N° 2915.

ÉTATS-UNIS D'AMÉRIQUE
ET CUBA

Traité relatif à la propriété de l'Ile de Pinos. Signé à Washington, le 2 mars 1904.

UNITED STATES OF AMERICA
AND CUBA


**Texte espagnol. — Spanish Text.**

Nº 2915.—TRATADO 1 ENTRE LOS ESTADOS UNIDOS DE AMERICA Y CUBA RELATIVO A LA PROPIEDAD DE LA ISLA DE PINOS. FIRMADO EN WASHINGTON, EL 2 DE MARZO DE 1904.

Textes officiels anglais et espagnol communiqués par le Secrétaire d'Etat aux Affaires étrangères de la République de Cuba. L'enregistrement de ce traité a eu lieu le 10 mars 1932.

English and Spanish official texts communicated by the Secretary of State for Foreign Affairs of the Republic of Cuba. The registration of this Treaty took place March 10, 1932.

The United States of America and the Republic of Cuba, being desirous to give full effect to the sixth Article of the Provision 2 in regard to the relations to exist between the United States and Cuba, contained in the Act of the Congress of the United States of America, approved March second, nineteen hundred and one, which sixth Article aforesaid is included in the appendix to the Constitution of the Republic of Cuba, promulgated on the 20th day of May, nineteen hundred and two and provides that "The Island of Pines shall be omitted from the boundaries of Cuba specified in the Constitution, the title of ownership thereof being left to future adjustment by treaty"; have for that purpose appointed as their Plenipotentiaries to conclude a treaty to that end:

The President of the United States of America:

John Hay, Secretary of State of the United States of America; and

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1 L'échange des ratifications a eu lieu à Washington, le 23 mars 1925.
2 De Martens, Nouveau Recueil général de Traités, deuxième série, tome XXXII, page 79.
THE PRESIDENT OF THE REPUBLIC OF CUBA:

Gonzalo de Quesada, Envoy Extraordinary and Minister Plenipotentiary of Cuba to the United States of America;

Who, after communicating to each other their full powers, found in good and due form, have agreed upon the following Articles:

Article I.

The United States of America relinquishes in favor of the Republic of Cuba all claim of title to the Island of Pines situated in the Caribbean Sea near the southwestern part of the Island of Cuba, which has been or may be made in virtue of Articles I and II of the Treaty of Peace between the United States and Spain, signed at Paris on the tenth day of December eighteen hundred and ninety-eight.

Article II.

This relinquishment, on the part of the United States of America, of claim of title to the said Island of Pines, is in consideration of the grants of coaling and naval stations in the Island of Cuba heretofore made the United States of America by the Republic of Cuba.

Article III.

Citizens of the United States of America who, at the time of the exchange of ratifications of this treaty, shall be residing or holding property in the Island of Pines shall suffer no diminution of the rights and privileges which they have acquired prior to the date of exchange of ratifications of this treaty; they may remain there or may remove therefrom retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce and professions being subject in regard thereof to such laws as are applicable to other foreigners.

1 DE MARTENS, Nouveau Recueil général de Traités, deuxième série, tome XXXII, page 74.

1 British and Foreign State Papers, Vol. 90, page 382.
Article IV.

The present treaty shall be ratified by each party in conformity with the respective Constitution of the two countries, and the ratifications shall be exchanged in the City of Washington as soon as possible.

In witness whereof, We, the respective Plenipotentiaries, have signed this treaty and hereunto affixed our seals.

Done at Washington, in duplicate, in English and Spanish this second day of March one thousand nine hundred and four.

John Hay.
Gonzalo de Quesada. (Seal)

[The above Treaty has been approved by the Senate of the Cuban Republic on June 8, 1904, and by the Senate of the United States on March 13, 1925, with the following reservations.]¹

1. That all the provisions of existing and future treaties including the Permanent Treaty proclaimed July 2, 1904, between the United States of America and the Republic of Cuba shall apply to the territory and the inhabitants of the Isle of Pines.

2. The term "other foreigners" appearing at the end of Article III shall be construed to mean foreigners who receive the most favorable treatment under the Government of Cuba.

[The above reservations have been approved by a resolution of the Senate of the Cuban Republic on March 16, 1925.]¹

Artículo IV.

El presente Tratado será ratificado por cada una de las Partes de conformidad con las respectivas Constituciones de ambos países y las ratificaciones serán canjeadas en la ciudad de Washington, tan pronto como sea posible.

En testimonio de lo cual, Nosotros, los respectivos Plenipotenciarios, hemos firmado este Tratado y hemos estampado en el mismo nuestros sellos.

Hecho en Washington, por duplicado en inglés y en castellano el día dos de Marzo de mil novecientos cuatro.

José Clemente Vivanco.