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agreements with the Pope, and other negotiations required for the maintenance of good relations with foreign nations, receives their ministers and admits their consuls.

ARTICLE 95. The Supreme Court of Justice and the inferior courts of the Nation shall have jurisdiction of all cases turning upon points governed by the Constitution; by the laws of the Nation, with the reservations specified in paragraph (11) of Article 68; and by treaties with foreign nations; of all suits referring to ambassadors, ministers plenipotentiary, and foreign consuls; in cases of admiralty, maritime and aeronautical jurisdiction; in suits, in which the Nation is a party; in cases arising in the federal capital and in places governed by the legislation of Congress; in suits between two or more provinces; between one province and the citizens of another province; and between the Nation or a province or its inhabitants and a foreign State. . .

ARTICLE 96. The Supreme Court of Justice shall have original and exclusive jurisdiction in cases arising between a Nation or a province or its inhabitants and a foreign State; in cases concerning ambassadors, ministers plenipotentiary or foreign consuls; and in cases between the Nation and one or more provinces or between the provinces.

2. Constitution of the United States of Brazil, 18 September 1946

(*Diario Oficial*, 15 October 1946; translation from R. H. Fitzgibbon,
The Constitutions of the Americas, pp. 60-106.)

[Translation]

ARTICLE 4. Brazil shall resort to war only in case of non-applicability or failure of resort to arbitration or pacific means of solution of the conflict, regulated by any international organ of security in which it may participate; and in no case shall it embark on a war of conquest, directly or indirectly by itself or in alliance with another State.

ARTICLE 5. The Union shall have power:

I. To maintain relations with foreign States and to negotiate treaties and conventions with them.

II. To declare war and to make peace.

V. To permit foreign forces to pass through national territory, or, for reasons of war, to remain therein temporarily.

ARTICLE 66. The national Congress shall have exclusive power:

I. To give final decision respecting treaties and conventions negotiated with foreign States by the President of the Republic.

II. To authorize the President of the Republic to declare war and make peace.

III. To authorize the President of the Republic to permit foreign forces to pass through national territory, or, by reason of war, to remain therein temporarily.

ARTICLE 87. The President of the Republic shall have exclusive power:

VI. To maintain relations with foreign States.

VII. To negotiate international treaties and conventions, subject to referendum of the national Congress.

VIII. To declare war, after authorization by the national Congress, but without this authorization in the case of foreign aggression, when such occurs in the interval between legislative sessions.

IX. To make peace, with the authorization and subject to referendum of the national Congress.

X. To permit, upon authorization by the national Congress, but without this authorization in the interval between legislative sessions, foreign forces to pass through the territory of the country or, by reason of war, to remain therein temporarily.

ARTICLE 101. The federal Supreme Tribunal shall have power:

I. To prosecute and judge in first instance: . . .

(d) Litigation between foreign States and the Union, the States, the federal district, or the municipalities.

(g) Extradition of criminals, requested by foreign States, and the confirmation of foreign sentences.

II. To judge on ordinary appeal: . . .

(b) Cases decided by local judges, based on a treaty or contract of the Union with a foreign State, as well as those in which a foreign State and a person domiciled in the country may be parties.

III. To judge on special appeal cases decided in sole or final instance by other tribunals or judges:

(a) When the decision is contrary to a provision of this Constitution or the letter of a federal treaty or law.

ARTICLE 102. With voluntary appeal to the federal Supreme Tribunal, its President shall have power to grant exequatur to letters rogatory from foreign tribunals.