DENMARK.

ARBITRATION TREATIES CONCLUDED BY DENMARK WITH RUSSIA, GREAT BRITAIN, SPAIN, AND ITALY.

Minister Swenson to the Secretary of State.

No. 362.]

AMERICAN LEGATION,

Copenhagen, March 30, 1905.

Sir: I transmit herewith for your information a copy of an arbitration treaty concluded at St. Petersburg between Denmark and Russia under date of the 1st instant.

The Danish Rigsdag gave its required sanction to the instrument yesterday, no opposition manifesting itself; and the ratifications will shortly be exchanged at St. Petersburg.

I have, etc.,

Laurits S. Swenson.

[Inclosure.—Translation.]

CONVENTION.

His Majesty the King of Denmark and His Majesty the Emperor of all the Russias, signatories of the convention for the pacific settlement of international disputes, concluded at The Hague on the 29th of July, 1899, desiring, pursuant to the principles set forth in articles 15–19 of the said convention, to enter into negotiations for the conclusion of a compulsory arbitration convention, have named as their plenipotentiaries: His Majesty the King of Denmark; Mr. Paul Ludvig Ernst de Lovenorn, His Majesty’s chamberlain and envoy extraordinary and minister plenipotentiary to the Imperial Russian Court; and His Majesty the Emperor of all the Russias; His Excellency Count Lansdorff, His Majesty’s secretary of state, actual privy counselor and minister for foreign affairs, who after having delivered to each other their full powers, which were found to be in good and proper form, have agreed upon the following articles:

ARTICLE 1.

The high contracting parties bind themselves to submit to the permanent court of arbitration established at The Hague by the convention of the 29th July, 1899, those differences that may arise between them in so far as they do not concern the independence of the countries concerned or their vital interests or the exercise of their sovereignty and in so far as it has not been possible to reach an amicable settlement through direct diplomatic negotiations.

ARTICLE 2.

Each party determines the question to what extent the controversy arisen concerns its independence, its vital interests, or the exercise of its sovereignty which, in consequence of its character, belongs to those which, in consequence of the foregoing articles, are excepted from the obligation of arbitration.

ARTICLE 3.

The high contracting parties bind themselves not to maintain exceptions with reference to the foregoing article in the following cases:

1. Cases of differences relating to the interpretation or application of any agreement which is concluded or shall be concluded between the high contracting parties, and which concern:
   a. Subjects of international private right;
b. The regulation of those associations of commerce and industry which are lawfully organized in one of the countries;
c. Questions of the civil or the criminal procedure and relative to extradition.

2. In cases of differences concerning pecuniary claims when the obligation to pay an indemnity, or any other payment, is acknowledged in principle by the parties.

**Article 4.**

The present convention is applicable, although the questions in dispute that may arise may have their origin in facts that antedate its conclusion.

**Article 5.**

It is understood that the foregoing articles are not applicable to such differences between subjects of the two contracting states or between a subject of one of these states and the other state, which the courts of the respective states, in accordance with their laws, may be competent to adjudicate.

**Article 6.**

When there is occasion for an arbitration between them, the high contracting parties will, in case there be no compromising exceptions to the contrary, as regards the designation of arbitrators and the procedure of arbitration, conduct themselves according to those stipulations which are established at The Hague by the convention of the 29th July, 1899, relative to the pacific settlement of international disputes with the exception of what concerns the points set forth hereafter.

**Article 7.**

None of the arbitrators can be subjects of those states which are signatories to the present convention or have a residence in their territory. They may not have any interests in those questions which may be the subject of arbitration.

**Article 8.**

If occasion, therefore, should arise, the decision of arbitration shall contain a statement of the periods of time within which it shall be carried out.

**Article 9.**

The compromise provided for in article 31 of the convention of July 29 shall fix a period within which the exchange of the memoranda and documents which bear on the object of the dispute shall take place. This exchange shall in every case be concluded before the beginning of the meetings of the arbitral tribunal.

These stipulations in no way affect what is determined by The Hague convention with reference to the phase of the arbitration procedure (article 39), particularly the stipulations in articles 43-49.

**Article 10.**

The present convention shall continue in force for ten years from the date of the exchange of ratifications. In case neither of the high contracting parties shall, within this period, have declared its intention to terminate its operation, the convention shall continue in force until the expiration of one year from the day when one or the other of the high contracting parties shall have denounced it.

**Article 11.**

The present convention shall be ratified at the earliest possible date, and the ratifications shall be exchanged at St. Petersburg at the latest, the 14/1 April, 1905.

In witness whereof the plenipotentiaries have subscribed the present convention and affixed their seals thereto.

Done as St. Petersburg, the 1st day of March, the 16th day of February, 1905.

P. LOVENVORN.
COUNT LAMSDORFF.
Chargé Lorillard to the Secretary of State.

No. 46.]  

American Legation,  
Copenhagen, November 25, 1905.

Sir: I have the honor to inform the Department that a treaty of arbitration between Denmark and Great Britain was signed on the 25th ultimo at the foreign office in London, by Baron Bille, the Danish minister to Great Britain, and the Marquess of Lansdowne.

It is impossible to secure a copy of this treaty here, but I have been informed by a prominent official of the ministry of foreign affairs here that its terms are identical with those of a like treaty between Great Britain and France, signed October 14, 1903. a

I have, etc.,

George L. Lorillard.

Chargé Lorillard to the Secretary of State.

No. 54.]  

American Legation,  
Copenhagen, December 8, 1905.

Sir: I have the honor to inform the Department that a general treaty of arbitration between Denmark and Spain was signed at Madrid on the 1st instant.

The text of this treaty has not yet been made public. The minister of foreign affairs was kind enough to tell me, however, that it is identical with that of the Anglo-Danish, reported in my dispatch No. 46, of the 25th ultimo, the Anglo-French, and the Anglo-Italian arbitration treaties.

*  *  *  *  *  *  *  *

I have, etc.,  

George L. Lorillard.

Chargé Lorillard to the Secretary of State.

No. 59.]  

American Legation,  
Copenhagen, December 19, 1905.

Sir: I have the honor to report that a general treaty of arbitration between Denmark and Italy was signed on the 14th instant at Rome.

While the text of the treaty has not yet been made public, I am in a position to state that by its terms all differences which may occur between the two countries are to be referred to the Permanent Court of Arbitration at The Hague for final settlement.

I have, etc.,

George L. Lorillard.

a Printed in Foreign Relations, 1904, page 9.
NEUTRALITY OF DENMARK IN THE WAR BETWEEN RUSSIA AND JAPAN.

Minister Swenson to the Secretary of State.

No. 364.] AMERICAN LEGATION,

Copenhagen, May 13, 1905.

Sir: The Japanese Government has addressed protests to that of Denmark for allowing Russian ships to coal in Danish territorial waters, and for permitting Russian officials to employ Danish pilots to take these vessels through such waters, contending that said acts constitute a breach of Denmark’s neutrality.

A complaint of this nature was lodged with the foreign office some time after the first division of the Baltic fleet passed into the North Sea on its way to the scene of war. It was accompanied by a warning against extending similar hospitalities to subsequent detachments of the Russian fleet. In its reply, the Danish Government did not deny the facts set forth in the complaint, except as to alleged coaling at Frederiksdal Harbor, but it asserted that they were in accordance with its established practice in similar cases, and that they were not inconsistent with the proclamation of neutrality which it had communicated to the Japanese Government at the beginning of the war. It did not admit that its neutrality had been infringed; but insisted, on the contrary, that it had scrupulously maintained its obligations as a neutral, and intended to do so in the future. It is to be observed that the coaling in question had taken place in the so-called Langeland Belt—one of the narrow passages between the islands—and not in any Danish harbor. Only one of the colliers was a Danish vessel, which had been supplied with coal at Kiel, Germany.

The Japanese Government did not seem to be satisfied with the reply to its note; for when a second squadron of Russian warships bound for the East was given the same privileges by Denmark as the first, the protest was repeated and Japan reserved the right to take such measures as it may find necessary to protect its interests in the matter. It is not true, as has been published, that the Japanese Government has presented a claim for indemnity in connection with the grievances above.

* * * * * * *

I have, etc.,

Laurits S. Swenson

ELECTION OF PRINCE CHARLES OF DENMARK AS KING OF NORWAY.

Minister O’Brien to the Secretary of State.

[Telegram.]

AMERICAN LEGATION,

Copenhagen, November 20, 1905.

Prince Charles accepts crown of Norway with consent of King of Denmark. Leaves Thursday for Christiana.

O’Brien.
FOREIGN RELATIONS.

President Roosevelt to the King Elect of Norway.

[Telegram.]

WASHINGTON, November 20, 1905.

I felicitate Your Majesty on being chosen by the Norwegian people to succeed to the throne of Haakon and Olaf—of Harold and Sgurd.

THEODORE ROOSEVELT.

Minister O'Brien to the Secretary of State.

No. 39.] AMERICAN LEGATION, Copenhagen, November 21, 1905.

Sir: I wired you yesterday as follows: [Printed ante.]

I ventured to cable this advice in order that the President, if he saw fit, might send congratulations, and in order that you might arrange to have our government represented at the inaugural ceremonies, which will take place on the arrival of the King and are intended to be rather elaborate.

The Norwegian representatives have been very anxious that the United States should be represented, and I am informed that our minister at Stockholm, Colonel Graves, has already been designated for that purpose.

The ceremony took place at the Amalienborg Castle and was considered as an event of very uncommon importance.

There were present in the throne room the ministers of state of Denmark and prominent officers of the army and navy, the diplomatic corps with their wives, the wives of the ministers of state, and the ladies in waiting upon the several royal ladies who were present.

The King, it is said, consented with a good deal of hesitation and reluctance to the election of his grandson, Prince Charles, and this knowledge, together with his great age and necessary infirmity, made the scene a rather solemn and affecting one.

I beg to inclose a translation of the speech made by King Christian IX to the deputation from Norway.

I have, etc.,

T. J. O'BRIEN.

Inclosure.—Translation.

NORWEGIAN REPRESENTATIVES, NOwEGIAN MEN: It is a great pleasure to us to meet the wishes of the Norwegian people by accepting the old royal crown of Norway for our dear grandson, Prince Charles, and we sincerely hope and believe that the Norwegian people together with him, will have a glorious future before them.

The young King does not come to Norway as a stranger, for he is akin to the former Norwegian kings; nor will the Kingdom of Norway be a foreign country to him, for throughout the country he will meet with common memories of the history of the realm and of those of his kindred.

It is our hope that the ties which already unite the young King and his Queen with the old country and people will be strengthened by mutual cooperation between the King and the people for the happiness and prosperity of the old country, and it is our firm belief that this will be a means of promoting not only the prosperity of the Norwegian people, but also that of its kinsmen.

We pray the Almighty God that this step may lead to happiness and bliss for the whole north and that fraternity, peace, and friendship will increase between the Scandinavian nations. We are fully convinced that our whole house and the Danish nation are joining us in this wish.
By this we recommend you to the mercy of God, and beg you to accept our heartiest greetings for the Norwegian people which you represent here.

But to you, my dear grandchildren, I address myself with the wish that God will grant you strength and energy to serve your country and people with fidelity and rectitude; then you will be sure of winning the affection of your people and feel yourselves as Norwegians foremost in the work for the happiness and future of your country.

You, my dear grandson, have served your native country and your King with fidelity, and therefore I am sure that you will embrace your new and responsible task with an earnest desire of fulfilling your responsible position. Your father and mother, your whole kindred, the Danish people, and I, your old King and grandfather, entertain the warmest feelings for you at this solemn moment.

Leave with God, my dear grandchildren, the country and the kindred that has fostered you, and go to the country and people that has called you, and take your old King's blessing for yourselves, your kindred, and your doings with you forever.

God be with you.

Minister O'Brien to the Secretary of State.

No. 42.]

American Legation,
Copenhagen, November 22, 1905.

Sir: Last evening the members of the diplomatic corps were invited to an audience with the newly-elected King Haakon VII to take place at his apartments at 11.30 this morning. I was present, along with Mr. Lorillard, secretary of the legation.

Although I had received no word from the Department, I took the liberty of congratulating the King upon his accession, both on my own behalf and on behalf of our government. He replied in suitable words and asked that I convey to my government his sincere thanks. I learned afterwards that the President had already cabled to the King direct.

This message I have obtained and the following is a translation, which I give you by way of verification:

I felicitate Your Majesty on being chosen by the Norwegian people to succeed to the throne of Haakon and Olaf—of Harold and Sigurd.

Of course a large number of telegrams were received, but the foregoing was the only one printed in the Danish papers. It was at once sent forward to Christiania and was printed there last evening—the only one which appeared.

I have, etc.

T. J. O'Brien.

The Secretary of State to Chargé Lorillard.

No. 13.]

Department of State,
Washington, December 8, 1905.

Sir: I have to acknowledge the receipt of Mr. O'Brien's despatch No. 39 of the 21st ultimo, confirming his telegram of the preceding day, announcing Prince Charles's acceptance of the crown of Norway, and transmitting a translation of the speech made by King Christian IX to the deputation from Norway.

While circumstances made it impracticable for Minister Graves to be at Christiania at the time of King Haakon's arrival, he has been instructed to make a ceremonial visit to the Norwegian capital at an early day.

I am, etc.

Elihu Root.