

les lois et réglemens réciproquement en vigueur, ne 1828
seraient, en désertant que rentrer dans leur pays natal.

b. Les individus, qui, bien que nés dans l'Etat qu'ils quittent, auraient établi leur domicile dans celui, où ils se sont retirés, selon les lois et réglemens, qui à cet égard y sont en vigueur.

c. Les individus, qui, soit avant, soit après leur désertion se sont rendus coupables d'un crime ou délit quelconque, à raison duquel il y a lieu de les traduire en justice devant les tribunaux du pays, où ils résident.

Néanmoins en ce cas l'extradition aura lieu après que le déserteur aura été acquitté, ou aura subi sa peine.

Les engagemens civils, qu'un déserteur pourrait avoir contractés dans l'Etat de l'autre souverain, ne pourront dans aucun cas motiver le refus de son extradition.

En foi de quoi la présente déclaration, qui sera échangée contre un acte correspondant du Gouvernement prussien a été signée par moi, Ministre des affaires étrangères de Sa Majesté le roi des Pays-Bas, et muni du sceau de l'Etat.

Fait à La Haye le 5 juillet 1828.

(Signé) VERSTOLK DE SOELEN.

Le Ministre des affaires étrangères certifie que la déclaration précitée a été échangée contre une déclaration de la même teneur, délivrée par le Ministère d'Etat de S. M. le roi de Prusse, le 10 juin 1828.

VERSTOLK DE SOELEN.

128.

Traité de paix entre la république de Bolivia et la république de Pérou, signé à Piquisa le 6 Juillet 1828.

(The Times 1828. Decbr. 4. Nr. 13, 767.)

In the town of Piquisa, on the 6th day of July 1828, the commissioners met for the purpose of making a

1828 preliminary treaty of peace between his Excellency José Maria Perez de Urdininea, General-in-chief of the Bolivian army and intrusted with the command of the republic, and Don Agustin Gamarra, General of division of the armies of Peru and General-in-chief of that of the South, -viz., on behalf of the first named Messrs Miguel Maria Aguirre, Minister of finance, José Miguel Velasco, Prefect-General of the department of Chuquisaca, and Dr. Miguel del Carpio as secretary; and on behalf of the last named Don Juan Agustin Lira, first aide-de-camp of the staff, lieutenant-colonel and aide-de-camp Don Juan Bautista Arguedas and captain Don José Maria Lopez, as secretary, reciprocally exchanged their respective powers, and it appearing from them that they were properly authorized to compile the articles to serve as a basis for the present negociation, they entered into a serious and deliberate conference upon the interests of the two republics, and the motives that had caused the march of the Peruvian army upon the territory of Bolivia; and mutually desirous of establishing a solid and lasting peace, of strengthening the relations of both states by the bonds of a sincere friendship and of removing the causes which have led to the hostile demonstrations, that have taken place on both sides, mutually agreed to the following articles: —

ART. I. In the space of 15 days from the ratification of these treaties by the Generals-in-chief of the belligerent armies, all Colombians and other foreigners in the army of Bolivia shall begin to evacuate the territory of the Bolivian republic.

ART. II. From the foregoing article are excepted all subalterns, from captains inclusive downwards, who will be suffered to remain in the republic provided they leave the army, until a president be appointed, who may, if he please, recall them to the service.

ART. III. The Generals, chiefs and officers, who agreeably to Article I, are to leave the territory of Bolivia, may return to the said republic as soon as the national assembly is installed, and during their absence they shall receive half-pay from the funds

of the said republic, until the President appointed 1828 shall determine whether they are to continue in the service and receive their pay. Those mentioned in Article II. shall also receive half-pay under the same conditions as stipulated in this Article.

ART. IV. The squadrons of grenadiers and hus-sars of Columbia, now in this said republic, shall commence their march for their own country by the route which, as far as Arica the General-in-chief of the Peruvian army may point out for them, and the said General shall also undertake to provide the necessary shipping for their transport, and the General-in-chief of the Bolivian army shall undertake to indemnify the Peruvian republic for the expenses thereof.

ART. V. The day following the ratification of these treaties the General-in-chief of the Bolivian army shall issue a decree, to assemble on the 1st of August next, the constituent congress, not now sitting, and which shall meet in the city of Chuquisaca, to consider, firstly, the propriety of receiving the message and admitting the proffered resignation of the Grand Marshall of Ayacucho, Antonio José de Sucre; secondly, of nominating a provisional government; and thirdly, of immediately convoking with all possible despatch a national assembly, which shall revise, modify, or declare efficient the existing constitution.

ART. VI. This national assembly shall, in preference to all other matters, occupy itself in electing and appointing a person to exercise the functions of President of the state, and in fixing the day on which the Peruvian army shall begin to evacuate the territory of the republic.

ART. VII. The Peruvian army shall occupy the department of Potosi till the day of the meeting of the Constituent Congress, on which it shall commence its march for la Paz and Oruro, through the department of Cochabamba and on its march, shall be provided with the necessary provisions.

ART. VIII. The National Assembly, after fulfilling the objects specified in Art. VI. shall suspend its

1828 sessions, and re-commence them as soon as the Peruvian army shall have re-passed the Desaguadero.

ART. IX. The Bolivian army shall occupy the departments of Chuquisaca, Cochabamba, Santa Cruz, Tarija, and Potosi, on the day following that on which they are evacuated by the army of Peru. The revenues received therein during the stay of the Peruvian army, and likewise those of the Oruro and la Paz shall, after deducting the pay of the said army, be ceded to the former.

ART. X. The supreme Government of both republics shall settle the charges to be demanded on both sides from the time the Peruvian army passed the Desaguadero.

ART. XI. The republics of Peru and Bolivia shall strengthen their relations by diplomatic agents as soon as the army has evacuated the Bolivian territory.

ART. XII. The republics of Peru and Bolivia shall not be able to form friendly relations with the empire of the Brazils, until the said empire has made peace with the Argentine republic.

ART. XIII. All persons belonging to either republic and enrolled in the opposite army, shall be immediately delivered up, provided the Bolivians remain in their own country and the Peruvians return to theirs, this being left to their own choice. The Colombian soldiers in both armies are included and neither party shall be able to claim deserters.

ART. XIV. No Bolivian shall be molested directly or indirectly on account of the way he may have voted under the present circumstances; but such persons shall be preferred according to their abilities and the services they have performed.

ART. XV. The contracting parties shall be responsible for any act of hostility committed by either army after the ratification of these treaties.

ART. XVI. Two chiefs shall be given as hostages for the fulfilment of these treaties, and the same shall be chosen by the contracting Generals.

ART. XVII. These treaties shall be ratified or rejected in the space of 24 hours; and, in case of

their disapproval or non-ratification, hostilities shall 1828 recommence in 12 hours.

In these terms the present stipulation was agreed to and concluded at eight o'clock p. M. of the day, Month and Year first above-written, and two copies thereof were signed by the aforesaid commissioners, as we, the undersigned secretaries do hereby certify.

MIGUEL MARIA DE AGUIRRE, *General.*

MIGUEL DEL CARPIO, *Secretary.*

JUAN BAUTISTA ARGUEDAS.

JOSE MARIA LOPEZ, *Secretary.*

Lieutenant-Colonels Don Juan Agustin Lira and Don Juan Bautista Arguedas, accompanied by Captain Don Jose Maria Lopez, having presented themselves on the 7th day of July, 1828, at the head-quarters at Cipero, before Don Agustin Gamarra, General-in-chief of the Peruvian army, to render account of the commission intrusted to their care, by which they were instructed to meet the Bolivian legation, for the purpose of agreeing upon a treaty of peace between the two now belligerent armies, and delivered to him the treaties entered into by the aforesaid commissioners, and signed by the contracting parties at eight o'clock p. M. of yesterday, the said General Gamarra declared that he signed, approved and ratified in the most solemn manner, every thing stipulated by the aforesaid commissioners, with this sole exception — viz., "That the hostages to be given for the fulfilment of this capitulation shall be appointed by their respective Generals, and not chosen by either party;" and with this sole and trifling modification, which will not, it is considered, affect in any way the substance of the other articles agreed upon, his Excellency promises to observe, keep and religiously fulfil all that is stipulated in the said treaties; and further promises, in the name of his Government, and by virtue of the authority granted to him for that purpose, that these treaties of peace and friendship between the republics of Peru and Bolivia shall be caused to be kept, fulfilled and executed by the national arms, conformable to the custom of war. In witness

1828 whereof the said General Gamarra agreed to and signed the same at nine o'clock a. M. of the above written day, month and year, as I, the undersigned secretary of war, do hereby certify.

AGUSTIN GAMARRA.

By order of His Excellency, Dr. Jose Maria de la Cuba, this a true copy.

129.

Déclaration du ministère Prussien du 13 Juillet 1828 concernant un arrangement avec la ville libre de Hambourg pour la protection des droits des auteurs et des libraires contre la contrefaçon.

(Gesetzsammlung für die Königlichen Preussischen Staaten 1828. Nr. 14. pag. 91).

Das Königlich-Preussische Ministerium der auswärtigen Angelegenheiten erklärt hierdurch, in Gemäßheit der von Seiner Königlichen Majestät ihm erteilten Ermächtigung:

nachdem von dem Senate der freien Hansestadt Hamburg die Zusicherung erteilt worden ist, daß vorläufig, und bis es in Gemäßheit des Artikels 18 der Deutschen Bundesakte zu einem gemeinsamen Beschlusse zur Sicherstellung der Rechte der Schriftsteller und Verleger wider den Bücher-Nachdruck kommen wird, eine besondere Verordnung, durch welche der Bücher-Nachdruck und dessen Verbreitung bei Strafe der Konfiskation und einer namhaften Geldbusse in der Stadt Hamburg gänzlich verboten wird, erlassen worden, und diese Verordnung in ganz gleichen Maasse auf die Verlagsartikel der Schriftsteller und Verleger in den Königlich-Preussischen Staaten Anwendung finden soll;