

Thailand¹

AMITY AND COMMERCE

Treaty signed at Bangkok March 20, 1833

Senate advice and consent to ratification June 30, 1834

Ratified by the President of the United States January 3, 1835

Ratified by Siam April 14, 1836

Ratifications exchanged at Bangkok April 14, 1836

Entered into force April 14, 1836

Proclaimed by the President of the United States June 24, 1837

Modified by treaty of May 29, 1856²

Replaced September 1, 1921, by treaty of December 16, 1920³

8 Stat. 454; Treaty Series 321⁴

TREATY OF AMITY AND COMMERCE BETWEEN HIS MAJESTY THE MAGNIFICENT KING OF SIAM AND THE UNITED STATES OF AMERICA

His Majesty the Sovereign and Magnificent King in the City of Siayuthia has appointed the Chau-Phaya Phraklang one of the first Ministers of State, to treat with Edmund Roberts, Minister of the United States of America, who has been sent by the Government thereof on its behalf, to form a Treaty of sincere friendship and entire good faith between the two nations. For this purpose the Siamese and the Citizens of the United States of America, shall, with sincerity, hold commercial intercourse in the Ports of their respective nations, as long as Heaven and Earth shall endure.

This Treaty is concluded on wednesday the last of the fourth month of the year 1194 called Pimarông chattavasok (or the year of the Dragon) corresponding to the twentieth day of March, in the year of our Lord 1833. One original is written in Siamese, the other in English; but as the Siamese

¹ The name of the Kingdom of Siam was changed to Thailand on June 24, 1939.

² TS 322, *post*, p. 982.

³ TS 653, *post*, p. 997.

⁴ For a detailed study of this treaty, see 3 Miller 741.

are ignorant of English, and the Americans of Siamese, a Portuguese & a Chinese translation are annexed, to serve as testimony to the contents of the Treaty. The writing is of the same tenor & date in all the languages aforesaid: it is signed on the one part, with the name of the Chau-Phaya Phraklang, and sealed with the seal of the Lotus flower of glass; on the other part it is signed with the name of Edmund Roberts, and sealed with a seal containing an Eagle and stars.

One copy will be kept in Siam, and another will be taken by Edmund Roberts to the United States. If the Government of the United States shall ratify the said Treaty, and attach the seal of the Government, then Siam will also ratify it on its part, and attach the seal of its Government.

ARTICLE I. There shall be a perpetual peace between the United States of America and the Magnificent King of Siam.

ARTICLE II. The Citizens of the United States shall have free liberty to enter all the Ports of the Kingdom of Siam, with their cargoes of whatever kind the said cargoes may consist; and they shall have liberty to sell the same to any of the subjects of the King, or others, who may wish to purchase the same; or to barter the same for any produce or manufacture of the Kingdom, or other articles that may be found there. No prices shall be fixed by the officers of the King on the articles to be sold by the merchants of the United States, or the merchandize they may wish to buy: but the trade shall be free on both sides, to sell, or buy, or exchange, on the terms and for the prices the owners may think fit. Whenever the said Citizens of the United States shall be ready to depart, they shall be at liberty so to do, and the proper officers shall furnish them with passports—provided always there be no legal impediment to the contrary. Nothing contained in this article shall be understood as granting permission to import & sell munitions of war to any person excepting to the King, who if he does not require, will not be bound to purchase them: neither is permission granted to import opium,⁵ which is contraband, or to export rice, which cannot be embarked as an article of commerce. These only are prohibited.

ARTICLE III. Vessels of the United States entering any Port within His Majesty's dominions, and selling, or purchasing cargoes of merchandize, shall pay in lieu of import and export duties, tonnage, license to trade, or any other charge whatever, a measurement duty, only, as follows. The measurement shall be made from side to side, in the middle of the Vessel's length, and if a single-decked vessel, on such single deck,—if otherwise, on the lower deck. On every vessel selling merchandize, the sum of one Thousand Seven Hundred Ticals or Bats shall be paid, for every Siamese Fathom in breadth so measured,—the said Fathom being computed to contain Seventy Eight English or American Inches; corresponding to Ninety-Six Siamese Inches:—but if the said vessel should come without merchandize, and purchase a cargo

⁵ For a modification, see art. VIII of agreement of May 29, 1856 (TS 322), *post*, p. 985.

with specie only, she shall then pay the sum of Fifteen Hundred Ticals, or Bats, for each and every fathom before described. Furthermore, neither the aforesaid measurement duty, nor any other charge whatever, shall be paid by any vessel of the United States that enters a Siamese Port for the purpose of refitting or for refreshments, or to enquire the state of the market.⁶

ARTICLE IV. If hereafter the duties payable by foreign vessels be diminished in favor of any other Nation, the same diminution shall be made in favor of the vessels of the United States.

ARTICLE V. If any vessel of the United States shall suffer shipwreck on any part of the Magnificent King's dominions, the persons escaping from the wreck shall be taken care of and hospitably entertained at the expense of the King, until they shall find an opportunity to be returned to their country; and the property saved from such wreck shall be carefully preserved and restored to its owners:—and the United States will repay all expenses incurred by His Majesty on account of such wreck.

ARTICLE VI. If any citizen of the United States coming to Siam for the purpose of trade shall contract debts to any individual of Siam, or if any individual of Siam shall contract debts to any citizen of the United States, the debtor shall be obliged to bring forward and sell all his goods, to pay his debts therewith. When the product of such bonâ fide sale shall not suffice, he shall no longer be liable for the remainder; nor shall the creditor be able to retain him as a slave, imprison, flog, or otherwise punish him, to compel the payment of any balance remaining due; but shall leave him at perfect liberty.

ARTICLE VII. Merchants of the United States coming to trade in the Kingdom of Siam, and wishing to rent houses therein, shall rent the King's factories, and pay the customary rent of the country. If the said merchants bring their goods on shore, the King's Officers shall take account thereof, but shall not levy any duty thereupon.

ARTICLE VIII. If any Citizens of the United States, or their vessels or other property, shall be taken by pirates, and brought within the dominions of the Magnificent King, the persons shall be set at liberty, and the property restored to its owners.

ARTICLE IX. Merchants of the United States, trading in the Kingdom of Siam, shall respect and follow the laws and customs of the Country, in all points.

ARTICLE X. If hereafter any foreign Nation, other than the Portuguese, shall request and obtain His Majesty's consent to the appointment of Consuls to reside in Siam, the United States shall be at liberty to appoint Consuls to reside in Siam, equally with such other foreign Nation.

[ROYAL SEAL
OF SIAM]

[SEAL OF MINISTER
OF FOREIGN AFFAIRS]

EDMUND ROBERTS [SEAL]

Whereas the undersigned Edmund Roberts, a Citizen of Portsmouth, in the State of New Hampshire, in the United States of America, being duly appointed an Envoy, by Letters Patent, under the Signature of the President and Seal of the United States of America, bearing date at the City of Washington the twenty-sixth day of January AD. 1832,—for negotiating and concluding a Treaty of Amity and Commerce, between the United States of America and His Majesty the King of Siam;—Now Know Ye, that I, Edmund Roberts, Envoy as aforesaid, do conclude the foregoing Treaty of Amity and Commerce, and every Article and Clause therein contained, reserving the same, nevertheless, for the final ratification of the President of the United States of America, by and with the advice and consent of the Senate of the said United States.

Done at the Royal City of Sia Yuthia (commonly called Bangkok), on the twentieth day of March in the Year of our Lord one thousand eight hundred and thirty-three, and of the Independence of the United States of America the fifty-seventh.

EDMUND ROBERTS