SWEDEN AND NORWAY.

No. 999.

Mr. Magee to Mr. Bayard.

[Extract.]

No. 110.] LEGATION OF THE UNITED STATES,
Stockholm, January 16, 1888. (Received February 1.)

SIR: On last Friday, the 13th instant, the board of trade for Sweden issued a decree forbidding the importation of American pork into this Kingdom, except that the same be well salted and cured.

I have no information on the subject, but I presume that the board of trade for Norway has or will issue a similar decree.

The issuance of this decree is the result of information received at the foreign department from the Swedish-Norwegian minister at Washington that American pork is infected with contagious disease.

Such a disease, or a disease of an infectious character, has prevailed among swine herds in the two kingdoms for some time and the board is taking very active measures to stamp it out.

I have, etc.,

RUFUS MAGEE.

No. 1000.

Mr. Bayard to Mr. Magee.

No. 64.] DEPARTMENT OF STATE,
Washington, February 4, 1888.

SIR: I have to acknowledge the receipt of your No. 110, of the 16th ultimo, informing the Department that on the 13th ultimo the board of trade of Sweden issued a decree prohibiting the importation of American pork into that Kingdom, unless it be well salted and cured, and that you presume that the board of trade of Norway will issue, if it has not already done so, a similar decree.

If, as you suggest, this action has been taken in consequence of information officially received at the foreign office from the Swedish and Norwegian minister here of the diseased character of American pork, and as the measure seems to arise from an attempt of the Swedish Government to stamp out the disease among swine, admitted to exist in Sweden, and as the enforcement of it is not unduly harsh and does not touch our well salted and cured pork it is not believed that any remonstrance can at present be made against this new decree.

You will see, however, by Mr. Pendleton's No. 546,* a copy of which I inclose you, that the German Government has prohibited the importation of Danish, Swedish, and Norwegian pork into Germany, and that there is ground for supposing that Mr. Anderson's intimation in his No. 168,† a copy of which I likewise inclose, that Germany is using pressure on Norway to exclude American pork, is well founded. You will therefore bear this in mind and keep a vigilant watch on any such possible indirect attempts to injure one of our great exports, using your best endeavors in judicious and likely ways to neutralize such designs.

I send you a number of Congressional documents on this question for your further information, and shall always be glad to have any observations or opinions of your own on this important subject.

I am, etc.,

T. F. BAYARD.

No. 1001.

Mr. Magee to Mr. Bayard.

[Extract.]

No. 112.] LEGATION OF THE UNITED STATES,
Stockholm, February 8, 1888. (Received February 25.)

SIR: A new ministry for this Kingdom went into office to-day. The question which has so long disturbed the serenity of political affairs in this country has been temporarily, at least, settled by the formation of a coalition cabinet. Out of the ten ministers forming the council of state, six of the old ministry are retained.

The new ministers are, the prime minister, the ministers of justice, finance, and churches and schools. These four are protectionists.

This result has not been arrived at without infinite trouble, the main cause being the difficulty to find a person suitable for prime minister. Finally Mr. Bildt, the riksmarshal of the Kingdom, and formerly Sweden's envoy at Berlin, accepted the post. He is a man of capacity, but has reluctantly assumed the duties of the most responsible position in the Government.

The Liberals are of the opinion that it is not possible for a ministry constituted as is the present one to remain in harmony very long, and the Conservatives are not very sanguine of its long duration.

There is no doubt but that a protective policy will be adopted by the present Diet, but in a modified form as compared to what was first proposed. There are already express fears that any considerable tariff charges laid on breadstuffs might cause in Stockholm and other large places demonstrations on the part of the working classes that might result in unpleasant consequences. The rate of wages enables the working people to barely exist, and they do not contemplate the enhancement in price of food supplies without showing very strong signs of discontent.

The new ministry will not have the support of the people, not even their sympathy, in any measure it may bring forward changing the long-established policy of this Kingdom in reference to tariff taxes.

Any electoral appeal to the constituencies would result in the return of a Liberal majority in the Riksdag, and this the new ministry well

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* For inclosure 1, see Doc. No. 433, *ante*, p. 585.
† For inclosure 2, see Doc. No. 326, *ante*., p. 478.

know. This perhaps will tend to make their policy more conservative than it might otherwise be. A few weeks will determine the matter.

The King goes to Norway on the 15th, where he has the same question of new cabinet. There is a very determined opposition to the present ministry of that country, at least a part of it, although the King regards the ones against whom the clamor is the loudest as his firmest supporters. He will, however, yield, as he has done in this Kingdom, and a new ministry in Norway with more liberal tendencies will be the result.

I am, etc.,

RUFUS MAGEE.

No. 1002.

Mr. Magee to Mr. Bayard.

No. 114.] LEGATION OF THE UNITED STATES,
Stockholm, February 11, 1888. (Received February 27.)

SIR: In response to your circular dispatch under date of January 24 ultimo, I have the honor to report that I have addressed the department here requesting the publications relating to railways, and have supplemented the request by adding a number of interrogatories, with a view of eliciting additional information on the same subject.

I have personal knowledge of the construction of a part of a line of railway in this Kingdom the past year that is not without some interest from the fact that it is the most northern railway in the world.

A few years ago a company was organized, ostensibly English, to build a line of road commencing at a town named Luleå, on the north coast of the Bay of Bothnia; thence in a northwest direcion to Oföten, at the head of the West Fjörd on the Norwegian coast, in latitude 68° 50′ north.

The distance from Luleå to Oföten is about 300 English miles. At first quite an opposition was manifested against granting a charter to the company, it being charged that the enterprise was a Russian one, and by this means Russia could gain her long-desired wish of an outlet to the North Sea. Ultimately, however, the concession was granted, and the work has been under progress for two years. Dutch capitalists furnish the money while English enterprise is in control of the work. Seventy-two English miles are now finished. The formal opening of the line will take place in June of this year, to which ceremony I am invited.

The object of this road is to convey to the sea-board the iron ore found in the interior of the country and heretofore practically inaccessible. This ore is the richest in the Kingdom, running as high as 75 per cent., and it is expected a very great market will be created for it, especially in Germany, as its nearness, cheapness, and richness of quality will be potent factors in its contest with the Spanish ores, which are at present used in Germany.

The port at Oföten is open all winter, and vessels of the largest size can enter the West Fjörd. The Baltic ports are, however, closed after October, and remain so until the last of May.

Notwithstanding the extreme degree of cold in that latitude (the railway crosses the Arctic circle), I am informed men can work in the mines and forests without much discomfort, and that no difficulty is experienced in procuring laborers.

No. 1003.

Mr. Magee to Mr. Bayard.

No. 116.] LEGATION OF THE UNITED STATES,
Stockholm, March 6, 1888. (Received March 20.)

SIR: By my number 115, under date of the 15th of February, I had the honor to give you a brief résumé of the amounts in tons of the importation of nine leading articles into this Kingdom for the year 1886. Also the amount in tons of the direct exportation in iron from the Kingdom to ports in the United States, as well as the number of emigrants embarking from Swedish localities for the United States for the same period.

At present this trade is carried almost exclusively in English, or ships of nationalities other than of the two countries. This is perhaps caused from the fact that the Swedes have not the capital to invest in an ocean steam-ship line, while Americans have not the privilege. I am, however, impressed with the opinion that if the carrying trade between the two countries was controlled by either or both conjointly there could be a very material increase in the volume, and in this belief I am supported by the results of the increased exportation and importation with Denmark and Norway since the establishment of the Thingvalla line, the only direct line connecting New York with Scandinavian ports.

If American capitalists could be induced to invest money in such an enterprise, I am satisfied that satisfactory returns would result to them. The outward cargoes from here are assured in the two items of emigration and iron, while the statement I have given you showing the amount of freight in tons would furnish return cargoes. The advantage in such a line would be in the fact that no transshipment would have to be made, as is now the case.

Sweden is a large consumer of foreign manufactured articles, as well as of meats and breadstuffs, and there is some partiality shown for those of American manufacture and produce. Some enterprise on the part of those engaged in trade in the United States—some effort to increase it in this country—could not otherwise than be attended with satisfactory results. As a rule the Swedish buyer is responsible, and the American seller would run no extraordinary risk in giving the usual credit. Such a policy would likewise enlarge the field for the American producer in a country where a return for his products would be attended with reasonable safety and profit.

The United States should furnish the people of this Kingdom with breadstuffs, meats, etc., consumed over and above the amount produced in the country, as the products from America are as cheap in price and superior in quality to those of Germany or Russia, from whence at present large quantities of breadstuffs are purchased.

I am not inclined to attach much importance to the effect of the recent action of the Diet in placing a tariff on these articles. It will not become the settled policy of the country, and already there is much vehement opposition to the new ordinance. The popular sentiment of the country is against the present ministerial policy, and upon the reelection of members to the Diet the Liberals or free-trade party will come into power. The present tariff may, however, affect somewhat the amount of imports of these articles, but the American seller is no more affected by it than his German or Russian competitor. There is no reciprocity in German or Russian trade; the United States and Eng-

land are Sweden's largest customers. Hence the former country should furnish the great bulk of grain and meats, and might become a good competitor of England in all industrial branches.

A line of direct steam communication would be a valuable factor in producing this result. The proposition needs no elaboration of argument, but it is of such importance that I have thought it best to call your attention to the subject. My investigation of the trade condition in this Kingdom has satisfied me that here is a new field, comparatively, for the American manufacturer who desires to increase his trade, a field not limited to a few articles, but including almost all which enter into the domestic economy,

I have, etc.,

RUFUS MAGEE.

No. 1004.

Mr. Magee to Mr. Bayard.

[Extract.]

No. 117.] LEGATION OF THE UNITED STATES,
Stockholm, March 11, 1888. (Received April 2.)

SIR: I have the honor to acknowledge your No. 67, under date of February 24 ultimo, inclosing copy of dispatch of Mr. Anderson, minister resident of the United States at Copenhagen.

Since I informed you of the action taken by the board of trade for Sweden in reference to the importation of American pork into this Kingdom, I have endeavored to keep myself acquainted with the sentiment in regard thereto, not only in Sweden but in Norway as well. Up to date Norway has taken no action in the matter. I have just had a conversation with Mr. Carl Bildt, first secretary for foreign affairs for this Kingdom, who returned on Friday from Norway, where he accompanied His Majesty, and where he remained four weeks, and he has assured me no action has been taken by the Norwegian Government upon the subject, and none contemplated. My information, derived from Mr. Gade, United States consul at Christiania, is of the same tenor. I have no reason to doubt the trustworthiness of these representations.

Mr. Bildt assures me that the German Government has made no communication to the Government of the United Kingdoms on this subject.

On the 7th instant, as you have undoubtedly been notified, Denmark, by proclamation, forbade the importation of American pork, and moved, perhaps, to this conclusion as much from the act of the Government of the United States in excluding Danish pork from her markets as the fear of swine-disease contagion. It was a measure more in retaliation than in any well-grounded fear of the effects of infected imported meats.

The disease which has so seriously affected the herds in this country is traceable directly to the importation of live hogs from Germany into the Kingdom of Sweden last fall, and it is not claimed that American imported meats had anything to do with the origin or spread of the disease. As a precautionary measure, however, the national board of trade directed that all imported meats should be "well salted," and this regulation was directed against meats coming from all countries importing meats into this Kingdom.

I think it advisable, if you permit me the suggestion, to furnish me with any reliable data that may be obtainable as to the extent, character, and effect of the disease in swine herds in the United States, with a view, if you should approve the same, of presenting the matter to the board of trade and if possible of inducing that body to relax somewhat the present regulation.

There is a good deal of ignorance and prejudice existing in these Scandinavian countries upon the subject of animal disease in the United States, and the long and prejudiced action of both France and Germany upon this subject has not been without its effect upon the people of the United Kingdoms.

Food supplies are subjected to careful inspection in these countries and those which are unwholesome or adulterated are prohibited from sale, and hence a mere rumor that American meats are tainted with a contagious disease is enough to put the board of trade on the alert. I am inclined to think much of their pretended information rests solely on rumor. It is possible to counteract this to some degree, and hence if I were supplied with any reliable evidence upon the subject I would submit it to the board and personally represent the interests of the United States in a much different light than has been done heretofore.

I have had a conversation with the secretary of the interior upon the subject, but it was informal. By this conversation I learned that his excellency's information was neither extensive nor accurate. I therefore ask for such information as will enable me to meet the objections to the importation of American meats as may be made in either of the kingdoms, if in your judgment it would be of advantage to the trade to submit the same.

have, etc.,

RUFUS MAGEE.

No. 1005.

Mr. Magee to Mr. Bayard.

[Extract.]

No. 119.] LEGATION OF THE UNITED STATES,
Stockholm, March 20, 1888. (Received April 9.)

SIR: His Majesty returned from Christiania on Sunday last, where he had been for six weeks past. A new cabinet was formed for Norway, and, for the present, the disturbing questions in that Kingdom have been postponed.

The prime minister for Norway, Mr. Johan Sverdrup, was many years the leader of the Liberal party, but in 1884 he became a Conservative and accepted office—forming a cabinet which remained in power until the present year. He is again intrusted, as chief of the cabinet, with the affairs of the Kingdom. Two new ministers take the place of two of the old ones.

There are three parties in Norway politics, the Liberals, the Conservatives, and the Church party. By a combination of the last two they have a majority over the former; but this combination is not always to be obtained, as the Church party has liberal tendencies on all questions not affecting the church.

The Liberal party desires a new "parliamentary system," as they term it, a reform that would abolish the present bureaucratic one and

which would introduce a larger democratic spirit, and one much more in harmony with the sentiments of the people.

Norway citizens are heavily taxed and the Liberal party proposes to reduce taxation, abolish offices, and retrench the expenses of the Government generally. It is, therefore, the popular party, and could it harmonize with the clericals upon the church question would to-day be in power. At present this is impossible, and hence the present Conservative cabinet will remain for another year.

Norway, perhaps, of all countries in Europe has more of democratic sentiment coupled with the very best capacity for self-government.

Theoretically these peoples are a constitutional monarchy; practically they are as free and independent as the English nation.

Norway pays what is equal to $130,000 a year to the support of the royal household, and there is a serious endeavor in the Kingdom to lessen this amount.

I have, etc.,

RUFUS MAGEE.

No. 1006.

Mr. Magee to Mr. Bayard.

No. 122.] LEGATION OF THE UNITED STATES,
Stockholm, April 18, 1888. (Received May 7.)

SIR: By my No. 114, under date of February 12, I had the honor to give you some information about railroads in this Kingdom. It was very meager, and related principally to the line now being built north of the Arctic Circle.

Since that time I have received, in response to inquiry addressed to the interior department, fuller information on the subject.

Under date of February 14 I addressed a note to the department, in which I submitted eight questions, and to which I asked replies. My purpose was to elicit fuller information than I was enabled to gather from the voluminous volumes of statistics furnished by the department, the latest of which was for the year 1885.

During the year 1887 there were 17 English miles of state and 52 miles (English) of private railroads constructed and opened for traffic.

The state railroads are managed by a separate department called the "royal administration of railroad traffic." The private roads are managed through boards of directors annually chosen by the shareowners.

The royal administration exercises a supervisory control over the private roads, sees that the lines are kept in repair, regulates traffic, fixes rates, etc., which require the approval of the King. Tax assessments are likewise fixed by His Majesty. Regulations of service for both systems are made by the royal administration. The King appoints one director on the board of a private corporation that has received assistance from the state, and also appoints agents to audit the accounts of such railroads, and to report to him upon their management.

There were 1,551 miles of state and 3,040 of private railways under operation at the close of the year 1887.

The cost of building and equipment of state roads (1,551 miles) up to the 31st of December, 1887, amounted to $63,946,721. The cost of the private roads for the same period amounted to $68,437,564 for 3,040 miles.

The surplus, after cost of maintenance and operating expenses were deducted, amounted on the state roads to 2.41 per cent. on the amount invested, while on the private roads the per cent. was 3.54.

The state has assisted some private roads with loans, and allows generally the private roads to use crown lands, rock from crown quarries, and gravel necessary for construction. The state has loaned to private roads, for which it holds the bonds of the companies, the sum of $12,893,555. It has for the same purpose appropriated, without obligation for repayment, the sum of $1,053,992.

The amount of the funded debt created in constructing railroads is $65,548,861, and the interest thereon is at an average of 4 per cent. *per annum.* The revenues of the state roads, as well as of roads that have been assisted by the state, are deposited in the state bank. If there is a deficit in the revenue the state appropriates, in case of state railway, sufficient to meet the requirement. The share holders of private corporations must take care of their obligations.

I may add that the railway service in this country, in construction, equipment, convenience, cleanliness, promptness, is far superior to what I have ever seen in Germany, France, or Belgium. There are usually four classes of wagons. The large majority of passengers ride in the third and fourth class. First-class carriages are more expensive than the best service on American railways. The rate of speed is only about 20 miles an hour, but this includes stops, which are very frequent, and are from three to thirty minutes in length. The stations are large, usually constructed of either stone or brick, well lighted and warmed in winter time, and have always connected with them a good café or restaurant. No person can enter a compartment without a ticket, and all tickets are shown and punched before the train leaves the station. All passenger-cars are heated by steam and lighted by gas. Each train is moved by signals, and from the moment of arrival to its departure from the station is under the authority of the station-master. Every employé is uniformed and bears a badge designating his position. Every six English or one Swedish mile there is a signal-house, with telegraph apparatus, and occupied by two persons, called track-walkers. Upon the passage of a train it is signaled ahead, while the men walk in opposite directions on the track one-half the distance to the next signal station for the purpose of inspecting the road. Every possible precaution is taken to prevent accidents, and in my now nearly three years' residence in this country there has not been a life lost in the railway service or any accident.

No one is permitted to walk or be on or within the right of way or to loiter about stations or grounds of the company. The masonry used in the building of piers, abutments, etc., is of the most substantial character, while all bridges, culverts, and trestle-work are of iron. The track is usually ballasted with gravel, with stone gullies to carry off the water, while the banks or sides of both cuts and fills are sodded. The railroads of no country can possibly be superior or even equal to those of Sweden in respect to construction, and they well might serve as models. There is perfect security and much more than ordinary comfort in traveling, the only drawback to the American traveler being the slowness of time. The roads are managed in the interests of the people. There is no speculation in their shares, there is no adverse criticism of their management, and the total results are that, so far as it goes, it is one of the best, if not the best, railway system in the world. Certainly in many respects it is superior to American.

There is but one road at present under construction by the state. That is a road leading from Sundväll, 225 English miles north of Stockholm, running interior from the Baltic coast to Umeä. The physical difficulties in constructing this line are very great; there is a large number of rivers, fjords, and streams to bridge, together with granite-rock excavation. The line can never be remunerative, but it is undertaken by the state as a matter of defense. The Russian Government has constructed a line of road from Helsingförs, on the Gulf of Finland to Ulläborg, on the Bothnia, and is building a line from the latter point to Haparanda, at the head of the Bay of Bothnia, at the extreme western limit of its territory. Sweden feels apprehensive, and hence is building the line I have mentioned. Russian troops could be sent from Äbo or Helsingförs in two days, and without equally as speedy communication with the north Russia might gain her long-desired object, viz, a port on the North Sea, as well as become the possessor of the road now being built from the Bothnia to the Gulf of Oföten, and to which I had the honor to call your attention in my No. 114.

I have, etc.,

RUFUS MAGEE.

No. 1007.

Mr. Magee to Mr. Bayard.

No. 135.] LEGATION OF THE UNITED STATES,
Stockholm, July 21, 1888. (Received August 6.)

SIR: I have the honor to transmit you under this date, in separate cover, a printed copy of the "Tull-Taxa," or tariff laws of the Kingdom of Sweden.* These laws were enacted at the recent session of the Diet, and went into force by royal proclamation July 1, current. I have marked the principal items imported from the United States, upon which duties are imposed. Cotton, and the products of cotton, are exempt. After the year 1888 coal-oil is on the free list. Breadstuffs, meats, sugars, coffees, and tea are made dutiable.

The manufacturing interests are not specially benefited, while spirits of all kinds and tobacco in its various forms are heavily taxed.

The bill is framed in the interest of the estate proprietors, who hope to increase their profits derived from agriculture by taxing the food supplies of the people. This present result has been reached only after a long and bitter contest extending over some years, and through the operation of the election laws, which gave the conservative party a majority of the Diet, while the popular vote was very largely against that party.

It is too early to judge of the effect of the law, except to say that it is not popular. It is an entire change from the policy maintained in the Kingdom for years, and I doubt that it will be of long continuance.

I have, etc.,

RUFUS MAGEE.

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*Not printed herewith.

No. 1008.

Mr. Bayard to Mr. Magee.

No. 96.] DEPARTMENT OF STATE,
Washington, August 17, 1888.

SIR: I inclose herewith copies of a telegram of the 16th instant, from J. W. Wegner, esq., district attorney at Milwaukee, and of another of the 17th instant, sent you from this Department through our consul at Liverpool, relative to the extradition from Norway of Albert Erbers, *alias* Eberson, on charges of attempted murder and forgery in Wisconsin.

As it appeared from Mr. Wegner's telegram that Mr. Russell (consul) knew the address of the fugitive in Norway, he was directed to inform you of it.

I am, etc.,

T. F. BAYARD.

[Inclosure 1 in No. 96.—Telegram.]

Mr. Wegner to Mr. Bayard.

MILWAUKEE, WISCONSIN, *August* 16, 1888.

Hon. THOMAS F. BAYARD,
Secretary of State:

We want for attempted murder and forgery Albert Erbers, *alias* Eberson, who is now in Norway. If possible under treaty, instruct Consul Russell, Liverpool, who knows the case and the man's address. Also inform me what evidence is needed.

JOHN W. WEGNER,
District Attorney.

[Inclosure 2 in No. 96—Telegram.]

Mr. Adee to Mr. Russell.

DEPARTMENT OF STATE,
Washington, August 17, 1888.

RUSSELL,
Consul, Liverpool:

Send following to Magee, minister, Stockholm:

"Ask detention for extradition of Albert Erbers, *alias* Eberson, charged with attempted murder and forgery in Wisconsin, now in Norway."

Wegner, district attorney, Milwaukee, says you know Erbers' address. Inform Magee.

ADEE.

No. 1009.

Mr. Magee to Mr. Bayard.

No. 136.] LEGATION OF THE UNITED STATES,
Stockholm, August 27, 1888. (Received September 12.)

SIR: I have the honor to inform you that on the evening of the 19th instant I received a telegram from Mr. Russell, United States consul at Liverpool, transmitting a copy of cablegram received from Mr. Adee, by which I was instructed to ask the royal foreign office to cause the apprehension and detention of one Albert Eberson, a Swede, charged in the Wisconsin court at Milwaukee with attempted murder and forgery. I at once saw the under-secretary for foreign affairs, read him the

telegram, and requested him to give it his immediate attention. This he did. Up to this date no information has been received at the royal foreign office of Eberson's apprehension.

If he should be arrested it would be necessary, before this Government would surrender him, to have certified copies of the indictment pending against him at this legation, as well as some person to identify and receive him on surrender by the authorities here. During my conversation with the under-secretary he remarked that if Eberson was not a naturalized citizen of the United States they would not surrender him if taken into custody. They would, however, if arrested, hold him until satisfied upon this point. To this I made no reply, judging that it was best to await our coming to that question before we concluded it.

If Eberson should be arrested I will at once cable you, and perhaps I should be informed by cable as to subsequent proceedings desired in the premises.

I have, etc.,

RUFUS MAGEE.

No. 1010.

Mr. Magee to Mr. Bayard.

[Telegram.]

STOCKHOLM, *September* 9, 1888.

BAYARD,
Secretary, Washington:

Albert Erbers, *alias* Eberson, is arrested.

MAGEE.

No. 1011.

Mr. Bayard to Mr. Magee.

No. 99.] DEPARTMENT OF STATE,
Washington, September 12, 1888.

SIR: I inclose herewith copies of letters from our consul at Christiania and from the secretary of the State board of health of Iowa, relating to the deportation of persons afflicted with leprosy from Norway into the State of Iowa.

You will bring the matter to the attention of the Norwegian authorities, and inform the consul at Christiania of the statement made in Dr. Kennedy's letter that the affected persons came to the United States from Stavanger, Norway.

I am, etc.,

T. F. BAYARD.

[Inclosure 1 in No. 99.]

Mr. Gade to Mr. Kennedy.

CONSULATE OF THE UNITED STATES OF AMERICA,
Christiania, August 15, 1888.

DEAR SIR: I am in receipt of your favor of July 14, relating to the importation into your State of two cases of leprosy from Norway, and understand your indignation at this introduction of a most dangerous disease.

In my consular district, which only embraces the southern and eastern Norway,

hardly any cases of leprosy are to be found, while there are about 1,300 persons who at the present moment are known to be affected with leprosy in this country scattered all over the western and northern districts. It is a fact, fully established by the annual statistics published by the Government's board of health, that the number of lepers is constantly and rapidly decreasing. While in 1860 the lepers who lived outside the asylum numbered 2,223, only 633 were to be found at the end of 1885. In the latter year 15 new cases had been discovered, 63 had died, 55 had been removed to the asylums, 15 had left their former districts (in some cases perhaps also the country), and 7 cases were cured. At the end of 1885, 524 (255 of whom were men and 269 women) remained at five asylums established for the treatment of lepers. Seventy had died during the course of the year. On the whole, it is believed that leprosy will gradually disappear from this country, or at least be confined to some few districts on the coast, where the people are poor, and occupied with fishing in a hard climate.

Relating to the two cases of leprosy recently imported from the district of Stavanger, into your State, I venture to say that the local authorities of the district were entirely ignorant of their going to America, and that at least no purpose of getting rid of the unhappy sufferers did exist here. Everybody is allowed, without any restriction, to emigrate from Norway, and the two women in question, who probably have relations in Iowa, had only to go to Stavanger and Bergen and buy their tickets for the passage, without communicating beforehand with any of the local authorities. A very superficial medical examination of emigrants is ordered at the shipping ports, but the examiners would hardly have any time for discovering those affected by leprosy without being previously informed of their disease and of their intention to conceal it.

It would certainly be of interest to know the name of the parish whence the two women hailed. It might then be ascertained through the pastor of the locality, who would know them and their families, and whether it was known that they had gone to America. It might then be ascertained from what source they had got their passage-money, and whether they ever had been assisted by the poor board or others. The district of Stavanger is not a specially infected district, as you seem to believe. At the end of 1885 it had only 56 lepers living out of the asylums, while the district of Northern Berzenhuns had at the same time 156. I am bound to repeat, that in my opinion no authorities of that district would have thought of throwing off the two leprous women to let America take future charge of them.

The regulations now in force regarding the lepers in Norway are contained in the law of June 6, 1885, on separation of lepers and treatment of them in public asylums or hospitals. The law prescribes that lepers shall not be lodged with private people at public expense, but in case of needing public assistance they shall, by the poor boards, be admitted to the public asylums.

If destitute lepers are not treated in such asylums, they shall either be kept in separate dwelling rooms or be treated in such way as the boards of health may deem it sufficiently safe.

The law prescribes also that other lepers (besides the destitute ones) may also be ordered by the boards of health to live separated from their family and friends, and if such order should be disobeyed, they shall be treated at the public asylums.

Rooms, clothing, bedding, and other effects which have been used by lepers must not be in use or be handed over to other persons without being previously disinfected by order of the respective boards of health.

The proper way to prevent lepers from emigrating to America in the future would, in my opinion, be to bring the subject before the American Government, which then probably would insist, with the Government of Norway, that a strict and scrupulous medical examination be made of all emigrants from the western districts of Norway. It is not in my power as consul at Christiania, where no leprosy exists, to take any steps against that emigration of which you justly complain. I will add to my foregoing observations that I am aware that more than ten years ago leprosy was introduced into the Northwestern States of the United States through emigants from Norway, and that Professor Boeck, the celebrated dermatologist, had himself made careful inquiries in America about the Norwegian people there who had brought the disease with them from the old country. Also last winter Dr. Armauer Hanser, a well-known specialist in the treatment of leprosy, went to America to visit there lepers of Norwegian origin.

I have tried to give this important subject my best attention, and will be glad to learn that through diplomatic intervention some effective means may be found to stop further introduction of the disease into the United States. If I can do anything to attain this end I will consider myself very happy.

Yours, etc.,

GERHARD GADE,
United States Consul.

P. S.—I inclose herewith for your further information a copy of the law of June 6, 1885, above referred to. You will easily find a Norwegian as your neighbor competent to translate it into English if you should wish to.

[Inclosure 2 in No. 99.]

Mr. Kennedy to Mr. Allison.

IOWA STATE BOARD OF HEALTH,
Des Moines, September 1, 1888.

DEAR SIR: I desire to call your attention to the inclosed letter from Gerhard Gade, United States consul at Christiania, Norway, replying to a communication from this office in regard to the exportation of lepers from Norway into this State.

In March was reported to the State board of health a case of leprosy in the person of a young woman, aged twenty-four years, recently arrived direct from Stavanger, Norway. She had been affected for ten years. The local health officers took cognizance of the case, and directed that she be sent to her brother at Chicago, where she could be placed in hospital. He refused to receive her, and she was taken to her father near Le Grand, Marshall County, where she now is.

In June another case was reported from Le Grand, also recently from Stavanger, a married woman in an advanced stage of the disease, and which rapidly progressed to a fatal termination August 11.

In both these cases there was studied effort made to conceal the disease, the true nature of which was revealed only by persistent questioning of the attending physician.

Now, it must have been known to the health authorities of the place whence these women came that they were lepers, or from leprous families.

As may be readily supposed, the people of Iowa are greatly alarmed at this evidently intentional importation of that horrible and contagious disease into this State. We therefore pray you, as their representative, to take such immediate measures as may be deemed necessary to prevent such outrages.

Consul Gade suggests previous medical examination, but that is not sufficient. The prohibition should include also all persons known to be of leprous families; for the incubation period of leprosy varies in different individuals from a few weeks or months to ten years. It not unfrequently skips a generation, so that a medical examination would not detect an infected person in whom the incubation was slow.

Consul Gade will be further advised, so far as possible, to aid in tracing the initial point of these cases, and how and why they came to Iowa. Their friends here are very reticent regarding them.

Whether the necessary relief can be had through the Secretary of State or only by act of Congress you are best informed.

We earnestly ask that you give the subject early attention.

Very respectfully,

J. F. KENNEDY, M. D.,
Secretary.

No. 1012.

Mr. Bayard to Mr. Magee.

No. 100.] DEPARTMENT OF STATE,
Washington, September 13, 1888.

SIR: I have received your telegram of the 9th instant, informing me that in compliance with my No. 96, of the 17th ultimo, "Albert Erbers, *alias* Eberson, is arrested."

The governor of Wisconsin and the district attorney of Milwaukee have been so advised.

I am, etc.,

T. F. BAYARD.

No. 1013.

Mr. Bayard to Mr. Magee.

No. 104.] DEPARTMENT OF STATE,
Washington, September 21, 1888.

SIR: I transcribe for your information copy of a telegram I have just received from the governor of Wisconsin:

I have this day made request on your Department for surrender of Albert Eberson, under arrest in Stockholm, charged with attempted murder in this State.
J. M. RUSK.

I am, etc.,

T. F. BAYARD.

No. 1014.

Mr. Magee to Mr. Bayard.

No. 141.] LEGATION OF THE UNITED STATES,
Stockholm, September 30, 1888. (Received October 13.)

SIR: On the 9th of the present month I had the honor to telegraph you that Albert Erbers, *alias* Eberson, a fugitive from justice from the State of Wisconsin, had been arrested. His arrest took place in Sweden, and he is now confined in the detention prison at Christiania awaiting identification.

I have had several interviews with the secretary of foreign affairs here in relation to the ultimate surrender of Erbers, *alias* Eberson. The question which must be determined satisfactorily to the authorities is: Is Erbers, *alias* Eberson, a naturalized citizen? If not, he will not be surrendered unless he should go back voluntarily.

At my request the authorities at Christiania have made inquiry of the prisoner touching this point. He admits that he voted at three different elections in Wisconsin, but he claims that he has never been naturalized.

The department here say to me that if Erbers is not surrendered to the authorities that the Royal Government will cause proceedings to be taken against him with a view to punish him for the crime committed in Wisconsin.

I have asked the department to ascertain if Erbers will return voluntarily to America. If so, I could perhaps arrange to have him sent in the custody of an officer of the Thingvalla line of steam ships, thereby saving quite an expense. I will know the latter part of the week if Erbers is willing to go back.

I have not yet received copies of the indictment, or any information touching his alleged crime, except that conveyed in a letter to me from Mr. Russell, consul for the United States at Liverpool. The royal foreign office has acted with great promptness in this business, and the only question upon which it will require proof is the one of citizenship. The mere fact that Erbers has voted will not be sufficient to warrant consent to his extradition. I will, however, do what I can to procure him to consent to waive this and return to Wisconsin. He may do so if he learns, as he will, that he can be punished here.

I trust my Wednesday mail may bring the necessary papers.

I have, etc.,

RUFUS MAGEE.

No. 1015.

Mr. Magee to Mr. Bayard.

No. 142.] LEGATION OF THE UNITED STATES,
Stockholm, September 30, 1888. (Received October 13.)

SIR: I have the honor to acknowledge your No. 99, of date September 12, inclosing a copy of a letter from Mr. Gade, United States consul at Christiania, and a copy of a letter of J. F. Kennedy, M. D., of Des Moines, Iowa, to the Hon. W. B. Allison, relating to the emigrating from Stavanger, Norway, to Iowa, of two person afflicted with leprosy.

I went to the royal foreign office upon the receipt of your instruction and reported the facts as given in the letter of Dr. Kennedy. I have also addressed the department a note upon the subject. I had a long and interesting conversation with the secretary, in which we discussed the present emigration laws and kindred subjects. I was assured that whatever the royal department could do in preventing such emigration in the future would be done, but it is impossible to make any regulation that can not be avoided. I have heretofore called attention of United States consuls to the necessity of exercising great watchfulness as to the character and condition of emigrants and to prohibit all objectionable persons from embarking.

I have no reason to think consuls are derelict in their duties. No person can leave either of the United Kingdoms without a certificate as to their condition, etc., from either the pastor of the district in which such intending emigrant has resided, or the chief of police. The consul at the embarking port has the right to see this certificate; this, perhaps, is neglected; captains of vessels are much to blame; they never question an emigrant, but accept all who offer. It is a very easy matter for persons coming within the objection to go to a Danish, German, and English port, and from one of these, go to the States. It is possible that the two leprous women referred to in Dr. Kennedy's letter went in this way. The department will institute an inquiry and ascertain if any Norwegian pastor or police officer issued to these women a certificate.

The Royal Government does not encourage emigration and looks with much disfavor upon the fact that a large number of its most active young men and women leave the country annually for America, and would gladly restrict the number if it could. The number of emigrants last year was almost equal to the increase in population. Naturally abuses of emigrant laws exist, and until the Government of the United States takes some steps to restrict the promiscuous inflow of emigrants from all nations of Europe, evils such as are complained of in Dr. Kennedy's letter will continue to occur. The steam-ship company and emigrant agent cares nothing for the character or condition of the emigrant, but is intensely interested in getting all the passage money possible. They are the active and pernicious agents who encourage by low rates the poor, improvident, sick, helpless, and worthless to go to America, where they hope to better their fortune. If the captain of the vessel who received the leprous women could be punished by a term of imprisonment it might have a salutary effect upon others. The emigration evil is no greater one than that of the foreign-born citizen who resides long enough in the United States to make his declaration of intention, and then, armed with his declaration, bearing the broad seal of some court, returns to his native country to live, and when asked to perform his military or other duty refuses and appeals to a legation or

consulate for aid. He is always an extremely objectionable person to the government in which he resides, and is a constant source of irritation and annoyance. This evil could be lessened by requiring an emigrant to reside in the United States for at least five years before he could make his declaration, and ten or more before he could be finally naturalized. No woman over the age of twenty-five, unless married, ought to be permitted to emigrate, and no man over the age of fifty. Both of this kind of emigrants have passed that age when they can be of much value to such communities as form the United States.

I have given this subject of emigration attention. I have some very radical opinions that perhaps would be of little interest to your Department. It would be a great deal better we had no more emigrants from the United Kingdoms than that we should receive any from its criminal, pauper, or leper class. Under the present lax enforcement of the law governing this subject, we can not escape such evils as are presented by the Iowa cases. When such occurrences are brought to my knowledge I protest to the royal foreign office. I am assured in return that steps will be taken to prevent a recurrence, and I have to say in every instance to which I have called the attention of the foreign office I have had prompt and energetic action. But all this does not abate the constant outflow to America of objectionable classes. We hear of the pauper, the criminal, or the leper after his or her arrival.

I will inform you of the result of the inquiry that will be made into the cases referred to in Dr. Kennedy's letter.

I have, etc.,

RUFUS MAGEE.

No. 1016.

Mr. Magee to Mr. Bayard.

No. 144.] LEGATION OF THE UNITED STATES,
Stockholm, October 20, 1888. (Received November 3.)

SIR: I have the honor to inform you that on last Saturday, the 13th instant, Messrs. McManus and Kœhler, officers from Milwaukee, Wisconsin, arrived in this city for the purpose of taking back with them one Albert Erbers, *alias* Eberson, a fugitive from justice from Wisconsin, and who was at that date confined in the prison at Christiania. In my former dispatches I called attention to the fact that the prisoner could only be extradited upon proof being made to the satisfaction of the Norwegian Government that Erbers had become a naturalized citizen of the United States. When the officers came to this legation I asked them if they had any such proof, when they informed me they had not. I had had several interviews with the royal foreign office in relation to the arrest and extradition, and had secured consent for the officers, upon their coming here, to take the prisoner back, provided he would voluntarily consent to go.

I accompanied the officers to the royal foreign office, where I delivered the papers relating to the case, together with my note demanding the delivery of the prisoner to the officers, also assuring the secretary that the persons present were the ones designated in the warrant of the President. The delivery of the prisoner was refused, except upon the condition above recited.

At my suggestion the officers went to Christiania for the purpose of

ascertaining if Erbers would return voluntarily with them. I gave them a letter to Mr. G. Gade, consul for the United States at that city, requesting him to render them all possible assistance to effect their mission.

Upon arrival at Christiania they had an interview with the prison officials and learned that Erbers had become insane, and although personally acquainted with the officers, failed to recognize them. The prisoner is now in the insane hospital for observation for the purpose of ascertaining whether his insanity is real or a mere sham. The officers left on their return Thursday last.

Is it desired, in the event that the prisoner is not insane, to have him punished here for his criminal act committed in Wisconsin? This can be done, as he has confessed before a magistrate to the forgery. He will be detained in custody until answer is made to this inquiry.

I have, etc.,

RUFUS MAGEE.

No. 1017.

Mr. Rives to Mr. Magee.

No. 112.] DEPARTMENT OF STATE,
Washington, November 7, 1888.

SIR: I have received your No. 144 of October 20, 1888, reporting the refusal of the Royal Government to surrender Albert Erbers, *alias* Eberson, unless proof of his naturalization in the United States is produced.

Copies of your dispatch have been transmitted to the governor of Wisconsin and to the district attorney at Milwaukee.

I am, etc.,

G. L. RIVES,
Acting Secretary.

No. 1018.

Mr. Gade to Mr. Rives.

No. 489.] CONSULATE OF THE UNITED STATES,
Christiania, September 4, 1888. (Received September 18.)

SIR: The last session of the Storthing, which adjourned about a month ago, made an important reform in one point of the common law of Norway.

The new law establishes the relations which a person claiming Norwegian citizenship must have to this realm. In accordance with the new regulations, any one applying for citizenship must fulfill conditions which establish the sincerity of his intention to settle in the country. The law regulates at the same time the heretofore unlimited and uncontrolled right of foreigners to hold or lease real estate in Norway. A special permission will henceforth be required in either case.

I beg to forward, herewith inclosed, a printed copy of an English translation of the law mentioned.

I am, etc.,

GERHARD GADE.

[Inclosure.—Translation.]

Law of Norwegian citizenship.

We, Oscar, by the grace of God, King of Norway and Sweden, the Goths and Vends:—
To all whom these presents may concern, greeting:—

Be it known, that to us has been presented the resolution, dated 17th April of the present year, of the now assembled Ordinary Storthing, as follows:—

SEC. 1. Norwegian citizenship is acquired at birth by legitimate children, whose father or mother at the time of the birth possessed Norwegian subject's-rights; and by illegitimate children whose mother had such rights. Children found within the realm whose parentage is unknown, or whose subject-relations can not be ascertained previous to such child attaining eighteen years of age, shall be considered as born of Norwegian subjects.

SEC. 2. Norwegian citizenship may be acquired by voluntary acts.

(*a*) By marriage of a foreign woman to a Norwegian subject.

(*b*) By assumption of a permanent residence within the realm, in so far as the resident has, in terms of section 92, *a*, *b*, of the law of the constitution* (*Grundloven*), the rights of Norwegian birth. This provision shall not, however, affect a native-born person who assumes a permanent residence within the realm by reason of an appointment in the service of a foreign government; nor a woman who, although she may be a native-born Norwegian, is married to the subject of a foreign state.

(*c*) By acceptance of an appointment in a public office; or by acceptance of a fixed appointment by the King or a Government department, as an officer in the service of the Norwegian state. In regard to offices or appointments in that public service which is a joint one for Norway and Sweden, this provision shall only affect such persons as possess native-born Norwegian subject's-rights, and who abandon the subject-relation in which they may stand to a foreign state.

SEC. 3. The rights of Norwegian citizenship may also be granted to other inhabitants of the realm by a special license by the King or the authority empowered by him. Such license shall, however, in general, be only granted to such as:—

(*a*) Have had a fixed residence within the realm for three successive years.

(*b*) Have acquired a legal domicile in a Norwegian poor's-district, or in such a manner as, according to circumstances, may be found sufficiently satisfactory to effect the object, provides a security against either himself or family becoming a burden upon the public poor rates before he can attain the qualification necessary to acquire legal rights of domicile, if the rights of citizenship were not immediately granted to him.

(*c*) Have attained majority.

(*d*) Do not occupy any of those positions which by section 52*a*† and section 53*a*† of the law of the constitution involve the suspension or loss of the right to the franchise. Whosoever desires, subject to those provisions, to become a Norwegian citizen, must present an application to that effect through the authority of the place where he resides, accompanied by all particulars of where he has resided during his stay within the realm, and in what other state he possesses the rights of a subject; also, by a declaration that, subject to the grant of the application, he abandons all subject-relation to that other state. If such abandonment of subject-relation requires by the laws of such other state the consent of its Government, or other authority, the applicant shall be bound to produce proof that he has obtained such consent.

If the application is complied with, there shall be granted to the applicant letters-patent in such form as the King may prescribe.

The grant of such letters-patent shall not take effect until he to whom they have been granted has sworn the oath prescribed in section 51‡ of the law of the constitution. The judge before whom the oath is sworn shall indorse upon the letters-patent that such oath has been sworn before him.

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* Law of the constitution of 4th November, 1814, section 92 (*a*). ——— is, either, born within the realm, of parents who at the time of the birth were Norwegian subsects; or (*b*); is born abroad of Norwegian subjects who at the time of the birth, were not the subjects of a foreign state.

† Law of the constitution of 4th November, 1814. Section 52. The right of exercising the franchise is suspended: (*a*) Upon indictment before the sessions for such a crime or crimes as carries such a punishment or punishments in its train as is stated in section 53 (*a*) of the same law. Section 53. The right of exercising the franchise is suspended: (*a*) On condemnation to a term of penal servitude, on dismissal from a public office, or on imprisonment on account of a crime committed, such as is enumerated in any chapter of the criminal law concerning perjury, theft, robbery, or false pretenses.

‡ Law of the constitution of 4th November. Section 51. * * * Every one must, before his name be entered in the public register (of citizens and voters), appear at the local sessions and swear the oath of fidelity to the constitution.

Widows or spinsters may acquire the rights of citizenship in the manner before described, but shall not be required to take the oath.

SEC. 4. The rights of citizenship acquired in terms of section 2 and section 3 of this present law descend also upon the wife of such person as has acquired them; also, upon his or her children who have not attained majority, and who reside with the parents or are reared under their authority.

SEC. 5. Every immigrant foreigner who, without being registered in the census appointed by section 51 of the law of the constitution,* yet assumes to have possessed the rights of citizenship at the time when this present law takes effect must, in order to establish such assumed rights, apply within one year from such time to the supreme authority for letters of citizenship.

For persons who at the time when this law first takes effect have not then attained majority, the period of grace allowed for the making of such application shall be reckoned from the attainment of majority.

If the supreme authority shall find the application well-founded, and the applicant satisfies the conditions stated in section 3 *a* and *b* of the present law, letters of citizenship shall be issued to him, and serve as complete warrant for his rights of citizenship. If the application is refused, such refusal shall not deprive the applicant of any rights that under the pre-existing laws pertain to him.

SEC. 6. The rights of Norwegian citizenship shall be forfeited, on

(*a*) becoming the subject of a foreign state.

(*b*) on permanently leaving the country. But the Norwegian subject who by section 92 *a*, *b*, or *d*, of the law of the constitution† possesses the rights pertaining to native birth may maintain his subject-relation, if he, within a year of his removal or from the day that the present law takes effect, emits a declaration before the Norwegian consul of the place that he desires to remain a Norwegian subject.

The declaration shall be effective for a period of 10 years, and may, before expiry of the period, be renewed with the same effect for a similar term of years.

Whosoever removes to a foreign country on account of an appointment in the public service of Norway, or in the joint public service of Norway and Sweden, retains his Norwegian subject-relation.

In every case where the emigrant retains the rights of a Norwegian subject they also descend upon his wife, and upon his or her children who have not yet attained majority, and who reside with the parents or are reared under their authority.

SEC. 7. Whosoever in terms of 92 *a*, *b*, or *d*‡ of the law of the constitution possesses the rights pertaining to native birth, remains, always, entitled to take up a permanent residence within the realm. Such persons retain the legal domicile determined by section 16, for the towns, and section 17, for the country, of the poor law of 6th June, 1863.§

Norwegian subjects are entitled to remain within the realm except in the case of being delivered up to Sweden in terms of the law of 11th September, 1818.‖ Section 1 of the law of 17th June, 1886,¶ containing changes and additions to the poor laws, is

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* Law of the constitution of 4th November, 1814. Section 51. A register of all inhabitants entitled to exercise the franchise shall be prepared in every town by the magistrate and in every parish by the sheriff-substitute (fogden) and the vicar.

† *Vide* reference No. 1, page 4, (*a*), (*b*), or (*d*) ——— who has been naturalized by the Storthing.

‡ *Vide* reference No. 1, and reference No. 3, page 1491.

§ Poor law of 6th June, 1863.—*For towns*, section 16: Native-born Norwegian subjects have their natural domicile in the district in which the mother at the time of the birth had her domicile, and naturalized subjects have their domicile in the district in which they had their permanent residence at the time of the grant of their letters of naturalization. *For the country*, section 17: Foreigners, as well as native-born subjects, acquire domicile in a district upon having maintained a continuous residence in such district for two years after the attainment of 15 years of age. A subsequently acquired domicile cancels and annuls a previous domicile, whether natural or acquired. The domicile which any one possesses at the time of attaining 62 years of age, he retains for the rest of his life.

‖ Law of extradition of criminals of 11th September, 1818. (This law is a mutual law of extradition between Norway and Sweden, providing for any one accused of crime committed in the one Kingdom being extradited on the demand of the authorities of such Kingdom, subject to the observance of the usual procedure.)—It is unnecessary to cite any of its paragraphs here *in extenso* in connection with the law of Norwegian citizenship.

¶ Law to amend the poor laws of 17th June, 1886, section 1.—The laws concerning the relief of poor in the towns (section 16) and in the country (section 17) of 6th June, 1863, shall be amended in such manner that foreigners, in order to acquire domicile in a district within the realm, must, after having attained 15 years of age, have had a continuous residence within such district for 5 years. On continued residence within the realm a new domicile may be obtained within the same period as is provided for native-born subjects.

hereby annulled in the case of Norwegian subjects, whilst section 2 of the same law * shall continue in effect in respect of emigrant Norwegian subjects who have not the rights pertaining to Norwegian native-birth.

Norwegian citizenship involves also the relation of subject. The freedom from military service, conditionally granted to immigrant foreigners by section 12 of the law of conscription of 11th May, 1866,† remains unaffected in their case, notwithstanding that they may have become Norwegian citizens.

SEC. 8. The inhabitants of the realm who have not acquired Norwegian citizenship are not, either, Norwegian subjects. Their legal position remains, as before, regulated, as provided in all laws other than the law of the constitution and this present law, and appointed for Norwegian subjects, native-born inhabitants of the realm, Norwegians, the inhabitants of the Kingdom, or Norwegian citizens; except that immigrant foreigners remain subject to be expelled the realm in the same cases as formerly. The law of 4th August, 1846,‡ having reference to eligibility for certain communal offices, also the law of 17th June, 1886,§ referred to in the preceding paragraph, shall continue to remain applicable to them.

SEC. 9. Without a license, to be granted by the King or such authority as he may empower, heritable property within the realm can, in future, not be acquired with legal title by others than Norwegian or Swedish subjects, or corporations, institutions, or limited liability companies, whose management is domiciled in Norway or Sweden, and consists exclusively of Norwegian or Swedish subjects. The same provision shall hold good in respect of estate acquired on lease.

Exceptions from the provisions of this paragraph may be granted by the King in the case of leases and other rights of user entered into for a term not exceeding ten years.

The right to acquire a mining license, parcel of mining land, and respite in the working of mines, in terms of the law of mines of 14th July, 1842,‖ shall remain open to all as hitherto; as also the mining licensee's rights in terms of § 18 ¶ of the same law, and the law of 17th February, 1866.** Likewise shall the non-conformist bodies acknowledged in terms of the law of 16th July, 1845,†† also, in future, be permitted

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* Law to amend to poor laws of 17th June, 1886, section 2.—The domicile acquired by a foreigner within the realm becomes lost when he removes from it and takes up his residence abroad.

† Law of conscription of 12th May, 1866.—Foreigners who have acquired a permanent home within the realm are liable to military service equally with native-born subjects, except in the case of a treaty with a foreign power or any peculiar relation of subject relieving such foreigner from military duty. But every foreigner shall be relieved of the duty of military service, to which he is liable by the law of conscription, for such time as the Kingdom may be at war with his native land.

‡ Law concerning election to certain local offices, of 4th August, 1846, section 1.—To such local offices as shall, according to law, be filled by election from among the inhabitants duly entered in the register, who are in possession of the franchise in terms of the law of the constitution, the area of election shall in future be extended to all citizens who possess the qualifications required in terms of section 50 of the law of the constitution, and who are not excluded from such election from being in any of the situations referred to in section 52 and section 53 of the law of the constitution, even although they may not have sworn the oath of fidelity to the constitution or been entered in the register of qualified voters, as provided in the law of the constitution.

§ *Vide* references No. 5, page 1492 and No. 1, page 1493.

‖ The mining law of 14th July, 1842. This law provides, "any one whatsoever may, etc.," and foreigners are, in all the provisions of the law, placed upon exactly the same footing as the native-born Norwegian inhabitants.

(The complete mining law of 14th July, 1842, with all subsequent acts of amendment, may be obtained in an English translation on application to F. Beyer, 2 Strandgaden, Bergen.)

¶ Sec. 18 of the mining law of 14th July, 1842; — provides for the compulsory sale of ground, water, etc., necessary to a mine, for certain working purposes, but no distinction is drawn in it between a native-born inhabitant and an immigrant foreigner.

** The law here referred to is intituled law amending section 18 of the mining law of 14th July, 1842. It provides for an extension of the rights granted to a mine-owner by section 18 of the mining law of 14th July, 1842, but in the act of amendment of 17th July, 1866, there is still no distinction made between native-born inhabitants and immigrant foreigners.

†† Law concerning Christian non-conformists, of 16th July, 1845. In this law the relations of non-conformists to the established church of the realm are regulated, and freedom of religious exercise, which did not exist before, is granted. Among other things, the right to acquire ground for erecting churches, schools, clergyman's residence, providing church-yards, etc., is granted. No distinction is drawn between the native-born non-conformist and the immigrant foreign non-conformist.

to acquire sites for churches, schools, clergyman's residence, and burying ground, anything in this paragraph of the present law to the contrary notwithstanding.

SEC. 10. A Swedish subject who, in future, acquires heritable property in Norway, or such a right of user as according to section 9 is dealt with on the same footing, shall, in the event of his not being resident in Norway, be bound to appoint a mandatory at the place where the property is situated, who shall be empowered in the owner's or lessee's absence, to appear on his behalf before the courts of justice and other official authorities in matters that concern the property or right of user.

The same regulation shall apply to corporations, institutions, or limited liability companies, whose management is resident in Sweden and which acquires such a property or right of user as is named above.

The name and residence of the mandatory shall be filed in the court of registration.

Should the before-named provisions not be observed, the sheriff of the district in which the property is situated may, upon the demand of any one interested therein, appoint a mandatory on behalf of the owner or lessee concerned, and such appointment shall be binding upon the owner or lessee.

The provisions appointed in this paragraph shall also be applicable in the case of a foreigner who under a license, obtained in conformity with section 9, has acquired heritable property, or right of user over heritable property, within this realm.

SEC. 11. Should any contract or arrangement have been entered into, in conflict with the provisions of section 9, it can not be enforced unless such a license as is spoken of in the paragraph named be subsequently obtained.

SEC. 12. Should any document in respect of an acquisition of property, for which a foreigner in terms of section 9 requires a license, be required registered in the court of registration, and such license not be produced, the clerk of court shall, in the event of his having any doubt whether the acquisition is in conflict with the said paragraph, make such an endorsement. The endorsement shall be remitted by the clerk of court to the supreme authority.

SEC. 13. Should any legal act that is in conflict with the provisions of section 9 have been completed by registration of the deeds of conveyance, or should the purchaser or lessee have been placed in possession of the property or the right of user over same, the supreme authority shall appoint a term, within which the relations shall be brought into legal order, by the obtaining of a license such as is spoken of in the paragraph named, or by the voluntary annullment of the transaction, or by the sale of the property to some one who possesses the legal right to acquire heritable property. The term of grace must not be fixed at less than 6 months, nor longer than 3 years. The determination of such term by the supreme authority shall be registered in the court of registration.

SEC. 14. Should this term of grace be exceeded, the property or right of user shall, by order of the supreme authority and without reference to the court of conciliation or any notice being necessary, be sold by compulsory auction. Such sale shall be absolutely binding on the owner or possessor, his predecessor in the property concerned, their creditors and sequestrated estates, also on all who hold mortgages over the property. The sale shall be effected for the account of the owner or possessor, and in such a manner that no part of the purchase money realized by the sale at auction shall be paid out to him, until his predecessor shall have obtained the value that had been stipulated for the property or for the right of user. If such value is not fully realized at the sale by auction, he shall still retain his right of regress upon the debtor for any balance.

SEC. 15. The provisions named in section 13 and section 14 shall also be applied, if a limited liability company which has its management in Norway or Sweden, and owns heritable property in Norway, or possesses a right of user, to the acquisition of which a foreigner requires a license in terms of section 9, removes its management to the realm of any foreign power, or if it admits into its direction any one who does not possess Norwegian or Swedish rights of citizenship.

SEC. 16. Should heritable property or rights of user descend by inheritance upon any one who is not entitled by this present law to acquire it, and a license in terms of section 9 by reason of any special circumstances can not be obtained, the provisions of section 13 and section 14 shall remain in force notwithstanding, in so far as they, in their nature, are applicable to the case.

If the property or right of user belongs to a woman who possesses the rights of Norwegian or Swedish citizenship, or who has in terms of section 9 obtained a license to acquire the subject, it shall remain her separate property, even though she should marry any one who has not the right of citizenship or who has not obtained a license.

SEC. 17. By the expression fixed residence within this realm there is meant, in this present law, such a sojourn as testifies to a purpose of remaining permanently in the realm.

SEC. 18. The present law shall immediately come into force, but shall not be applicable in such cases in which its provisions may conflict with existing treaties.

Therefore, we have sanctioned and confirmed, as we do hereby sanction and confirm, this resolution as law under the seal of the Kingdom.

Given at the Palace of Stockholm the 21st April, 1888.

During His Majesty's, my gracious King and Lord's, absence.

GUSTAF.

[L. S.]

Countersigned:

O. RICHTER.
LEHMANN.