcées contre les auteurs des tentatives des mêmes faits.

Le coupable pourra, en outre, être mis sous la surveillance de la haute police pendant dix ans au plus, à partir du jour où il aura subi sa peine.

Toutefois, ces dispositions ne s'appliquent pas aux personnes qui

auraient été contraintes de rompre un câble sous-marin ou de lui causer une détérioration, par la nécessité actuelle de protéger leur vie ou d'assurer la sécurité de leur navire.

## TITRE II.

### DISPOSITIONS SPÉCIALES AUX EAUX TERRITORIALES.

ART. 11. Les dispositions des articles 4, 6 à 10 ci-dessus seront observées dans le cas où l'infraction aurait été commise dans nos eaux territoriales par tout individu faisant partie de l'équipage d'un navire quelconque, français ou étranger, sans préjudice des dispositions de l'article 4 du décret du 27 décembre 1851.

ART. 12. Les infractions poursuivies aux termes de l'article précédent seront jugées par le tribunal correctionnel soit du port d'attache du navire sur lequel est embarqué le délinquant, soit du premier port français où ce navire abordera, soit du lieu du délit.

ART. 13. Les infractions commises dans nos eaux territoriales seront établies par procès-verbaux et, à défaut de procès-verbaux, par témoins.

ART. 14. Les procès-verbaux prévus à l'article précédent seront dressés :

Par les officiers commandant les navires de guerre français ;

Par tous officiers de police judiciaire ;

Par tous officiers de police municipale assermentés ;

Par les autres fonctionnaires énumérés aux articles 10 du décret du 27 décembre 1851, 16 du décret du 9 janvier 1852.

Toute attaque, toute résistance avec violences et voies de fait envers les agents ayant qualité, aux termes des dispositions ci-dessus, pour dresser procès-verbal, dans l'exercice de leurs fonctions, sera punie des peines appliquées à la rébellion suivant les distinctions établies au Code pénal.

ART. 15. Les procès-verbaux dressés par les officiers commandant les navires de guerre français ne sont point soumis à l'affirmation ; ils font foi jusqu'à inscription de faux.

Les procès-verbaux dressés par tous autres agents ayant qualité à cet effet, aux termes de l'article 14, ont la force probante et sont soumis aux formalités réglées par les lois spéciales, notamment les articles 10 et 11 du décret du 27 décembre 1851, 17 et 20 du décret du 9 janvier 1852.

## TITRE III.

### DISPOSITIONS GÉNÉRALES.

ART. 16. Le délinquant, dans le cas de l'article 8, § 1<sup>er</sup>, sera tenu, dans les vingt-quatre heures de son arrivée, de donner avis aux autorités locales du premier port où le navire sur lequel il est embarqué abordera, de la rupture ou de la détérioration du câble sous-marin dont il se serait rendu coupable.

A défaut de déclaration, les peines encourues seront élevées jusqu'au double.

Dans le cas de l'article 10, § 4, l'auteur de la rupture ou détérioration sera tenu, sous peine d'une amende de 16 à 100 francs, de faire la déclaration ci-dessus.

ART. 17. En cas de récidive, le maximum des peines édictées ci-dessus sera prononcé ; ce maximum pourra être élevé jusqu'au double.

Il y a récidive :

1. Pour les faits prévus par les articles 6, 7, 8 et 9 de la présente loi, lorsque, dans les deux années qui précèdent, il a été rendu contre le contrevenant un jugement définitif pour infraction aux dispositions desdits articles;

2. Pour les faits prévus par l'article 10 lorsque, à une époque quelconque, il a été rendu contre le délinquant un jugement définitif pour infraction aux dispositions de cet article.

ART. 18. Seront déclarés responsables des amendes prononcées pour infraction à la présente loi et des condamnations civiles auxquelles ces infractions pourraient donner lieu, les armateurs des navires, qu'ils en soient ou non propriétaires, à raison des faits de l'équipage de ces navires.

Les autres cas de responsabilité civile seront réglés conformément aux dispositions de l'article 1384 du Code civil.

ART. 19. En cas de conviction de plusieurs infractions prévues par la présente loi, la peine la plus forte sera seule prononcée.

ART. 20. L'article 463 du Code pénal est applicable aux condamnations prononcées pour infractions à la présente loi.

La présente loi, délibérée et adoptée par le Sénat et par la Chambre des députés, sera exécutée comme loi de l'État.

Fait à Paris, le 20 décembre 1884.

JULES GRÉVY.

Par le Président de la République :

*Le Président du Conseil,  
Ministre des Affaires étrangères,*

JULES FERRY.

*Le Ministre de la Marine  
et des Colonies,*

A. PEYRON.

*Le Garde des Sceaux,  
Ministre de la Justice et des Cultes,*

MARTIN FEUILLÉE.

*Le Ministre des Postes  
et des Télégraphes,*

AD. COCHERY.

No. 3.

*English text of the Convention.*

[Translation of Convention.]

His Excellency, the President of the United States of America, His Majesty the Emperor of Germany, King of Prussia, His Excellency the President of the Argentine Republic, etc., etc., etc.

Who, after having exchanged their full powers, which were found to be in good and due form, have agreed upon the following articles :

#### ARTICLE I.

The present Convention applies outside territorial waters to all legally-established cables landed on the territories or possessions of one or more of the High Contracting Parties.

#### ARTICLE II.

It is a punishable offence to break or injure a submarine cable, willfully or by culpable negligence, so as to interrupt or obstruct tele-



graphic communication either wholly or partially, such punishment being without prejudice to any civil action for damages. This provision does not apply to cases where those who break or injure a cable do so with the lawful object of saving their lives or their ship, after they have taken every necessary precaution to avoid so breaking or injuring the cable.

#### ARTICLE III.

The High Contracting Parties undertake that, on granting a concession for landing a submarine cable, they will insist upon proper measures of safety being taken, both as regards the track of the cable and its dimensions.

#### ARTICLE IV.

The owner of a cable who, on laying or repairing his own cable, breaks or injures another cable, must bear the cost of repairing the breakage or injury, without prejudice to the application, if need be, of Article II of the present Convention.

#### ARTICLE V.

Vessels engaged in laying or repairing submarine cables shall conform to the regulations as to signals which have been or may be adopted by mutual agreement among the High Contracting Parties with the view of preventing collisions at sea.

When a ship engaged in repairing a cable has exhibited the said signals, other vessels which see them or are able to see them, shall withdraw to or keep beyond a distance of one nautical mile at least from the ship in question, so as not to interfere with her operations.

Fishing gear and nets shall be kept at the same distance.

A vessel to which a telegraph ship has exhibited the said signals shall be allowed a period of twenty-four hours at most within which to obey the notice so given, during which time she shall not be interfered with in any way.

The operations of the telegraph ships shall be completed as quickly as possible.

#### ARTICLE VI.

Vessels which see, or are able to see, the buoys showing the position of a cable when the latter is being laid, is out of order, or is broken, shall keep beyond a distance of one-quarter of a nautical mile at least from the said buoys.

Fishing nets and gear shall be kept at the same distance.

#### ARTICLE VII.

Owners of ships or vessels who can prove that they have sacrificed an anchor, a net, or other fishing gear in order to avoid injuring a submarine cable shall receive compensation from the owner of the cable.

To be entitled to such compensation a statement, supported by the evidence of the crew, must, whenever possible, be drawn up immediately after the occurrence; and the master must, within twenty-four hours after arriving at his destination, or on next putting into port, make a declaration to the proper authorities.

The latter shall communicate the information to the consular authorities of the country to which the owner of the cable belongs.

## ARTICLE VIII.

The Tribunals competent to take cognizance of infractions of the present Convention are those of the country to which the vessel on board which the offence was committed belongs.

It is moreover understood that in cases where the provisions in the previous paragraph cannot apply, offences against the present Convention will be dealt with in each of the contracting States in accordance, so far as the subjects and citizens of those States respectively are concerned, with the general rules of competence prescribed by the municipal laws of that State, or by International Treaties.

## ARTICLE IX.

Prosecutions for offences against or contraventions of the present Convention shall be instituted by the State or in its name.

## ARTICLE X.

Infractions of the present Convention may be verified by all methods of proof allowed by the laws of the country of the court of competent jurisdiction.

When the officers commanding the vessels of war, or the vessels specially commissioned for this purpose, of one of the High Contracting Parties, shall have reason to believe that an infraction of the measures provided for by this Convention has been committed by a vessel other than a vessel of war, they may require the captain or skipper to exhibit official documents furnishing evidence of the nationality of the said vessel. A summary mention of such exhibition shall at once be made on the documents exhibited.

Reports shall, moreover, be prepared by the said officers, whatever may be the nationality of the inculpated vessel. These reports shall be drawn up in the form and in the language in use in the country to which the officer drawing them up belongs; they may be used as evidence in the country in which they shall be invoked, and according to the laws of such country. The accused parties and the witnesses shall have the right to cause to be added thereto, in their own language, any explanations that they may consider as being to the purpose; such declarations shall be duly signed.

## ARTICLE XI.

The proceedings and trial in cases of infraction of the provisions of the present Convention shall take place as summarily as the laws and regulations in force will permit.

## ARTICLE XII.

The High Contracting Parties engage to take or to propose to their respective legislatures the necessary measures for insuring the execution of the present Convention, and especially for punishing by either fine or imprisonment, or both, those who contravene the provisions of Articles II, V, and VI.

ARTICLE XIII.

The High Contracting Parties will communicate to each other laws already made, or which may hereafter be made, in their respective countries, relating to the object of the present Convention.

ARTICLE XIV.

States which have not signed the present Convention may adhere to it on making a request to that effect. This adhesion shall be notified diplomatically to the Government of the French Republic, and by the latter to the other signatory powers.

ARTICLE XV.

It is understood that the stipulations of this Convention in no wise affect the liberty of action of belligerents.

ARTICLE XVI.

The present Convention shall be brought into force on a day to be agreed upon by the High Contracting Powers.

It shall remain in force for five years from that day, and unless any of the High Contracting Parties have announced, twelve months before the expiration of the said period of five years, its intention to terminate its operation, it shall continue in force for a period of one year, and so on from year to year.

If one of the signatory powers denounce the Convention, such denunciation shall have effect only as regards that power.

ARTICLE XVII.

The present Convention shall be ratified, and the ratifications exchanged at Paris with as little delay as possible.

In testimony whereof the respective plenipotentiaries have signed it and have thereunto affixed their seals.

Done in twenty-six copies at Paris this 14th day of March, 1884.

ADDITIONAL ARTICLE.

The stipulations of the Convention concluded this day for the protection of submarine cables shall be applicable, according to Article I, to the colonies and possessions of Her Britannic Majesty with the exception of those named below, to wit:

Canada.  
Newfoundland.  
The Cape.  
Natal.  
New South Wales.  
Victoria.  
Queensland.  
Tasmania.  
South Australia.  
West Australia.  
New Zealand.

12      LAW FOR THE PROTECTION OF SUBMARINE CABLES.

Nevertheless, the stipulations of the said Convention shall be applicable to one of the above-named colonies or possessions, if, in their [its] name, a notification to that effect has been addressed by the representative of Her Britannic Majesty at Paris to the Minister of Foreign Affairs of France.

Each of the above-named colonies or possessions that shall have adhered to the said Convention, shall have the privilege of withdrawing in the same manner as the contracting powers. In case one of the colonies or possessions in question shall desire to withdraw from the Convention, a notification to that effect shall be addressed by Her Britannic Majesty's representative at Paris to the Minister of Foreign Affairs of France.

Done in twenty-six copies at Paris, this 14th day of March, 1884.