

N° 4476.

---

**ÉTATS-UNIS D'AMÉRIQUE  
ET SIAM**

Traité d'amitié, de commerce et de navigation, avec protocole final, signés à Bangkok, le 13 novembre 1937, et échanges de notes y relatifs de la même date.

---

**UNITED STATES OF AMERICA  
AND SIAM**

Treaty of Friendship, Commerce and Navigation, with Final Protocol, signed at Bangkok, November 13th, 1937, and Exchanges of Notes relating thereto of the same Date.

No. 4476. — TREATY <sup>1</sup> OF FRIENDSHIP, COMMERCE AND NAVIGATION  
BETWEEN THE UNITED STATES OF AMERICA AND SIAM.  
SIGNED AT BANGKOK, NOVEMBER 13TH, 1937.

*English official text communicated by the Permanent Representative of Siam to the League of Nations and by the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Berne. The registration of this Treaty took place November 12th, 1938.*

THE KINGDOM OF SIAM and THE UNITED STATES OF AMERICA, desirous of strengthening the bond of peace which happily prevails between them, by arrangements designed to promote friendly intercourse between their respective territories through provisions responsive to the spiritual, cultural, economic and commercial aspirations of the peoples thereof, have resolved to conclude a Treaty of Friendship, Commerce and Navigation and for that purpose have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF SIAM :

Luang Pradist MANUDHARM (Pridi Banomyong), Minister of Foreign Affairs ; and

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

Edwin L. NEVILLE, Envoy Extraordinary and Minister Plenipotentiary of the United States of America ;

Who, having communicated to each other their full powers found to be in due form, have agreed upon the following Articles :

*Article 1.*

There shall be constant peace and perpetual friendship between the Kingdom of Siam and the United States of America. The nationals of each of the High Contracting Parties shall be permitted to enter, travel and reside in the territories of the other, to carry on their commerce and manufacture, to trade in all kinds of merchandise of lawful commerce, 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, to lease land for residential, commercial, industrial, religious and charitable purposes, and for use as cemeteries, and generally to do anything incident to or necessary for the enjoyment of any of the foregoing privileges upon the same terms as nationals of the State of residence, submitting themselves to the laws and regulations there established.

They shall not be compelled, under any pretext whatsoever, to pay any internal charges or taxes other or higher than those that are or may be paid by nationals of the State of residence.

<sup>1</sup> The exchange of ratifications took place at Bangkok, October 1st, 1938.

<sup>1</sup> TRADUCTION. — TRANSLATION.

N<sup>o</sup> 4476. — TRAITÉ <sup>2</sup> D'AMITIÉ, DE COMMERCE ET DE NAVIGATION  
ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET LE SIAM. SIGNÉ A  
BANGKOK, LE 13 NOVEMBRE 1937.

*Texte officiel anglais communiqué par le représentant permanent du Siam près la Société des Nations  
et l'envoyé extraordinaire et ministre plénipotentiaire des États-Unis d'Amérique à Berne.  
L'enregistrement de ce traité a eu lieu le 12 novembre 1938.*

LE ROYAUME DE SIAM et LES ÉTATS-UNIS D'AMÉRIQUE, animés du désir de resserrer les liens pacifiques déjà heureusement établis entre eux, par des accords ayant pour objet de développer les relations amicales entre leurs territoires respectifs, au moyen de dispositions conformes aux aspirations spirituelles, intellectuelles, économiques et commerciales de leurs populations, ont résolu de conclure un traité d'amitié, de commerce et de navigation et ont désigné à cet effet pour leurs plénipotentiaires :

SA MAJESTÉ LE ROI DE SIAM :

Luang Pradist MANUDHARM (Pridi Banomyong), ministre des Affaires étrangères; et

LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE :

Edwin L. NEVILLE, envoyé extraordinaire et ministre plénipotentiaire des États-Unis d'Amérique;

Lesquels, après s'être communiqué leurs pleins pouvoirs reconnus en bonne et due forme, sont convenus des dispositions suivantes :

*Article premier.*

Il y aura paix constante et amitié perpétuelle entre le Royaume de Siam et les États-Unis d'Amérique. Les nationaux de chacune des Hautes Parties contractantes, à la condition de se conformer aux lois et règlements en vigueur dans les territoires de l'autre Partie, et au même titre que les nationaux de l'État de résidence, seront autorisés à pénétrer dans ces territoires, à y voyager et à y résider, à s'y livrer au commerce, à l'industrie, à faire le négoce de marchandises de tout genre dont le commerce est licite, à s'occuper d'œuvres de caractère religieux, éducatif et charitable, à posséder, à prendre à bail et à occuper des maisons, usines, entrepôts et magasins, à employer des représentants de leur choix, à prendre à bail des terrains, soit pour y résider, soit pour des fins commerciales et industrielles, religieuses ou charitables, soit pour y établir des cimetières, et d'une façon générale à prendre toutes mesures découlant des privilèges ci-dessus énumérés ou nécessaires pour en jouir.

Ils ne pourront être tenus, sous quelque prétexte que ce soit, d'acquitter des charges ou taxes intérieures, autres ou plus élevées que celles qui sont ou pourront être payées par les nationaux de l'État de résidence.

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

<sup>2</sup> L'échange des ratifications a eu lieu à Bangkok, le 1<sup>er</sup> octobre 1938.

The nationals of each 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 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. They shall also enjoy in this respect that degree of protection and security that is required by international law. Their property shall not be taken without due process of law or without payment of just compensation.

They shall be exempt in the territories of the other from compulsory military service 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.

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 and public exercise of their worship.

In all that relates to 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 in all respects on the same footing as the nationals of the most-favored nation. Furthermore, upon compliance with the provisions of local law, the nationals, including corporations, partnerships and associations of each of the High Contracting Parties, shall, in the territory of the other High Contracting Party, have the right to acquire, possess and dispose of every kind of movable property on the same terms as the nationals, including corporations, partnerships and associations, of such other Party.

In all that relates to the acquisition, possession and disposition of immovable property the nationals, including corporations, partnerships, associations and other legal entities of each High Contracting Party shall in the territory of the other High Contracting Party be subject exclusively to the applicable laws of the situs of such immovable property. The applicable laws of the situs of immovable property as herein used shall in reference to the nationals of Siam be understood and construed to mean the laws applicable to immovable property of the state, territory or possession of the United States of America in which such immovable property is situate ; and nothing herein shall be construed to change, affect or abrogate the laws applicable to immovable property of any state, territory or possession of the United States of America.

It is expressly agreed that nationals of the United States of America, including corporations, partnerships and associations, who are legal residents of or are organized under the laws of any state, territory or possession of the United States of America which accords to nationals of Siam the right to acquire, possess and dispose of immovable property, shall, in return, be accorded all the rights respecting immovable property in Siam which are or may hereafter be accorded to the nationals, including corporations, partnerships or associations of any other country, upon the principle of non-discriminatory treatment.

The nationals, including corporations and associations, of either High Contracting Party shall enjoy in the territories of the other Party, upon compliance with the conditions there imposed, most-favored-nation treatment in respect of the exploration for and exploitation of mineral resources; provided that neither Party shall be required to grant rights and privileges in respect of the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain, or in respect of the ownership of stock in domestic corporations engaged in such operations, greater than its nationals, corporations and associations receive from the other Party. It is understood, however, that neither High Contracting Party shall be required by anything in this paragraph to grant any application for any such right or privilege if at the time such application is presented the granting of all similar applications shall have been suspended or discontinued.

*Article 2.*

The dwellings, warehouses, manufactories, shops and other places of business and all other property of the nationals of each of the High Contracting Parties in the territories of the other, and all premises appertaining thereto used for any purposes set forth in Article 1 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 in conformity with the forms prescribed by the laws, ordinances and regulations for nationals of the State of residence.

*Article 3.*

The nationals of each of the High Contracting Parties, equally with those of the most-favored nation, 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.

Neither High Contracting Party shall establish or maintain prohibitions or restrictions on imports from or exports to the territories of the other Party which are not applied to the import and export of any like article originating in or destined for any other country. Any withdrawal of an import or export prohibition or restriction which is granted even temporarily by one of the High Contracting Parties in favor of any article originating in or destined for a third country shall be applied immediately and unconditionally to the like article originating in or destined for the territories of the other Party.

Nothing in this Treaty shall be construed to restrict the right of either High Contracting Party to impose, on such terms as it may see fit, measures prohibiting or restricting the exportation or importation of gold or silver, or measures for the prohibition or the control of the export, or sale for export, of arms, ammunition or implements of war, and, in exceptional circumstances, all other military supplies.

Nothing in this Treaty shall be construed to restrict the right of either High Contracting Party to impose, on such terms as it may see fit, subject to the principle of non-discriminatory treatment :

- (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 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 ;
- (2) 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 ;
- (3) Prohibitions or restrictions upon articles which, as regards production or trade, are or may hereafter be subject within the country to a monopoly exercised by or under the control of the State ;
- (4) Prohibitions or restrictions relating to prison-made goods, or imposed on moral or humanitarian grounds.

If either High Contracting Party establishes or maintains import or Customs quotas or other quantitative restrictions on the importation of any article in which the other High Contracting Party has an interest, or regulates the importation of any such article by means of licenses or permits, the High Contracting Party taking such action shall, upon request, inform the other High Contracting Party of the total quantity of any such article permitted to be imported and

shall allot to the other High Contracting Party a share of the total permissible imports of such article equivalent to the proportion of the total importation of such article which the other High Contracting Party supplied during a previous representative period, unless it is mutually agreed to dispense with such allotment.

If either High Contracting Party establishes or maintains directly or indirectly any form of control of the means of international payment it shall in this respect apply to the other High Contracting Party the most-favored-nation treatment.

*Article 4.*

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 rights ; they shall be at liberty, equally with nationals of the State of residence and with the nationals of the most-favored nation, to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts.

There shall be imposed upon the nationals of either of the High Contracting Parties no conditions or requirements in connection 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-favored nation.

*Article 5.*

Limited liability and other corporations and associations, whether or not for pecuniary profit, which have been or may hereafter be organized in accordance with and under the laws, National, State or Provincial, of either High Contracting Party and which maintain central offices within the territories thereof, shall have their juridical status recognized by the other High Contracting Party provided that they pursue no aims within its territories contrary to its laws. They shall enjoy free access to the Courts of Justice, on conforming to the laws regulating the matter, as well for the prosecution as for the defense of rights in all the degrees of jurisdiction established by law.

The right of corporations and associations of either High Contracting Party which have been so recognized by the other to establish themselves in the territories of the other Party or to establish branch offices and fulfil their functions therein shall depend upon and be governed solely by the consent of such Party as expressed in its National, State or Provincial laws.

*Article 6.*

The nationals and goods, products, wares and merchandise of each High Contracting Party within the territories of the other shall receive the same treatment as nationals and goods, products, wares and merchandise of the country with regard to internal taxes, transit duties, charges in respect to warehousing and other facilities and the amount of drawbacks.

*Article 7.*

No duties of tonnage, harbor, pilotage, lighthouse, quarantine or other similar or corresponding duties or charges of whatever nature or of 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 or territorial waters 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. 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. In no case shall the treatment accorded to the vessels and cargoes of one of the Parties be less favorable than that accorded to the vessels and cargoes of any third State.

*Article 8.*

Each of the High Contracting Parties binds itself, in all that pertains to the amount and collection of duties and other charges on or in connection with importation or exportation, and with respect to all rules and formalities in connection with importation and exportation, and with respect to all laws or regulations affecting the sale, taxation, or use of imported goods within the country, to grant to the nationals, vessels or goods of the other the advantage of every favor, privilege or immunity which it accords or may hereafter accord to the nationals, vessels or goods of any other State, regardless of whether such other State shall have been accorded such treatment gratuitously or in return for reciprocal compensatory treatment.

It is understood that the Customs tariffs applicable to articles, the produce or manufacture of either of the High Contracting Parties imported into the territories of the other, shall be regulated by the laws of the country of importation.

*Article 9.*

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

*Article 10.*

Merchant vessels and other privately owned vessels under the flag of either of the High Contracting Parties shall be permitted to discharge portions of cargoes at any port open to foreign commerce in the territories of the other High Contracting Party, and to proceed with the remaining portions of such cargoes to any other ports of the same territories open to foreign commerce, without paying other or higher tonnage dues or port charges in such cases than would be paid by national vessels in like circumstances, and they shall be permitted to load in like manner at different ports in the same voyage outward, provided, however, that the coasting trade of the High Contracting Parties is exempt from the provisions of this Article and from the other provisions of this Treaty, and is to be regulated according to the laws of each High Contracting Party in relation thereto. It is agreed, however, that nationals and vessels of either High Contracting Party shall within the territories of the other Party enjoy with respect to the coasting trade most-favored-nation treatment.

*Article 11.*

In all that concerns the entering, clearing, stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbors, 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-favored nation.

*Article 12.*

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 or place 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 in like circumstances. 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 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 coasts of the other, the local authorities shall give prompt notice of the occurrence to the nearest Consular Officer of the other Party.

Such stranded or wrecked ship or vessel and all parts thereof, and all equipment 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.

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 has occurred ; and such Consular Officer, 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 a 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 or by reason of any other distress, run aground or wrecked in the territories 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 request it, be permitted to interpose in order to afford appropriate assistance to the nationals of his State.

#### *Article 13.*

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 any other nation are accorded access ; and they shall submit to the same regulations and enjoy the same honors, advantages, privileges and exemptions as are now or may hereafter be conceded to the vessels of war of any other nation.

#### *Article 14.*

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 territories of the other where similar officers of any other Power 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 honors, privileges, exemptions and immunities of every kind which are, or may be, accorded to Consular Officers of the most-favored nation.

The Government of each High Contracting Party shall have the right to acquire and own land and buildings required for diplomatic or consular premises in the territories of the other High Contracting Party and also to erect buildings in such territories for the purposes stated, subject to local building regulations.

Lands and buildings situated in the territories of either High Contracting Party of which the other High Contracting Party is the rightful owner and which are used exclusively for governmental purposes by that owner shall be exempt from taxation of every kind, National, State,



Provincial and Municipal, other than assessments levied for services or local public improvements by which the premises are benefited.

*Article 15.*

In case of the death of a national of either High Contracting Party in the territory of the other without having in the locality 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 same. 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.

In case of the death of a national of either of the High Contracting Parties without will or testament and without any known heirs resident in the country of his decease, the Consular Officer of the country of which the deceased was a national shall be appointed administrator of the estate of the deceased, provided the regulations of his own Government permit such appointment and provided such appointment is not in conflict with local law and the tribunal having jurisdiction has no special reasons for appointing someone else.

Whenever a Consular Officer accepts the office of administrator of the estate of a deceased countryman, he subjects himself as such to the jurisdiction of the tribunal or other agency making the appointment for all necessary purposes to the same extent as a national of the country where he was appointed.

*Article 16.*

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 which are in force or which may be enacted in either of the two countries.

*Article 17.*

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

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

*Article 18.*

The present Treaty shall, from the date of its entry into force, be substituted for the Treaty<sup>1</sup> of Friendship, Commerce and Navigation between Siam and the United States of America signed at Washington on the 16th December 1920, and from this date the said Treaty of 1920 and all arrangements and agreements subsidiary thereto concluded or existing between the High Contracting Parties shall cease to be binding.

*Article 19.*

Subject to any limitation or exception hereinabove set forth, or hereafter to be agreed upon, the territories of the High Contracting Parties to which the provisions of this Treaty extend shall be understood to include all areas of land and water over which the Parties, respectively, exercise dominion as sovereign thereof, except the Panama Canal Zone.

*Article 20.*

The present Treaty shall enter into force in all of its provisions on the day of the exchange of ratifications and shall continue in force for the term of five years from that day.

If within one year before the expiration of five years from the day on which the present Treaty shall enter into force, neither High Contracting Party notifies to the other Party an intention of terminating the Treaty upon the expiration of the aforesaid period of five years, the Treaty shall remain in full force and effect after the aforesaid period and until one year from the day on which either of the High Contracting Parties shall have notified to the other Party an intention of terminating it.

It is clearly understood, however, that termination of the present Treaty as above provided for shall not have the effect of reviving any of the Treaties, Conventions, Arrangements, or Agreements abrogated by the present Treaty.

*Article 21.*

This Treaty shall be ratified, and the ratifications thereof shall be exchanged at Bangkok.

In witness whereof the undersigned Plenipotentiaries have hereunto signed their names and affixed their seals, this thirteenth day of the eighth month in the two thousand four hundred and eightieth year of the Buddhist Era, corresponding to the thirteenth day of November in the nineteen hundred and thirty-seventh year of the Christian Era.

(L. S.) Luang Pradist MANUDHARM.

(L. S.) Edwin L. NEVILLE.

Certified true copy.

Phya Rajawangsan,

*The Siamese Permanent Representative  
accredited to the League of Nations.*

<sup>1</sup> Vol. VI, page 291, of this Series.

## FINAL PROTOCOL.

At the moment of proceeding this day to the signature of the Treaty of Friendship, Commerce and Navigation between the Kingdom of Siam and the United States of America, the two Plenipotentiaries have adopted the present Protocol which will have the same validity as if the ratification thereof were inserted in the text of the Treaty to which it refers :

1. It is understood that in all matters for which national treatment is provided in this Treaty, the nationals of each of the High Contracting Parties shall not be treated by the other less favorably than the nationals of any other country.

2. It is understood that the provisions of Article 6 shall not be deemed to preclude either of the High Contracting Parties from charging differing rates of license fees for the sale of imported spirituous liquors and of spirituous liquors manufactured by or under license from the State.

3. It is understood that the provisions prescribing most-favored-nation treatment in this Treaty do not apply to any advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba, or to any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another, irrespective of any change in the political status of any of the territories or possessions of the United States of America.

4. It is understood that the payment of just compensation provided for in Article 1, paragraph 3, shall be determined by due process of law, without prejudice to redress, if any, according to international law.

5. It is understood that the most-favored-nation treatment in respect of the control of the means of international payment provided for in the last paragraph of Article 3 of this Treaty shall be applied unconditionally, and that such control shall be administered so as not to influence to the disadvantage of the other High Contracting Party the competitive relationships between articles originating in the territories of such Party and similar articles originating in third countries and so as not to impair the operation of any other provisions of this Treaty.

6. It is understood that in the application of the provisions of Article 7 Siam reserves the right to apply, in the matter of compulsory pilotage, the provisions of the Convention and Statute on the International Regime of Maritime Ports, signed at Geneva, December 9th, 1923<sup>1</sup>.

7. It is understood that Siam reserves her national fisheries, which shall continue to be regulated by her national laws.

In witness whereof the undersigned Plenipotentiaries have hereunto signed their names and affixed their seals, this thirteenth day of the eighth month in the two thousand four hundred and eightieth year of the Buddhist Era, corresponding to the thirteenth day of November in the nineteen hundred and thirty-seventh year of the Christian Era.

Certified true copy :

Phya Rajawangsan,

*The Siamese Permanent Representative  
accredited to the League of Nations.*

(L. S.) Luang Pradist MANUDHARM.

(L. S.) Edwin L. NEVILLE.

<sup>1</sup> Vol. LVIII, page 285 ; Vol. LXIX, page 102 ; Vol. LXXII, page 485 ; Vol. LXXXIII, page 416 ; Vol. CVII, page 491 ; Vol. CXVII, page 184 ; Vol. CXXII, page 349 ; Vol. CXLII, page 342 ; and Vol. CXLVII, page 332, of this Series.

## EXCHANGE OF NOTES.

MINISTRY  
OF FOREIGN AFFAIRS.

SARANROMYA PALACE, *November 13th, 1937.*

MONSIEUR LE MINISTRE,

In regard to sub-paragraph 3 of paragraph 4 of Article 3 of the Treaty signed by us today, we have reached the following agreement which is to remain in force during the life of the Treaty :

In the event of the establishment of a monopoly for the importation, production, or sale of a particular commodity by the Government or by a private individual or organization under authority of the Government, my Government agrees that in respect of the foreign purchases of such monopoly the commerce of your country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favourable terms.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency the assurance of my highest consideration.

(Signed) Luang Pradist MANUDHARM.

His Excellency  
Monsieur Edwin L. Neville,  
Envoy Extraordinary and Minister Plenipotentiary  
of the United States of America,  
Bangkok.

LEGATION  
OF THE UNITED STATES OF AMERICA.  
No. 15.

BANGKOK, *November 13th, 1937.*

EXCELLENCY,

I have the honour to confirm Your Excellency's note of November 13th, 1937, in which you state that in regard to sub-paragraph 3 of paragraph 4 of Article 3 of the Treaty signed by us today, we have reached the following agreement which is to remain in force during the life of the Treaty :

In the event of the establishment of a monopoly for the importation, production, or sale of a particular commodity by the Government or by a private individual or organization under authority of the Government, my Government agrees that in respect of the foreign purchases of such monopoly the commerce of your country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favorable terms.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(Sd.) Edwin L. NEVILLE,  
*American Minister.*

His Excellency  
Luang Pradist Manudharm,  
His Siamese Majesty's Minister  
of Foreign Affairs,  
Bangkok.

## RELATED NOTES.

MINISTRY  
OF FOREIGN AFFAIRS.

SARANROMYA PALACE, *November 13th, 1937.*

MONSIEUR LE MINISTRE,

Referring to Article 1 of the Treaty signed by us this day which provides among other things for the holding of real property in Siam by Americans, I have the honour to state that :

1. With respect to lands of which American nationals, partnerships, corporations, or associations are the rightful owners, whether or not they now possess papers of any kind, they may apply to have title papers issued in the regular way.

2. As to the lands held under lease from Government, the Siamese Government will not interrupt the possession by the missions as long as they continue to use the land for mission purposes.

3. It is understood that the Siamese Government is not identified with Wat administration, that is to say, the foregoing understanding must not be construed as a promise by the Government to interfere with lands held and claimed by religious authorities, whether Buddhists or of any other faith.

4. Of course, all mission lands are held subject to the exercise by the Siamese Government of the right of eminent domain.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency the assurance of my highest consideration.

(Signed) Luang Pradist MANUDHARM.

His Excellency  
Monsieur Edwin L. Neville,  
Envoy Extraordinary and Minister Plenipotentiary  
of the United States of America,  
Bangkok.

LEGATION  
OF THE UNITED STATES OF AMERICA.

No. 14.

BANGKOK, *November 13th, 1937.*

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of November 13th, 1937, in regard to Article 1 of the Treaty signed by us this day which provides among other things for the holding of real property in Siam by Americans, and to confirm that :

1. With respect to lands of which American nationals, partnerships, corporations, or associations are the rightful owners, whether or not they now possess papers of any kind, they may apply to have title papers issued in the regular way.

2. As to the lands held under lease from Government, the Siamese Government will not interrupt the possession by the missions as long as they continue to use the land for mission purposes.

3. It is understood that the Siamese Government is not identified with Wat administration ; that is to say, the foregoing understanding must not be construed as a promise by the Government to interfere with lands held and claimed by religious authorities, whether Buddhists or of any other faith.

4. All mission lands are held subject to the exercise by the Siamese Government of the right of eminent domain.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(*Sd.*) Edwin L. NEVILLE,  
*American Minister.*

His Excellency  
Luang Pradist Manudharm,  
His Siamese Majesty's Minister  
of Foreign Affairs,  
Bangkok.

MINISTRY  
OF FOREIGN AFFAIRS.

SARANROMYA PALACE, *November 13th, 1937.*

MONSIEUR LE MINISTRE,

With reference to Article 1 of the Treaty of Friendship, Commerce and Navigation between Siam and the United States of America, signed this day, I have the honour to inform Your Excellency that it is the intention of the Siamese Government to grant to foreigners the right to acquire immovable property necessary for residential, commercial, industrial, religious and charitable purposes as well as for use as cemeteries, while the acquisition of lands of the public domain will be reserved for the subjects of Siam without prejudice however to the rights already acquired according to the laws and regulations at the coming into force of the new Treaty.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency the assurance of my highest consideration.

(*Signed*) Luang Pradist MANUDHARM.

His Excellency  
Monsieur Edwin L. Neville,  
Envoy Extraordinary and Minister Plenipotentiary  
of the United States of America,  
Bangkok.

LEGATION  
OF THE UNITED STATES OF AMERICA.

No. 16.

BANGKOK, *November 13th, 1937.*

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of November 13th, 1937, in which you were good enough to inform me that, with reference to Article 1 of the Treaty

of Friendship, Commerce and Navigation between the United States of America and Siam, signed this day, it is the intention of the Siamese Government to grant to foreigners the right to acquire immovable property necessary for residential, commercial, industrial, religious and charitable purposes as well as for use as cemeteries, while the acquisition of lands of the public domain will be reserved for the subjects of Siam without prejudice however to the rights already acquired according to the laws and regulations at the coming into force of the new Treaty.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(*Sd.*) Edwin L. NEVILLE,  
*American Minister.*

His Excellency  
Luang Pradist Manudharm,  
His Siamese Majesty's Minister  
of Foreign Affairs,  
Bangkok.

Certified to be true and complete textual copies of the original Treaty, Final Protocol and Exchanges of Notes in the sole language in which they were signed.

For the Secretary of State  
of the United States of America :

Edward Yardley,  
*Chief Clerk and Administrative Assistant.*